



Council of the
European Union

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ENER 536

DRAFT MINUTES
COUNCIL OF THE EUROPEAN UNION
(**Transport**, **Telecommunications** and **Energy**)
2, 3 and 4 December 2019

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MEETING ON MONDAY 2 DECEMBER 2019

1. Adoption of the agenda

The Council adopted the agenda set out in 14395/19.

Under "Any other business", item 7.d) was added by request of the Dutch delegation, item 16.f) by request of the Lithuanian delegation, and item 16.g) by request of the Greek delegation.

TRANSPORT

Legislative deliberations


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

Land

2. **Regulation on rail passengers' rights and obligations**  14047/19 + COR 1
General approach ⁽¹⁾ 12442/17 + ADD 1

The Council agreed on the general approach regarding rail passenger rights, as set out in the Annex to 14047/19 + COR 1.

Horizontal

3. **Mobility Package III**  14401/19
Regulation on streamlining measures for the realisation of the trans-European transport network (TEN-T) + ADD 1 REV 1
General approach ⁽¹⁾ 9075/18

The Council agreed on the general approach regarding the proposal on streamlining measures for advancing the realisation of the trans-European transport network, as set out in 14401/19 + ADD 1 REV1. Germany presented a statement, as set out in the Annex.

Non-legislative activities

Horizontal

4. **Digital transport services for people: The next steps for sustainable European solutions**  14063/19
Policy debate

The Council held a policy debate on digital transport services for people: the next steps for sustainable European solutions.

Legislative deliberations

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

Land

5. **Mobility Package I**   14383/19
Directive amending Directive 1999/62 on Eurovignette (road charging Directive)
General approach ⁽¹⁾ 9672/17 + ADD 1

The Council could not agree on the general approach regarding the Directive amending Directive 1999/62 on Eurovignette.

Non-legislative activities

Aviation

6. **Future of the Single European Sky**  13782/19
Policy debate


The Council held a policy debate on the future of the Single European Sky. The Council invited the Commission to provide detailed information on where there may be a need for updates to the draft SES2+ legislative text so as to allow the Council's preparatory bodies to make adjustments, where appropriate, and to make progress on the file. The Council also requested the Commission to provide as widely as possible detailed background information and material to justify its proposals and to analyse the potential benefits and consequences of the proposals.

Any other business

7. a) **Current legislative proposals**
(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

Directive on discontinuing seasonal changes of time  12118/18
Information from the Presidency

The Council took note of the information provided by the Presidency on the Directive on discontinuing seasonal changes of time.

- b) **Third Global Ministerial Conference on Road Safety (Stockholm, 19-20 February 2020)**  14039/19
Information from the Swedish delegation

The Council took note of the information provided by the Swedish delegation.

- c) Work programme of the incoming Presidency 14472/19
Information from the Croatian delegation

- d) Existing small inland navigation vessels in relation to the transitional provisions of the technical requirements for inland navigation vessels 14686/19
Information from the Dutch delegation

MEETING ON TUESDAY 3 DECEMBER 2019

TELECOMMUNICATIONS

Legislative deliberations

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

8. **Regulation on ePrivacy**  14447/19
Progress report 5358/17

The Council took note of the Presidency progress report.

Non-legislative activities

9. **European Union as a hub for ethical data use**  14070/19
Policy debate

The Council discussed the way forward for the European data economy based on the proposal to position the European Union as a hub for ethical data use. Some of the issues debated were how to encourage business-to-business data sharing and how to ensure human-centricity, privacy and security in order to build trust to data economy. The exchange provided valuable guidance for further EU work in this area.

10. **Conclusions on the significance of 5G to the European economy and the need to mitigate security risks linked to 5G**  14368/19
Adoption

The Council adopted its Conclusions as set out in 14368/19.

The Council envisaged to have a comprehensive, risk-based approach to the security of the 5G networks stressing that non-technical factors should also be considered when the risk profile of a supplier is set up. Network components critical for national security should only be sourced from trustworthy parties.

Any other business

11. a) **Current legislative proposal**
(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

Regulation establishing the European Cybersecurity
Competence Centre and the Network of Coordination
Centres   12104/18
Information from the Presidency

The Council took note of the information provided by the Presidency.

- b) **Data Economy Conference** 14353/19
(Helsinki, 25-26 November 2019)
Information from the Presidency

The Council took note of the information provided by the Presidency.

- c) **Digital Government Conference** 14377/19
(Helsinki, 22 October 2019)
Information from the Presidency

The Council took note of the information provided by the Presidency.

- d) Work programme of the incoming Presidency 14281/19
Information from the Croatian delegation

MEETING ON WEDNESDAY 4 DECEMBER 2019

12. Approval of "A" items

Non-legislative list 14421/19


The Council adopted the "A" items listed in 14421/19 including COR and REV documents presented for adoption.

ENERGY

Non-legislative activities

13. **Smart sector integration: Promoting clean energy** 13854/19
Policy debate

The Council held a **political debate** on sector integration based on a Presidency paper and questions. Ministers used the opportunity to emphasise their respective priorities and called upon the COM to first assess the implementation of current framework.

14. **Follow-up to the Communication on the draft national energy and climate plans "United in delivering the Energy Union and climate action"**  14062/19
10251/19
Exchange of views

Ministers held an **exchange of views** based on a Presidency paper with a focus on the 'ambition gaps' of MS' planned contributions in their NECPs to reach the EU's 2030 energy efficiency and renewables targets. The remaining ambition gaps are likely, especially regarding the energy efficiency target.


15. **The new Commission's energy policy priorities**  14060/19
Exchange of views

Commissioner Simson presented the new COM's policy priorities in the energy field: people, planet, partners. Ministers welcomed these priorities and offered their views on the importance of various energy policies and actions. The exchange provided valuable guidance for further COM work on elaborating legislative and non-legislative initiatives.

Any other business

16. a) Trilateral gas talks and the winter outlook for the security of gas supply 14227/19
Information from the Commission

- b) **Current legislative proposal**
(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

Regulation on tyre labelling   14495/19
Information from the Presidency 9185/18 +ADD 1

The Presidency informed the Council about the state of play and the next steps. In particular, it recalled that: 1) a provisional political agreement on this file was reached with the EP in a final trilogue held on 13 November; 2) ITRE committee endorsed in the morning of 4 December the above political agreement and 2) the adoption process will be completed within a few months. The Council took note of the information provided by the Presidency.

- c) **Recent developments in the field of external energy relations**  14235/19

Information from the Commission

The Commission underlined the importance of the external dimension of the European Green Deal. The Commission will actively promote clean energy transition in international fora such as IEA and the Clean Energy Ministerial as well as through bilateral Memoranda of Understanding (MoUs) with third countries. The Council took note of the information provided by the Commission.

- d) **Debrief of the SET-Plan Conference (Helsinki, 13-15 November 2019)**  14228/19

Information from the Presidency




The 13th annual SET-Plan Conference organised by the Commission and the Finnish Presidency took place in Helsinki on 13–15.11.19. The conference focused on research and innovation in the energy sector to enhance European industrial leadership.

The Council took note of the information provided by the Presidency.

- e) **Work programme of the incoming Presidency** 14236/19
Information from the Croatian delegation

- f) **Next steps on the implementation of nuclear safety recommendations outlined in the EU peer review report of the Belarus NPP ‘stress test’** 14761/19
Information from the Lithuanian delegation

- g) **Recent Turkish illegal activities in the Mediterranean Sea**
Information from the Greek delegation

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-  First reading
-  Item based on a Commission proposal
-  Public debate proposed by the Presidency (Article 8(2) of the Council's Rules of Procedure)
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Statements to the legislative "B" items set out in 14395/19

Ad "B" item 3: **Mobility Package III**
 Regulation on streamlining measures for the realisation of the trans-European transport network (TEN-T)
 General approach

STATEMENT BY THE FEDERAL REPUBLIC OF GERMANY

"Germany assumes that the procedural acceleration provisions contained in the present proposal only aim to regulate the course and the formal organisation of the administrative procedures concerned and are without prejudice to the substantive criteria to be applied when taking an authorising decision, which result from the requirements of substantive law.

Germany assumes, in particular, that the four-year time limit for permit-granting procedures, envisaged in Article 6 (1) of the proposal of the general approach, can neither be seen as necessitating nor may be used to justify, neither in the context of the transposition of the Directive into national law nor in the context of the application of national law in conformity with the Directive, any limitation of the scope of assessment with regard to the requirements of environmental protection nor any lowering of the substantive criteria for environmental protection to be applied when taking an authorizing decision."
