



**COUNCIL OF
THE EUROPEAN UNION**

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ADDENDUM TO "I/A" ITEM NOTE

From: General Secretariat of the Council
to: Permanent Representatives Committee (Part 1) / Council

No. Cion prop.: 18124/10 AUDIO 55 MI 560 TELECOM 155

Subject: Draft Council Decision on the signing, on behalf of the European Union, of the European Convention on the legal protection of services based on, or consisting of, conditional access
- *Adoption*
= *Statements*

Commission Statement regarding the final clauses of the Convention

The Commission notes that certain general and institutional clauses of this convention – in particular the voting of amendments and the acceptance of new contracting parties in Articles 10 and 13 – do not allow the EU to exercise fully its external competence on the same basis as the other parties, even though the EU will be subject to all the obligations set out in the Convention. The Commission views this choice with great concern. Accordingly, the general and final clauses of the Convention can in no way be viewed as a precedent in relation to other conventions.

Statement by Latvia

While fully recognizing the aim of the European Convention on the legal protection of services based on, or consisting of, conditional Access, the Republic of Latvia is concerned and hereby stresses the significant differences between provisions of the Convention and provisions of the Directive 98/84/EC of the European Parliament and of the Council of 20 November 1998 on the legal protection of services based on, or consisting of, conditional Access, and therefore causing inconsistencies with national legal acts.
