



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 19 December 2012

**17602/12
ADD 1**

PV CONS 71

ADDENDUM to DRAFT MINUTES

Subject: **3210th** meeting of the Council of the European Union (**GENERAL AFFAIRS**)
held in Brussels on 11 December 2012

PUBLIC DELIBERATION ITEMS¹

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¹ Deliberations on Union legislative acts (Article 16(8) of the Treaty on European Union), other deliberations open to the public and public debates (Article 8 of the Council's Rules of Procedure).

LEGISLATIVE DELIBERATIONS

(public deliberation in accordance with Article 16(8) of the Treaty on European Union)

"A" ITEMS

1. Proposal for a Regulation of the European Parliament and of the Council on the marketing and use of explosives precursors [First reading] (LA+S)

PE-CONS 48/12 COMPET 500 CHIMIE 59 ENFOPOL 234 ENV 613

MI 491 ENT 175 CODEC 1902 OC 421

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, with the Austria delegation abstaining, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 114 of the TFEU).

Statements by Germany

1. In view of both recital 4 and our understanding that it is not the objective of this Regulation to prohibit other measures taken by Member States to protect the public from the risks posed by the listed chemicals and particularly from the health risks involved, Germany regrets that it was not possible to make it clear, in either the wording of the Regulation or in the recitals, that existing European or national provisions, particularly those on the protection of health, remain unaffected. We acknowledge that recital 4 has been amended to include a reference to existing provisions for the protection of the environment and of workers' safety as an alternative to any such regulation. However, the reference to rules concerning workers' safety does not go far enough.

2. Germany points out that a greater harmonisation of the rules on the labelling of affected products would have been desirable with a view to the internal market and the avoidance of unnecessary bureaucracy for businesses. In addition, in line with the purpose of the Regulation and in order to avoid red tape, only the distributor should be subject to the labelling requirement provided for in the Regulation.

Statement by Bulgaria

"Bulgaria fully recognises the importance of establishing a common legislative framework with harmonized rules for marketing and use of explosive precursors, which would also aim at strengthening the level of public security and reducing the risk of terrorist attacks throughout the Union.

Bulgaria will therefore support the adoption of the Regulation.

However, we would like to express our regrets that the proposed Regulation does not fully achieve its goals.

Bulgaria believes that the aim of the Regulation both as regards the functioning of the Internal market and the security issues, could best be achieved with a simpler regime.

Bulgaria therefore considers that the option which would cause least administrative burden would be not to derogate from the EU-wide restrictions at all."

2. Proposal for a Regulation of the European Parliament and of the Council on the approval and market surveillance of two- or three-wheel vehicles and quadricycles [First reading] (LA+S)

PE-CONS 52/12 ENT 213 ENV 699 CODEC 2104 OC 616

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, with the United Kingdom delegation abstaining, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 114 of the TFEU).

Statement by the United Kingdom and Bulgaria

"The United Kingdom and Bulgaria regret that in introducing the Euro 5 stage of emissions restrictions without evidence of proportionate benefits, the principles of Better Regulation and evidence-based policy-making have not been followed."

3. Proposal for a Regulation of the European Parliament and of the Council amending Annex I to Council Regulation (EC) No 1528/2007 as regards the exclusion of a number of countries from the list of regions or states which have concluded negotiations [First reading] (LA+S)

- Adoption
 - a) of the Council's position at first reading
 - b) of the statement of the Council's reasons
 - 16737/1/12 REV 1 CODEC 2804 ACP 236 WTO 381 UD 303 OC 673
 - + REV 1 ADD 1
 - 15519/12 ACP 210 WTO 339 UD 259 CODEC 2495 OC 593
 - + ADD 1
 - approved by Coreper, Part 2, on 05.12.2012

The Council approved its position at first reading, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union (Legal basis: Article 207(2) of the TFEU).

Statement by France

"In France's view, the deadline for ratification of economic partnership agreements set out in the draft Regulation of the European Parliament and of the Council amending Annex I to Council Regulation (EC) No 1528/2007 is too early: it would create a risk of excluding a number of countries which have concluded negotiations from the list of countries enjoying preferential access to the EU market. Its proximity could lead to perplexity in the ACP countries, which would be harmful to the process of negotiating full regional EPAs.

While it is important to set a deadline for ratification, that deadline must be compatible with the ACP countries' national decision-making processes and must allow those countries to prepare as well as possible for the entry into force of the EPAs. It is also essential that the agreements be applied by both parties in a climate of trust and a spirit of partnership. France has always supported the Economic Partnership Agreement process; it considers them true partnerships promoting the development of ACP countries. In that light, the President of the French Republic, in his speech to Senegal's National Assembly in Dakar on Friday 12 October 2012, spoke in favour of taking more account of African interests in the negotiating of EPAs and of restarting discussions with scheduling and content conditions more favourable to African countries. For these reasons, France understands the European Parliament's arguments, which led it to ask for the deadline to be put back to 2016, and in this context France favours a trilogue to agree a later ratification deadline, which would give the ACP countries more time and lend the last stage of the process greater visibility."

AGENDA ITEMS

NON LEGISLATIVE ACTIVITIES - PUBLIC DEBATES

(in accordance with Article 8(3) of the Council's Rules of Procedure)

8. 18-month Programme of the Council (1 January 2013 - 30 June 2014)

- Endorsement
17426/12 POLGEN 213

Following a joint presentation by the incoming Presidencies Ireland, Lithuania and Greece, the Council endorsed the 18-month Programme of the Council's activities covering the period from 1 January 2013 to 30 June 2014.

The Presidency announced that a revised version of the programme may be issued in order to take account of the outcome of ongoing work in the European Council and in the different Council configurations.

Since the Council agreed to endorse the programme only in one linguistic version, the other linguistic versions will be endorsed as A items at a forthcoming Council at the earliest opportunity.

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