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Transport, Telecommunications and Energy

Brussels, 14 March 2014

President **Michalis Chrisochoidis**
Minister of Infrastructure, Transport and Networks of
Greece

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Main results of the Council

*The Council **agreed a general approach** regarding a proposal aimed at defining the new tasks of the **European Railway Agency (ERA)** to reflect its stronger role in the future in safety certification and vehicle authorisation. The draft regulation is the third and final part of the **fourth railway package's** technical pillar, whose completion is expected to increase economies of scale for railway undertakings across the EU, reduce administrative costs and speed up procedures. It should also help to avoid any covert discrimination in the issuing of safety certificates and vehicle authorisations.*

*The Council **adopted its position** on a draft Council regulation intended to set up a public-private partnership called **Shift2Rail joint undertaking**, which will manage a research and innovation work programme to support the development of better rail services in Europe. Shift2Rail's goal is to double the capacity of the railway transport system, to reduce its life-cycle cost by 50% and to increase the reliability and punctuality of rail services by 50%.*

*The Council **held a policy debate** on a Commission Communication, "**Together towards competitive and resource-efficient urban mobility**". Ministers expressed their views based on questions formulated by the presidency.*

Mr Michalis Chrisochoidis, the Greek Minister of Infrastructure, Transport and Networks, said: "Today the Council had a very productive discussion on a number of files. The excellent cooperation amongst the ministers resulted in important decisions for the railway sector, the positive results of which will be visible in the near future. We also had a fruitful exchange of views on urban mobility, in particular on added value measures at Union level that could improve the everyday lives of the European citizens. Finally I had the opportunity to inform my colleagues about the progress made on various files during the Greek Presidency. We continue our systematic work taking advantage of the progress already achieved".

The Council also adopted important items without discussion (A items), including:

- Directive regarding the European Investigation Order*
- Directive on the freezing and confiscation of proceeds of crime*
- Visa liberalisation for Moldova*
- EU tobacco directive*

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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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ITEMS DEBATED

LAND TRANSPORT

European Railway Agency

The Council today agreed a **general approach** regarding a proposal aimed at defining the **new tasks of the European Railway Agency** to reflect its **stronger role in the future in safety certification and vehicle authorisation**.

The revision of the ERA's rules (report to the Council: [7321/14](#); Commission proposal [6012/13](#)) is part of the technical pillar of the **fourth railway package**, published by the Commission in January 2013. The new ERA regulation will formalise the Agency's wider remit that stems from the other two legislative files under the technical pillar: the directives on interoperability (press release [10457/1/13 REV 1](#), p. 20) and safety (press release [14602/13](#)).

For more details, see press release [7665/14](#).

Shift2Rail

The Council **adopted its position** on a draft Council regulation intended to set up a public-private partnership called **Shift2Rail joint undertaking** to support the development of better rail services in Europe (text approved as in [7322/14](#)).

The joint undertaking will play a major role in coordinating and informing stakeholders on rail-related research and innovation across Europe. It will manage all rail-focused research and innovation actions co-funded by the EU. It will actively promote the involvement of all relevant stakeholders, including, for instance, manufacturers of railway equipment, passengers' and freight associations, and the relevant scientific community.

Its performance will be measured against quantitative indicators, including a 100% increase in the capacity of the railway transport system, a 50% reduction in its life-cycle cost, and a 50% decrease in unreliability and late arrivals.

The innovative technologies and solutions to be developed, demonstrated and validated by Shift2Rail are expected to boost the EU rail sector's competitiveness vis-à-vis the other modes of transport and foreign competition, as well as create jobs and increase exports.

Shift2Rail will be established by the EU and by eight partners from the industry, which are: Alstom, Ansaldo, Bombardier, Construcciones y Auxiliar de Ferrocarriles, Network Rail, Siemens, Thales and Trafikverket. Associated members will be selected through an open call for membership. The minimum own contribution required to become an associated member will be 2.5% of the total budget of the innovation programme in which the applicant wants to participate. However, in order to become an associated member, railway undertakings in the form of a single legal entity would need to contribute at least EU 12 million, and consortia composed of railway undertakings and/or infrastructure managers at least EUR 15 million, across all innovation programmes.

The EU's share of the funding will come from the Horizon 2020 programme, and it will amount to a maximum of EUR 450 million over the period 2014 to 2020, including EFTA contributions. Additional funds may be allocated from other EU instruments to support the deployment of Shift2Rail's innovative solutions. The total contribution from the industry will be at least EUR 470 million.

Shift2Rail's mandate will end on 31 December 2024, after which it will be wound up.

The adoption of the Council regulation requires a qualified majority. The European Parliament is being consulted.

See also: [Shift2Rail website](#)

HORIZONTAL

Urban mobility

The Council held a **policy debate** on a **Commission Communication, "Together towards competitive and resource-efficient urban mobility"** ([7002/14](#), [18136/13](#) + [ADD 1](#)). The Presidency invited ministers to express their views on sustainable mobility planning as suggested in the Communication; on the best use of the various funding mechanisms to put in place an urban mobility strategy; and on any other priority issues or measures of European added value which are not covered by the Communication but which should be considered at EU level.

Ministers expressed their support for the Communication's objective of stronger efforts and more cooperation to tackle mobility-related problems and improve quality of life in European cities.

They generally welcomed the idea of sustainable urban mobility plans to be developed in cooperation across different policy areas and sectors (transport, land use and spatial planning, environment, economic development, social policy, health, road safety, etc.) as well as across different levels of government and administration. Many ministers pointed out that there are already similar plans underway or in place in their countries.

Exchanging experiences and learning from best practice was seen as the best way forward. The needs and circumstances of urban areas are diverse and there are no "one size fits all" solutions. Most decisions on these questions are taken at local or regional level, and ministers thought it best to keep it that way. They emphasised the importance of subsidiarity, and did not see any need for mandatory action at EU level to address these issues.

As regards financing, ministers stressed the need to use the various funding mechanisms in a coherent manner. Synergies should be sought between the different funding programmes.

Other priority issues mentioned by ministers include the use of alternative low-carbon fuels, putting weaker road users - pedestrians and cyclists - at the centre of the policy, promoting the mobility of people with special needs, the need to move more quickly in emergency situations, greater emphasis on a sustainable urban environment, encouraging car-sharing and linking transport system planning to land-use planning,

The Commission presented its Communication, which is part of the **urban mobility package**, in December 2013.

See also:

- [Clean transport, Urban transport - Urban mobility package](#)
- [Sustainable urban mobility plans](#)

Any other business

– *State of play of legislative files*

The presidency briefed ministers on the progress of legislative files in the transport sector:

- Agreement on the draft regulation on the introduction of noise-related operating restrictions at Union airports, part of the airport package, was reached with the European Parliament in January, and its final adoption is expected to take place this spring ([7307/14](#)).
- Following an informal meeting on 4 March between the European Parliament, the presidency and the Commission, the compromise text on a regulation on a Community-fleet capacity policy to promote inland waterway transport was agreed on by the member states' permanent representatives on 7 March. The text was sent on the same day to the European Parliament's TRAN committee for approval ([7516/14](#)).
- Negotiations on the draft directive on the deployment of alternative fuels infrastructure will continue at an informal meeting between the European Parliament, the presidency and the Commission on 20 March ([7374/14](#)).
- *Modernised air navigation system based on a combined use of GPS and Galileo*

The Council took note of information provided by the French delegation, which expressed the view that EU action would be needed to support the implementation of a modernised European air navigation system based on a combined use of GPS and Galileo.

The European satellite navigation programme Galileo aims to offer the EU its own satellite-based positioning and timing system. It is expected to be in service by the end of 2014 or the beginning of 2015 with approximately 10 satellites in orbit. Total system autonomy should be achieved by 2017 and full capacity by 2020.

Galileo is expected to generate direct and indirect benefits for European industry and for citizens and society. Furthermore, it will contribute effectively to the implementation of the Europe 2020 growth strategy.

– *EU-ASEAN Aviation Summit outcome*

The Commission briefed the ministers on the outcome of the summit between the EU and the ASEAN (Association of South-East Asian Nations) which took place in Singapore on 11 and 12 February 2014.

– *State aid modernisation package*

The Estonian delegation informed the Council of its view of the criteria for state aid to be considered in the context of the Commission's state aid reform. It considers that ensuring functioning transport connections from the capitals of peripheral regions of the EU to essential centres of the European Union is vital for the free movement of people and goods. According to the delegation, the state aid rules should include specific criteria that allow the granting of state aid in specific emergency cases when connectivity between the regions of the EU is at risk.

OTHER ITEMS APPROVED

TRANSPORT

Civil aviation occurrence reporting*

The Council adopted a regulation on the reporting, analysis and follow-up of occurrences in civil aviation, amending regulation 996/2010 and repealing directive 2003/42/EC, Commission regulation 1321/2007 and Commission regulation 1330/2007 ([PE-CONS 138/13](#); statement: [7344/1/14 REV 1 ADD 1](#)).

The objective of the regulation is to contribute to reducing the number of aircraft accidents and related fatalities through the improvement of existing systems, both at national and European level, using civil aviation occurrences to correct safety deficiencies and to prevent them from re-occurring.

International Maritime Organisation - Marpol

The Council decided not to work further on the Commission proposal for a Council decision on the position to be adopted on behalf of the European Union at the International Maritime Organization during the 66th session of the Marine Environment Protection Committee on the adoption of amendments to MARPOL Annex VI concerning the delay of the Tier III NOx emission standards on the grounds that a large majority of member states did not wish to exercise such competence for the first time ([7409/14](#) + [7409/14 ADD1](#); [6714/14](#)).

FOREIGN AFFAIRS

Relations with Greenland

The Council approved a decision underpinning the EU partnership with Greenland and Denmark, aiming to preserve the close links between the partners, while supporting the sustainable development of Greenland. Policy dialogue and financial cooperation are provided for in a range of areas, including education, natural resources, energy, environment, Arctic issues, the social sector, as well as research and innovation.

Iran - restrictive measures

The Council concluded the annual review of the EU restrictive measures imposed against Iran in view of its nuclear programme and concluded that they should continue to apply to the persons and entities at present designated.

At the same time, the Council adopted technical preparations for the annual review of the EU sanctions imposed in view of human rights violations in Iran.

Liberia - restrictive measures

The Council amended EU restrictive measures against Liberia in order to adapt it to UN Security Council resolution 2128 (2013), which renews the restrictive measures on travel and on arms and modifies the associated notification requirements.

Afghanistan - restrictive measures

The Council amended EU restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan. So as to implement decisions at UN level, the Council amended the list of those subject to the sanctions.

COMMON SECURITY AND DEFENCE POLICY

EU military operation in the Central African Republic

The Council authorised the opening of negotiations with the Central African Republic, in order to conclude an agreement concerning the arrangements for the transfer to the Central African Republic of persons detained under the EU military operation (EUFOR RCA) in the course of carrying out its mandate.

JUSTICE AND HOME AFFAIRS

European Investigation Order

The Council adopted a directive regarding the European Investigation Order in criminal matters ([PE-CONS 122/13](#)).

The goal of the directive is to allow member states to carry out investigative measures at the request of another member state on the basis of mutual recognition.

The investigative measures would, for example, include interviewing witnesses, obtaining of information or evidence already in the possession of the executing authority, and (with additional safeguards) interception of telecommunications, and information on and monitoring of bank accounts.

For more information see press release [7559/14](#).

Freezing and confiscation of proceeds of crime

The Council adopted a directive on the freezing and confiscation of proceeds of crime in the EU ([PE-CONS 121/13](#)).

The directive aims to make it easier for national authorities to confiscate and recover the profits made by criminals from cross-border and organised crime. The directive provides more possibilities for confiscating proceeds of crime in cases of the flight of the person concerned or illness (when it is impossible for the suspect or accused person to attend the criminal proceedings for a longer period of time, meaning that the proceedings cannot continue under normal conditions).

For more information see press release [7643/14](#).

Visa liberalisation for Moldova

Citizens of the Republic of Moldova possessing biometric passports will be able to travel to and throughout the Schengen area without a visa. That is the result of the amendments to the regulation No 539/2001 which the Council approved today ([PE-CONS 36/14](#)).

The visa free regime concerns stays of up to 90 days.

Since the regulation is likely to be published during April, the visa liberalisation should become effective in early May 2014.

For more information see press release [7645/14](#).

HEALTH

EU tobacco directive*

The Council approved¹ a revised EU tobacco directive, following the first-reading agreement reached with the European Parliament in December ([PE-CONS 143/13](#) + [7346/14 ADD 1](#)).

This means that the directive is now adopted. It is expected to enter into force in May, 20 days after its publication in the Official Journal of the EU. Member states will then have two years to transpose the directive into national law, and to apply the new rules from the end of this period.

For details, see [7763/14](#).

TRADE POLICY

GATT negotiations with Gabon

The Council adopted a decision authorising the Commission to open negotiations with Gabon in accordance with the principles laid down in Article XXVIII of the General Agreement on Tariffs and Trade 1994.

In October 2013, Gabon notified WTO members of its intention to modify certain concessions in its WTO Schedule XL VII. Negotiations with Gabon will be conducted with a view to obtaining any appropriate compensatory adjustment resulting from these modifications.

¹ The Polish delegation voted against.

EU-Korea FTA

The Council adopted a decision on the signing and provisional application of the additional protocol to the Free Trade Agreement between the EU and its member states, on the one hand, and the Republic of Korea, on the other, in order to take account of the accession of Croatia to the EU.

It decided to forward to the European Parliament for its consent a draft decision on the conclusion of the additional protocol.

ENERGY

Small, medium and large power transformers

The Council decided not to oppose the adoption of a Commission regulation implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to small, medium and large power transformers ([5997/14](#)).

The Commission regulation is subject to the so-called regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt the regulation, unless the European Parliament objects.

FISHERIES

Fishing capacity management - Endorsement of a draft joint statement

The Council endorsed a draft Joint Statement on fishing capacity management. This will authorise the Commission to sign on behalf of the EU together with other countries this political statement on efforts to promote sustainable fishing capacity management on the global scale.

The joint statement will be made in the context of an international conference on sustainable fishing capacity management organised under the auspices of the Greek Presidency and taking place Thessaloniki on 13-14 March 2014.

TRANSPARENCY

Public access to documents

On 14 March 2014, the Council approved:

- the reply to confirmatory application No 04/c/01/14 ([6102/14](#))
 - the reply to confirmatory application No 05/c/01/14 (*doc.* [6236/14](#))
 - the reply to confirmatory application No 06/c/01/14 (*doc.* [6489/14](#))
 - the reply to confirmatory application No 08/c/01/14 (*doc.* [6513/14](#))
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