



Brussels, 26 November 2007

## BACKGROUND<sup>1</sup>

### ***TRANSPORT, TELECOMMUNICATIONS and ENERGY COUNCIL***

**Thursday 29 November- Friday 30 November and Monday 3 December, Brussels**

*The meeting will start with a session on **telecommunications and information society** at 9.30 on Thursday 29 November under the presidency of Mr Mário LINO, Portuguese Minister for Public Works, Transport and Communications, for the TELECOM items and Mr José Mariano GAGO, Portuguese Minister for Science, Technology and Higher Education, for the INFISO items.*

*The Council is expected to adopt conclusions on the internal market for **mobile TV** and on **ageing well in the information society**.*

*The session on **transport** will start on Thursday 29 November at 15.00 under the presidency of Mr. Mário LINO, Portuguese Minister for Public Works, Transport and Communications. The Council will adopt conclusions on **Galileo** and on the **freight transport logistics** action plan and will hold a public debate on the **Sustainable Development Strategy**.*

*The transport session will continue on Friday 30 November at 10.00. The Council is expected to reach a political agreement on:*

- *a draft Regulation on the **liability of passenger shipping** in the event of accidents;*
- *a draft Directive on common rules for **ship inspection** and survey organisations;*
- *a draft Directive on the **safety of the Community's railways**;*
- *a draft Regulation **establishing a European Railway Agency**;*
- *a draft Regulation on common rules for the **operation of air transport services**;*

*and a general approach on a draft directive on **Airport charges**.*

*In addition, the Council is expected to adopt a decision on a negotiating mandate for an aviation **agreement with Jordan** and for an agreement with the **ICAO on aviation security/inspections**.*

*The Minister will mention the first reading agreement on the directive on the **interoperability of the Community rail system**.*

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<sup>1</sup> This note has been drawn up under the sole responsibility of the Press Office.

*The session on **energy** will start on Monday 3 December at 10.00 under the presidency of Mr Manuel PINHO, Portuguese Minister for Economy and Innovation.*

*The Council will hold a policy debate on **energy technologies** and take note of a progress report on the third package for the **internal energy market**.*

*At lunch on 29 November, Ministers will discuss Galileo-related issues and on 30 November the issue of the inclusion of aviation in the European emission trading scheme.*

*The Presidency will hold a press conference at the end of each session. Press conferences can be followed by video streaming.*

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*Public events that can be followed by video streaming:*  
<http://www.consilium.europa.eu/videostreaming>

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## **TELECOMMUNICATIONS**

### **EU Regulatory Framework for electronic communications networks and services** (public deliberation)

The Commission will present to the Council its proposals for a reform of the EU telecoms rules, adopted on 13 November.

The Commission's telecoms reform package aims to enable citizens, wherever they live and wherever they travel in the EU, to benefit from better and cheaper communication services, whether they use mobile phones, fast broadband Internet connections or cable TV. It contains the following documents:

- a communication on the use of the spectrum released by the digital switchover (15365/07);
- Report on the outcome of the Review of the EU regulatory framework for electronic communications networks and services and Summary of the 2007 Reform Proposals (15371/07);
- proposal for a Directive amending Directives 2002/21/EC (framework Directive), 2002/19/EC (access Directive), and 2002/20/EC (authorisation Directive) (15379/07);
- proposal for a Directive amending Directive 2002/22/EC (universal service Directive), Directive 2002/58/EC (personal data Directive) and Regulation (EC) No 2006/2004 on consumer protection cooperation (15378/07);
- proposal for a Regulation establishing the European Electronic Communications Market Authority (15408/07).

### **Internal Market for Mobile TV** - Council conclusions

The Council will **adopt conclusions** on strengthening the internal market for mobile television, in response to the Commission's communication received in July 2007 (12028/07).

The objective of the communication is to identify and address issues surrounding the emerging mobile TV services, thereby ensuring their successful and rapid take-up within the EU, as well as to encourage the use of DVB-H (digital video broadcasting for handhelds) as the single European standard for mobile TV. The Commission identified three key success factors for mobile TV take-up: technical aspects (standards/interoperability), ensuring the quality spectrum for mobile TV services and a regulatory environment favourable to innovation and investment in mobile TV.

In the draft conclusions the Council takes note of the Commission initiative to propose the inclusion of DVB-H in the official list of EU standards and it invites the Commission in particular to:

- acknowledge the importance of innovation, technology neutrality and a market-led approach for the successful deployment of mobile TV broadcasting services;
- monitor the implementation of services and standards by industry in the Member States and, if necessary and appropriate, take steps to ensure the interoperability of services and improve freedom of choice for users;
- where appropriate and consistent with serving market needs, bring forward proposals for adding mobile TV standards to the official list of EU standards.

### **Public pan-European cellular digital land-based mobile communications** (public deliberation)

The Council will attempt to reach a **general approach** (15194/07) on a draft Directive, repealing Directive 87/372/EEC on the frequency bands to be reserved for the coordinated introduction of public pan-European cellular digital land-based mobile communications in the Community.

The purpose of the Commission's proposal (12273/07), received in July 2007, is to repeal Directive 87/372/EEC, which reserved some frequency bands solely for GSM use, in order to allow the use of such bands by a wider range of services and technologies; as a first step the universal mobile telecommunications system would be considered. The proposal also indicates that the harmonised technical conditions necessary in this context will be defined by a relevant Commission Decision after repeal of the Directive.

*Legal basis: Article 95 of the EC Treaty: vote by qualified majority under the Parliament-Council co-decision procedure.*

### **Selection and authorisation of systems providing mobile satellite services** (public deliberation)

The Council will **take note of a progress report** (15531/07) on a proposal for a Decision on the selection and authorisation of systems providing mobile satellite services. Since the European Parliament wants to try an agreement at first reading, the Presidency decided to present just a progress report, allowing for further analysis of the Decision.

The proposal, submitted by the Commission in August 2007 (12413/07), lays down Community procedures for the common selection at EU level of mobile satellite system operators as well as provisions for the coordinated authorisation by national authorities of selected operators to use the radio spectrum for the operation of such systems in the EU.

All delegations welcome the Commission's proposal and its general thrust in principle. However, some issues of a political and technical nature were identified, which need further discussion, also in the light of the first-reading opinion of the EP (expected in April 2008). Issues include, in particular, pan-European coverage and comitology.

### **European e-Inclusion**

#### **a) Ageing well in the Information Society - Council conclusions**

The Council will **adopt conclusions** on ageing well in the information society in answer to the Commission's communication submitted in June 2007 (10971/07).

In this communication, the Commission launches an action plan on ageing well in the information society, aiming not only at enabling a better quality of life for older people with significant cost-savings in health and social care, but also at creating a strong industrial basis in Europe for information and communication technologies (ICT) related to ageing. The action plan represents a first response by the Commission to the 2006 Riga Ministerial Declaration on e-Inclusion<sup>1</sup> and supports EU policy in the areas of growth and competitiveness in the revised Lisbon agenda, demographic change, employment, health, and equal opportunities.

In the draft conclusions the Council invites the Commission in particular to:

- make proposals in 2009 to overcome legal and technical barriers to ICT for ageing well;
- contribute to mechanisms for the exchange of experiences and good practices;
- support Member States in giving visibility to existing and available services and actions in this field within the Community;
- improve e-accessibility for elderly persons and disabled persons, including by means European standards and legislative action as appropriate;
- sustain research, innovation and deployment support in European programmes.

#### b) **European i2010 initiative on e-Inclusion**

The Commission **will present** to the Council its November 2007 communication on the European i2010 initiative on e-Inclusion.

The communication (14872/07) proposes an European Initiative on e-Inclusion comprising:

- an e-Inclusion campaign "e-Inclusion, be part of it!" to raise awareness, and connecting efforts during 2008, to be concluded by a Ministerial Conference, to demonstrate concrete progress and reinforce commitments; and
- a strategic framework for action to implement the Riga Ministerial Declaration by:
  - a) enabling the conditions for everyone to take part in the information society by bridging the broadband, accessibility and tackling competence gaps;
  - b) accelerating effective participation of groups at risk of exclusion and improving quality of life;
  - c) integrating e-Inclusion actions to maximise lasting impact.

Furthermore, the Council will **take note** of information provided by the Presidency on the ministerial debate on e-Inclusion, which will take place in Lisbon on 2 and 3 December 2007.

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<sup>1</sup> Riga Ministerial Conference on ICT for an Inclusive Society and Riga Ministerial Declaration, June 2006.

## TRANSPORT ISSUES

### INTERMODAL AND HORIZONTAL QUESTIONS

#### European satellite radio-navigation programmes - *Council conclusions*

The Council is due to adopt conclusions on launching the European Global Navigation Satellite System Programmes as a step towards reaching an integrated decision on the European GNSS before the end of the year.

The draft Council conclusions are aimed, in particular, at confirming the need for additional public funding and defining the general principles of public sector governance and public procurement of the programmes.

At its meeting from 6-8 June 2007, the TTE Council adopted a Resolution on the European Galileo and EGNOS satellite navigation programmes (10126/07) concluding that the concession contract negotiations should be ended, supporting the deployment of Galileo and EGNOS by the public sector and recognising the need for additional public funding to this effect. As a consequence, the Council requested the Commission to submit proposals for the financing of the new approach, an implementation and procurement strategy, the public governance structure and concepts for the subsequent operation and exploitation phase of Galileo. The Council expressed its intention, reaffirmed by the European Council in June, to take an integrated decision on the implementation of Galileo in autumn 2007.

On 19 September 2007, the Commission responded to the Council's request by adopting a communication entitled "Progressing Galileo, re-profiling the European GNSS programmes" (13112/07), the accompanying Commission staff working paper, a proposal for a Revision of the Financial Framework (13237/07), and an amended proposal for an Implementation Regulation concerning the European GNSS Programmes (13113/07).

The Commission's proposals provide for the deployment phase of Galileo to be funded entirely from the Community budget to ensure that the project continues. The proposed Regulation provides for the European Community acting on its own to assume full responsibility for the deployment phase of Galileo. The budgetary resources required for funding EGNOS and Galileo are therefore set at EUR 3.4 billion for the period from 1 January 2007 to 31 December 2013.

At its October meeting, the TTE Council reiterated its intention to continue the work in order to reach an integrated decision on the European GNSS programmes before the end of this year, based on the work carried out by all the relevant instances.

#### Freight transport logistics - *Council conclusions*

The Council will **adopt conclusions** on the Commission communication on the freight transport logistics action plan, adopted in October 2007 (14266/07).

The Commission communication is a follow-up to the communication "Freight Transport Logistics in Europe - the key to sustainable mobility" of 5 July 2006 (11312/06), which was welcomed by the TTE Council of 11/12 December 2006 in a set of Council conclusions (16658/06).

The Freight Transport Logistics Action Plan is the outcome of a consultation process involving representatives from industry, the public sector and civil society. In the action plan, the Commission presents a number of short- and medium term actions aimed at contributing to a competitive and sustainable freight transport system in Europe. Advanced logistical solutions are important in the light of the growth of freight transport, better use of infrastructure, increased oil dependence, climate change and the need for reduction of pollutant emissions. Since freight transport is often a cross-border activity, concerted action at European level can contribute to logistic performance.

In the draft conclusions the Council invites the Commission in particular, within the framework of the Lisbon Strategy, to implement the Freight Transport Logistics Action Plan in co-operation with the Member States, industry and social partners and requests the Commission to regularly review its progress, report to the Council and adjust the priorities and timetables as appropriate. The draft conclusions contain points relating to innovation, logistics quality, simplification, co-modal approach and urban freight mobility.

### **Sustainable Development Strategy** (public debate)

The Council will **hold a policy debate** on the renewed EU sustainable development strategy, following the adoption by the Commission of the progress report 2007 (14238/07).

The Presidency suggests that the debate should focus on the following questions (14583/07):

- *Do Member States share the Commission's views concerning progress in implementing the renewed Sustainable Development Strategy, and what barriers to the implementation are they encountering?*
- *What are Member States' views on future priorities in an evolving EU policy context?*

In June 2006, the European Council adopted a comprehensive renewed EU Sustainable Development Strategy (SDS) (10917/06) which confirmed the Guiding Principles for Sustainable Development adopted in 2005 (10255/1/05) as well as the four key objectives to be pursued, namely: environmental protection, social equity and cohesion, economic prosperity and international responsibilities. The renewed SDS includes provisions for implementation, monitoring and follow-up.

The progress report was already discussed in the Environment Council of 30 October.

The Presidency will use the outcome of the debates in the Transport and Environment Councils as input for the conclusions of the European Council to be held in Brussels on 13 and 14 December 2007.

## **SHIPPING**

### **Liability of passenger shipping in the event of accidents** (public deliberation)

The Council will attempt to **reach a political agreement** (15587/07) on a proposal for a Regulation on the liability of carriers of passengers by sea and inland waterways in the event of accidents.

The Commission transmitted its proposal (6827/06) to the Council in February 2006 as part of its third maritime package.

The Commission's proposal is aimed at establishing a Community regime relating to uniform liability for the carriage of passengers by sea and inland waterways. To this end it incorporates into Community legislation the Athens Convention relating to the carriage of passengers and their luggage by sea of 1974, as amended in 2002. In addition, the proposal suggests extending the application of the Athens Convention to the carriage by sea within the Member States and to international and domestic carriage by inland waterways.

The text to be submitted to the Ministers has already, to a large extent, been approved by the delegations. However, the Council will still have to resolve in particular issues relating to scope, jurisdiction and the International Maritime Organisation's guidelines. The text also includes those of the European Parliament's amendments which are acceptable to the Council.

The European Parliament adopted its first-reading opinion on 25 April 2007 (8724/07, p. 97).

*Legal basis: Article 71(1) and Article 80(2) of the EC Treaty: vote by qualified majority under the Parliament/Council co-decision procedure.*

### **Ship inspection and survey organisations** (public deliberation)

The Council will attempt to **reach a political agreement** on a proposal for a Directive on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations.

The Commission transmitted its proposal aimed at enhancing ship safety and preventing marine pollution (5912/06) to the Council in February 2006 as part of its third package on maritime safety.

The purpose of the Directive is to recast, in a consolidated text, successive amendments to Directive 94/57/EC establishing common rules and standards for organisations that inspect ships and issue ships' certificates and that, subject to the fulfilment of the minimum criteria set out in the Directive, are granted recognition at Community level. In addition, it aims at amending certain provisions of that Directive with a view to their reinforcement, harmonisation or simplification, and adding new provisions in particular to reform the system of penalties against recognised organisations that do not fulfil the criteria established by the Directive.

The text of the political agreement to be submitted to the Council contains several outstanding issues related in particular to the nature of the legal act, sanctions, recognition and setting up of a quality assessment body. It also includes those of the European Parliament's amendments which are acceptable to the Council.

The European Parliament adopted its first reading opinion on 25 April 2007 (8724/07, p.5).

*Legal basis: Article 80(2) of the EC Treaty: vote by qualified majority under the Parliament/Council co-decision procedure.*

## LAND TRANSPORT

### **Access to the international road haulage market** (public deliberation)

The Council will be invited to **take note of a progress report** (15363/07) on the proposal for a Regulation on common rules for access to the international road haulage market.

The Commission in May 2007 submitted three legislative proposals<sup>1</sup> that seek to modernise, replace and merge provisions governing road transport operators and access to the road transport markets.

The purpose of the proposal for a Regulation on access to the international road haulage market is to simplify and harmonise further the current rules by consolidating and merging Regulation (EEC) No 881/92 and (EEC) No 3118/93 on access to the road transport market.

The proposed modifications are the following:

- a simpler and clearer definition of the term cabotage, which would be easier to enforce and will allow for up to three transport operations consecutive to an international journey and within seven days. The holder will be obliged to keep documents in the vehicles such as consignment letters which show the date and place of arrivals/departures;
- a simplified and standardised Community licence, certified copies and driver attestations in a bid to reduce the administrative burden and delays at road side checks;
- enhanced legal provisions that oblige a Member State to act, when requested to do so by another Member State, in cases where a haulier commits an infringement in any EU Member State.

The Council bodies have examined the proposal several times. All delegations expressed their support in principle for the Commission proposal. However, some issues - in particular cabotage, the national electronic register and sanctioning of infringements - will have to be examined further under the Slovenian Presidency, also in the light of the European Parliament first-reading opinion, which is expected to be adopted in February 2008.

*Legal basis: Article 71 of the EC Treaty, vote by qualified majority under the Parliament/Council co-decision procedure.*

### **Road transport operator** (public deliberation)

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<sup>1</sup> - Proposal for a Regulation on common rules for access to the international road haulage market (recast) (10092/2/07);  
- Proposal for a Regulation establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator (10114/1/07);  
- Proposal for a Regulation on common rules for access to the market of coach and bus services (10102/2/07).

The Council will be invited to **take note of a progress report** (15041/07) on the proposal for a Regulation establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator.

The proposal is one of the three Commission's legislative proposals, adopted in May 2007, that seek to modernise, replace and merge provisions governing road transport operators and access to the road transport markets.

The draft Regulation aims to rectify certain shortcomings identified in the Commission's impact assessment and public consultation and replaces the existing Directive 96/26/EC.

The Council bodies started to examine certain parts of this proposal as a result of discussions on the draft Regulation on access to the international haulage market (see above). The issues that will require further work are in particular the following: national electronic registers, applications, good repute and the list of most serious infringements. The work on this file will continue under the Slovenian Presidency.

*Legal basis: Article 71 of the EC Treaty, vote by qualified majority under the Parliament/Council co-decision procedure.*

### **Safety of the Community's railways** (public deliberation)

The Council will attempt to reach a **political agreement** (14927/07) on a draft Directive on the safety of the Community's railways.

The proposal on amending the Safety Directive (17039/06) is part of a set of proposals, including a draft Directive on interoperability (17038/06) and a draft Regulation on the European Railway Agency (17040/06), aimed at improving cross-acceptance of railway vehicles in the EU and thus improving their internal market. The Commission adopted these proposals in December 2006.

Cross-acceptance can be improved by applying the principle of mutual recognition more systematically to national authorisation procedures and by harmonising certain provisions. This will contribute to better conditions for the competitiveness of railways in Europe.

The Council agreed on three main changes to the Commission proposal:

Firstly, the Council will transfer all provisions on authorisation of railway vehicles from the safety Directive to the interoperability Directive. As a result, all provisions on authorisation will be incorporated in a single legislative act.

Secondly, the text agreed by the Council clarifies the different roles and responsibilities of players involved in railway transport (railway undertakings, infrastructure managers, keepers of vehicles and entities in charge of maintenance of vehicles), in particular as regards the maintenance of railway vehicles.

Thirdly, the Council proposes to set up a certification system for maintenance. The certificates issued will be valid in the whole Community and will guarantee that the certified entity meets the maintenance requirements for any vehicle for which it is responsible. Those involved in maintenance will be free to choose whether to participate in this system.

*Legal basis: Article 71 of the EC Treaty, vote by qualified majority under the Parliament/-Council co-decision procedure.*

### **European Railway Agency** (public deliberation)

The Council is expected to **reach a political agreement** (14926/07) on a proposal for a Regulation amending the Regulation establishing a European Railway Agency.

The Commission transmitted its proposal to the Council in December 2006 (17040/06). The main objective of the proposal is to adapt the legislative framework for the European Railway Agency to new tasks that result from the modifications to the rail safety Directive (see above) and the interoperability Directive.

An important new task will be the classification of all technical and safety rules applicable in each Member State in a single reference document. By classifying the national rules, the Agency will significantly contribute to improved cross-acceptance amongst Member States.

The Council bodies agreed on several main changes compared to the Commission's proposal:

- the Agency may issue technical opinions in the case of a negative decision by a National Safety Agency or on the equivalence of national rules for the technical parameters established in the Rail Interoperability Directive. The Agency may also be requested to deliver an opinion on urgent modifications of Technical Specifications of Interoperability (TSIs);
- the Agency is tasked with preparing a report setting out, if necessary, recommendations on the implementation of a system of voluntary certification of vehicle maintenance as set out in the Rail Safety Directive;
- the tasks and responsibilities of the Agency with regard to train drivers, other crew members performing safety related tasks and staff involved in the operation and maintenance of the rail system are specified;
- the provisions on registers have been adapted in the light of the changes introduced in the Rail Safety Directive and the Rail Interoperability Directive and the regime for accessibility of documents and registers is specified;
- the conditions under which the Commission can request the Agency's assistance with regard to implementation of the Community's legislative framework on interoperability and safety are specified.

*Legal basis: Article 71 of the EC Treaty, vote by qualified majority under the Parliament/Council co-decision procedure.*

## AVIATION

### **Airport charges** (public deliberation)

The Council is expected to **reach a general approach** on a proposal for a Directive on Airport charges.

The purpose of the Commission's proposal (5887/07), submitted in January 2007, is to set common principles for the levying of airport charges at Community airports. It aims to re-define the relationship between airport operators and airport users by requiring total transparency, user-consultation and application of the principle of non-discrimination when calculating charges levied on users. In addition, it aims to create a strong, independent national authority to arbitrate on and settle disputes in order to achieve their speedy resolution.

The Council's bodies agreed on several changes to the text of the Commission's proposal in order to enhance its clarity but also to accommodate concerns expressed by Member States. The main issues that were discussed by delegations are in particular the following: the scope of the Directive, modulation of charges for environmental and other purposes of public interest, cost-relatedness and security charges.

The European Parliament's first reading opinion is expected to be adopted in January 2008.

*Legal basis: Article 80(2) of the Treaty: vote by qualified majority under the Parliament/Council co-decision procedure.*

### **Operation of air transport services in the Community** (public deliberation)

The Council will attempt to **reach a political agreement** (14494/07) on a proposal for a Regulation on common rules for the operation of air transport services in the Community.

The Commission proposal was adopted in July 2006 (11829/06). It is aimed at consolidating and rationalising the content of current regulations in force on the licensing of carriers, the freedom to operate air services in the Community and the pricing of such air services.

The proposal also introduces stricter requirements on the financial strength of air carriers and the practice of wet leasing of aircraft (the operation of an air service with an aircraft and crew belonging to a different company). In addition, the rules for public service obligations for air routes are clarified, inconsistencies between the internal aviation market and services to third countries are removed and the rules on traffic distribution among airports serving the same city or conurbation are simplified. Finally, the proposal strengthens price transparency with respect to air fares and rates offered to passengers and cargo customers.

The text to be agreed contains several amendments to the Commission proposal, which concern in particular the following issues: definitions, in particular adding definition of principal place of business; requirements for leasing by Community carriers, financial requirements for the granting

and continuing validity of an operating licence; provision of intra-Community air services; provisions on pricing and the rules on prices transparency.

It is a compromise text that takes into account the European Parliament first-reading amendments, adopted in July 2007, which will facilitate a second reading agreement.

*Legal basis: Article 80(2) of the Treaty: vote by qualified majority under the Parliament/Council co-decision procedure.*

## **External Relations**

### **a) Euro-Mediterranean Aviation Agreement with Jordan**

The Council is due to **adopt a Decision** authorising the Commission to open negotiations with Jordan for establishing an Euro-Mediterranean Aviation Agreement.

The Commission requested this mandate in 2004. The agreement will aim at creating reciprocal economic growth in the aviation sector. A comprehensive aviation agreement with Jordan is expected to cover a number of issues which aim essentially at market opening between the European Community and Jordan. Other important factors to be addressed are the harmonisation of regulatory conditions based on the European aviation legislation and the creation of joint mechanisms for a fruitful cooperation on security, safety, ATM and environmental standards.

*Legal basis: Articles 80(2) and 300(1) of the Treaty: vote by unanimity (mixed agreement).*

### **b) Agreement on aviation security audits/inspections between the EU and the ICAO**

The Council is due to **adopt a Decision** authorising the Commission to open negotiations on an agreement regarding aviation security audits/inspections and related matters between the EU and the International Civil Aviation Organization (ICAO).

Following the events of 11 September 2001, the ICAO established a Universal Security Audit Programme (USAP), which seeks to provide for regular, mandatory, systematic and harmonised security audits to be carried out by the ICAO in order to monitor the application by all 188 contracting States of the Annex 17 (Security) to the Chicago Convention.

As both ICAO and the EU have acted in parallel in setting up their respective security programmes, the EU Member States are today confronted with two monitoring systems with the same objective. The agreement aims to ensure better use of limited resources and to avoid duplication of efforts,

The agreement will seek significant reduction of individual audits to be carried out by ICAO under its USAP within the territory of the EU by recognising that most standards contained in the Annex 17 are also covered by EU legislation (Regulation EC No 2320/2002) and that the Commission has a mandate to conduct inspection in order to monitor the application by EU Member States of this Regulation.

*Legal basis: Articles 80(2) and 300(1) of the Treaty: vote by qualified majority.*

## **ENERGY**

### **Energy technology**

The Council will **hold a policy debate** in response to the strategic energy technology plan, adopted by the Commission on 22 November, and the Presidency's vision paper on energy technology (15190/07).

The debate will be held on the basis of a Presidency questionnaire (15057/07), focussing on the need to accelerate technological change, investment in research and development and governance and international cooperation.

The Commission's new Strategic Energy Technology Plan (15458/07) is a comprehensive plan to establish a new energy research agenda for Europe. According to the Commission, Europe should lower the costs of clean energy and put EU industry at the forefront of the rapidly growing low carbon technology sector. The plan is to be accompanied by better use of and increases in resources, both financial and human, to accelerate the development and deployment of low-carbon technologies of the future.

### **Gas and electricity internal market**

The Commission **will present** to the Council the third package of legislative measures, adopted on 19 September 2007, which aims to complement the existing rules in order to make the internal market work for all consumers whether large or small, and to help the EU achieve more secure, competitive and sustainable energy.

The Council will **take note of the progress report** (15193/07) prepared by the Presidency on this energy package.

The Commission energy package contains the following proposals:

- proposal for a Directive amending Directive 2003/54/EC concerning common rules for the internal market in electricity (13043/07);
- proposal for a Directive amending Directive 2003/55/EC concerning common rules for the internal market in natural gas (13045/07);
- proposal for a Regulation establishing an Agency for the Cooperation of Energy Regulators (13046/07);
- proposal for a Regulation amending Regulation (EC) No 1228/03 on conditions for access to the network for cross-border exchanges in electricity (13048/07);
- proposal for a Regulation amending Regulation (EC) No 1775/05 on conditions for access to the natural gas transmission networks (13049/07).

The work in the Council's bodies focused in particular on the general principles of Directives on the internal market in gas and electricity and a Regulation establishing a regulatory agency. The

Presidency progress report contains the principles and provisions that meet with broad support, without prejudice to further work at drafting level; as well as issues, areas and options that according to a number of Member States still require discussion and guidelines in order to progress further. The progress report includes the broadly endorsed principles and issues according to the following topics: unbundling; investment planning, new infrastructure, cross-border regulatory regime; regional cooperation and solidarity; market functioning; regulatory powers and regulatory agency.

### **International relations in the field of energy**

The Council will take note of information provided by the Presidency and the Commission on the events and developments relating to international relations that have taken place during the Portuguese Presidency or will take place in the near future (15159/07).

#### **a) *EU-Brazil***

The EU-Brazil Summit which took place in Lisbon on 4 July 2007 adopted a statement that includes in the paragraph on energy issues *inter alia* commitments to cooperate on biofuels, renewables, low-carbon energy technologies, and increasing energy efficiency.

In addition, the Commission signed with Brazil, on 5 July in Brussels, the terms of reference for the EC-Brazil Regular Energy Policy Dialogue, which will be launched in early 2008.

#### **b) *EU-Africa, including EU-Africa Energy Partnership***

At the EU-Africa Summit, to be held on 8 and 9 December 2007 in Lisbon, a comprehensive Africa-EU Energy Partnership will be formally established in the framework of the Joint Africa-EU Strategy. This energy partnership will be based on the conclusions adopted by the Council on 15 May on energy cooperation between Africa and Europe (9562/07), and that it is in line with the European Council conclusions of March 2007 which underline the importance of building a special dialogue on energy with African countries.

#### **c) *EU-Russia relations***

The three thematic groups operating under the Energy Dialogue with Russia (energy strategies and forecasts, development of energy markets and on energy efficiency) held their first meeting in September 2007. Their progress was noted in the Eighth Progress Report on the EU-Russia Energy Dialogue, signed in October 2007.

Energy issues were also considered at the EU-Russia Summit in Mafra, Portugal, on 23 October 2007, where the Parties stressed the importance of the investment dialogue and of the energy early warning mechanism for strengthening mutual cooperation and increasing understanding.

#### **d) *Energy Community***

The second ministerial Council meeting under the Energy Community Treaty took place on 29 June 2007 in Montenegro; the main items on the agenda were related to enlargement, renewable energy sources and energy efficiency, security of supply and social issues. A Memorandum of Understanding on Social Issues was signed by all Contracting Parties in

Vienna on 18 October 2007. A number of other meetings have been held since then, inter alia the first meeting of the Gas Forum in Maribor on 9 November.

The next ministerial Council is scheduled for 18 December 2007 in Belgrade, preceded by a PHLG meeting on 17 December. The main agenda items concern the budget and work programme for 2008, investment issues, energy efficiency, the social dimension of the Energy Community and a status report on the Energy Community enlargement process.

e) ***International Platform on Energy Efficiency***

Following the round table on international cooperation on energy efficiency, held last February in Brussels, and further bilateral talks with China, India and the US, the Commission has tabled a declaration on a voluntary "platform for international cooperation on energy efficiency" which would provide a forum for discussion, consultation and exchange of information under the IEA aegis. Delegations have provided input for this declaration, which should be adopted, if possible, at the next ministerial meeting of the Gleneagles dialogue in March 2008 in Japan.

**OTHER BUSINESS**

- a) **Results of the World Radiocommunication Conference 2007 (WRC-07)**
  - *Information from the Commission*
- b) **Conferences during the Portuguese Presidency : "eGouvernement", "2nd Internet Governance Forum" and "Regulation of Convergence"**
  - *Information from the Presidency*
- c) **Outcome of proceedings (Competitiveness Council) on access to scientific publishing**
  - *Information from the Presidency*
- d) **116 numbering range** for harmonised numbers for harmonised services of social value (15302/07)
  - *Information from the Commission*
- e) **The Internet of things - RFID**
  - Outcome of the Conference on "RFID-the next step of the Internet of things", Lisbon 15-16 November 2007
  - *Information from the Presidency*
- f) **Communication on a European ports policy**
  - *Presentation by the Commission*
- g) **Rescue at sea**
  - *Information from the Spanish and Italian delegations*
- h) **International Labour Organisation**
  - *Information from the Commission*
- i) **International Maritime Organisation**
  - *Information from the Commission*