



**COUNCIL OF
THE EUROPEAN UNION**



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PROVISIONAL VERSION

PRESS RELEASE

2972nd Council meeting

Economic and Financial Affairs

Brussels, 10 November 2009

President

Mr Anders BORG
Minister for Finance of Sweden

P R E S S

Main results of the Council

*The Council adopted the **Solvency II** directive, setting new solvency rules for insurance companies so as to increase integration and enhance the competitiveness of the EU insurance industry, and to strengthen the protection of policy holders and beneficiaries.*

Adoption of the text follows an agreement with the European Parliament in first reading.

*The Council agreed a general approach on strengthened **capital requirements and remuneration policies** in the banking sector.*

*It approved new rules for excise duties on **cigarettes and other tobacco products**, raising minimum duties on cigarettes whilst bringing the minimum rates for fine-cut tobacco gradually into line with those for cigarettes.*

*The Council also adopted conclusions on the **sustainability of public finances**, in the context of the current reflection on exit strategies, on **statistics** and on the **reduction of administrative burdens** on companies.*

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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 Didier REYNDERS

Deputy Prime Minister and Minister for Finance and Institutional Reforms

Bulgaria:

Mr Simeon DJANKOV

Deputy Prime Minister and Minister for Finance

Czech Republic:

Mr Tomáš ZÍDEK

Deputy Minister for Finance, International Relations and Financial Policy Section

Denmark:

Mr Per CALLESEN

Deputy Permanent Secretary, Ministry of Finance

Germany:

Mr Wolfgang SCHÄUBLE

Federal Minister for Finance

Estonia:

Mr Jürgen LIGI

Minister for Finance

Ireland:

Mr Rory MONTGOMERY

Permanent Representative

Greece:

Mr George PAPACONSTANTINO

Minister for Finance

Spain:

Ms Elena SALGADO

Second Deputy Prime Minister and Minister for Economic Affairs and Finance

France:

Ms Christine LAGARDE

Minister for Economic Affairs, Finance and Employment

Italy:

Mr Giulio TREMONTI

Minister for Economic Affairs and Finance

Cyprus:

Mr Charilaos STAVRAKIS

Minister for Finance

Latvia:

Mr Einars REPŠE

Minister for Finance

Lithuania:

Ms Ingrida ŠIMONYTĖ

Minister for Finance

Luxembourg:

Mr Luc FRIEDEN

Minister for Justice, Minister for the Treasury and the Budget

Hungary:

Mr Péter OSZKÓ

Minister for Finance

Malta:

Mr Richard CACHIA CARUANA

Permanent Representative

Netherlands:

Mr Wouter BOS

Minister for Finance, Deputy Prime Minister

Austria:

Mr Josef PRÖLL

Vice Chancellor and Federal Minister for Finance

Poland:

Mr Jacek DOMINIK

Deputy State Secretary, Ministry of Finance

Portugal:

Mr Fernando TEIXEIRA DOS SANTOS

Ministro de Estado, Minister for Finance

Romania:

Mr Mihnea Ioan MOTOC

Permanent Representative

Slovenia:

Mr Franc KRIŽANIČ

Minister for Finance

Slovakia:

Mr Peter KAŽIMÍR

State Secretary at the Ministry of Finance

Finland:

Mr Jyrki KATAINEN

Deputy Prime Minister, Minister for Finance

Sweden:

Mr Anders BORG

Mr Per JANSSON

Mr Urban KARLSTRÖM

Minister for Finance

State Secretary to the Minister for Finance

State Secretary to the Minister for Local Government and
Financial Markets, Ministry of Finance

United Kingdom:

Mr Stephen TIMMS

Financial Secretary to the Treasury

.....

Commission:

Mr Joaquín ALMUNIA

Mr László KOVÁCS

Ms Neelie KROES

Mr Charlie MCCREEVY

Member

Member

Member

Member

.....



Other participants:

Mr Jean-Claude TRICHET

Mr Philippe MAYSTADT

Mr Thomas WIESER

Mr Christian KASTROP

President of the European Central Bank

President of the European Investment Bank

Vice-president of the Economic and Financial Committee

Chairman of the Economic Policy Committee



ITEMS DEBATED

EXIT STRATEGIES - SUPPORT MEASURES TO THE FINANCIAL SECTOR

The Council held an exchange of views on exit strategy as regards measures taken by member states to support the financial sector, focusing on methods and timing for the phasing-out of bank guarantee schemes, which were put in place during the financial crisis.

It requested the Economic and Financial Committee to continue work on principles and on a tentative timeframe for the coordinated withdrawal of the support measures, whilst taking account of the situation in individual member states, and to report back as soon as possible.

FOLLOW-UP TO THE OCTOBER EUROPEAN COUNCIL

The Council took note of the presidency's intentions concerning the follow-up to be given to the European Council meeting on 29 and 30 October.

FOLLOW-UP TO THE NOVEMBER G-20 FINANCE MINISTERS MEETING

The Council was informed by the United Kingdom delegation, in its capacity as G-20 presidency, of the outcome of a meeting of G-20 finance ministers and central bank governors held in St Andrews (UK) on 6 and 7 November.

Issues discussed at the meeting include crisis policy exit strategies, the G-20 framework for sustainable and balanced growth and the financing of climate policies.

The Council agreed on the need to ensure effective coordination in preparing future G-20 meetings.

SUSTAINABILITY OF PUBLIC FINANCES - Council conclusions

The Council adopted the following conclusions:

"The Council, having discussed the Commission communication 'Long-term sustainability of public finances for a recovering economy' and the associated report, based on a technical no policy change assumption, NOTES that the current crisis has had a substantial negative impact on output and public finances in Member States and that this is also negatively reflected in long-term fiscal sustainability prospects. The Council TAKES NOTE of the larger than usual uncertainty that surrounds structural budgetary positions and long-term projections due to the current crisis.

The Council RECOGNIZES that the projected increase in public expenditure due to population ageing poses an important challenge to EU Member States. The deterioration of public finances triggered by the current crisis adds substantially to the sustainability challenges. Policy action to improve the long-term sustainability needs to be taken urgently.

To this end, the Council UNDERLINES the key importance of a determined implementation of the three-pronged strategy agreed at the 2001 European Council in Stockholm. This strategy consists of deficit and debt reduction, increases in employment rates and reforms of social protection systems. Making progress on each of these pillars is indispensable for appropriately addressing the challenges.

The Council UNDERLINES the need to return to sustainable fiscal positions, starting with the implementation of the agreed principles for the exit strategy endorsed by the Council in October 2009, and subsequently moving towards the MTOs. The reduction in debt ratios will have to come from a combination of fiscal consolidation and structural reforms to support potential growth.

The Council AGREES that at the current juncture, it is of particular importance to avoid that cyclical unemployment becomes entrenched. Moreover, a decrease of long-term unemployment and an increase in participation rates, would have a positive effect on budgets as well as on potential output.

Regarding social protection systems, the Council UNDERLINES that comprehensive and adequate reforms, notably of pension systems, can have a substantial positive impact on long-term sustainability. In all Member States, further progress is needed. Several Member States have recently implemented or are planning such reforms. The Council STRESSES that the adoption of measures to counteract the financial effects of the expected gains in longevity, such as the extension of working lives and an increase in retirement age in line with gains in longevity, is a key issue and should merit serious consideration in Member States.

Against this background, the Council CALLS ON Member States to focus attention to sustainability-oriented strategies in their upcoming stability and convergence programmes. These strategies and developments in long-term sustainability of public finances will continue to be regularly assessed by the Council.

The Council INVITES the Commission, together with the Economic Policy Committee and the Economic and Financial Committee, to further develop methodologies for assessing the long-term sustainability of public finances in time for the next Sustainability report. "

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The Council also took note of an updated code of conduct, prepared by the Economic and Financial Committee, for implementation of the EU's stability and growth pact. The new code will be applied in the preparation of the next batch of member state stability and convergence programmes.

REDUCTION OF ADMINISTRATIVE BURDENS - Council conclusions

The Council adopted the following conclusions:

"Referring to the European Council conclusions of 8-9 March 2007 and the agreement that administrative burdens arising from EU legislation, including national measures implementing or transposing this legislation, should be reduced by 25 per cent by 2012, and the invitation to Member States to set national targets of comparable ambition, and building on the Council Conclusions of 10 March 2009 the Council welcomes the Commission's communication "Action Programme for Reducing Administrative Burdens in the EU – Sectoral Reduction Plans and 2009 Actions" and the inclusion in the Communication of sectoral plans as well as measures proposed to the Council and welcomes the ambition to further work on measures under preparation.

Following its conclusions from March 2009, the Council EXPRESSES ITS CONVICTION that better regulation, including the reduction of undue administrative burdens, continues to be a key element of the EU strategy for Growth and Jobs. Improvement of the regulatory environment is crucial, for realizing the full potential of the Single Market, stimulating entrepreneurship and innovation, and enhancing competitiveness. The Council UNDERLINES that the reduction of administrative burdens at the current juncture would contribute to sustain the business environment and support economic growth and jobs, in a situation where public finances are particularly constrained. On the other hand efforts to reduce administrative burden shall not contradict measures securing integrity and transparency of financial markets, including as regards new legislative proposals, or put tax revenue at risk.

The Council ACKNOWLEDGES that important progress has been achieved both at EU level and in the Member States in taking the Better Regulation Agenda forward, but CONSIDERS that more needs to be done by all parties concerned. Therefore, the Council CALLS FOR reinforced joint efforts by all relevant EU institutions and the Member States to reach the agreed target of reducing the administrative burdens on business arising from EU legislation by 25 per cent by end 2012 across all 13 priority areas and with the aim of quickly increasing effects felt by businesses as soon as is practicable. This could reduce the burden by more than 40.4 billion euro, as identified by the Commission. To promote this process the Council CALLS UPON the Commission to conduct impact assessments for all forthcoming significant proposals presented within the EU Action Programme for the reduction of Administrative Burdens.

The Council INVITES THE COMMISSION to continue to closely monitor progress and report annually to the spring European Council on the implementation of reduction measures as well as on significant changes in administrative burdens; to launch further reduction measures and to continue to identify new proposals for simplification of EU legislation beyond the current scope of the Action Programme. In this regard the Council invites the Commission to adopt as much of the reduction measures as possible, suggested amongst other by Member States.

The Council WELCOMES national targets set by Member States on reduction of administrative burdens. The Council INVITES THE MEMBER STATES to continue reducing administrative burdens, simplify legislation at all levels and enhance their sharing of good practices. In addition, the Council again CALLS UPON THE MEMBER STATES to complete their specific national baseline measurement as soon as possible, preferably by end 2010.

The Council TAKES NOTE of the valuable input provided by the High Level Group of Independent Stakeholders on Administrative Burdens and of the intention of President Barroso to extend this mandate.

The Council COMMITS ITSELF, AND INVITES THE EUROPEAN PARLIAMENT, to avoid adding unnecessary Administrative Burdens to legislative proposals in general. The Council looks forward to prioritizing the processing in all relevant Council formations of the reduction proposals that the Commission has already made and encourages the European Parliament to take a similar approach; and LOOKS FORWARD to rapid adoption by the Commission of reduction proposals as announced in the aforementioned Commission Communication on the Action Programme for Reducing Administrative Burdens in the EU."

STATISTICS - Council conclusions

The Council adopted the following conclusions:

"Following the priorities set-up in the ECOFIN Council on 8 November 2005 on statistical governance, on 28 November 2006 on the reduction of the administrative burden related to statistics and on 4 November 2008 on the Status Report on Information Requirements, the ECOFIN Council has reviewed the progress made in these areas and endorses the EFC opinion on EU Statistics.

2009 EFC Status Report on Information Requirements

The Council ENDORSES the 2009 EFC Status Report on Information Requirements in the EMU. In particular, the Council

WELCOMES the European Statistical System's (ESS) and the European System of Central Bank's (ESCB) response to the economic and financial crisis. NOTES that the ESS as a whole was able to provide relevant and to a large extent timely statistical information needed for analysing the essential effects of the crisis.

WELCOMES the progress achieved with the Principal European Economic Indicators (PEEIs) matching most of the targets fixed by the 2002 Communication of the Commission¹, and the ongoing work on the updated and new PEEIs targets fixed in 2008. CALLS UPON the ESS to enhance co-operation in relation to the PEEIs and to step up efforts to fully achieve all PEEI targets, in particular in the area of services, labour market statistics, housing statistics, and the timeliness of the quarterly sector accounts and the feasibility of reliable flash estimates.

CALLS UPON the ESS to continue its efforts to ensure high quality statistics that are needed for structural analysis according to the needs highlighted by the Economic Policy Committee.

INVITES Eurostat and the ECB to provide an updated Status Report on the fulfilment of EMU statistical requirements in 2010.

NOTES that the crisis has emphasised the statistical needs and IS AWARE that Member States should ensure the appropriate level of resources for meeting those needs.

¹ COM (2002) 661 final, Communication from the Commission to the European Parliament and The Council on Eurozone Statistics "Towards Improved Methodologies for Eurozone Statistics And Indicators"

Reduction of statistical burden and the future production of statistics in the EU

The Council WELCOMES the Report on the implementation of the Communication on reduction of response burden, simplification, and priority-setting providing an update of the commitments given and ongoing actions. The Council WELCOMES² the direction outlined in the Commission communication on a vision for the next decade¹ and NOTES that the two Communications are complementary and that both are to be pursued. In this context; the Council furthermore LOOKS FORWARD to the development of a common ESS strategy on the basis of the latter Commission communication taking fully into account the subsidiarity principle. This would include cooperation with users and between the ESS and the ESCB. In particular, the Council

NOTES that most of the proposals concerning the simplification of statistical requirements in the areas identified in 2006² have been implemented or are pending adoption. However, more work is needed on additional issues.

REITERATES the need to continue, without jeopardizing the quality and availability of essential data for policy-making in the EU, the efforts on reduction of response burden, simplification, and priority-setting. ENCOURAGES the ESS to continue the measurement exercises for establishing reliable trends in response burden over time.

CALLS UPON the ESS to develop structures and production processes of statistics in order to improve the effectiveness and efficiency of the production of European statistics.

INVITES Eurostat to consult extensively all members of the ESS and to report on concrete developments in relation to the Communication by the Commission on a vision for the next decade, including further progress on burden measurement, and priority-setting by autumn 2011.

Statistical Governance

The Council reviewed the progress made with the efforts to enhance independence, integrity and accountability of the European Statistical System and the development of statistical governance structure. In particular, the Council:

WELCOMES the recent establishment of the European Statistical Advisory Committee (ESAC) and the European Statistical Governance Advisory Board (ESGAB), which together with the adoption of the new Regulation on European Statistics forms important cornerstones of the revamped European Statistical System governance structure.

¹ COM(2009) 404 final, Communication from the Commission to the European Parliament and the Council on the production method of EU statistics: a vision for the next decade

² COM(2006) 693 final, Communication from the Commission to the European Parliament and the Council on reduction of the response burden, simplification and priority-setting in the field of Community statistics

WELCOMES in general the first annual report of the ESGAB on the implementation of the European Statistics Code of Practice by Eurostat and the European Statistical System, especially regarding the plans for future work of the ESGAB with a particular focus on the principle of Professional independence. In this respect, adequate professional capacity and integrity remain the key.

WELCOMES the clear progress achieved on the compliance with the statistical Code of Practice and NOTES that around one third of the improvement actions have been completed. ENCOURAGES National Statistical Institutes to continue the implementation of their improvement actions and to take full advantage of the experience within the ESS, also considering the co-ordination work with other data providers.

Revision of SNA and ESA

The Council WELCOMES the progress made in the revision of SNA and ESA and LOOKS FORWARD to an impact assessment in early 2010.

While the process is progressing smoothly, the Council CALLS ON Eurostat and the Member States to step up their efforts so that major methodological issues should be resolved before the introduction of the Commission proposal.

GDP and beyond

The Council STRESSES the need to step up efforts to improve the interlinkages between economic, social and environmental statistics and WELCOMES in this context the contribution of the Commission communication¹ on “GDP and beyond” and the so called Stiglitz report² and invites the ESS to contribute to these initiatives.

Fiscal notifications by Greece

The Council REGRETS the renewed problems in the Greek fiscal statistics. The Council CALLS ON the Greek government to urgently take measures to restore the confidence of the European Union in Greek statistical information and the related institutional setting. The Council INVITES the Commission to produce a report before the end of 2009. Moreover, the Council INVITES the Commission to propose the appropriate measures to be taken in this situation. In this context, the Council WELCOMES the commitment by the Government to address this issue swiftly and seriously and CONSIDERS the measures announced recently, such as those aiming to make the National Statistical Service fully independent, to be steps in the right direction. "

¹ COM(2009) 433 final, Communication from the Commission to the Council and the European Parliament; GDP and beyond – Measuring progress in a changing world

² Joseph E. Stiglitz, Amartya Sen and Jean-Paul Fitoussi (2009): Report by the Commission on the Measurement of Economic Performance and Social Progress

ADMINISTRATIVE COOPERATION IN THE FIELD OF TAXATION

The Council examined a draft directive aimed at strengthening cooperation between the member states in the field of taxation.

It reached agreement on the text, whilst noting political reservations by the Austrian and Luxembourg delegations and the need for further work on automatic exchange of information. It asked the Permanent Representatives Committee to re-discuss these issues so that a final position can be taken at the Council meeting on 2 December.

The draft directive is aimed at fulfilling the member states' growing need for mutual assistance in tax matters, especially as regards the exchange of information. With greater taxpayer mobility, a growing volume of cross-border transactions and the internationalisation of financial instruments, it is intended to enable the member states to better assess taxes due.

One of a number of measures implementing the EU's strategy, launched in 2006, to better combat tax fraud and tax evasion, the text provides for an overhaul of directive 77/799/EEC, on which administrative cooperation has been based since 1977.

EXCISE DUTIES ON TOBACCO PRODUCTS

The Council reached political agreement on a draft directive aimed at updating EU rules on the structure and minimum rates of excise duties on tobacco products (*15708/09*).

The directive is intended to ensure a higher level of public health protection by raising minimum excise duties on cigarettes, whilst bringing the minimum rates for fine-cut tobacco gradually into line with those for cigarettes.

The outcome of a fourth four-yearly review of tobacco taxation under directives 92/79/EEC, 92/80/EEC and 95/59/EC, it is aimed at modernising and simplifying the rules and making them more transparent.

The directive will be formally adopted without further discussion at a forthcoming Council meeting, once the legal text has been finalised.

For details, see press release *15767/09*.

MEETINGS IN THE MARGINS OF THE COUNCIL

The following meetings were held in the margins of the Council:

– ***Macroeconomic dialogue with the social partners***

The presidency troika on 9 November held its twice-yearly macroeconomic dialogue with the social partners (representatives of European trade unions and employers federations), in the presence of the Commission and the vice-president of the European Central Bank.

– ***Eurogroup***

Ministers of the euro area member states attended a meeting of the eurogroup on 9 November.

– ***Ministerial breakfast meeting***

Ministers, at a breakfast meeting, discussed the economic situation in the light of the Commission's autumn forecasts, as well as exit strategy with regard to fiscal measures taken by the member states in response to the economic and financial crisis.

– ***Lunch meeting with EFTA finance ministers***

Ministers held a lunch meeting with economics and finance ministers of the European Free Trade Association (Iceland, Liechtenstein, Norway and Switzerland). The meeting focused on exit strategies and medium and long-term fiscal sustainability.

OTHER ITEMS APPROVED

ECONOMIC AND FINANCIAL AFFAIRS

New solvency rules for EU insurance companies "Solvency II"

The Council adopted a directive setting new solvency rules for insurance companies ("Solvency II" directive) in order to reflect the latest developments in prudential supervision, actuarial science and risk management and to allow for updates in the future.

For more details, see 14615/09.

Strengthening of capital requirements and remuneration policies in the banking sector

The Council agreed on a general approach, pending the European Parliament's opinion in first reading, on a draft directive aimed at strengthening disclosure and capital requirements for the trading book and re-securitisation instruments in the banking sector and preventing remuneration policies that generate unacceptable levels of risk.

For more details, see 14637/09.

EUROPEAN SECURITY AND DEFENCE POLICY

Establishment of a EU Satellite Centre

The Council adopted a joint action extending the list of countries that can be associated with the activities of the European Union Satellite Centre to include all members of the North Atlantic Treaty Organisation ([13225/09](#)).

EMPLOYMENT POLICY

Mobilisation of the adjustment fund for Belgium and Ireland

The Council decided to mobilise a total amount of EUR 24 million under the European globalisation adjustment fund (EGF), providing support for workers made redundant in the textile sector in Belgium as well as in the computer manufacturing industry in Ireland.

An amount of EUR 9.2 million is foreseen for workers in Belgium (of which EUR 7.52 million for the Oost and West Vlaanderen regions and EUR 1.68 million for the Limburg region), and EUR 14.8 million for workers in Ireland.

In order to finance this support, the Council approved a transfer of EUR 24 million in commitment appropriations from the reserve for the EGF and the same amount in payment appropriations from the European Social Fund to the EGF.

REGIONAL POLICY

Reduced excise duty rates for spirits in Madeira and the Azores

The Council adopted a decision authorising Portugal to apply reduced excise duty rates on certain locally produced and consumed spirits ([12263/09](#)).

The reduced rate may be applied to rum and liqueurs which are locally produced and consumed in the autonomous region of Madeira and to liqueurs and eaux-de-vie which are locally produced and consumed in the autonomous region of Azores.

The applied rates may be lower than the minimum rate of excise duty on alcohol set by directive 92/84, but may not be more than 75% lower than the standard national excise duty on alcohol.

TRADE POLICY

Derogation from rules of origin - Economic partnership agreements with ACP countries

The Council adopted a decision establishing a procedure to be followed with regard to requests presented by ACP countries signatory to economic partnership agreements (EPAs) for derogation from the rules of origin laid down in the EPA origin protocols ([13693/09](#)).

Dispute settlement for trade with Lebanon and Tunisia

The Council adopted decisions on the conclusion of agreements establishing a dispute settlement mechanism for the trade provisions of the EU's Euro-Mediterranean agreements Lebanon and Tunisia ([14130/09](#) + [14077/09](#)).

DEVELOPMENT COOPERATION

Technical centre for agricultural and rural cooperation - ACP-EC Committee

The Council agreed to a draft decision of the ACP-EC Committee of Ambassadors on the programme of activities and budget for 2010 of the ACP-EC technical centre for agricultural and rural cooperation ([15095/09](#)).

ENVIRONMENT

Mandate for negotiations on the Montreal protocol

The Council adopted a decision authorising the Commission to conduct negotiations on amendments and adjustments to the Montreal protocol on substances that deplete the ozone layer.

The negotiations took place in Port Ghalib, Egypt, from 4 to 8 November 2009.

EUROPEAN ECONOMIC AREA

Meeting of the EEA Council

The Council approved the provisional agenda for the 32nd meeting of the European Economic Area (EEA) Council, to be held in Brussels on 16 November.

The draft agenda includes a policy debate on climate change. The Council also approved draft conclusions for the meeting ([15161/09](#)).

INTERNAL MARKET

Statutory markings for two- and three-wheel motor vehicles

The Council adopted a codified version of the directive on statutory markings for two- and three-wheel motor vehicles, following a first-reading agreement with the European Parliament ([11220/09](#)).

The new directive replaces the various acts incorporated into directive 93/34, while fully preserving their content.

RESEARCH

EU-Jordan scientific and cooperation agreement

The Council adopted a decision approving the signing of an agreement on scientific and technological cooperation with Jordan ([11790/09](#)).

CONSUMER PROTECTION

EU-US agreement on products safety - Opening of negotiations

The Council adopted a decision authorising the Commission to open negotiations with the United States for an agreement on cooperation and information exchange in the area of consumer product safety.

Product safety directive - Committee procedure

The Council decided not to oppose the adoption by the Commission of decisions, pursuant to the directive on product safety, aimed at improving safety requirements to be met by European standards for:

- bath rings, bathing aids and bath tubs and stands for infants and young children; and
- consumer-mounted childproof locking devices for windows and balcony doors .

Article 4 of directive 2001/95/EC on general product safety¹ establishes that the specific requirements intended to ensure that products conform with European safety standards will be determined in accordance with the comitology procedure with scrutiny.

Under this procedure, the Council may oppose adoption by the Commission on the grounds that the draft measures presented:

- exceed the implementing powers provided for in the basic instrument, or
- are not compatible with the aim or the content of the basic instrument, or
- do not respect the principles of subsidiarity or proportionality.

The Commission may adopt the decisions unless the European Parliament opposes within three months.

¹ OJ L 11, 15.1.2002, p. 4.

ENERGY

European nuclear safety regulators group - Council conclusions

The Council adopted the following conclusions:

"The Council of the European Union,

REAFFIRMING the commitment of the Community and its Member States to a high level of nuclear safety and to the safe management of spent fuel and radioactive waste as reflected, in particular, in the existing Community legislative framework adopted under the Euratom Treaty as well as in the relevant Council Resolutions and Conclusions;

RECALLING the May 2007 Council conclusions on Nuclear Safety and Safe Management of Spent Fuel and Radioactive Waste inviting the Commission to set up a High Level Group aimed at furthering a common approach in specified areas;

RECALLING Commission decision 2007/530/Euratom of 17 July 2007 on establishing the European High Level Group on Nuclear Safety and Waste Management, and the revised Rules of Procedure established by this group in the name of the European Nuclear Safety Regulators Group (ENSREG);

ACKNOWLEDGING the achievement of members and associated experts of ENSREG and its three working groups to establish it as a central driving force within the EU for improving nuclear safety arrangements, improving the management of spent fuel and of radioactive waste, and decommissioning arrangements, and improving arrangements for transparency,

WELCOMES the first report of the ENSREG to the Council and Parliament in July 2009;

BEARING IN MIND that nuclear safety is a national responsibility exercised where appropriate in an EU-framework;

1. WELCOMES the working programme established in May 2008 by ENSREG for its three working groups as reflected in section 1.4 in the report.

2. NOTES with appreciation that this program contains important elements outlined in the May 2007 Council conclusions, such as common learning from the review meetings of the Convention on Nuclear Safety and the Joint Convention, highlighting of good practices within several areas, and improving openness and transparency on issues related to the safety of nuclear installations and their regulation;
3. URGES National safety authorities, regulatory and administrative bodies participating in the ENSREG, and the Commission to maintain a high participation in the continued working programme of ENSREG and its working groups, and for that purpose allocate the necessary resources,
4. INVITES ENSREG:
 - to further SPECIFY the objectives, time schedules and deliverables to be reached by ENSREG,
 - to IDENTIFY where appropriate in the new Directive 2009/71/Euratom, areas or topics where common action at ENSREG level could be of benefit to Member States and the Commission. These could include the development of a common format for reporting according to Article 9(1), taking into account notably guidelines regarding reports under the Convention on Nuclear Safety, and of a common methodology for periodic self-assessments as well as a system for coordination of the international peer reviews according to Article 9(3).
 - to CONTINUE the preparations of good practice guidance on transparency for the national nuclear regulatory authorities and regularly ASSESS the situation,
 - to REFLECT on how to answer the challenges regarding qualified staff and knowledge resources in nuclear safety, waste management and decommissioning in accordance with the 2008 December Council conclusions on the need for skills in the nuclear field,

5. CALLS on the National safety authorities, regulatory and administrative bodies participating in the ENSREG, and the Commission to continue their cooperative work within ENSREG, furthering a common understanding on the safe management of spent fuel and radioactive waste, with the prospect of developing a Community approach in this field, taking due account of the principles noted in the 2008 Council Resolution on Spent Fuel and Radioactive Waste Management; further INVITES the Commission to make full use of ENSREG expertise in the case of proposals for legally binding instruments in the field of safe management of spent fuel and radioactive waste being considered,
6. REMINDS of the importance for Member States and the Commission to take into account within ENSREG the work of the International Atomic Energy Agency (IAEA), the Nuclear Energy Agency (NEA), the Western European Nuclear Regulators Association (WENRA), the Convention on Nuclear Safety, and the Joint Convention, and that initiatives at EU level should have an added value compared to the activities undertaken in the mentioned contexts,
7. INVITES the Commission and ENSREG to report regularly on progress made by ENSREG with these tasks without prejudice to the formal requirements on reporting.
8. WELCOMES the initiative of ENSREG to organise a European regulatory conference aimed at promoting Member States' good practices in nuclear safety and its regulation and exchanges with interested stakeholders and the international community."
