



**COUNCIL OF  
THE EUROPEAN UNION**



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**PRESS RELEASE**

2821st Council meeting

**Transport, Telecommunications and Energy**

Luxembourg, 1-2 October 2007

President      **Mr Mário Lino,**  
Minister of Public Works, Transport and Communications of  
Portugal

**P R E S S**

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## **Main results of the Council**

*The Council reached political agreement on a draft Directive amending the current postal Directive 97/67/EC concerning the full accomplishment of the internal market of Community **postal services**.*

*The Council adopted conclusions on the European **Galileo** and EGNOS satellite-navigation programmes.*

*Furthermore, the Council adopted a decision authorising the Commission to negotiate a comprehensive air transport agreement with **Canada**.*

*It also adopted conclusions on an action plan for **airport capacity, efficiency and safety** in Europe and a resolution on the establishment of a EU Long Range **Identification and Tracking Data Centre**.*

*In addition, the Council reached a general approach on draft directives on **road infrastructure safety management**, the **interoperability of the Community rail system** and the **safety of the Community's railways**.*

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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**

The governments of the Member States and the European Commission were represented as follows:

### **Belgium:**

Mr Renaat LANDUYT  
Mr Marc VERWILGHEN

Minister for Mobility  
Minister for Economic Affairs, Energy, Foreign Trade and Scientific Policy

### **Bulgaria:**

Ms Krasimira Radkova MARTINOVA

Deputy Minister for Transport

### **Czech Republic:**

Mr Aleš REBÍČEK  
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Minister for Transport  
Deputy Minister for Industry and Trade

### **Denmark:**

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State Secretary, Ministry of Transport and Energy

### **Germany:**

Mr Wolfgang TIEFENSEE

Federal Minister for Transport, Building and Urban Development

Mr Bernd PFAFFENBACH

State Secretary, Federal Ministry of Economic Affairs and Technology

### **Estonia:**

Mr Juhan PARTS

Minister for Economic Affairs and Communications

### **Ireland:**

Mr Kenneth THOMPSON

Deputy Permanent Representative

### **Greece:**

Mr Konstantinos HADJIDAKIS

Minister for Transport and Communications

### **Spain:**

Ms Encarnación VIVANCO BUSTOS

Under Secretary of State, Ministry of Transport and Infrastructure

### **France:**

Mr Dominique BUSSEREAU  
Mr Hervé NOVELLI

Minister of State with responsibility for Transport  
Minister of State with responsibility for Enterprise and Foreign Trade

### **Italy:**

Mr Paolo GENTILONI  
Mr Cesare DE PICCOLI

Minister for Communications  
State Secretary for Transport

### **Cyprus:**

Ms Maria MALAHTOU-PAMBALLI

Minister for Communications and Works

### **Latvia:**

Mr Ainārs ŠLESERS

Minister for Transport

### **Lithuania:**

Mr Algirdas BUTKEVIČIUS

Minister for Transport and Communications

### **Luxembourg:**

Mr Lucien LUX  
Mr Jean-Louis SCHILTZ

Minister for the Environment, Minister for Transport  
Minister for Cooperation and Humanitarian Action,  
Minister for Communications, Minister for Defence

### **Hungary:**

Mr Balázs FELSMANN

State Secretary, Ministry of Economic Affairs and Transport

### **Malta:**

Mr Censu GALEA

Minister for Competitiveness and Communications

### **Netherlands:**

Mr Camiel EURLINGS

Minister for Transport, Public Works and Water Management

Mr Frank HEEMSKERK

Minister for Foreign Trade

**Austria:**

Mr Werner FAYMANN

Federal Minister for Transport, Innovation and  
Technology

Ms Christa KRANZL

State Secretary for Transport, Innovation and Technology

**Poland:**

Mr Jerzy POLACZEK

Minister for Transport

**Portugal:**

Mr Mário LINO

Minister for Public Works, Transport and  
Communications

Mr Paulo CAMPOS

State Secretary for Public Works and Communications,  
attached to the Minister for Public Works, Transport and  
Communications

Ms Ana Paula VITORINO

State Secretary for Transport

**Romania:**

Mr Septimiu BUZASU

State Secretary, Ministry of Transport

Mr Constantin TEODORESCU

State Secretary, Ministry of Communications and  
Information Technology

**Slovenia:**

Mr Radovan ŽERJAV

Minister for Transport

**Slovakia:**

Mr Dušan ŠVANTNER

State Secretary at the Ministry of Transport, Post and  
Telecommunications

**Finland:**

Ms Anu VEHVILÄINEN

Minister for Transport

**Sweden:**

Ms Åsa TORSTENSSON

Minister for Communications, Ministry of Enterprise,  
Energy and Communications

**United Kingdom:**

Mr Pat Mc FADDEN

Minister of State Department for Business, Enterprise and  
Regulatory Reform

Ms Rosie WINTERTON

Minister of State, Department for Transport

**Commission:**

Mr Jacques BARROT

Vice President

Mr Charlie MCCREEVY

Member

## **ITEMS DEBATED**

### **POSTAL SERVICES**

#### **Internal market of Community postal services**

The Council reached a political agreement on the proposal for a Directive of the European Parliament and of the Council amending Directive 97/67/EC concerning the full accomplishment of the internal market of Community postal services (13114/07).

The objectives of the proposal are to achieve an internal market for postal services through the removal of exclusive and special rights in the postal sector and the setting of the full market-opening timetable, to safeguard a common level of universal services for users in all EU countries and to set harmonised principles for the regulation of postal services in an open market environment, with the aim of reducing other obstacles to internal market functioning.

Taking into account the European Parliament first-reading opinion, which was adopted on 11 July 2007 (11646/07), and on the basis of previous deliberations, the Portuguese Presidency submitted to the Council preparatory bodies a compromise proposal, which was examined at several meetings.

The text agreed by Ministers provides for full market opening of postal services by 31 December 2010 at the latest. In addition, the text provides for the possibility for some Member States<sup>1</sup> (which are identified in the proposal), to postpone the implementation of the Directive by two years (up to 31 December 2012), subject to prior notification to the Commission. It also clarifies criteria and the grounds under which some Member States could benefit from such a postponement. Furthermore, the draft Directive comprises a reciprocity clause, under which Member States that open up their postal markets completely may, for a limited period (from 1 January 2011 until 31 December 2012) refuse to grant authorisation to postal operators operating in a Member State, which maintains the reserved area until the end of 2012.

The draft Directive also includes a provision that the Commission will provide assistance to Member States on the implementation of the Directive, including on the calculation of any net cost of the universal service. A new annex on guidance for calculating the net cost, if any, of universal service was agreed to be introduced in the Directive.

Further to verification by the Legal Linguistic Experts, the Council's common position will be adopted at a forthcoming meeting. It will be sent to the European Parliament for its second reading in the framework of the co-decision procedure.

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<sup>1</sup> The following Member States may postpone implementation until the end of 2012:  
Cyprus, Czech Republic, Greece, Hungary, Latvia, Lithuania, Luxembourg, Malta, Poland, Romania and Slovakia.

**TRANSPORT****EU Long Range Identification and Tracking Data Centre - *Council resolution***

The Council adopted the following resolution:

"Recalling the adoption by the International Maritime Organization (IMO) of a new regulation V/19-1 of the International Convention for the Safety of Life at Sea, 1974 (SOLAS) relating to the long-range identification and tracking of ships (LRIT),

Considering that, in order to comply with such regulation, all IMO contracting governments shall establish or join an LRIT data centre to be fully operational by the end of 2008,

Recalling also the submission made by Member States of the EU, Norway and the European Commission, to the Maritime Safety Committee of the IMO, highlighting the possibility of the establishment of a European Union LRIT Data Centre (MSC 82/8/11),

Bearing also in mind the submission made by Member States of the EU, Iceland, Norway and the European Commission to the Maritime Safety Committee of the IMO, proposing that Contracting Governments should be able to receive and use LRIT information about ships, in accordance with SOLAS regulation V/19-1, for maritime safety and marine environment protection purposes (MSC 83/6/10),

Recognizing the added value of managing and organising the sharing of LRIT information within a regional data centre at EU level, for the purposes of maritime security, Search and Rescue (SAR), maritime safety and protection of the marine environment,

Having considered the discussions held within the Council framework concerning the establishment of an EU LRIT Data Centre as well as the information provided by the Commission, with the assistance of the European Maritime Safety Agency (EMSA) concerning the legal, technical and financial aspects of setting-up such a centre,

The COUNCIL:

1. AGREES to the setting-up of a European Union Long Range Identification and Tracking Data Centre (EU LRIT DC), to be managed by the Commission, in cooperation with Member States, through the European Maritime Safety Agency (EMSA), and STRESSES that the objective of the EU LRIT DC should include maritime security, Search and Rescue (SAR), maritime safety and protection of the marine environment, taking into consideration respective developments within the IMO context;

2. URGES Member States to actively contribute to the ongoing work within the IMO concerning the establishment of the LRIT system, in particular by voicing these positions at the upcoming 83rd session of the IMO Maritime Safety Committee (MSC 83), endeavouring to meet the needs of regional LRIT data centres and, in particular, of the EU LRIT DC;
3. NOTES that the Commission intends, with the assistance of EMSA, to develop and operate the EU LRIT DC, in cooperation with the Member States, on the basis of Regulation N 1406/2002; furthermore, it RECOGNIZES that the use of LRIT reports for security contributes to the fulfilment of the objectives of Regulation (EC) No 725/2004 and that the extension of the use of LRIT reports to maritime safety and prevention of pollution from ships would contribute to the fulfilment of the objectives of Directive 2002/59/EC;
4. CONSIDERS that, if so desired by the Member State concerned, the overseas countries and territories should be allowed to make use of the EU LRIT DC and that the inclusion in the EU LRIT DC of ships registered in the overseas countries and territories should be possible; CONSIDERS that financial consequences thereof need further discussion;
5. UNDERLINES that the EU LRIT DC would also benefit from the participation of Norway and Iceland as members of the EEA and ENCOURAGES Member States and the Commission to further cooperate, on a consensual basis, in order to define the technical, legal and political criteria of a possible participation of other third States and the relevant modalities of such a participation;
6. STRESSES the need for Member States to take all necessary measures at national level to be able to provide all data necessary for the operation of the EU LRIT DC;
7. RECALLS that the LRIT data is owned by the Flag State; STRESSES that, at the same time, the establishment of an EU LRIT DC does not affect the above principle of ownership;
8. AGREES that the establishment, operation and maintenance of the EU LRIT DC should be funded in the Community budgetary framework and RECOGNIZES the need to ensure that the budget of EMSA will cover the establishment, operation and maintenance of the EU LRIT DC;

9. AGREES that the costs arising from the fulfilment of the minimum SOLAS requirements concerning LRIT data, i.e. four daily LRIT reports sent by a vessel flying the flag of a Member State, should be covered by the Community budget; CONSIDERS that the issue of costs of any additional LRIT reports to be collected and processed by the EU LRIT DC (such as reports from ships calling at ports of the Member States or sailing off their coasts) should be further discussed, while acknowledging that such costs should in principle be covered by Member States requesting additional reports, in the light of rules and modalities to be defined at EU level;
10. AGREES that, subject to the completion of necessary technical work, the EU LRIT DC should make use of the existing SafeSeaNet system communication platform in order to facilitate the sharing of LRIT information between Member States; if necessary, the SafeSeaNet system should be modified, at central and national level, in order to ensure the appropriate level of security of LRIT data transmission and management and to fulfil the IMO requirements and to properly implement the Data Distribution Plan agreed by Member States;
11. ENCOURAGES the integration of AIS (Automatic Identification System) reports into the data managed by the EU LRIT DC in order to enable savings of costs and avoid unnecessary fitting of equipment on board ships sailing in maritime areas within the coverage of AIS monitoring stations; INVITES Member States and the Commission to take any appropriate action within the IMO in order to promote the integration of AIS data into the LRIT system taking into account the respective requirements of SOLAS;
12. AGREES that LRIT and AIS information are complementary and, therefore, agrees to progress, in the context of the EU AIS Master Plan, towards an integration of these two systems; STRESSES that synergies should be identified with other existing or developing ship identification and tracking systems;
13. SUPPORTS the Commission in its efforts, in cooperation with Member States, as appropriate, and the assistance of EMSA, to further develop the detailed technical specifications of the EU LRIT DC as well as a policy on access rights consistent with the decisions taken at IMO level; INVITES Member States and the Commission to take all appropriate steps vis-à-vis competent international organisations and bodies such as IMSO."

## **Road infrastructure safety management**

The Council reached a general approach on a draft directive on road infrastructure safety management (12933/07).

The Commission transmitted its proposal to the Council in October 2006 (13874/06) jointly with the proposal for a directive on the retrofitting of mirrors to heavy goods vehicles (adopted by the Council in June) as a further legislative step towards meeting the goals set in the 2003 Road Safety Action Programme (9713/03).

The draft directive is aimed at ensuring that safety is integrated into all phases of planning, design and operation of the road infrastructure across the Trans-European Network (TEN-T). The proposal will ensure that managers are given the correct guidelines, training and information needed to guarantee safety on the road network. The draft directive establishes four procedures to ensure a high level of road infrastructure safety within the EU: road safety impact assessments, road safety audits, network safety management and safety inspections.

Ministers agreed on all outstanding issues, including the choice of a directive as the legal instrument and the legally non-binding status of the annexes.

Member States will have 2 years from the entry into force of the draft directive to comply with its provisions.

According to the Commission's studies, around 7 000 injuries could be avoided and around 600 lives per year could be saved if the measures proposed for the TEN-T were applied.

In June 2007, the European Parliament Committee on Transport and Tourism recommended that the plenary session reject the Commission's proposal. However, it was decided in plenary to send the proposal back to the Committee for further examination.

## **Interoperability of the Community rail system**

The Council reached a general approach on a draft directive on the interoperability of the Community rail system (12822/1/07).

This directive is part of a set of proposals adopted by the Commission in December 2006 which aim at improving cross-acceptance of railway vehicles in the Community. Besides the proposal on the Interoperability Directive (17038/06), these proposals include a proposal to amend the Safety Directive (17039/06) and a proposal to amend the Regulation on the European Railway Agency (17040/06).

Currently, rolling stock authorised in one Member State is not automatically authorised in another. Before granting an authorisation, a Member State can set additional requirements, in particular with regard to safety, and require additional checks on compatibility with its infrastructure. This practice leads to high costs for manufacturers, which have to apply for an authorisation in each Member State where they want their rolling stock to be put in service, and makes it more difficult and more expensive for railway companies to purchase new vehicles.

Cross-acceptance can be improved by applying more systematically the principle of mutual recognition to national authorisation procedures and by harmonising certain provisions. As a result, the time period railway undertakings and companies in the rail supply industry need for obtaining an authorisation in all Member States can be reduced by 30/50 percent and the costs related to obtaining this authorisation by 50 percent for used locomotives and 70 percent for new locomotives. This is equivalent to savings of EUR 0.8 million per individual locomotive. Therefore, improved cross-acceptance will contribute to revitalising the railway market.

The Council bodies introduced two important changes compared to the Commission's proposal. Firstly, all the provisions of the Safety Directive on authorisation of vehicles that are already in use are transferred to the interoperability directive. As a result, the directive applies to all existing rolling stock. At its June 2007 session, the Council already supported the concentration of all provisions on authorisation of vehicles in a single legislative act.

Secondly, the principle that, once a Member State has authorised a type of vehicle, all vehicles of the same type will automatically be authorised to be put in service in that Member State, is incorporated in the directive. In addition, in order to facilitate the identification of vehicle types that have already been authorised in Member States, the Council proposes to establish a European register of authorised types of rolling stock. This register is to be set up and kept by the European Railway Agency.

The European Parliament's first-reading opinion is scheduled for adoption in November 2007.

## Safety of the Community's railways

The Council reached a general approach on a draft directive on the safety of the Community's railways (12824/1/07).

The proposal on amending the Safety Directive (17039/06) is part of a set of proposals, including a draft directive on interoperability (17038/06, see above) and a draft regulation on the European Railway Agency (17040/06), aimed at improving cross-acceptance of railway vehicles in the EU and creating better conditions for the competitiveness of railways in Europe. The Commission adopted these proposals in December 2006.

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

Supporting the principle of cross-acceptance, the Council agreed on three main changes to the Commission proposal:

Firstly, the Council transfers all provisions on authorisation of railway vehicles from the safety directive to the interoperability directive. The former deals with new or upgraded parts of the Community rail system and the latter concerns vehicles already in use. As a result, all provisions on authorisation are incorporated in a single legislative act.

Secondly, the text agreed by the Council specifies the roles and responsibilities of the actors involved in railway operations. In order to enable railway undertakings to identify who is responsible for the wagons connected to its trains, the Council introduces the obligation that to each wagon "a keeper" must be assigned. Moreover, this keeper needs to be registered as such in a National Vehicle Register.

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

The European Parliament's first-reading opinion is scheduled for adoption in November 2007.

## **AVIATION**

### **External relations**

#### ***36<sup>th</sup> Assembly of the International Civil Aviation Organisation***

The Presidency and the Commission briefed the Council on the main results of the 36<sup>th</sup> Assembly of the International Civil Aviation Organisation, which took place in Montreal from 18 to 28 September 2007.

#### ***Air transport agreement with Canada***

The Council adopted a decision authorising the Commission to open negotiations on a comprehensive air transport agreement with Canada, aimed at establishing an open aviation area between the EU and Canada, opening market restrictions and achieving a high level of regulatory convergence. In addition, the agreement will stimulate economic growth in the aviation sector and contribute to the objectives of the Lisbon Strategy.

Currently, international aviation relations between Member States and Canada are governed by bilateral air services agreements. None of the existing bilateral air services agreements are in conformity with Community law. In order to establish legal certainty for aviation relations with Canada, the Commission adopted in January 2007 a recommendation asking for a mandate to negotiate a comprehensive aviation agreement.

**Action plan for airport capacity, efficiency and safety in Europe - Council conclusions**

The Council adopted the following conclusions:

"THE COUNCIL:

1. WELCOMES the Commission communication on airport capacity, efficiency and safety in Europe<sup>1</sup>.
2. SHARES the view that due to the emerging gap between available airport capacity and future demand for air transport there will be a "capacity crunch" and that such a gap can affect the efficiency and competitiveness of the air transport system and RECOGNISES the need to find solutions to this problem.
3. CONSIDERS that the actions proposed by the Commission in its communication could be the basis of a coherent approach, and its implementation could make for better use of existing airport infrastructure and facilitate delivery of necessary new capacity at national and subnational level, while maintaining a high level of safety.
4. EMPHASISES that these actions should respect the principles of proportionality and subsidiarity and take into consideration national, local and regional characteristics and requirements, including those of peripheral regions.
5. REQUESTS that any actions should be coherent with those of other initiatives addressing the same issues, in particular those suggested in the report of the Commission's High Level Group for the future European Aviation Regulatory Framework; those contained in the Single European Sky initiative and those to be presented in the SESAR masterplan.
6. CONSIDERS that environmental factors should be fully taken into account when considering existing and planned airport infrastructure, since it is only if environmental constraints are effectively taken into account that a harmonious development of airport activities can be ensured.
7. RECOGNISES that although airport planning and development are Member States' competencies, action at Community level to develop guidelines for capacity assessment may be useful to assist Member States and airports with their decision making and to improve interoperability and the management of airport capacity in Europe.

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<sup>1</sup> 5886/07

8. RECOMMENDS that discussions be initiated at Community level on better use and development of airport capacity, notably on the basis of an exchange of experience and best practice in this area. These discussions should involve all parties with a legitimate interest in civil aviation issues.
9. RECOMMENDS that the planning of new airport infrastructure be conducted in coordination with the planning of other modes of transport, primarily rail and road networks, so as to promote comodality and the establishment of as integrated and efficient a transport network as possible. ACCEPTS that, where appropriate, the level of Community funding might be subject to compliance with these criteria.
10. INVITES the Commission to assist Member States in the development of European airport capacity and interoperability, while paying attention to coordination with other relevant programmes, including the Single European Sky initiative and the SESAR programme, in particular by:
  - i drawing up guidelines for assessing existing and planned airport capacity, using the expertise already available in the Member States and within the relevant international organisations;
  - ii developing specifications for new equipment and procedures (ground- and air-side) guaranteeing compatibility of new technologies, mature or under development, to be implemented by airports, air navigation service providers and aircraft operators, paying specific attention to the need to promote interoperability of airport equipment and aircraft equipment; and
  - iii pursuing its efforts aimed at research and the development of new technologies in order to introduce more efficiency into airport operations, while maintaining high levels of safety.
11. Without prejudice to Member States' positions to be taken on the respective Commission proposals, TAKES NOTE of the Commission's intention to:
  - i provide the Council with a report on Community financial support granted to European airports, together with suggestions for improving the effectiveness of such aid as regards its impact on the efficiency and interoperability of the transport system as a whole;

- ii envisage measures to ensure more consistency between airport slots and flight plans submitted by aircraft operators;
- iii submit to the Council a report on the implementation of Directive 2002/30 on the establishment of noise-related rules at Community airports;
- iv submit to the Council, in 2008, a proposal to amend Regulation No 1592/2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, in order to extend the scope thereof to aerodromes, taking full account of the capacity of the Agency to take on the associated tasks;
- v set up as soon as possible the Community airport capacity observatory, which should be a forum for the exchange of all information, best practice and data relating to airport capacity;
- vi submit to the European Parliament and the Council all appropriate proposals needed to implement the plan of action proposed in the abovementioned Communication."

**INTERMODAL AND HORIZONTAL QUESTIONS****GALILEO - *Council conclusions***

The Council adopted the following conclusions:

The Council

1. RE-AFFRMS the value of an effective Galileo as a key project for the European Union, in line with the June 2007 European Council conclusions;
2. ACKNOWLEDGES the work carried out by the Commission in response to the Council's request of 8 June 2007;
3. REITERATES the need to continue with the implementation of a certifiable EGNOS in line with relevant requirements, in order to ensure the initial service availability by 2008;
4. NOTES that the Commission considers that public procurement of a full operational capability of Galileo by 2013 would require additional public funding;
5. LOOKS FORWARD to a balanced participation of all Members States during the different phases of the project while taking maximum benefit of open competition;
6. CONFIRMS its intention to take an integrated decision on the European GNSS before the end of the year, based on the work carried out by all the relevant instances."

**OTHER BUSINESS*****– Selection and authorisation of systems providing mobile satellite services***

The Council took note of the Commission's information on its proposal for a decision on the selection and authorisation of systems providing mobile satellite services, adopted in August 2007 (12897/07 and 12413/07).

The general objective of this proposal is to develop the internal market for such systems for the benefit of European consumers and businesses. Mobile satellite services constitute a sector with high potential for Europe, with applications ranging from mobile TV, through wireless broadband, to public protection and disaster relief. Mobile satellite systems can also help bridge the digital divide by improving coverage in remote areas.

The proposed decision would provide a legal framework for the selection and authorisation of mobile satellite communications services.

***– Green paper on urban transport***

The Council took note of the Commission's presentation of its Green paper "*Towards a new culture for urban mobility*", adopted in September 2007 (13278/07).

The purpose of the Green paper is to open and structure the debate on the key issues of urban mobility. It sets a European agenda for urban mobility, while respecting the responsibilities of local, regional and national authorities in this area. The role of the EU will be to identify, in partnership with all parties, what obstacles to successful urban policies exist and how to remove them. Following the debate, the Commission intends to present in autumn 2008 an action plan on urban mobility.

***– EU ministerial conference on motorways of the sea and logistics***

The Council took note of information provided by the Presidency on preparations for the forthcoming EU ministerial conference on motorways of the sea and logistics, which will take place in Lisbon on 23 October 2007.

**OTHER ITEMS APPROVED****TELECOMMUNICATIONS****ITU World Radiocommunication Conference 2007 (WRC-07) - Council conclusions**

The Council adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN UNION,

1. WELCOMES

- the Commission communication of 2 July 2007 on "The ITU World Radiocommunication Conference 2007 (WRC-07)", to be held in Geneva from 22 October to 16 November 2007.

2. RECALLS

- Decision No 676/2002/EC of the European Parliament and the Council of 7 March 2002 on the regulatory framework for the radio spectrum policy of the European Community<sup>1</sup>;
- the Council conclusions on the communication from the Commission on the European positions for the World Radiocommunication Conference 2000 (WRC-2000) and on the communication from the Commission on the World Radiocommunication Conference 2003 (WRC-03)<sup>2</sup>;
- the Presidency conclusions of the European Council of December 2006, stating in particular that immediate priorities include the development of spectrum allocation models meeting all objectives, the fast promotion of advanced mobile services and to the extent possible a coordinated approach for the use of spectrum capacity becoming available as a result of digital switch-over<sup>3</sup>.

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<sup>1</sup> OJ L 108, 24.4.2002, p. 1.

<sup>2</sup> See previous docs. 4248/92 ECO 4, 14484/00 and 9131/03 and 9131/03.

<sup>3</sup> Brussels European Council, 14/15 December 2006 Presidency Conclusions 16879/1/06 REV1 (para. 30, p. 14).

## 3. TAKES NOTE OF

- the 14 February 2007 Radio Spectrum Policy Group (RSPG) Opinion on "EU Spectrum Policy implications of the digital dividend", including the relevant actions at WRC level.<sup>1</sup>

## 4. EXPRESSES ITS BROAD SUPPORT FOR

- the following objectives to be achieved at WRC-07 in view of the successful implementation of relevant Community policies, taking into account the Commission's communication:
  - a) Considering the spectrum demands of mobile systems:
    - Identifying the 3.4 to 3.8 GHz frequency band for mobile services on a non-exclusive basis, while avoiding harmful interference between mobile and fixed satellite services;
    - Continuing the examination of the regulatory status of the mobile service in the UHF band, without prejudice to other proposals that may be considered at WRC-07 regarding that status;
    - Minimising the risks of interference to International Mobile Telecommunications networks operating in the EU in the 2.5–2.69 GHz band from satellite services.
  - b) Ensuring the effective protection of Earth Exploration and other scientific services from harmful interference;
  - c) Satisfying the necessary spectrum requirements for digital radio broadcasting and for maritime mobile services in the HF band, as far as possible;
  - d) Enhancing the regulatory framework to support viable satellite systems;
  - e) Providing sufficient spectrum for aeronautical telemetry and air-to-ground voice and data communications;

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<sup>1</sup> [http://rspg.ec.europa.eu/doc/documents/opinions/rspg07\\_161\\_final\\_op\\_digdiv.pdf](http://rspg.ec.europa.eu/doc/documents/opinions/rspg07_161_final_op_digdiv.pdf)

- f) Preparing actions supportive of Community policies in view of the next WRC Conference due in 2011, notably concerning spectrum flexibility, Digital Dividend, climate change and the Single European Sky, as appropriate.
- the European Common Proposals (ECPs) adopted by the Conference Preparatory Group of the European Conference of Postal and Telecommunications Administrations (CEPT), which are relevant in the context of the Community policies mentioned above.

5. INVITES MEMBER STATES TO

- co-sign the ECPs in accordance with the Community objectives mentioned above,
- do their utmost to ensure that these objectives and the related ECPs are satisfied in the WRC-07 negotiations;

6. INVITES THE COMMISSION TO

- report rapidly to the European Parliament and the Council on the results of WRC-07 and on the means to ensure that the European preparations for the next conference due in 2011 (WRC-11) are fully supportive of Community policies and principles."

### **EXTERNAL RELATIONS**

#### **New Zealand - Agreement on participation in EU police mission in Afghanistan**

The Council adopted a decision approving the conclusion of an agreement with New Zealand on its participation in the EU police mission in Afghanistan.

#### **EU code of conduct on arms exports - Report**

The Council took note of the ninth annual report on implementation of the EU's code of conduct on arms exports (12919/1/07).

The code, introduced in 1998, sets criteria for the export of conventional arms with a view to harmonising national arms export control policies.

## **EUSR for Central Asia - Extension of his mandate**

The Council adopted a Joint Action amending Joint Action 2007/113/CFSP<sup>1</sup> concerning the mandate of the European Union Special Representative for Central Asia.

The new Joint Action extends the mandate of the European Union Special Representative (EUSR) for Central Asia so as to include the monitoring of the implementation of the EU strategy for a new partnership with Central Asia, which was adopted by the European Council at its meeting on 21-22 June 2007.

## **Cooperation with the International Criminal Tribunal for the Former Yugoslavia**

The Council decided to extend for a period of 12 months, until 10 October 2008, Common Position 2004/694/CFSP<sup>2</sup> on further measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the Former Yugoslavia (ICTY) (*12688/07*).

In particular, those measures concern the freezing of all funds and economic resources belonging to all persons publicly indicted by the ICTY for war crimes who are not in custody of the Tribunal.

## **DEVELOPMENT COOPERATION**

### **Fiji - Conclusion of consultations under the ACP-EC partnership agreement**

The Council decided to conclude consultations with the Republic of the Fiji Islands on measures to be taken following a military takeover in the country in December 2006.

The consultations were held in April, on the basis of Article 96 of the ACP-EC Cotonou Partnership Agreement and Article 37 of the EU's development cooperation instrument, and led to agreement by Fiji on a number of commitments. These include an early return to democracy with elections by February 2009, and commitments on human rights, democratic principles and the rule of law.

The EU will continue to work with and support Fiji and will remain attentive to the respect of those commitments.

For details, see press release *13383/07*.

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<sup>1</sup> OJ L 46, 16.2.2007, p. 83.

<sup>2</sup> OJ L 315, 14.10.2004, p. 52.

**DECISION TAKEN BY WRITTEN PROCEDURE****Civil aviation security**

The Council decided not to accept all of European Parliament's second reading amendments to a proposal for a Regulation on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002.

It accordingly decided to convene the Parliament-Council conciliation committee with a view to negotiating a joint text.

**APPOINTMENTS****Committee of the Regions**

The Council adopted decisions appointing:

a) as members:

as proposed by the Maltese government:

– Mr Frederick CUTAJAR, Mayor, Santa Lucia Local Council

as proposed by the Estonian Government:

– Mr Mihkel JUHKAMI, Chairman of Rakvere Town Council (change of mandate)

as proposed by the Swedish Government:

– Ms Ann BESKOW, Orsa kommun (change of mandate),

– Mr Kent JOHANSSON, Västra Götalands läns landsting (change of mandate),

– Mr Anders KNAPE, Karlstads kommun (change of mandate),

– Ms Anneli STARK, Västra Götalands läns landsting (change of mandate),

as proposed by the German Government:

- Mr Reinhard LOSKE, Senator für Umwelt, Bau, Verkehr und Europa der Freien Hansestadt Bremen,

and

b) as alternate members:

as proposed by the Maltese government:

- Ms. Doris BORG, Deputy Mayor, Birkirkara Local Council (change of mandate),
- Ms Maria NATOLI, Councillor, Nadur Local Council

as proposed by the Estonian Government:

- Ms. Kersti KÕOSAAR, Mayor of Võru,
- Mr Edgar SAVISAAR, Mayor of Tallinn,
- Mr Ivar UNT, Mayor of Valga

as proposed by the Swedish Government:

- Mr Bernth JOHNSON, Blekinge läns landsting (change of mandate),
- Ms Ewa-May KARLSSON, Vindelns kommun (change of mandate),
- Mr Jens NILSSON, Östersunds kommun (change of mandate)

as proposed by the Austrian Government:

- Ms Renate BRAUNER, Vizebürgermeisterin der Stadt Wien und stellvertretende Landeshauptfrau

as proposed by the German Government:

- Mr Hermann KUHN, Mitglied der Bremischen Bürgerschaft (Landtag),
- Ms Manuela MAHNKE, Mitglied der Bremischen Bürgerschaft (Landtag)

for the remainder of the current term of office, which runs until 25 January 2010.

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