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**COUNCIL OF
THE EUROPEAN UNION**



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PRESS RELEASE

3118th Council meeting

Environment

Luxembourg, 10 October 2011

President

Mr Andrzej Kraszewski
Minister for the Environment of Poland

P R E S S

Rue de la Loi 175 B – 1048 BRUSSELS Tel.: +32 (0)2 281 7040 / 6319 Fax: +32 (0)2 281 8026
press.office@consilium.europa.eu <http://www.consilium.europa.eu/Newsroom>

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Main results of the Council

The Council adopted a decision establishing the position of the European Union at the 10th Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal

The Council also adopted conclusions on

- *establishing the EU position for the 17th Conference of the Parties to the UN Framework Convention on Climate Change (UNFCCC),*
- *the assessment of the EU's 6th Environment Action Programme (EAP) 2002-2012 and the way forward;*
- *establishing the first general position of the EU at the UN Conference on Sustainable Development (Rio + 20),*

Among other items, the Council also adopted without debate a directive on consumer rights, and two regulations, one establishing a European Agency for the Management of Operational Cooperation at the External Borders of the European Union (FRONTEX) and another one on energy market integrity and transparency (REMIT).

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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

Belgium:

Ms Evelyne HUYTEBROECK

Minister for the Environment and Energy

Bulgaria:

Ms Nona KARADJOVA

Minister for the Environment and Water

Czech Republic:

Mr Tomáš CHALUPA

Minister for the Environment

Denmark:

Ms Ida AUKEN

Minister for the Environment

Mr Martin LIDEGAARD

Minister for Climate and Energy

Germany:

Ms Ursula HEINEN-ESSER

Parliamentary State Secretary to the Federal Minister for the Environment, Nature Conservation and Reactor Safety

Estonia:

Ms Keit PENTUS

Minister for the Environment

Ireland:

Mr Phil HOGAN

Minister for Environment, Community and Local Government

Greece:

Mr Giorgos PAPACONSTANTINOU

Minister for the Environment, Energy and Climate Change

Spain:

Ms Teresa RIBERA

State Secretary for Climate Change

France:

Ms Nathalie KOSCIUSKO-MORIZET

Minister for Ecology, Sustainable Development, Transport and Housing

Italy:

Ms Stefania PRESTIGIACOMO

Minister for the Environment, the Protection of Natural Resources and the Sea

Cyprus:

Mr Sofoklis ALETRARIS

Minister for Agriculture, Natural Resources and Environment

Latvia:

Mr Raimonds VĒJONIS

Minister for Environmental Protection and Regional Development

Lithuania:

Mr Aleksandras SPRUOGIS

Deputy Minister for the Environment

Luxembourg:

Mr Claude WISELER

Minister for Sustainable Development and Infrastructure

Mr Marco SCHANK

Minister for Housing, Minister with responsibility for Sustainable Development and Infrastructure

Hungary:

Mr Sándor FAZEKAS

Minister for Rural Development

Mr Péter OLAJOS

Deputy State Secretary for Climate Change and Green Development

Malta:

Mr George PULLICINO

Minister for Resources and Rural Affairs

Mr Mario DE MARCO

Parliamentary Secretary for Tourism, the Environment and Culture

Netherlands:

Mr Joop AT SMA

State Secretary, Ministry of Infrastructure and the Environment

Austria:

Mr Nikolaus BERLAKOVICH

Federal Minister for Agriculture, Forestry, Environment
and Water Management**Poland:**

Mr Andrzej KRASZEWSKI

Ms Joanna MAĆKOWIAK-PANDERA

Minister for the Environment

Deputy State Secretary, Ministry of the Environment

Portugal:

Mr Pedro AFONSO DE PAULO

State Secretary for the Environment and Regional
Planning**Romania:**

Mr Laszlo BORBELY

Minister for the Environment and Forests

Slovenia:

Mr Roko ŽARNIČ

Minister for the Environment

Slovakia:

Mr Jozsej NAGY

Minister for the Environment

Finland:

Mr Ville NIINISTÖ

Minister for the Environment

Sweden:

Ms Lena EK

Minister for the Environment

United Kingdom:

Mr Chris HUHNE

Ms Caroline SPELMAN

Secretary of State for Energy and Climate Change

Secretary of State for Environment, Food and Rural
Affairs**Commission:**

Mr Janez POTOČNIK

Ms Connie HEDEGAARD

Member

Member

ITEMS DEBATED

Durban climate change conference

The Council adopted conclusions ([15353/11](#)) establishing the EU position at the 17th Conference of the Parties to the UN Framework Convention on Climate Change (UNFCCC), which will take place from 28 November to 9 December in Durban, South Africa.

Ministers discussed in particular the possibility of prolonging the Kyoto Protocol beyond the end of 2012, the so-called "second commitment period" and the management of surplus "Assigned Amount Units" (AAUs)¹. The EU remains of the view that a single legally-binding instrument would be the best framework for the period after 2012, but the Council agreed in confirming the EU's openness to a second commitment period, on the condition that it should be the last one before convergence between the Kyoto Protocol and Convention outcomes, and that in any case it should last no longer than 2020.

Ministers also recalled that this possible second commitment period must be compatible with a timeline for the development and entry into force of the future legally-binding global framework engaging all Parties, including mitigation commitments in particular from all major economies, in line with the principle of common but differentiated responsibilities and respective capabilities. Furthermore ministers stressed that the architecture and the environmental integrity of the Kyoto Protocol must be preserved, including on Land Use, Land-Use Change and Forestry (LULUCF), surplus of Assigned Amount Units (AAUs) and market-based mechanisms.

A number of ministers and the Commission recalled that an unlimited carry-over of surplus AAUs after 2012 (as currently foreseen in the Kyoto Protocol) could jeopardise the environmental effectiveness of the global reduction targets, in particular since several developed countries have greenhouse gas emission levels that are well below their Kyoto Protocol targets and are therefore expected to have a lot of surplus emission rights over the 2008-2012 period.

The Council agreed to present at the Conference of the Parties to the Kyoto Protocol options analysed and approved at the EU level, in order to deliver a solution on the use and carry-over of AAUs that maintains an ambitious level of environmental integrity and preserves incentives for overachievement.

¹ During the Kyoto Protocol's first commitment period (2008-2012), an international emissions trading regime was established allowing countries with Kyoto targets to buy and sell emission credits amongst themselves with the aim of reducing the costs of cutting emissions. EU-15 Member States were required, by 15 January 2006, to submit to the Commission the information necessary to determine the total amount they would be permitted to emit during 2008-2012 - the so-called "assigned amount". Once this has been set by the UN, an equivalent number of "Assigned Amount Units" (AAUs) will be issued into the registry of that Member State. Each AAU is equivalent to 1 tonne of CO₂-eq.

Basel Convention on the Control of Transboundary Movements of Hazardous Wastes

The Council adopted a decision establishing the position of the European Union at the 10th Conference of the Parties (COP 10) to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (*14223/1/11*), which will take place in Cartagena de Indias (Colombia) from 17 to 21 October 2011. The theme of the conference is "Prevention, minimization and recovery of wastes", and the COP is also expected to take a decision on the budget for 2012-2013.

On behalf of the Union, the Commission will support Indonesia and Switzerland's recommendations concerning the interpretation of paragraph 5 of article 17 of the Convention, which would allow for the entry into force at international level of the so-called "Ban Amendment"- prohibiting hazardous waste exports for final disposal and recycling from a list of developed (mostly OECD) countries to developing countries - which has already been part of EU legislation since 2006.

In order to provide guidance for the negotiations, the Council also adopted conclusions (*15393/11*) on the main issues on the agenda of this international meeting, addressing in particular the new strategic framework for 2012-2021, the compliance regime and the ratification of the Hong Kong Convention on ship recycling (*7505/10*).

6th EU Environment Action Programme

The Council adopted conclusions on the assessment of the EU's 6th Environment Action Programme (EAP) 2002-2012¹ ([15384/11](#)) and the way forward. During lunch, ministers had an exchange of views on how to improve the implementation of measures in the environmental field and how to ensure synergies between the future 7th EAP and the "Roadmap to a resource-efficient Europe" ([14632/11](#)), on the basis of two questions put by the Presidency.

The Commission's assessment of the 6th EAP is both comprehensive and forward-looking, and looks at relevant existing initiatives such as the Europe 2020 Strategy, the preparations for Rio +20, the roadmap towards a resource-efficient Europe, the post-2010 Biodiversity Strategy, etc. It acknowledges that the 6th EAP allowed for the consolidation and completion of legislation in almost all areas of environment policy and that its adoption through the co-decision procedure helped lend more legitimacy to subsequent policy proposals. However, it also shows some shortcomings and limitations, mainly as regards coherence between the different strands of EU environmental policy and the level of implementation by member states.

The Council again invited the Commission to present a successor to the current programme in early 2012, in line with its conclusions of December 2010 ([5302/11](#)), recalling that environment action programmes had been a feature of EU policy making in this field since 1973. A number of ministers expressed concern regarding the possible "legislative gap" between the end of the 6th EAP on 22 July 2012 and the later date of the entry into force of the 7th EAP.

The Commission indicated that a later date in 2012 seemed more realistic, arguing that it will need more time to launch consultations and that the European Parliament's opinion on the assessment of the 6th EAP will not be adopted until December 2011.

In this context, the Council also asked the Commission to prepare as soon as possible a second Environment and Health Action Plan (EHAP) to promote health through environmental policy further, since the first action plan ([10491/04](#) + [ADD 1](#)) had already expired in 2010.

The Commission considered that this would be premature, since possible arrangements for such an action plan will not be clear until after the development of the 7th EAP: it could be either a specific action plan or be integrated in the future 7th EAP.

¹ [OJ L 242, 10.9.2002.](#)

UN Conference on Sustainable Development 2012 (Rio + 20)

The Council adopted conclusions establishing the EU general position at the UN Conference on Sustainable Development ([15388/11](#)), to be held from 4 to 6 June 2012 in Rio de Janeiro.

Ministers held an exchange of views on the two themes of the conference:

- a green economy in the context of sustainable development and poverty eradication;
- the institutional framework for sustainable development

and they also set out their expectations for this meeting. There was consensus on the fact that the transition towards a green economy has great potential to promote long-term sustainable growth, create jobs and thus eradicate poverty. Several ministers also pointed out that to contribute effectively to poverty eradication, green economy policies and measures need to take into account the needs of the poor.

Ministers expect therefore that the main operational outcomes of the Rio+20 should include a "green economy roadmap" with specific goals and actions at international level, as well as a package of reforms leading to a strengthened international environmental governance. A number of member states stressed that the EU should be ambitious and continue to take the lead in this process.

Ministers acknowledged generally that the weakness of the current institutional framework for sustainable development hinders the effective implementation of the objectives agreed at previous international conferences. In this context, several ministers stressed the need for upgrading the UN Environment Programme (UNEP) into a UN specialized agency for the environment, so as to streamline UN operations in this field.

A number of member states and the Commission also recalled the role that resource efficiency can play to involve more closely the private sector in the common efforts and several member states underlined the importance of participation of the civil society in the process leading to Rio+20 and in the implementation of its outcomes.

As regards the funding for sustainable development policies and actions, most member states agreed that it should come both from public and private sources, but also called for a more effective use of existing resources. Several ministers were of the opinion that other innovative sources of finance should be identified and mobilised.

The detailed negotiating position of the EU and its member states should be further developed in the contribution to UN DESA (Department of Economic and Social Affairs), to be delivered by 1 November 2011.

Any other business

- Outcome of the Fourth Meeting of the Parties to the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Chisinau, Republic of Moldova, 29 June to 1 July 2011)

The Council took note of information from the Presidency and the Commission on the outcome of the 4th Convention meeting (MOP 4), as summarized in [15209/11](#). The Aarhus Convention was adopted on 25 June 1998 at the 4th Ministerial Conference of the "Environment for Europe" process, under the aegis of the United Nations Economic Commission for Europe (UNECE). It entered into force on 30 October 2001 and currently has 44 parties, including the European Union and its 27 Member States. It aims to contribute to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being.

The MOP adopted the Chisinau Declaration "Rio Plus Aarhus – 20 Years on: Bearing Fruit and Looking Forward,"

- Outcome of the 7th "Environment for Europe" Ministerial Conference (Astana, Kazakhstan, 21-23 September)

The Council took note of the information provided by the Presidency on the outcome of the ministerial conference ([15210/11](#)) which dealt with the two themes:

- sustainable management of water and water-related ecosystems;
- greening the economy: mainstreaming the environment into economic development.

The Astana Ministerial Declaration was adopted at the end of the conference. The Astana Water Action and the extension of the Shared Environmental Information System (SEIS) across the Pan-European region were other important decisions resulting from this Conference.

The outcomes of the Astana Conference will also serve as a contribution from the UNECE region to the 2012 UN Conference on Sustainable Development ("Rio +20").

- Roadmap for the EU ratification of the Access and Benefit-Sharing Protocol (Nagoya Protocol)

The Council took note of information from the Commission on the roadmap for ratification of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization. The Commission is currently analysing the legal and economic aspects of implementing the Protocol in the EU and has taken some preparatory steps.

The Nagoya Protocol (NP) was adopted by the Conference of the Parties to the Convention on Biological Diversity at its 10th meeting on 29 October 2010 in Nagoya, Japan. It aims to contribute to the conservation of biological diversity and the sustainable use of its components. It is open for signature by Parties to the Convention from 2 February 2011 until 1 February 2012 at the United Nations Headquarters in New York.

The protocol has so far been signed by 60 Parties of the Convention, including the EU and 20 Member States, but no ratifications have been registered yet. The first meeting of the Parties to the NP could be held in conjunction with the 11th meeting of the Convention on Biological Diversity in India, in October 2012.

- Outcome of the first plenary of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) (Nairobi, Kenya, 3-7 October 2011)

The Council took note of information from the Presidency and the Commission on the outcome of this meeting, which aimed in particular at determining working methods and institutional arrangements of the Platform. The first meeting of the Platform took place in Malaysia in 2008, with the participation of governments and the international community. There have been two other meetings since then, and the second plenary meeting will be held in early 2012 during the Danish Presidency.

- Commission Communication: "Roadmap to a Resource-Efficient Europe" ([14632/11](#))

The Council took note of the presentation by Commissioner Potoznik, as summarized in [15176/11](#). The Roadmap aims to explain how future policies and actions ranging from energy, transport, taxation, construction and agriculture to climate, water, fisheries and biodiversity can be designed and implemented coherently, defining medium and long term objectives and the means needed for achieving them. The Roadmap builds upon and complements other initiatives and should be seen in the context of worldwide efforts to achieve a transition towards a low-carbon economy.

- Aviation - ETS implementation

The Council took note of information from the Italian delegation on difficulties encountered by its competent national authorities in implementing Directive 2008/101/EC as regards the inclusion of emissions from aviation in the EU Emissions Trading Scheme (ETS) ([14693/11](#)).

Directive 2003/87/EC¹ on an Emissions Trading Scheme (the ETS Directive) constitutes the key instrument for reducing emissions from energy-intensive industries and contributing towards deploying the necessary low-carbon technologies. The EU ETS scheme creates the legal framework for the EU's independent (that is, independent of events in international climate negotiations) commitment of reducing its emissions by 20% by 2020 compared to 1990 levels.

In November 2008, the scheme was extended to include also aviation activities.² As from 1 January 2012, all flights arriving to, or departing from, the EU will be included in the scheme.

The Commission drew the attention of the Council to the recent opinion of Advocate-General Kokott in judicial proceedings brought by third countries (case C-366/10), which confirms that the EU legislation in this field does not infringe the sovereignty of other States or the freedom of the high seas guaranteed under international law, and is compatible with international law. The Commission also informed the Council about its ongoing dialogue with ICAO and distributed information on the value of free allowances and ticket prices in the EU ETS for the aviation sector.

- Progress towards achieving the Kyoto objectives

The Council took note of information from the Commission regarding the progress of the member states and the Union as a whole towards fulfilling their greenhouse gas emission commitments under the UN Climate Change Convention (UNFCCC) and the Kyoto Protocol ([15170/11](#)). In accordance with Decision 280/2004/EC ("Monitoring Mechanism Decision"), the Commission conducts this assessment annually, in consultation with member states, and presents a report to the Council and European Parliament..

¹ Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC ([OJ L 275, 25.10.2003, p. 32](#))

² Directive 2008/101/EC amending Directive 2003/87/EC so as to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Community ([OJ L 8, 13.1.2009, p. 3](#)).

This latest report, which analyses data from 2009, concludes that the EU-15 will reach and even exceed its Kyoto target. Member states who joined the EU from 2004 onwards and which have individual commitments under the Kyoto Protocol are also on track to deliver on them. Regarding progress towards the target of reducing emissions by 20% by 2020, the report concludes that further efforts are needed, especially in sectors not covered by the EU ETS, such as transport, agriculture and waste.

- Allocation of allowances to industrial installations covered by the EU ETS

The Council took note of information provided by the Commission regarding the notification of national implementing measures for free allocation of allowances to industrial installations, as summarized in [15180/11](#).

Commission Decision 2011/278/EU ("Benchmarking Decision") sets out the rules, including the benchmarks, to be used by the member states in calculating the number of allowances to be annually allocated for free to each industrial installation in their territory covered by the EU ETS (Emissions Trading Scheme). The deadline for Member State submissions to the Commission of these national implementation measures (NIM's) for the period 2013-2020 was 30 September 2011. According to the Commission, only very few member states have submitted their NIMs, while several have indicated that their submissions will be delayed. The Commission also recalled that the global allocation of allowances depends on all members states submitting their data in time.

- Preparation for the World Water Forum (Marseille, 12 to 17 March 2012)

The Council took note of information from the French delegation concerning the 6th World Water Forum (WWF), which will take place in Marseille from 12 to 17 March 2012, with the participation of governmental and local authorities, businessmen, academics and organisations involved directly or indirectly in the water sector ([15140/11](#)).

The Sixth WWF will deal with issues such as guaranteeing access to water for all, reducing sanitary water-related risks, water treatment and public health.

- Endocrine disrupting chemicals

The Council took note of information from the French and Swedish delegations on EU work on endocrine disrupting chemicals ([15099/11](#)). More and more evidence suggests that certain chemicals could harm human reproduction, affect the unborn child and also its later development. These chemicals can be found in everyday products (e.g. cosmetics, furniture, toys, textiles, household utensils).

The Commission has recently published its 4th report on the implementation of the "Community Strategy for Endocrine Disrupters" ([13461/11](#)), including the provisions on future developments. The Swedish and French delegations, supported by several member states, would like to invite the European Commission to present in more detail the various actions foreseen in the report.

The Commission informed the Council that it has launched a major study on this question, which will be completed by the end of the year; it will report back to the Council in the beginning of 2012.

- Environmental burdens

The Council took note of information from the Slovak delegation inviting the Council to create a EU tool for financing remediation measures for environmental damage from contaminated sites, in cases where the polluter is unknown or does not exist and the "polluter pays" principle cannot be applied, as well as a special EU fund for immediate support in case of ecological disasters directly related to contaminated sites ([15168/11](#)).

- Ongoing Council work on resource-efficient Europe

The Council took note of the information provided by the Presidency concerning ongoing work in other Council formations, in particular Competitiveness, on resource-efficient Europe.

The Presidency presented the outcome of the informal "Competitiveness" Council held in Sopoton 21 and 22 July 2011 ([14356/11](#)). In this context, the Presidency also drew the Council's attention to the Council conclusions on a competitive European economy in the light of resource efficiency ([14874/11](#)), as adopted by the Competitiveness Council on 29 September 2011.

- Use of industrial gas credits under the Effort Sharing Decision

The Finnish delegation informed the Council that Finland joined the political declaration made by eleven Member States at the Environment Council on June 2011, expressing their intention not to use certain industrial gas credits for national compliance under Decision 406/2009/EC on the effort of Member States to reduce their greenhouse gas emissions .

OTHER ITEMS APPROVED

ENVIRONMENT

Scrutiny of Commission legislative acts related to the environment

The Council decided not to oppose the adoption of the following seven Commission's legislative acts:

- draft Commission decision prolonging the validity of the ecological criteria for the award of the EU ecolabel to certain products ([13234/11](#));
- draft Commission decision on the voluntary participation by organisations in a EU eco-management and audit scheme ([13437/11](#));
- draft Commission regulation determining the volume of greenhouse gas emission allowances to be auctioned prior to 2013 ([13408/11](#) + [COR 1](#));
- draft Commission decision concerning the sectors and subsectors which are deemed to be exposed to a significant risk of carbon leakage ([13113/11](#));
- draft Commission decision establishing rules and calculation methods for verifying compliance with targets on the re-use, recycling and other material recovery of waste materials ([13097/11](#));
- draft Commission regulation establishing a EU registry for the trading period commencing on 1 January 2013, and subsequent trading periods, of the EU emissions trading scheme ([13462/11](#));
- draft Commission regulation on the protection of species of wild fauna and flora by regulating trade therein ([13742/11](#)).

The Commission acts are subject to what is known as the regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt them, unless the European Parliament objects.

ENERGY

Energy market integrity and transparency

The Council adopted a regulation on wholesale energy market integrity and transparency following a first-reading agreement reached with the European Parliament ([34/11](#)).

The new regulation sets up a framework for monitoring wholesale energy markets in order to detect and deter market abuse and manipulation effectively. The central element of this framework is the establishment of a market monitoring function at European level, a task which will be carried out by the Agency for the Cooperation of Energy Regulators.

For more details see press release [15199/11](#).

JUSTICE AND HOME AFFAIRS

Frontex regulation adopted

The Council adopted the new rules for Frontex, the European Agency for the management of operational cooperation at the external borders of the EU ([37/11](#)).

The revised rules will strengthen the operational capacities of Frontex in a number of areas. They will, for example, give Frontex the possibility to buy or lease its own equipment (cars, vessels, helicopters etc.) or to buy such equipment in co-ownership with a member state.

The changes are expected to enter into force before the end of the year.

For more information, see the [press release](#).

INTERNAL MARKET

Update of the list of defence-related products

The Council decided to oppose the adoption by the Commission of a directive updating the list of defence-related products contained in directive 2009/43/EC ([14773/11](#)).

The Council decision states that the draft directive submitted by the Commission exceeds the implementing powers provided for in directive 2009/43/EC, by requiring EU member states to give notice of their transposition measures in the form of correlation tables.

In accordance with the regulatory procedure with scrutiny the Council may oppose, by qualified majority, the adoption of the draft Commission directive, justifying its opposition by indicating:

- that the draft measures proposed by the Commission exceed the implementing powers provided for in the basic instrument, in this case article 13 of directive 2009/43/EC, or
- that the draft directive is not compatible with the aim or the content of the basic instrument, or
- that the draft directive does not respect the principles of subsidiarity or proportionality.

Article 13 of directive 2009/43/EC¹ simplifying terms and conditions of transfers of defence-related products within the EU provides that the Commission shall update the list of defence-related products, so that it corresponds to the EU's common military list², which was last updated on 21 February 2011³. It further provides that this update will be done through the regulatory procedure with scrutiny.

Directive 2009/43/EC seeks to contribute to the development of a single market for defence products, hereby reinforcing the competitiveness of Europe's defence industry.

¹ [Official Journal L 146, 10.6.2009, p.1.](#)

² [Official Journal L 88 of 29.3.2007, p. 58.](#)

³ [Official Journal C 86 of 18.3.2011, p. 1.](#)

Hand-held brush cutters - Consumer protection

The Council decided not to oppose the adoption by the Commission of a decision aimed at banning the placing on the market of flail-type cutting attachments consisting of several linked metal parts for portable hand-held brush cutters.

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

TRADE POLICY**Anti-dumping - Hand pallet trucks - China and Thailand**

The Council adopted a regulation imposing a definitive anti-dumping duty on imports of hand pallet trucks and their essential parts originating in China as extended to imports of hand pallet trucks and their essential parts consigned from Thailand, whether declared as originating in Thailand or not, following an expiry review pursuant to regulation 1225/2009 ([14189/11](#)).

TRANSPORT**Access to the Public Regulated Service offered by the Galileo satellite navigation system ***

The Council adopted a decision on rules for access to, and management of, the Public Regulated Service (PRS) provided by the European global navigation satellite system under the Galileo programme ([40/11](#) + [14697/11 ADD 1](#)), following approval of the draft legal act by the European Parliament. PRS is a secure encrypted service for sensitive applications that need to continue to be operational even in crisis situations when other services may be cut off. Access to it will be restricted to authorised users, principally governmental bodies such as police, border control or civil protection authorities.

The decision contains the following key elements:

- the member states, the Council, the Commission and the European External Action Service will have unlimited and uninterrupted access to the service worldwide. Each of them will decide whether to use the PRS within their respective competences, and it is up to them to authorise users and the uses that may be made of the PRS;
- member states wishing to use PRS or producing PRS receivers have to designate a PRS authority responsible for managing and monitoring end-users as well as for the manufacture of PRS receivers in accordance with common minimum standards;
- the production of PRS receivers will require an accreditation process;
- non-EU countries or international organisations can only become PRS participants if agreements on security procedures and access rules have been concluded with the EU;
- PRS receivers may be exported only to authorised non-EU countries.

The PRS is one of five services to be provided by the Galileo satellite system. It is scheduled to be launched in 2014, together with the Open Service and the Search-and-Rescue Service, while the Safety-of-Life Service and the Commercial Service will be operational somewhat later.

CONSUMER PROTECTION

Consumer rights directive - Distance (including on-line) and off-premises purchases

The Council adopted a directive aimed at increasing consumer protection across the European Union. The adoption follows a first-reading agreement with the European Parliament ([26/11](#) + [14701/11 ADD1](#)).

The new directive fully harmonises the list of information to be given to consumers and the right of withdrawal for distance and off-premises purchases.

Subject to certain exceptions, the consumer will have the right to withdraw from a distance or off-premises contract within a period of fourteen days without giving any reason and without any costs. For that purpose, he may make use of a standard withdrawal form that he will receive from the trader.

For more details see press release [15257/11](#).

FISHERIES

Partnership agreement between the EU and Cape Verde - Conclusion of a new protocol

The Council adopted a decision on the conclusion of a new protocol setting out the fishing opportunities and financial contribution provided for in the fisheries partnership agreement between the EU and the Republic of Cape Verde ([9793/11](#))

The partnership agreement in the fisheries sector between the EU and Cape Verde was concluded in 2006. The main objective of the protocol to this agreement is to define the fishing opportunities offered to EU vessels as well as the financial contribution due, separately, for access rights and for sectoral support. The previous protocol being due to expire on 31 August 2011, a new protocol was initialled on 22 December 2010 covering a period of three years from 1 September 2011. In order to allow EU vessels to carry out fishing activities, the new protocol was signed and applied on a provisional basis, pending completion of the procedures for its formal conclusion.

APPOINTMENTS**Economic and Social Committee**

The Council appointed:

Dr Sabine HEPPERLE (Germany) ([14816/11](#));

Mr Seamus BOLAND (Ireland) ([14814/11](#));

Mr Gonçalo da GAMA LOBO XAVIER (Portugal) ([14808/11](#)); and

Mr Liviu LUCA (Romania) ([14810/11](#)),

as members of the Economic and Social Committee for the remainder of the current term of office, which runs until 20 September 2015.
