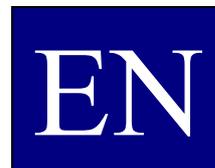




**COUNCIL OF  
THE EUROPEAN UNION**



14636/05 (Presse 303)

**PRESS RELEASE**

2695th Council Meeting

**Transport, Telecommunications and Energy**

Brussels, 1/5 December 2005

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**Mr Alistair DARLING**

Secretary of State for Transport

**Mr Alun MICHAEL**

Minister of State for Industry and the Regions

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**P R E S S**

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14636/05 (Presse 303)

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**EN**

## **Main Results of the Council**

*The Council adopted a regulation on the establishment of a **Community list of banned air carriers**.*

*It also reached political agreements on:*

- *a directive on market access for international **rail passenger services**;*
- *a regulation on **international rail passengers' rights and obligations** and*
- *a directive on the **certification of train crews** operating locomotives and trains on the Community's rail network.*

*Furthermore, the Council adopted conclusions on:*

- ***climate change and sustainable energy**;*
- ***initiative "i2010"** - A European Information Society for growth and employment;*
- ***eAccessibility**;*
- *accelerating the **transition from analogue to digital broadcasting**;*
- ***boosting employment prospects in the Community maritime sector** and attracting young people to the seafaring profession.*

*The Council also adopted new measures to safeguard **security of electricity supply** and infrastructure investment.*

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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.
- The documents whose references are given in the text are available on the Council's Internet site <http://ue.eu.int>.
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Vice-President  
Member  
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Member

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**ITEMS DEBATED****ENERGY**– ***BETTER REGULATION - Implementation and results of the energy liberalisation package***

The Council held a policy debate on the practical impact of the EU's energy liberalisation package, following discussions on European energy policy at the informal meeting of EU heads of state or government at Hampton Court on 27 October<sup>1</sup>. The Commission presented a communication on progress in creating the internal gas and electricity market<sup>2</sup>, as well as an issues paper on the emerging findings of a sector inquiry which provided the basis for the ministers' debate.

Following the debate, the Presidency summarised the discussions as follows:

- Secure supplies of electricity and gas at competitive prices, delivered on open, transparent and competitive markets, with adequate protection of final consumers, are crucial to Europe's competitiveness and we have made progress with the second electricity and gas directives leading to full market opening in July 2007.
- But the right balance should be found among the three objectives of competitive markets, security of supply and environmental compatibility, taking national circumstances into account.
- Commission's report and issues paper are timely. They highlight areas where more needs to be done before we have a functioning internal energy market. Before considering further legislation certain factors may require more investigation such as the role of long-term gas contracts and external suppliers, the impact of the Emissions Trading Scheme and primary energy prices, how to assess market concentration and secure adequate capacity margins.
- There is a consensus that the existing legislation must be fully implemented in all Member States not only in letter but also in spirit. The Commission will monitor developments and report on progress made, using its enforcement powers where necessary. More use could be made of non-legislative action such as the exchange of best practice.

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<sup>1</sup> 13991/05.

<sup>2</sup> 14800/05.

- Market players must have equal access to accurate, timely and comprehensive information, especially on price formation. More information could be released to the market under the existing legislation, under the effective monitoring and supervision of regulatory authorities who should consider whether any obstacles to the provision of sufficient information remain.
- Coordinated development of regional markets is an effective way of achieving further market integration and efforts in this area should be stepped up. Regular meetings at regional level, using the model in the Nordic and North West European markets, could make a useful contribution by focusing on practical obstacles to cross-border trade.
- Concerns were expressed about possible obstacles to investment in cross-border infrastructure and how to make markets liquid enough. Investment should be encouraged by establishing regulatory frameworks in Member States which are stable and provide clear investment incentives.
- The national regulatory authorities and competition authorities will play an increasingly important role in delivering liberalised energy markets across the EU. They should be able to carry out their tasks effectively, and cooperate with each other, particularly on issues such as the regulation of cross-border network access and trading.
- Fair and non-discriminatory access to the network for all system users is essential if competition is to develop. This requires effective unbundling of network businesses.
- Today's wide-ranging and frank discussion has been a useful contribution ahead of the December and Spring European Councils, in continuation of the informal meeting of EU Heads of State or Government on 27 October, where the importance of an open internal energy market as part of a European energy policy was underlined.
- There is general support for the Commission's plans for consulting and taking forward the issues raised at Hampton Court, in the longer-term perspective, namely climate change, energy efficiency, security of supply and furthering of the internal market.
- The Council looks forward to the Commission Green Paper on these issues.

– ***CLIMATE CHANGE AND SUSTAINABLE ENERGY - Council conclusions***

The Council held a policy debate on climate change and sustainable energy, that provided the Commission with indications on Member States concerns and priorities to be taken into consideration inter alia when the Commission develops its Action Plan on Energy Efficiency and Review of the European Emissions Trading Scheme. The following conclusions on Climate Change and Energy Efficiency were adopted at the end of the debate:

"In the spirit of the Lisbon Agenda, Energy Policy has to make an important contribution to achieving greenhouse gas reduction objectives.

At the same time the medium and long-term EU strategy to combat climate change called for by the Spring European Council 2005 should:

- Focus in particular on environmental effectiveness
- Take account of the need for promoting competitiveness and affordable energy supply
- Promote cost-efficient measures to cut emissions
- Recognise the need for global joint efforts, in line with common but differentiated responsibilities and respective capabilities
- Provide certainty for public and private investment

The Council therefore:

1. WELCOMES

- the Commission's Green Paper on Energy Efficiency (10368/05)

2. RECALLS

- that energy policy needs to provide a balanced approach and synergies to the goals of security of energy supply, competitiveness and environmental sustainability
- the contribution of Energy Ministers as well as Environment Ministers to the Spring European Council 2005 (6522/05 and 6892/05)) and the conclusions of the Spring European Council (7619/05)

- the Commission Communication “Winning the battle against global climate change” of February 2005
- discussions of the inter-relationship between climate change, energy and competitiveness objectives in other formations of the Council and the (Environment) Council conclusions on Climate Change of 20 December 2004 (16298/04) and 17 October (13435/05)
- the wide ranging discussions in the Sustainable Energy Forum (Amsterdam, 13-14 October), the High Level Group on Energy Efficiency (29 September) and the International Energy Efficiency conference (2-3 November, London)
- the long standing Council commitment to the promotion of renewable sources of energy as reflected in Directive 2001/77/EC on the promotion of electricity produced from renewable energy sources in the internal energy market and Directive 2003/30/EC on the promotion of the use of biofuels or other renewable fuels for transport as well as several sets of conclusions

### 3. UNDERLINES that

- at a given cost, energy efficiency is likely to deliver more than any increase in primary energy sources
- strategies to invest in cleaner and more sustainable energy can support a range of policy objectives, including energy security, competitiveness, employment, air quality and reduced greenhouse gas emissions
- in 2003, energy use in the EU excluding transport, contributed around 63% of the (EU25) European Union’s greenhouse gas emissions. The transport sector additionally represents around 19% of emissions in the same year
- decisions taken worldwide on investment in energy infrastructure, technologies and systems will have a direct impact on the world’s ability to tackle the problem of climate change for the foreseeable future
- these decisions present the EU with both a policy challenge and an economic opportunity regarding its international competitiveness and security of supply objectives
- developing an integrated strategy to achieve climate change and energy policy objectives could reduce the cost of action and increase certainty as we move to a global low-carbon emitting economy.

## 4. EMPHASISES

- that cost-effective measures for energy efficiency are one of the quickest and most efficient means of reducing energy demand in order to reduce greenhouse gas emissions in line with the EU's climate change objectives whilst enhancing the competitiveness of European business in line with the Lisbon Agenda and making a significant contribution to security of energy supply
- that timely decisions on the future of the energy policy in the EU, encouraging innovation in affordable, efficient, secure and environmentally friendly means of producing and consuming energy, will help secure a clear competitive advantage for the European Union in the move towards a low-carbon emitting economy
- that the need for a coherent overall framework encompassing all aspects of energy efficiency recognising that different actions will be appropriate for different sectors and for the European, National or Local levels
- the importance in this respect of the early adoption of a Directive on Energy Services and End-use Energy Efficiency

## 5. RECOGNISES that

- while the potential for energy efficiency improvement differs between Member States, all Member States are already actively pursuing significant policies for improving energy efficiency employing a very wide range of measures to overcome barriers to further energy savings
- the EU needs to cooperate with key players outside the European Union, especially developing countries in line with the EU commitments at the World Summit on Sustainable Development and the EU Strategy on climate change in the context of development cooperation. Therefore welcomes the partnership and initiative agreed at the EU-China and EU-India summits respectively, which will improve cooperation on climate change, including clean energy and energy efficiency, and will promote sustainable development<sup>1</sup>
- as it is increasingly through a large number of individual decisions that energy efficiency measures will be implemented, the role and awareness of the general public should be enhanced.

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<sup>1</sup> e.g the EU-China partnership will include cooperation on the development, deployment and transfer of low carbon technology, including advanced near-zero-emissions coal technology through carbon capture and storage and an EU-China Action Plan on Industrial Cooperation on Energy Efficiency and Renewable Energies.

## 6. STRESSES

- the need to raise the profile of energy efficiency across all sectors, including in the public sector which should lead by example for other sectors
- the importance of the exchange of best practice across the Union and the need to ensure synergy and consistency with other policy areas, particularly environment and transport policy
- that the transport and building sectors, in particular, hold a large potential for increased energy efficiency
- an increased emphasis on research, development and deployment of energy efficient products and technologies is needed, which could also be beneficial to the EU export potential
- the potential of more efficient energy generation, including with low or zero emissions

## 7. WELCOMES THE COMMISSION'S INTENTION TO

- develop an ambitious and realistic Action Plan on energy efficiency in 2006 which should i.a.:
  - exploit to the extent possible and in a cost-efficient manner the energy savings potential identified in the Green Paper
  - contribute to long-term certainty for investors in energy markets
  - reflect the potential of a wide range of measures and instruments such as product labelling, norms and standards, market-based and other support measures, public procurement, voluntary agreement, third-party financing, information campaign and energy audits, including where feasible in sectors with a large potential like building and transport
  - be based on reliable cost-benefit analysis, and
  - consider the need for harmonised principles for instruments such as certificates

- encourage eco-innovation and improvement of productivity through eco-efficiency in line with the Environment Technology Action Plan and promote the development and market uptake of energy efficient products and technologies
- to develop further the Intelligent Energy Europe Programme under the Competitiveness and Innovation Programme (CIP)

#### 8. URGES MEMBER STATES TO

- ensure effective application of Community legislation on energy efficiency including Directive 2002/91/EC on the Energy performance of Buildings, Directive 2004/8/EC on the promotion of co-generation and Directive 2005/32/EC on eco-design requirements for energy using products
- make good use of energy efficiency-related provisions under Directive 2003/54 on the internal market in electricity

#### 9. INVITES THE COMMISSION TO

- ensure that energy efficiency is explicitly covered in its proposals on a revised EU sustainable development strategy and on the new European Climate Change Programme
- consider in detail when developing its cost-benefit analysis of climate change measures the contribution that can be made by energy efficiency measures and report on the effects of emissions trading instruments on other instruments in the energy sector as announced at the Spring European Council 2003
- take the need for long term regulatory certainty and transparency and cost-effectiveness into account in its forthcoming review of the EU Emissions Trading Scheme, in the context of the ongoing development of the EU's medium and long-term strategy to tackle climate change. The Commission should thus review this scheme and should table as soon as possible proposals, as appropriate, to make this scheme more effective while taking into account the need for promoting competitiveness and an affordable energy supply
- base this review on comprehensive and reliable data and ensure that remedies to possible market disturbances in sectors affected by the EU Emissions Trading Scheme are provided in good time
- do its utmost to provide guidance early enough for the preparation of the 2nd national allocation plans
- move swiftly to implement measures within the framework provided by the eco-design directive".

– ***EU INTERNATIONAL ENERGY RELATIONS***

a) *EU-Russia energy dialogue and the Permanent Partnership Council*

The Presidency reported on the EU-Russia Permanent Partnership Council on energy which took place in London on 3 October (see press release 12902/05).

b) *EU-OPEC dialogue*

The Presidency informed ministers on progress in the EU-OPEC energy dialogue, the 2nd meeting of which will take place in Vienna, Austria on 2 December. This meeting follows that which took place on 9 June last and will deal with the following issues: recent energy policies and oil market developments and EU-OPEC energy dialogue (including a report on the roundtable of 21 November, review of the preparation of a forthcoming conference on energy technologies (1st half 2006) and energy policies (2nd half 2006) and reflection on technology cooperation).

c) *Energy treaty*

The Presidency informed ministers on the signature of an energy treaty with South East Europe countries, which took place in Athens on 25 October.

d) *Energy Charter Treaty*

The Presidency reported on the issues to be considered at the 16<sup>th</sup> meeting of the Energy Charter Treaty conference on 9 December, notably the designation of a new secretary-general and the negotiations on a protocol on transit of energy.

## TELECOMMUNICATIONS

### – *BETTER REGULATION - Review of the regulatory framework for electronic communications and spectrum policy*

The Council held a policy debate, on the basis of a questionnaire prepared by the Presidency<sup>1</sup>, on implementation of the regulatory framework for telecommunications markets and the future implications of spectrum management.

Following the Council's constructive exchange of views, the Presidency drew the following conclusions:

#### **"Electronic Communications Regulatory Framework**

- Delegations agreed that the Electronic Communications Framework is a significant piece of European legislation which plays a key role in the development of open and competitive ICT markets, and therefore in the delivery of the Lisbon agenda.
- As such, delegations noted the need to do more to improve the implementation of the existing Framework, though it was recognised that this was not easy for the new Member States for whom implementation was a more complex task.
- There was also agreement that the review of the Electronic Communications Framework and the Recommendation on Relevant Markets is a high priority for 2006, though there were differences in views as to how fundamental the former needed to be. Several delegations noted the need to ensure that regulation reflected market and technological developments. Delegations were pleased that the Commission had initiated a public consultation.
- Delegations highlighted a number of issues that need to be considered as part of the Review process:
  - The importance of competition and investment in next generation networks and discussed how best to achieve this.
  - How to ensure a light touch regulatory approach, regulating only where necessary to remove market distortions. The market reviews were highlighted as a particular important component of this process.
  - That the review needs to take a closer look at the Article 7 process to make it more efficient, more streamlined and less resource-intensive.

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<sup>1</sup> 13965/05.

- A need to take into account the requirements of consumers and the public; especially as regards content, safety and security.
- Delegations identified four principal challenges for the future. Firstly, to ensure that regulation nurtures competition and encourages investment; secondly, to meet the challenges of convergence; thirdly, to make better and more efficient use of spectrum; and lastly, to meet the challenges of worldwide competition.
- Delegations were grateful for the opportunity to discuss this important issue and looked forward to more in-depth discussions with the Commission and other Member States throughout 2006.

## Spectrum

- Delegations stressed that spectrum is an increasingly valuable economic and social resource, particularly given the greater convergence of wireless technologies.
- Views are divided on the most appropriate way to manage spectrum and the appropriate level of harmonisation. All delegations wanted to have a more flexible and efficient management process.
- Some delegations supported a more market-based approach while recognising that there were limitations to its application. Other delegations had concerns about spectrum liberalisation and preferred to wait on further analysis and discussion, particularly in the context of the Regional Radiocommunications Conference 2006 (RRC-06), before taking a definite position.
- Many delegations noted the importance of the digital dividend to be released by the switchover from analogue television. The wide range of potential uses for the frequencies thus made available needed to be discussed further.
- Delegations agreed that spectrum was an important political issue and that discussions in the Council needed to continue to determine the appropriate way forward.
- In conclusion, the key issues were pragmatism (in our approach to spectrum management); flexibility (in how we move forward on this complex dossier); and efficiency (in how spectrum is managed)."

- *INITIATIVE "i2010" - A European information society for growth and employment*
- *i2010 Strategy - Council conclusions*

The Council held a public policy debate on the EU's i2010 strategy, on the basis of questions proposed by the Presidency<sup>1</sup>, and adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN UNION,

1. WELCOMES

- The Commission Communication "i2010 – A European Information Society for Growth and Employment";
- The Commission Communication on eAccessibility;
- The Commission Communications "A forward-looking radio spectrum policy for the European Union: Second annual report" and "A market-based approach to spectrum management in the European Union".

2. RECALLS

- The Presidency Conclusions of the Lisbon European Council of March 2000;
- The Presidency Conclusions of the European Council of March 2005;
- The Council Resolution of 9 December 2004 on Looking into the future of Information Communication Technologies (ICTs).

3. STRESSES

- That more focused, effective and integrated ICT policies at both European and national levels are essential to achieving the Lisbon goals of economic growth and productivity;
- That the i2010 Strategy is a shared responsibility between Member States, the European institutions and stakeholders. In this regard it is important that the Member States have the necessary flexibility to address national circumstances and that there is an effective dialogue with all stakeholders;

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<sup>1</sup> 13961/05.

- That an open, competitive and innovative market for electronic communication services and a strong and competitive European ICT sector are key ingredients in enhanced ICT exploitation, as is the coordination of policy approaches, where appropriate, for the efficient and flexible use of radio spectrum in the EU.

#### 4. WELCOMES THE COMMISSION'S INTENTION

- To review the functioning of the regulatory framework for electronic communications, including spectrum management issues within Community competence, and audiovisual legislation and related policies in areas affected by convergence in the light of market and technological developments and taking into account general interest objectives, and propose appropriate measures, based on an impact assessment;
- In implementing the i2010 initiative to:
  - Ensure effective development of the i2010 Strategy, by establishing a High Level Group of Member States' representatives;
  - Report annually to the European Parliament and the Council on progress in achieving the i2010 policy priorities in an European Information Society Report, against relevant indicators identified by the Commission and Member States, recommending, where needed, appropriate policy adjustments based on recent developments and statistical analysis to ensure that i2010 remains relevant and forward looking;
  - Assess progress achieved in a mid-term report in 2008 with a view to ensuring the i2010 strategy delivers the Lisbon objectives.

#### 5. INVITES THE COMMISSION TO

- Ensure full implementation of the 2002 Regulatory Framework including the completion of market reviews by National Regulatory Authorities;
- Review the impact of digital convergence on the creation, circulation and distribution of European content, and if appropriate, bring forward proposals to promote a rich and diverse digital content market, increased use of broadband and the development of Next Generation Networks (NGNs);

- Encourage investment in ICT Research and Development (R&D) and wider ICT take-up in the public and private sector, notably through existing and future EU R&D Framework and Competitiveness and Innovation Programmes, including by promoting Small and Medium Enterprises' (SME) participation and ensuring that the results of these programmes are widely disseminated;
- Launch early in 2006, an effective strategy for developing a secure and safe European Information Space, with the support of the European Network and Information Security Agency, based on reliable networks, which fosters greater trust and confidence, addresses identification and authentication issues, and recognizes the important roles to be played by suppliers, business users, citizens and governments, and which includes a timetable for implementation;
- Encourage the efficient use of ICTs in public services, such as eGovernment and eHealth, through the exchange of experience and the development of common approaches on key issues such as interoperability and effective use of open standards;
- take account, in its Communication on eGovernment, of the Ministerial Declaration on eGovernment;
- Prepare a European initiative on e-Inclusion in 2008 addressing issues relating to eAccessibility, equal opportunities, digital literacy and regional divides;
- Promote education and training policies so that Europe has the skills it needs to research, innovate and use ICT;
- Promote interoperability and open standards in the European Information Space by ensuring that European standardisation policy addresses the needs of the ICT sector.

## 6. INVITES THE MEMBER STATES TO

- Identify information society priorities within their National Reform Programmes, so that the potential contribution of ICT to the Lisbon agenda and the action needed to implement it is fully reflected in national policies;
- Ensure rapid and complete implementation of the EU electronic communications regulatory framework, including completion of the market reviews;

- Ensure a more efficient and flexible use of spectrum through the coordination of policy approaches, where appropriate, according to Community competence and without prejudice to general interest objectives, in order to foster innovation, competitiveness, interoperability and convergence as well as a dynamic single market for innovative wireless equipment and services;
- Promote the roll-out of advanced seamless networks through the rapid implementation of national strategies, aimed at increasing broadband coverage and multiplatform access, and stimulating take-up, making use, where appropriate, of EU structural funds, in line with the Commission Guidelines;
- Encourage effective use of ICTs by public services and businesses (especially SMEs), by promoting the necessary skills needed for their deployment, promoting interoperability and open standards, and effective on-line public services through the introduction of organisational change;
- Encourage the effective use of ICTs to build a fully inclusive information society by 2010, bridging existing and avoiding the emergence of new digital divides, through national policy instruments;
- Strengthen support of research and innovation by encouraging private investments and cooperation between research and innovation programmes.

7. INVITES ALL STAKEHOLDERS TO

- Continue to participate fully in an open and constructive dialogue with Member States and the Commission, including at high-level events, in order to identify the actions that need to be taken to achieve a globally competitive, innovative and inclusive information society;
- Identify new business models, innovative technological solutions and effective self-regulation, which will promote competition, strengthen consumer trust and confidence in ICT products and services, and foster a safer, global internet environment;
- Intensify the integration of ICT into business processes, through innovative and interoperable ICT applications, standardisation, organisational change and better skills, in order to realise the full benefits of ICT.

8. DECIDES to transmit these conclusions for the attention of the European Council."

– *eAccessibility - Council conclusions*

In the same context the Council adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN UNION,

1. WELCOMES

- the Communication on eAccessibility adopted by the Commission on 13 September.

2. RECALLS

- the eEurope 2002 action plan adopted in the Feira European Council of 19 and 20 June 2000 with the objective of achieving participation for all in the knowledge-based economy;
- the Council conclusions of 1st and 2nd of December 2003 on the follow up of the European Year of People with Disabilities and the promotion of Equal Opportunities for People with Disabilities;
- the Ministerial Declaration on eInclusion from 2003;
- the i2010 Communication and in particular the third priority achieving an Inclusive European Information Society including policy guidance on eAccessibility.

3. RECOGNISES

- that access to ICT has a beneficial impact on the employment prospects and quality of life of people with disabilities and older persons;
- that the creation of an inclusive information society will be instrumental to the achievement of the economic and social objectives of the Lisbon agenda.

## 4. WELCOMES THE COMMISSION'S INTENTION TO

- evaluate the effectiveness of eAccessibility policies after two years and, if necessary, to propose additional measures;
- gather data to measure progress on eAccessibility and to include in the Commission's Annual Information Society Progress Report on the i2010 initiative reporting on actions undertaken to improve eAccessibility.

## 5. INVITES THE COMMISSION TO

- liaise with Member States on initiatives and policy approaches to improve eAccessibility;
- investigate the role that certification can play to increase eAccessibility while considering the interest of all relevant stakeholders;
- work with european and national standardisation bodies to promote and, where necessary, develop european eAccessibility standards;
- continue to consider the needs of people with disabilities and older persons in the process of the revision of the Electronic Communication regulatory framework;
- work with Member States to develop eAccessibility requirements in the public procurement domain and promote their use in public tenders;
- facilitate a dialogue between the key actors in the field, by providing, in cooperation with Member States, adequate fora for users and industry to meet with policy-makers.

## 6. INVITES THE MEMBER STATES TO

- promote access to ICT and accessibility to mainstream technologies for people with disabilities and older persons, aiming at interoperable solutions across Member States;
- continue to implement the Web Accessibility guidelines in their public web sites and to support the work of the European Design for All and eAccessibility Network, avoiding market fragmentation while responding to the evolution of web technologies;

- include in their regular reporting within the i2010 framework their progress in eAccessibility;
- use all instruments at their disposal to improve eAccessibility, for example by including in their public procurements eAccessibility requirements.

7. ENCOURAGES ALL STAKEHOLDERS TO

- develop, participate in and support EU and national eAccessibility initiatives improving the availability of accessible ICT products and services and their compatibility with assistive technologies;
- address the needs of persons with disabilities and older persons with regard to ICT products and services and to involve them and their organisations in the process of development of such products and services."

– ***ACCELERATING THE TRANSITION FROM ANALOGUE TO DIGITAL BROADCASTING - Council conclusions***

The Council adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN UNION,

1. WELCOMES

- the Communication from the Commission on accelerating the transition from analogue to digital broadcasting;<sup>1</sup>
- the Communication from the Commission on EU spectrum policy priorities for the digital switchover in the context of the upcoming ITU Regional Radiocommunication Conference 2006.<sup>2</sup>

2. RECALLS

- the Conclusions of the Barcelona European Council in March 2002 and the Seville European Council of June 2002;
- the Council Conclusions of 20 November 2003 on the ‘Transition from analogue to digital broadcasting’;
- the Council Conclusions of 9 December 2004 on the “First Annual Report on Radio Spectrum Policy in the European Union” and on the "Interoperability of digital interactive television services".

3. NOTES THAT

- the transition from analogue to digital broadcasting is a complex process, particularly in respect of terrestrial broadcasting, with social, cultural and economic implications, posing a major challenge for industry, users, and public authorities;
- in preparing for this transition issues of geographical coverage, provision of information to the public and availability of appropriate frequencies and relevant equipment will need to be considered;

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<sup>1</sup> 9411/05.

<sup>2</sup> 12817/05.

- most Member States expect to complete switchover from analogue terrestrial television broadcasting ("switchover") by 2012, and that some will have done this at a regional or national level before 2008;
- the difference in timetables reflects the differences in the development of the television market, the availability of appropriate spectrum and the prominence of different platforms in each Member State.

#### 4. RECOGNISES THAT

- switchover will contribute to the renewed Lisbon agenda and will stimulate innovation and growth of the consumer equipment market and content production industry;
- digital broadcasting provides consumer benefits in terms of better quality, more choice and enhanced services as well as having the potential to contribute to serving the needs of people with disabilities;
- the additional spectrum resources resulting from switchover from analogue terrestrial TV should be reused in a way that provides the most value to society and to the economy at national and European level, taking into account relevant policy objectives and interests;
- switchover policies are a Member State responsibility, but that there can be a role for co-ordination at EU level;
- a stable regulatory environment and policy transparency is important for improving certainty for market players and consumers, and encouraging coordinated action;
- free-to-air digital broadcasting is of particular significance for some Member States.

#### 5. INVITES THE MEMBER STATES

- as far as is possible, to complete switchover by 2012;
- to publish by 2006, where they have not already done so, their proposals for switchover and to ensure that any policy interventions are transparent, justified, proportionate, timely and non-discriminatory;

- to ensure adequate coordination with broadcasters and other stakeholders at the national level, within an overall context of a market driven process;
- to ensure there is a strategy to inform consumers about switchover;
- to allow flexibility in their spectrum plans for the introduction of new digital broadcasting and other electronic communications services using the spectrum released by switchover, ensuring fair access for all potential users;
- through the Regional Radio Conference in 2006 (RRC-06) and the future World Radio Conferences to support the option of flexible use of released spectrum, and the adoption of an end-date for the protection of analogue terrestrial television broadcasting services as close as possible to 2012, ensuring that the European Common Proposals (ECPs) take this into consideration.

6. INVITES THE MEMBER STATES AND THE COMMISSION

- to continue discussions on how to achieve early switchover;
- to engage in an active debate on the usage of the spectrum dividend, including how to meet future demand for pan-European services.

7. INVITES THE COMMISSION TO

- support Member States' plans to promote digital broadcasting;
- keep updated the information on national switchover plans on its website and to provide to the Communications Committee a regularly updated list of national switchover dates based on information provided by Member States;
- continue to support the development of new and innovative broadcasting and wireless technologies via the EU R&D programmes."

– ***WORLD SUMMIT ON THE INFORMATION SOCIETY (WSIS)***

The Presidency and the Commission informed the Council on the outcome of the World Summit on the Information Society (WSIS)<sup>1</sup>, which took place in Tunis from 16 to 18 November.

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<sup>1</sup> For more information see: <http://www.itu.int/wsis/tunis/index.html>

**LAND TRANSPORT****– RAIL MARKET ACCESS**

***a) Proposal for a directive of the European Parliament and of the Council amending Council directive 91/440/EEC on the development of the Community's railways (rail market access proposal)***

***b) Revised proposal for a regulation of the European Parliament and of the Council on public passenger transport services by rail and by road (Public Service Obligations proposal)***

The Council reached political agreement on the rail market access proposal, which aims at ensuring market access for international rail passenger services. This proposal is part of the Third Railway Package, which the Commission presented in March 2004 with a view to making rail transport more competitive and more attractive<sup>1</sup>.

The rail market access proposal provides for the opening of the market for international rail passenger transport in 2010 and includes the right for international trains to perform cabotage, that is picking up and setting down passengers at stations located in the same Member State. In the political agreement, the Council struck a balance between opening of the market on the one hand, and safeguarding public services on the other hand.

Furthermore, the Council took note of a progress report on the public service obligations proposal. The Commission proposal for a regulation addresses the issue of interventions by competent authorities in public passenger transport services by rail and road. It includes an updated regulatory framework which aims, amongst other things, to make more transparent the award of public service contracts rights and the granting of compensation in return for public service obligations. The Commission presented the proposal in July 2005.

In reaching a political agreement on the rail market access proposal, the Council and the Commission presented a statement in which it was agreed that opening the railway market in the Community could be achieved only step by step, and that this must be done in conformity with the demands of a public service. The Council will therefore try to reach political agreement on the public service obligations proposal as soon as possible in 2006.

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<sup>1</sup> This legislative package contains 4 proposals. Apart from the abovementioned proposal, the other 3 legislative proposals concern:

- a regulation on rights and obligations for passengers in international rail transport (7149/04);
- a regulation on quality obligations for rail freight services (7150/04);
- a directive on the certification of train crews operating locomotives and trains on the Community's rail network (7148/04).

– ***INTERNATIONAL RAIL PASSENGERS' RIGHTS AND OBLIGATIONS***

The Council reached political agreement on a draft regulation of the European Parliament and of the Council on international rail passengers' rights and obligations.

The Commission presented the proposal in March 2004 with the aim of establishing rights and obligations for international rail passengers in order to improve the effectiveness and attractiveness of international rail passenger transport.

The draft regulation as agreed by the Council is compatible with the COTIF (the Convention concerning international carriage by rail) /CIV (uniform rules concerning the contract for international carriage of passengers by rail) rules as far as the liability issues and the conclusion of transport contracts are concerned, as it incorporates the relevant CIV chapters into an annex to the draft regulation. The scope of the draft regulation is broader than the COTIF/CIV, adding provisions for persons with reduced mobility and minimum compensation in case of delay, and implementing an integrated information and reservation system for international traffic.

The draft regulation establishes rules concerning:

- information to be provided by railway undertakings, the conclusion of transport contracts, the issuing of tickets and implementation of a computerised information and reservation system for rail transport;
- liability of railway undertakings and their insurance obligations for passengers and their luggage;
- minimum obligations of railway undertakings to passengers in the event of delay, missed connections and cancellations;
- protection of and assistance to persons with reduced mobility travelling by rail,
- definition and monitoring of service quality standards for international services, the management of risks to the personal security of passengers and the handling of complaints;
- general rules on enforcement.

– ***TRAIN DRIVERS' CERTIFICATION***

The Council reached a political agreement on a draft directive on the certification of train crews operating locomotives and trains on the Community's rail network with a view to adopting a common position.

The draft directive as agreed by the Council lays down the conditions and procedures for the certification of train drivers operating locomotives and trains on the railway system in the Community. It specifies the tasks for which the competent authorities of the Member States, the train drivers and other stakeholders in the sector, in particular the railway undertakings, infrastructure managers and training centres, are responsible.

Moreover, the proposal sets minimum requirements for physical and mental fitness, obligatory periodic checks and the description of skills a driver must have.

The draft directive in its current form will apply to train drivers only. Other train crew on board locomotives and trains who participate directly or indirectly in driving and/or in other safety critical tasks will not be covered by its provisions. The draft directive also contains a specific procedure for temporary exemption of domestic drivers who circulate only within the borders of Member States.

In practice, certification is achieved on the basis of the following documents:

- a general licence pertaining to general skills and knowledge essential to the profession, and
- a certificate - complementary to the licence - listing the particular infrastructure or rolling stock on which the driver is authorised to drive.

The licence will be issued by a national authority (with possibilities for delegations under certain conditions), the certificate by the railway undertaking or the infrastructure manager which employs the driver.

The following timetable is scheduled for application following entry into force:

- after three years: application to new drivers - involved in cross-border services, cabotage or freight services in another Member State, or working in more than one Member State - and (periodic checks only) to drivers who have already worked on those services;
- after five years: application to all drivers who need a new licence or certificate;
- after ten years: application to all drivers. The qualifications and experience of such drivers shall be taken into account by the bodies delivering the licence and certificate.

– ***DRIVING LICENCES***

The Council held an exchange of views on a proposal for a directive on driving licences.

The Council agreed to resume examination of this item at its next meeting.

The main objectives of the proposal are to improve the free movement of citizens by ensuring and facilitating mutual recognition of all licences, to reduce the possibilities for fraud and increase road safety. This proposal is a recasting of directive 91/439/EEC<sup>1</sup>.

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<sup>1</sup> OJ L 237, 24.8.1991, p. 1.

**MARITIME TRANSPORT**

- ***MARITIME EMPLOYMENT - Boosting employment prospects in the Community maritime sector and attracting young people to the seafaring profession - Council conclusions***

The Council adopted the following conclusions:

"Having regard to

- the conclusions of the June 2003 Transport Council on improving the image of Community shipping and attracting young people to the seafaring profession;
- the general structure and policy directions of the Commission Communication on the "training and recruitment of seafarers" and noting the report by the Commission services<sup>1</sup> on progress since the June 2003 Transport Council;
- the targets set by the European Councils in Lisbon, Nice and Göteborg;

Noting that

- over 90% of the world trade and 40% of internal Community trade is sea borne;
- most Member States compete in world maritime trade and participate in maritime trade within the Community;
- commercial vessels are the most widely used means of connecting mainland and island territories thereby contributing to the social cohesion of Member States;
- sea transport is a highly effective, safe, environment-friendly, energy efficient and cheap mode of transport;

Recognising that the overall numbers of active EU seafarers in decline could constitute a long-term threat to continued European know-how both on-board and, consequently, for European shore-side maritime industries;

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<sup>1</sup> 13932/1/05 REV 1 MAR 153, Commission staff working document on the actions taken by the Commission in the field of maritime employment.

Recognising that such a decline in the numbers of European seafarers engaged in international shipping is influenced to a certain extent by the overall image of shipping that prevails in public opinion;

Acknowledging that a series of initiatives have been started or developed by several Member States, the Commission and social partners to address the decline in the number of European seafarers, which will be published in the form of a good practice guide on a Commission website;

Noting and encouraging the ongoing work at international level aimed at improving standards in the shipping industry, including fair treatment for seafarers, and encouraging people considering a career in the sector, and undertaking to make the guide to good practice in Europe available to relevant international bodies, as a contribution to their ongoing work, with a view to the creation of a similar international record of good practice;

Stressing the value of international standards for quality shipping in the framework of the International Maritime Organisation (IMO) and the International Labour Organisation (ILO), and relevant Community legislation; and recognising the importance of implementation and enforcement of existing legislation, including legislation relating to living and working conditions of seafarers as fundamental elements for ship safety and quality shipping;

Noting the ongoing discussions on the draft ILO Consolidated Maritime Labour Convention and the relevant Negotiating Directives adopted by the Council;

Reaffirming that the quality of shipping in the Member States is based on the respect of international legal instruments and Community legislation, including strict compliance with Community state aid guidelines, in order to avoid unfair competition;

Acknowledging that shipping is only one element, although the most crucial one, in a range of complementary maritime-related industries, and that maritime clusters multiply the economic benefits produced by their components;

Acknowledging that seafarers often make progression from active sea service to a shore-based job which requires maritime experience, suggesting therefore that young people could be positively encouraged to consider a life-long career within the maritime sector;

Acknowledging that the necessary expertise to join shore-side companies is best acquired through substantial experience on board high-quality vessels, which should therefore be encouraged as part of long term career planning;

Believing that action should be taken to defend the competitiveness of Member States' fleets and the competitiveness of EU seafarers, both in terms of attracting more quality vessels to Member States' registries and to increase the competitiveness of European seafarers looking to fill jobs at sea and in maritime service industries on land;

Stressing the need to improve coordination between sea-borne and shore-side aspects of the shipping industry, to identify common interests over labour-market issues;

Considering that appropriate education and training is the foundation for such a career, both at sea and on shore-side, and that a seafarer with relevant educational qualifications should find it easier to secure subsequent employment, especially if they have qualifications additional to the STCW requirements.

Considering that greater mutual understanding of training and educational systems in Member States could enhance labour mobility for seafarers, facilitate sharing of good practice and open new opportunities for student/teacher or trainer mobility between maritime training institutes to the benefit of maritime clusters in Member States;

Considering that further action should focus on the following objectives:

- Enhancing the general image of shipping and the maritime sector towards the wider public;
- Promotion of a positive image of the seafaring profession, *inter alia* by enhancing its social reputation and aiming at attracting young people to work at sea;
- Securing the benefits of more extensive participation by women and promoting social inclusion;
- Encouragement for the shipping industry to engage more fully with shore-side support companies in order to decide how best to maintain the skills-level of the maritime sector, while containing total industry labour costs;

- Encouragement for the creation of maritime clusters, which increase competitiveness by encouraging an active network of mutual support and cooperation among seaborne and shore-side companies;
- Encouragement for ongoing maritime education and training for seafarers to adapt to emerging new skills and to the needs of the shipping industry and the shore-side industries.

## THE COUNCIL

### 1. CALLS UPON Member States to:

- Continue to create long-term actions, in partnership with industry, aiming at promoting the positive aspects of the maritime sector among school and other students, and to encourage consideration of maritime professions as a career option for young people completing secondary or higher education, giving special attention to women and disadvantaged groups.
- Monitor the evolution and effects of the measures taken to increase the attractiveness of the maritime profession, so as to encourage consideration of a lifetime career, at sea but also ashore. This monitoring should include measures taken by the shipping industry, and details of successful projects should be submitted to the Commission in order to allow good practice to be shared among other Member States.
- Ensure that further promotion of quality shipping be pursued through strict compliance with the legal instruments of the IMO and the ILO and with Community legislation.
- Make every effort, in collaboration with the Commission, in the framework of the negotiations on an ILO Consolidated Maritime Labour Convention with the aim of securing a final text of the Convention which can be rapidly brought into force and implemented by all parties concerned.
- Facilitate actions taken by social partners to create maritime cluster organisations, at national or regional level, in which shore-side companies in the maritime sector work in partnership with shipping companies in order to advance common interests, including the long term skill needs of the sector. Member States should consider to what extent national and regional maritime administrations should be partners in such clusters.

- Identify - in cooperation with industry and maritime cluster organisations - any skills-gaps or actual or future deficits in numbers of skilled Economic European Area (EEA) employees, and put in place action plans to ensure that flexible and affordable training courses are available to cover these skills-requirements.
- Encourage industry and maritime cluster organisations to develop long-term partnerships with EEA maritime training institutes and cadets and seafarers being trained by such institutes.
- Consider as appropriate the outcome of research projects concerning maritime education and training programmes.
- Encourage maritime training institutes - in cooperation with industry and maritime cluster organisations - to offer flexible and affordable courses for experienced seafarers whose content includes material especially relevant to careers in shore-side companies in the maritime sector.
- Encourage maritime training institutes to enter into partnerships with maritime training institutes in other Member States – including student/teacher or trainer mobility programmes, shared curricula and learning resources as well as sharing of high-tech educational equipment.
- In order to secure labour mobility in the maritime sector, cooperate with the Commission and maritime clusters in identifying and removing remaining barriers to labour mobility of seafarers between Member States.
- Explore the potential and make an optimum use of financing opportunities offered by Community funds.
- Consider the most appropriate use of the possibilities provided by the Guidelines on State aid to maritime transport to support their industry and the education and training of seafarers.
- Gather, keep under review and communicate to the Commission data concerning supply and demand for seafarers and for seafaring expertise in the shore based maritime industries.
- Keep in mind the need to continue attracting young people to the sector, during future work at relevant international bodies.

## 2. INVITES the Commission to:

- Create and continuously maintain, on a Commission website, a publicly available record of good practice undertaken within Member States and by social partners, giving details of programmes intended to raise the profile of the maritime sector and to promote maritime professions as career options for young people.
- Assist Member States to create partnerships between maritime training institutes – such partnerships may include student/teacher or trainer mobility programmes, shared curricula and learning resources as well as sharing of high-tech educational equipment – and if appropriate to assist such partnership programmes through relevant Community funds on the basis of proposals from the Member States.
- Assist social partners to create a joint research group dedicated to devising a common methodology for estimating seafarer numbers.
- Further examine possibilities for stimulating the development of maritime clusters in the Community in order to improve the competitiveness of the maritime sector.
- Assist Member States and the industry to identify remaining barriers to labour mobility of seafarers between Member States.
- Continue monitoring and analysing the evolution of the training and recruitment of seafarers, including a structured survey of cadet motivations over time, subject to data provided by Member States, and to produce periodic reports.
- Summarise and analyse data obtained from the Member States on supply and demand for seafarers, and provide Member States with relevant reports.

## 3. NOTING progress being made within the European social dialogue, encourages social partners of the shipping industry to complement the efforts of Member States and the Commission, in particular to:

- Make every effort to secure the adoption of the ILO Consolidated Maritime Labour Convention.

- Conduct further promotional activities, highlighting a life-long career in the maritime sector as an option for young people completing secondary or higher education, including women and disadvantaged groups.
- Work together, in cooperation with governments and the Commission, to create or foster maritime cluster organisations to bring together shipping and maritime-service industries on a regional and national level, in order to consider the long term skill needs of the sector.
- Work closely with maritime training institutes, assisting them where appropriate, to create curricula that meet the ongoing skills needs of the industry.
- With assistance from the Commission create a joint research group dedicated to devising a common methodology for estimating seafarer numbers.
- Create attractive working and employment conditions reflecting the education and training received by seafarers.
- Make the most of the possibilities provided in the framework of the European Social Dialogue, for addressing all issues relating to employment prospects in the Community maritime sector, including seafarers employed on board passenger ships conducting regular public transport functions on short sea routes in the Community, according to the EC Treaty.

4. INVITES in particular shipowners and ship managers to:

- Work together, in cooperation with governments and the Commission, to create or foster maritime cluster organisations to bring together shipping and maritime-service industries on a regional and national level, in order to consider the long term skill needs of the sector.
- Identify, in cooperation with governments and maritime cluster organisations, any skills-gaps or actual or future deficits in numbers of skilled EEA employees.

- Develop long-term partnerships with EEA maritime training institutes, including opportunities to develop sea experience, and to help encourage provision of sufficient places for junior officers from Member States, notably those trained by such institutes.
  - Ensure the highest standards of quality by encouraging their employees to undertake ongoing maritime education and training and other forms of life-long learning and facilitating the career advancement of seafarers in the maritime sector.
  - Contribute to the improvement of working and living conditions for seafarers on board, particularly taking advantage of modern technology and communication.
  - Recall that they bear primary responsibility for compliance with relevant legislation in the fields of safety, social standards and working conditions.
  - Promote greater visibility and an enhanced image of shipping to the wider public.
5. AGREES to review at biennial intervals the impact of the actions taken by all involved parties as a follow-up to these conclusions."

## **AVIATION**

- ***EXTERNAL RELATIONS IN AVIATION***
  
- ***EU-US negotiations for an air transport agreement***

The Commission informed the Council of the agreed minutes reflecting the outcome of the last two rounds of negotiations with the United States, following which a number of delegations intervened.

The President summarised the results of the exchanges as follows:

“The Council welcomed the significant progress made in the negotiations for an EU-US aviation agreement, which it regards as a matter of the highest importance for the future development of aviation worldwide. The Council unanimously expressed its satisfaction that the text represents significant improvement on the proposals considered by the Council in June 2004, in particular on the enhancement of cooperation on a range of regulatory issues, including in the areas of security, competition and state aids. The Council also welcomed the new opportunities created in the field of market access, such as the results achieved on code share approvals and wet leasing, but observed that improvements in the field of ownership and control of airlines would be an essential element for a Stage One deal to be concluded. In this regard the Council is following with close interest the rule-making process under way in the US through which the administration is seeking to relax the rules governing control of US airlines by foreign nationals. The Council noted that clear, meaningful and robust changes to US policy in this area would be critical in the evaluation of the overall situation, which will be a priority once the US rule-making process is complete.

The Council requests the Commission to continue its efforts accordingly.”

With the backing of transport ministers at the 6 October Council meeting, two further rounds of negotiations have taken place: one in Brussels from 17 to 21 October and one in Washington from 14 to 18 November.

– *Aviation agreement with China*

The Council held an exchange of views on a proposal for a decision authorising the Commission to open negotiations on a comprehensive aviation agreement with China.

Following the discussion, the Council asked the Permanent Representatives Committee to keep this file under review with a view to resubmitting it to the Council for adoption at a future meeting.

The Council adopted conclusions<sup>1</sup> in June which set out a roadmap for addressing external aviation issues in aviation. The Commission made a statement at the Council associating itself fully with these conclusions.

In March, the Commission had adopted three communications: a general strategic communication on developing the agenda for the Community's external aviation policy, together with two specific communications and recommendations for new negotiating mandates regarding Russia and China.

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<sup>1</sup> OJ C 173, 13.07.2005, pp. 1-3.

– ***CIVIL AVIATION SECURITY***

The Council took note of a Presidency progress report on the proposal of the Commission for a regulation on common rules in the field of civil aviation security (14981/05). The proposal is intended to replace regulation 2320/02<sup>1</sup>.

Regulation 2320/02 was adopted in the wake of the terrorist attacks on 11 September 2001. Following an annual report on its implementation, on 22 September the Commission made a proposal for its revision<sup>2</sup>.

The objective of the new regulation is to clarify, simplify and harmonise further legal requirements with the aim of enhancing overall security in civil aviation. The proposal also addresses the issue of in-flight security measures, including the use of in-flight security officers (also known as "sky-marshals") on-board aircraft.

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<sup>1</sup> OJ L 355, 30.12.2002, p. 1.

<sup>2</sup> 12588/05.

**INTERMODAL QUESTIONS**– ***GALILEO***

On 25 October 2005, Mr Jacques Barrot, Vice-President of the Commission, appointed Karel Van Miert, former European Commissioner, as mediator for Galileo between Member States and European industry in order to facilitate decisions on the programme.

The Council noted the Commission's information on the state of play of the Galileo satellite programme and, in particular the results of the mediation of Mr Van Miert leading to a compromise with European industry and the next steps in the negotiations with the future concessionaire holder.

The Council thanked Mr Van Miert for his excellent work and the good results achieved.

## **OTHER BUSINESS**

### ***– Non-binding targets as an instrument for energy policy***

The Council took note of the Danish delegation's concerns, shared by several delegations, regarding non-binding targets as an instrument for energy policy and the comments on this subject by the Commission.

### ***– Follow-up to Verona III: Informal ministerial conference on “Lifelong learning for road safety”***

The Presidency and the Italian Minister informed the Council on the results of and follow-up to the informal ministerial conference on "Lifelong learning for road safety", which took place in Verona, Italy, on 4 and 5 November.

### ***– Maritime safety package***

The Commission informed the Council on the third package of legislative measures on maritime safety. On 23 November 2005 the Commission adopted a package of seven legislative proposals, which aim to reinforce the safety of maritime transport in Europe by means of better accident prevention and investigation and increased controls on vessel quality. The Commission's aim is to supplement European rules concerning maritime safety and improve the efficiency of existing measures.

### ***– Presentation of the joint enterprise SESAR***

The Commission presented to the Council a communication and a proposal for a regulation to establish a joint undertaking to develop the new generation European air traffic management system (SESAR = Single European Sky Air Traffic Management and Research), adopted on 25 November<sup>1</sup>.

What is envisaged is a major industrial project in the same category as GALILEO or ITER. The budget for the project will come from Community funds, Eurocontrol, industry resources, route charges levied under the Single Sky legislation and contributions from any new members of the joint undertaking such as third countries.

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<sup>1</sup> 15143/05.

The purpose of the proposed regulation is to create a joint undertaking to ensure the coherence and consistency of the programme, whilst promoting partnership between the Community and the other public and private bodies involved.

SESAR is the technological part of the single European sky initiative, launched in 2004 to reform the organisation of air traffic control. It will introduce new communication, control and computing technologies between the ground and aircraft which will optimise the work of air-traffic controllers and pilots. SESAR will boost the safety and the environmental performance of air transport and will ensure that Europe remains at the forefront of the world aviation market.

– ***Communication from the Commission extending the tasks of the European Aviation Safety Agency – an agenda for 2010***

The Council took note of information provided by the Commission on a communication<sup>1</sup> and a proposal for a regulation<sup>2</sup> extending the tasks of the European Aviation Safety Agency.

– ***Memorandum on aviation safety presented by the French delegation***

The Council took note of the French memorandum on air safety<sup>3</sup>.

– ***Memorandum on road transport situation presented by the French delegation***

The Council took note of the French memorandum on road transport situation<sup>4</sup>.

– ***Ministerial conference on the motorways of the sea***

The Council took note of the information presented by the Slovenian delegation and the Commission of the upcoming ministerial conference on the motorways of the sea<sup>5</sup>, which will take place in Ljubljana, Slovenia, on 24 January 2006.

– ***Manning of regular passenger and ferry services operating between Member States***

The Council took note of the statement of the Irish delegation concerning manning of regular passenger and ferry services operating between Member States<sup>6</sup>.

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1 14895/05.  
 2 14903/05.  
 3 15059/05 + ADD 1.  
 4 15254/1/05 REV 1.  
 5 14971/05.  
 6 15362/05.

## **OTHER ITEMS APPROVED**

### **AVIATION**

#### **Blacklist of unsafe air carriers**

The Council adopted a regulation for the introduction of an EU-wide list of air carriers that do not meet common safety requirements (*PE-CONS 3660/05*).

*For further details, see press release 15360/05.*

### **SHIPPING**

#### **European Maritime Safety Agency - EU financial contribution for 2007-2013**

The Council agreed on a partial general approach (excluding the budgetary issues) on the proposal for a regulation on multiannual funding for the action of the European Maritime Safety Agency in the field of response to pollution caused by ships.

The draft regulation lays down the detailed arrangements for the EU financial contribution to the budget of the agency for the implementation of the tasks assigned to it in the field of response to pollution caused by ships.

The EU financial contribution is aimed at financing actions related in particular to:

- information by assembling, analysing and disseminating best practices, techniques and innovation in the field of oil-pollution response;
- cooperation and coordination by providing Member States and the Commission with technical and scientific assistance in the framework of the activities of the relevant regional agreements;
- operational assistance by supporting Member States' pollution-response actions on request in the event of accidental or deliberate pollution caused by ships.

## **TELECOMMUNICATIONS**

### **Information and communication technologies - Extension of the programme for 2006**

The Council adopted a decision extending for 2006 the programme established under decision 2256/2003/EC for the dissemination of good practices and monitoring of the take-up of information and communication technologies (ICTs) (*PE-CONS 3658/05*).

Decision 2256/2003/EC established the Modinis programme for the monitoring of the EU's eEurope 2005 action plan, the dissemination of good practices for ICTs and the improvement of information and network security for the 2003-2005 period.

The new decision extends the programme until 31 December 2006 with the following objectives:

- monitoring the performance of Member States and comparing it with the best in the world, using official statistics, where possible;
- supporting efforts by Member States to stimulate the use of ICTs at national, regional or local level, by analysis of good practices and by the complementary interaction of developing mechanisms of exchange of experiences; and
- analysing the economic and societal consequences of the information society with a view to facilitating policy discussions particularly in terms of competitiveness, growth and employment as well as in terms of social inclusion.

The financial reference for 2003-2006 is EUR 30,16 million.

### **Public radio paging - frequency bands**

The Council adopted a directive of the European Parliament and of the Council repealing Council directive 90/544/EEC on the frequency bands designated for the coordinated introduction of pan-European land-based public radio paging in the Community (*PE-CONS 3657/05*).

Under decision 676/2002/EC of the European Parliament and of the Council on a regulatory framework for radio spectrum policy in the European Community (Radio Spectrum decision), the Commission will adopt a new harmonised spectrum plan to meet EU policy objectives with regard to the above frequency bands.

## **ENERGY**

### **Security of electricity supply and infrastructure investment \***

The Council adopted a directive on measures to safeguard security of electricity supply and infrastructure investment (*PE-CONS 3654/05, 14791/05 ADD 1*).

The directive establishes measures aimed at safeguarding security of electricity supply so as to ensure the proper functioning of the internal market for electricity and to ensure:

- an adequate level of generation capacity;
- an adequate balance between supply and demand; and
- an appropriate level of interconnection between Member States for the development of the internal market.

The directive establishes a framework within which Member States have to define transparent, stable and non-discriminatory policies on security of electricity supply compatible with the requirements of a competitive internal market for electricity.

The directive provides that Member States have to ensure a high level of security of electricity supply by taking the necessary measures to facilitate a stable investment climate and by defining the roles and responsibilities of competent authorities and all relevant market actors and publishing information thereon. The relevant market actors include, inter alia, transmission and distribution system operators, electricity generators, suppliers and final customers.

Following entry into force of the directive, Member States will have 24 months in which to comply with its provisions.

### **Trans-European energy networks \***

The Council adopted unanimously a common position with a view to the adoption of a decision laying down guidelines for trans-European energy networks (*10720/05, 13336/05 ADD 1*).

The objective of the decision is to adapt the trans-European energy guidelines adopted in June 2003<sup>1</sup>, in particular with respect to new Member States, and allow for funding of projects of common interest to the enlarged Union. The revision of the guidelines includes projects which will facilitate the integration of new Member States into the internal market of electricity and gas. It also addresses the need to include projects involving the "neighbouring countries".

The decision defines the nature and scope of Community action in respect of trans-European energy networks, and establishes a series of guidelines relating to objectives, priorities and broad lines of action to guide the Community's activities in this area. The guidelines identify projects of common interest, including those which have priority, in the framework of trans-European electricity and gas networks.

This decision repeals decisions 96/391/EC and 1229/2003/EC.

### **ECONOMIC AND FINANCIAL AFFAIRS**

#### **External auditors of national central banks - Ireland**

The Council adopted a decision approving the appointment of Deloitte & Touche as the external auditors of Central Bank and Financial Services Authority of Ireland from the financial year 2005 for a duration of 3 years (14239/05).

The decision amends decision 1999/70/EC concerning the external auditors of the national central banks.

### **INTERNAL MARKET**

#### **Vehicle - Technical inspections - Accession to the United Nations agreement**

The Council adopted a decision authorizing the Commission to negotiate the conditions for EU accession to the United Nations Economic Commission for Europe (UN-ECE) agreement concerning the adoption of uniform conditions for inspections of vehicles and their reciprocal recognition.

The UN-ECE 1997 vehicle inspection agreement's objective is to establish rules for periodical technical inspections of wheeled vehicles registered or taken into service in the territory of the contracting parties.

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<sup>1</sup> Decision 1229/2003/EC, OJ L 176, 15.7.2003.