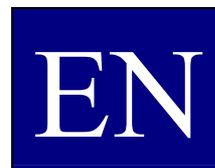




**COUNCIL OF
THE EUROPEAN UNION**



10285/05 (Presse 156)

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PRESS RELEASE

2671st Council Meeting

Transport, Telecommunications and Energy

Luxembourg, 27 and 28 June 2005

President **Mr Jeannot KRECKE**
Minister for Economic Affairs and Foreign Trade
Mr Lucien LUX
Minister for the Environment, Minister for Transport
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10285/05 (Presse 156)

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EN

Main Results of the Council

- *reached political agreement with a view to a common position on **trans-European energy networks***
- *reached political agreement with a view to a common position on **energy end-use efficiency and energy services***
- *reached political agreement with a view to a common position on **a Community air traffic controller licence***
- *adopted conclusions on the process of initiating a Community policy on **external relations in aviation sector***
- *adopted conclusions on the **World Summit on the Information Society**.*

In addition, the Council:

- *adopted the **scheme of generalised preferences for 2005 to 2008 for the developing countries***
- *adopted the **EU action plan on drugs (2005-2008)***
- *reached political agreement on the joint action "**European Security and Defence College**" (ESDC) and*
- *adopted a Directive on **the recognition of seafarers' certificates** issued by the Member States.*

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

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Mr Milan URBAN
Ms Dana BĚROVÁ
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Deputy Minister for Information Technology
Deputy Minister for Transport (Legislation, Policy and EU Affairs Department)
Deputy Minister for Industry and Trade

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Minister for Competitiveness and Communications

Mr Ninu ZAMMIT

Minister for Resources and Infrastructure

Netherlands:

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Minister for Transport, Public Works and Water
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Mr Laurens Jan BRINKHORST

Minister for Economic Affairs

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State Secretary for Public Works and Communications,
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Mr Malcolm WICKS

Secretary of State for Transport and Secretary of State for
Scotland
Minister of State for Rural Affairs and Local
Environmental Quality
Minister of State for Energy

Commission:

Mr Jacques BARROT

Ms Viviane REDING

Mr Andris PIEBALGS

Vice-President

Member

Member

The Governments of the acceding States were represented as follows:

Bulgaria:

Mr Miroslav SEVLIEVSKI

Mr Angel MINEV

Mr Nedelcho NEDELICHEV

Minister for Energy and Resources

Deputy Minister for Energy and Resources

Deputy Minister for Transport and Communications

Romania:

Mr Zsolt NAGY

Mr Ioan-Codruț ȘERES

Minister for Communications and Information
Technology

Minister for Economic Affairs and Trade

ITEMS DEBATED

TELECOMMUNICATIONS

– *"i2010"*

After hearing the presentation by Ms Viviane Reding (Commissioner for Information Society and Media) of the communication entitled "i2010 – A European Information Society for Growth and Employment", the Council held a discussion on this initiative on the basis of guidelines prepared by the Presidency (10009/05).

During the discussion delegations welcomed the proposal, work on which will continue during the United Kingdom Presidency.

The Commission's new i2010 strategy aims to answer the challenge posed by the reviewed Lisbon strategy, bearing in mind that the current eEurope 2005 Action Plan will expire at the end of the year¹. It also aims to exploit the opportunity for economic growth and jobs in Europe by promoting an open and competitive digital economy. A key element in the renewed Lisbon strategy, i2010 aims to offer a comprehensive strategy for the information and communication technologies (ICTs) and proposes three priorities:

- the completion of a single European Information Space promoting an open, competitive and content-rich internal market for electronic communications, media and content;
- strengthening innovation and investment in ICTs to promote growth and jobs;
- achieving an inclusive European Information Society prioritising better public services and quality of life.

¹ In its conclusions, the European Council of 22 and 23 March 2005 stated that "the i2010 initiative will focus on ICT research and innovation, content industry development, the security of networks and information, as well as convergence and interoperability in order to establish a seamless information area".

– *World Summit on the Information Society – Council conclusions*

In the presence of Ms Viviane Reding (Commissioner for Information Society and Media) and on the basis of a questionnaire prepared by the Presidency, the Council held a discussion on Internet Governance within the framework of the World Summit on the Information Society (WSIS).

The first phase of the World Summit on the Information Society (WSIS) was held in Geneva in December 2003, where two documents were adopted: the Declaration of Principles ("Building the Information Society: a global challenge in the new Millennium") and the Plan of Action¹.

The second phase is scheduled to be held in Tunisia from 16 to 18 November 2005 and will focus mainly on implementation of the Geneva Plan of Action and the two issues which remained outstanding following the first phase, namely Internet Governance and financing. The preparatory process leading to the second phase has now entered a crucial stage. The next meeting of the preparatory committee is scheduled to be held in Geneva from 19 to 30 September 2005.

With a view to these proceedings, the Council adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN UNION:

1. RECALLS:

- the Council Resolution of 3 October 2000 on the organisation and management of the Internet² and the subsequent Guidelines for Discussions of 23 October 2002 on International management of the Internet and reform of the Internet Corporation for Assigned Names and Numbers (ICANN), as followed up by the Guidelines for discussions in the WSIS framework, adopted on 13 October 2004;
- the Council Resolution of 6 December 2002 on a "European Approach towards a Culture of Network and Information security";
- the Council conclusions of 8 March 2004 on the "Follow-up of the Geneva Phase of WSIS";

¹ These documents are available on the website: www.itu.int/wsis

² OJ C 293/3, 14.10.2000.

- the Council conclusions of 8 March 2004 on "Unsolicited Communication for Direct Marketing" or "spam";
- the Council conclusions of 26/27 April 2004 on the "World Summit on the Information Society";
- the Guidelines for discussions on "Internet Governance in the WSIS framework", of 13 October 2004;
- the Council conclusions of 9 December 2004 on "Unsolicited communication for direct marketing purposes" or "spam";
- the Council conclusions of 9 December 2004, on "the World Summit on the Information Society (WSIS)";
- the Council conclusions of 17 February 2005 on "Financial Mechanisms";
- the Council conclusions of 24 May 2005 on "Accelerating progress towards achieving the millennium development goals".

2. TAKES NOTE:

- of the Commission's Communication "Towards a Global Partnership in the Information Society: The contribution of the EU to the Second phase of the World Summit on the Information Society"¹, following the earlier Communication on the substance of the implementation of the Geneva principles;
- of the non-governmental Digital Solidarity Fund established in Geneva, stressing its voluntary and complementary nature.

3. REAFFIRMS ITS COMMITMENT TO:

- (a) ensure that the principles of the Declaration and the Plan of Action are fully respected and not re-opened. Concentration on the implementation of the Geneva undertakings should continue, focusing on a limited number of priorities in particular areas already identified in last December's Conclusions, namely, an enabling environment, a limited number of priority applications – e-Inclusion, e-Government, e-Learning, e-Health, and e-Business, broad use of results of Research and Development, including innovation for development and extension of communication and research infrastructures to global partners.

¹ 9848/05.

- (b) address the progress achieved since the first WSIS phase, while promoting further actions in areas such as:
- the development of access, based on progress observed in emerging economies as a consequence of setting up an appropriate enabling environment;
 - the development of creative content and applications through comprehensive strategies for Information Society development, with an emphasis on inclusion, a better life for citizens, ICTs for democracy, and enhanced crisis management and disaster prevention.
- (c) the principles outlined in the Council conclusions on **Financial Mechanisms**, adopted on 17 February 2005, which reiterate the need to utilise existing mechanisms for development cooperation effectively.

Furthermore, on 24 May 2005 Member States and the European Community agreed to a new collective EU target of 0,56% Official Development Aid (ODA)/Gross National Income (GNI) by 2010, which would result in additional annual EUR 20 billion ODA by that time.

- (d) the position on **Internet Governance** outlined in the Guidelines on Internet Governance adopted on 13 October 2004 and endorsed by the Council in December 2004. Within the remit of these guidelines the Council has further elaborated its views on the **internationalisation of Internet Governance**. The question of internationalisation of the management of the Internet's core resources, namely the domain name system, IP addresses, and the root server system, are the main issues in this debate.

The Council advocates a new cooperation model, in order to concretise the provisions in the WSIS Declaration of Principles regarding the crucial role of all actors within Internet Governance, including governments, the private sector, civil society and international organisations. The existing Internet Governance mechanisms should be founded on a more solid democratic, transparent and multilateral basis, with a stronger emphasis on the public policy interest of all governments. In this respect, the respective roles of the international and intergovernmental organisations within the field of Internet Governance should be clarified.

In this respect, the Council recognises the contribution made by international and intergovernmental organisations and encourages cooperation in this field. The new cooperation model should be based on the current bottom-up public-private partnership; it should also provide a platform for policy dialogue in the interest of all governments in a light, fast-reacting and flexible approach.

The new model should be based on the following principles:

- it should not replace existing mechanisms or institutions, but should build on the existing structures of Internet Governance, with a special emphasis on the complementarity between all the actors involved in this process, including governments, the private sector, civil society and international organisations;
- the new public-private cooperation model should contribute to the sustainable stability and robustness of the Internet by addressing appropriately public policy issues related to key elements of Internet Governance.

4. STRESSES:

- (a) That governments have a specific mission and responsibility vis-à-vis their citizens, and their role within this new cooperation model should be mainly focused on principle issues of public policy, excluding any involvement in the day-to-day operations.
- (b) The importance of respecting the architectural principles of the Internet, including interoperability, openness and the end-to-end principle.
- (c) That stability, dependability and robustness of the Internet remain a high priority; security and spam are important issues in this field.

A global common understanding of the issue of internet security must be developed. This includes the use of security policies in general at all relevant levels.

With regard to spam there is a need to adopt common principles of action concerning cooperation in this field. Anti-spam efforts should not be based only on legislation and cross border enforcement, but also on industry self-regulation, technical solutions, partnerships between governments and the Internet Community, as well as awareness-raising.

- (d) The importance of ICTs for the competitiveness of the European industry and therefore encourages active involvement of the private sector in the Internet governance discussions during the second phase of WSIS.

- (e) That the European Community will work towards a positive outcome of the Internet Governance discussions in the WSIS framework. It will also encourage the implementation of the Tunis results in a way that enables multistakeholder involvement. In this context the European Community will take into account the future development of the Internet, including technological and usage aspects.
- (f) That in order to ensure a sustainable **implementation of the WSIS outcome** after completion of the Tunis Summit, the first step would be for governments, UN organisations and other stakeholders to incorporate the results of the WSIS in their policies and strategies. Specific attention should be paid to the contribution of ICTs to attaining the internationally agreed development goals, including those contained in the Millennium Declaration.

The Council would further welcome periodical reports from the UN Secretary General, through ECOSOC, to the General Assembly, on the progress made in the implementation of the WSIS outcome.

- (g) The importance of **follow-up** based on the progress made in the implementation of the WSIS outcome, identifying constraints and obstacles in relation to implementation. Furthermore, follow-up should address new challenges and emerging issues. It should take place within the UN framework for integrated and coordinated implementation of and follow-up to the outcomes of the major UN Conferences and Summits in the economic and social fields, as defined in UNGA Resolution 57/270B.

5. INVITES THE MEMBER STATES AND THE COMMISSION:

- (a) to continue to play a positive and dynamic role in the preparatory process leading to the Tunis Summit;
- (b) in view of PrepCom-3 and of the Summit itself, to:
 - ensure that the Tunis Summit endorses the agreement on Financial Mechanisms reached during PrepCom-2 in February 2005;
 - continue to contribute to the discussions on Internet Governance; and
 - continue to elaborate their position on the issues of implementation and follow-up of WSIS.
- (c) to reaffirm the commitment to the respect for Human Rights and in particular the right of opinion and expression;

- (d) to continue to support the full and effective participation by Civil Society in the WSIS process;
- (e) to build on the positive results of their close cooperation on Internet Governance issues and strengthen this cooperation in order to pave the way for a positive outcome in the WSIS;
- (f) to continue to contribute to the Stocktaking exercise initiated by the WSIS Executive Secretariat, ensuring that the activities undertaken in the European Community are brought into the WSIS process in a consolidated manner."

LAND TRANSPORT

– *Driving licences*

The Council took note of the Presidency progress report on the proposal for a Directive on driving licences.¹ The proposal is intended to recast Directive 91/439/EEC².

The main aims of the proposal for a Directive are to improve the free movement of citizens by ensuring and facilitating mutual recognition of all licences, to reduce the possibilities of fraud and to increase road safety.

¹ The Council had worked out a general approach on this proposal on 7 October 2004; the European Parliament's first-reading opinion was adopted on 23 February 2005.

² OJ L 237, 24.8.1991, p. 1.

– *International Rail Passengers' Rights and Obligations*

The Council took note of the Presidency progress report on the proposal for a Regulation on International Rail Passengers' Rights and Obligations (third Railway Package).

This proposal aims at establishing rights and obligations for international rail passengers in order to improve the effectiveness and attractiveness of international rail passenger transport. The scheme that the Commission wants to introduce is based on the one hand on the COTIF (Convention concerning International Carriage by Rail) and the CIV appendix thereto (Uniform Rules concerning the Contract for International Carriage of Passengers and Luggage by Rail), and on the other hand on Community rules adopted for air passengers, while proposing new measures.

The proposal includes provisions concerning:

- the establishment of an international, integrated information and reservation system;
- greater liability for railway undertakings in the event of death or injury of passengers in comparison with the COTIF/CIV system;
- a more generous compensation scheme than under the COTIF/CIV system in the event of a delay, missed connection or cancellation of services;
- assistance for persons with reduced mobility.

The Council held a policy debate at the TTE Council meeting on 21 April 2005 during which the Member States expressed their positions on the key points of the proposal. On this basis, the Luxembourg Presidency has prepared a new text of the Regulation on which the Council bodies are still working.

– *Road safety*

At the Presidency's initiative, the Council held a detailed discussion, structured by a questionnaire, on the European road safety action programme in the presence of Mr Jacques BARROT, Vice-President of the Commission with responsibility for transport.

In June 2003 the European Commission submitted its European road safety action programme¹. The programme involves targeted measures to be implemented by 2010 in order to halve the number of road accident victims in the European Union by 2010. In June 2003 the Council adopted conclusions² as a political response to the action programme.

In the action programme, the European Commission announces that it will carry out a mid-term review in 2005. This will enable it in particular it to assess the road safety implications of European Union enlargement. The Commission leaves open the option of proposing regulatory measures.

¹ 9713/03.

² 10753/1/03 REV 1.

AVIATION– *External relations in the aviation sector – Council conclusions*

The Council adopted conclusions in response to the Commission communication on "Developing the agenda for the Community's external aviation policy" published in March 2005. The Commission associated itself with the Council conclusions.

"THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Communication from the Commission on "Developing the agenda for the Community's external aviation policy" (COM(2005) 79 final),

On matters of general policy

1. RECALLS the agreement on a package of measures relating to the Community's external aviation policy reached at the Transport, Telecommunications and Energy Council of 5/6 June 2003;
2. RECOGNISES:
 - that air transport plays a vital role in the European economy and for international trade and cooperation and that the aviation sector has a major contribution to offer in improving the competitiveness of the European economy as set out in the Lisbon Agenda;
 - that the achievements of the Community's internal aviation market for both EU industry and users have created significant benefits for consumers and significant opportunities for operators that can be explored in respect of the Community's aviation relations with third countries as well as providing useful references for third countries;
 - that the negotiation of new or amended aviation agreements with third countries must be conducted in a spirit which seeks to deliver mutually beneficial outcomes;
 - that differences in the stages of development of Member States' bilateral aviation arrangements with third countries can, in practice, lead to inequalities in the opportunities available to Community carriers in some international markets;

- the important role of industry and consumer stakeholders, in particular the European airline industry, in the development of the Community's external aviation policy;
3. STRESSES the important complementary roles that Member States and the Community play in relation to negotiations with third countries;
 4. WELCOMES the communication from the Commission, which provides a clear and coherent overview of the Commission's vision of the future development of the Community's external aviation policy and priorities;

With regard to bilateral agreements between Member States and third countries

5. UNDERLINES that the bilateral system of agreements between Member States and third countries will remain, for the time being at least, the principal basis for international relations in the aviation sector. These agreements play a vital role in ensuring the continuity of services for users and a stable operating environment for industry, to the benefit of the wider economy;
6. RECOGNISES that the so-called "open skies" judgements of the European Court of Justice of 5 November 2002 have clarified the respective competences of Member States and the Community in external aviation relations;
7. CONSEQUENTLY STRESSES the importance that Member States and the Commission strengthen further their cooperation and coordination and provide full mutual support in pursuit of the shared aim of bringing all such bilateral air service agreements into conformity with Community law as soon as possible, thereby restoring the legal certainty for Community as well as third-country air carriers on international routes;
8. UNDERLINES, in this context, the need for the Commission and the Member States to work together in a concerted manner, using all available means, to avoid interruptions in bilateral agreements between Member States and third countries;
9. WELCOMES:
 - the significant progress made in the context of "horizontal" negotiations conducted by the Commission that has led to the initialling of a growing number of "horizontal" agreements with third countries;

- the significant results obtained by Member States in the context of their bilateral relations to bring their bilateral agreements into line with Community law;
 - the agreement reached on the Community standard clauses to be incorporated in bilateral air service agreements as envisaged by Regulation (EC) 847/2004;
10. RECOGNISES that, although good progress has been made, the adaptation of the large number of existing bilateral agreements to Community law will still take time and that Community carriers must be able to operate and develop their international businesses during this time so as not to jeopardise their commercial position with regard to competitors;
11. CONSEQUENTLY STRESSES the necessity for Member States and the Commission to apply Regulation (EC) 847/2004, in particular Articles 1 and 4 thereof, in a manner that preserves the continuity and permits the development of air services; in this context it is necessary to give equivalent consideration to agreements and understandings concluded by Member States with third countries after 5 November 2002 but before the adoption of Regulation (EC) 847/2004;

General principles regarding agreements/negotiations between the Community and third countries

12. WELCOMES the general principles underpinning the Commission's communication with regard to comprehensive agreements, i.e. that the inseparable twin aims of comprehensive open aviation area agreements should be, on the one hand, market opening creating new economic opportunities and investment possibilities, and, on the other hand, a process of regulatory convergence that ensures a satisfactory level playing-field with fair and equitable competition conditions;
13. STRESSES the importance for EU businesses and consumers of allowing Member States to continue negotiating traffic rights and related commercial matters with third countries in parallel with Community-level negotiations during the transition towards conclusion of open aviation area agreements or other agreements, and in this context stresses the need for the Commission, in accordance with Community law, to apply Articles 1 and 4 of Regulation (EC) 847/2004 taking into consideration the need of Member States to negotiate additional traffic rights and related commercial matters;

14. INVITES the Commission in relation to negotiations with third countries to ensure full information and consultation of all relevant stakeholders including notably the European airline industry throughout the negotiations;

Regarding existing mandates for comprehensive agreements/negotiations between the Community and third countries

15. URGES the Commission to bring the current negotiations with the United States to a successful and mutually satisfactory conclusion as early as possible taking account of discussions held at the Transport, Telecommunications and Energy Councils of June 2004, October 2004 and April 2005;
16. WELCOMES the encouraging early progress being made in developing a wider European Common Aviation Area by 2010 incorporating EU neighbouring countries and in particular:
- in the context of negotiating ECAA-type of agreements with the Western Balkan countries and
 - in negotiations towards a Euro-Mediterranean aviation agreement with Morocco;

Regarding the future development of policy on Community-level negotiations with third countries

17. STRESSES that, before granting mandates for the negotiation of any further comprehensive agreements with third countries, the added value of any resulting Community-level agreement should be clearly demonstrated in each case, notably with regard to the prospects of obtaining significant new opportunities for EU industry and users and achieving greater levels of regulatory convergence with a view to ensuring a competitive level playing-field;
18. STRESSES as a priority the importance of ensuring within the framework of the accession of the Russian Federation to the World Trade Organisation a satisfactory solution to the phase out of trans-Siberian overflight payments by 31 December 2013 comprising the following elements:
- confirmation that all current payments be abolished by 31 December 2013
 - gradual reduction of payments during a transition period leading up to 2013

– the principle of unrestricted overflight frequencies;

this being a prerequisite for making further progress with the Russian Federation;

19. UNDERTAKES to examine with interest, in the light of the "added value" principle set out in point 17 as well as the considerations set out in point 13 above, the communications and corresponding Recommendations from the Commission relating to the development of aviation relations between the Community and the Russian Federation and the Community and the People's Republic of China respectively; concerning these countries, and any other third country for which a new mandate for comprehensive negotiations is granted, the Council considers that the acceptance of community clauses, through bilateral or Community-level negotiation, should be the necessary starting point for Community negotiations;
20. NOTES with interest the other third countries of major importance identified in the Commission's communication, including Australia, New Zealand, India, Chile and South Africa, as potential candidates for future requests for comprehensive negotiating mandates, and underlines that any such requests will be assessed by the Council on the basis of a case-by-case evaluation of the added value that such Community negotiations could bring."

– *Agreement with Chile on certain aspects of air services*

The Council adopted two Decisions on the Agreement between the Community and Chile on certain aspects of air services. Following the adoption of the two Decisions, the agreement negotiated by the Commission can be signed and provisionally applied, and subsequently concluded.

On 5 June 2003 the Council authorised the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.

On behalf of the Community, the Commission has negotiated an Agreement with the Republic of Chile on certain aspects of air services in accordance with the mechanisms and directives set out in the negotiating brief.

The objective of the Agreement is to bring those provisions of the bilateral air services agreements between the Member States of the European Community and the Republic of Chile which are contrary to Community law into conformity with Community law, so as to establish a sound legal basis for air services between the European Community and the Republic of Chile and to preserve the continuity of such air services.

The text of the Agreement explains that its purpose is not to increase the total volume of air traffic between the European Community and the Republic of Chile, or to affect the balance between Community air carriers and air carriers of the Republic of Chile, or to negotiate amendments to the provisions of existing bilateral air service agreements concerning traffic rights.

– *EU-US negotiations on an air transport agreement*

The Council held a brief exchange of views, following a presentation by Mr Jacques Barrot, Vice-President of the Commission responsible for transport, on contacts with the US authorities in recent months.

On 5 June 2003, the Council authorised the Commission to negotiate an air agreement with the United States. Since then, six formal negotiating sessions have been held, as well as other meetings at technical level.

However, there have been no formal negotiating sessions since June 2004, when the Council refused to give the Commission the green light to finalise a "first step" agreement with the United States, and negotiations have also been held up by the US presidential election.

– *Community air traffic controller licence*

The Council reached political agreement on a proposal for a Directive on a Community air traffic controller licence. Once the text has been checked by legal/linguistic experts, the Council will formally adopt its common position at one of its forthcoming meetings and will forward it to the European Parliament under the codecision procedure.

The compromise text, which has been accepted by the Council, takes account of the positions of the European Parliament following the informal contacts undertaken by the Presidency with the Parliament on this issue. This should enable the text to be rapidly adopted at second reading, without any further amendment.

The objective of the proposal is to increase safety standards while improving the mobility of controllers within the Community. The Community licence is based on a harmonisation of the training given to applicants for a student air traffic controller licence, and to air traffic controllers employed by air navigation service providers offering their services primarily to general air traffic.

In its proposal of 12 July 2004, the Commission suggested the creation of a Community air traffic controller licence; this measure is intended to supplement the creation of the Single European Sky. The licence is considered to be an essential contribution both to safety, particularly in the creation of cross-border functional airspace blocks as provided for in the Single European Sky framework, and to the free movement of controllers within the Community.

In general, the compromise text takes into account legitimate concerns about increasing safety, and the mobility and free movement of air traffic controllers. In line with the Commission's original proposal, the compromise text introduces high Community standards for entry conditions to the profession, the structure of qualifications, the content of initial training and linguistic knowledge.

ENERGY

– *Trans-European energy networks*

The Council reached political agreement on the proposal for a Decision of the European Parliament and of the Council laying down guidelines for trans-European energy networks (TEN-E) and repealing Decisions Nos 96/391/EC and 1229/2003/EC. Once the text has been checked by legal/linguistic experts, the Council will formally adopt its common position at one of its forthcoming meetings, and will send it to the European Parliament under the codecision procedure.

The Commission highlighted the importance of the European coordinator; this position was supported by the European Parliament in its opinion.

The main purpose of the proposal is to adapt the guidelines on trans-European networks adopted in June 2003, particularly to take account of the new Member States, and to allow the funding of projects of common interest to the enlarged Union. The revision of the guidelines includes projects which will facilitate the integration of the new Member States into the internal market for electricity and gas. It also addresses the need to include projects involving the "neighbouring countries"¹.

The draft 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.

Compared with the Commission's original proposal, the text on which the Council reached political agreement aims to simplify the Decision (in terms of levels of priority and the number of Annexes), and to align it as much as possible on Decision 1229/2003/EC.

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

The text deletes two new provisions which the Commission had proposed concerning the drawing up and implementation of priority projects, i.e. projects of European interest, and the possibility for the Commission to appoint a European coordinator for a given priority axis or priority project. However, the current text stresses the importance of giving priority to projects covered by Annex I (i.e. projects which come under one of the priority axes) and ensuring better coordination between the Member States so as to optimise the implementation of certain projects, particularly cross-border projects.

The latest Presidency text maintains "olefin gas networks" in the scope of the proposal, but states that these projects do not fulfil the criteria for Community funding under Regulation (EC) No 2236/95¹.

¹ The granting of Community financial aid in the field of trans-European networks is governed by Regulation (EC) No 2236/95 amended by Regulation (EC) No 807/2004 of 21 April 2004.

– *Energy efficiency*

The Council reached political agreement on the proposal for a Directive on energy end-use efficiency and energy services with a view to adopting its common position under the co-decision procedure. After the text has been checked by the Legal/Linguistic Experts, the Council will formally adopt its common position at a forthcoming meeting and communicate it to the European Parliament under the co-decision procedure.

The Commission spoke of the importance it attached to keeping mandatory targets, a view supported by the European Parliament in its Opinion.

The Commission's original proposal aimed to stimulate energy efficiency by introducing mandatory savings targets for Member States and taking measures that would assist the development of the market in energy services. The proposal focuses on the demand side (i.e. the end-user and retail suppliers), and can therefore be seen as a complement to earlier Community legislation which concerned the supply side. It aims to contribute to the achievement of the EU's Kyoto emissions-reduction target and will have positive effects on security of supply.

Instead of a mandatory savings target for each Member State as in the Commission's original proposal, the compromise text put forward by the Presidency and adopted by the Council speaks of an indicative target. But the Member States will still be required to take steps towards achieving the indicative target (6% over a period of six years). The text gives examples of admissible measures for improving energy efficiency and also a general framework for measuring and verifying energy savings.

For the public sector, the Commission had proposed a higher target of 1,5%. Under the current text, "Member States shall ensure that the public sector fulfils an exemplary role in the context of this Directive." Public-sector measures will be taken at the appropriate national, regional and/or local level, and may consist of legislative initiatives and/or voluntary agreements or other schemes with an equivalent effect.

– *Green Paper on Energy Efficiency*

The Council heard a presentation by Mr Andris Piebalgs, the Commissioner responsible for energy, of the Green Paper recently adopted by the Commission entitled "Energy Efficiency or Doing More With Less". The Green Paper launches a wide consultation process which should be concluded by the end of 2005. The delegations' preliminary response was to support the Commission's initiative.

– *International relations in the field of energy*

(a) EU-OPEC dialogue – Council conclusions

The Council was briefed by the Presidency and the Commission on the first meeting between representatives of the OPEC and the EU in Brussels on 9 June 2005¹² and adopted the following conclusions on the continuation of the dialogue:

"The Council

- WELCOMES the meeting held on 9 June 2005 in the framework of the Energy dialogue between the EU and OPEC and TAKES NOTE of the elements featuring in the press release issued after the meeting³, notably the work programme 2005-2006,
- RECALLS the importance it gives to dialogues and cooperation with third countries in the field of energy and the principles on which these dialogues should be based, as stated in its conclusions on International Relations in the Field of Energy adopted in May 2003⁴,
- STRESSES in this context the key contribution that the EU-OPEC Energy dialogue can make to security of supply and transparency and predictability of the market,
- INVITES future presidencies and the Commission, in close collaboration, to continue this dialogue ensuring adequate involvement of all the Member States."

¹ The participants from the EU were: Mr Krecké, Luxembourg Minister for Economic Affairs and Foreign Trade; Mr Brinkhorst, Netherlands Minister for Economic Affairs; Mr Wicks, United Kingdom Minister of State for Energy, and Mr Piebalgs, Commissioner. The participants from OPEC were: Sheikh Al-Sabah, Minister of Energy of Kuwait and President of the OPEC Conference; Dr Edmund Maduabebe Daukoru, Presidential Adviser on Petroleum and Energy of Nigeria, and Dr Adnan Shihab-Eldin, OPEC Secretary-General.

² See the joint statement at: <http://www.eu2005.lu/fr/actualites/communiqués/2005/06/09opec9955/05>.

⁴ 8879/03.

(b) EU-Russia dialogue – Council conclusions

The Council was briefed by Mr Andris Piebalgs, Commissioner for Energy, on recent developments concerning the EU-Russia dialogue following the EU-Russia Summit in Moscow on 10 May 2005 (8799/05 ADD 1) and adopted the following conclusions on the continuation of the dialogue and the implementation of the roadmap for the common economic area:

"The Council

- TAKES NOTE of the ongoing EU-Russia Energy dialogue as presented in the Commission Communication "The EU-Russia Energy Dialogue 2000-2004"¹,
- WELCOMES the section on Energy and related actions contained in the road maps for the four common spaces, adopted at the 15th EU-Russia Summit on 10 May 2005,
- ENCOURAGES the Member States and the Commission, in close collaboration, as well as the Russian Federation to ensure the continuation of the dialogue, notably through the four thematic groups established in 2005, and the rapid implementation of the Energy-related actions noted in the road maps,
- INVITES the Commission to keep the Council regularly involved."

(c) Regional energy cooperation in the Baltic Sea Region (BASREC)

The Council took note of information from the Polish delegation on the discussions going on in Baltic Sea Regional Energy Cooperation, which is currently chaired by Poland.

(d) Treaty establishing an Energy Community between the European Community and South-Eastern Europe

The took note of information from Mr Andris Piebalgs, Commissioner for Energy, on the progress of negotiations with the countries of south-eastern Europe on the establishment of an integrated energy market in south-eastern Europe.

¹ 6101/05.

In keeping with the political undertakings given by the European Council (Thessaloniki 2003) to the countries of south-eastern Europe, including Turkey, agreement protocols were concluded between the Community, the aforementioned south-eastern countries and several Member States (Austria, Greece, Hungary, Italy and Slovenia). A negotiating brief was also issued to the Commission in May 2004 and the negotiations that began in autumn 2004 have reached a stage where the Commission believes it advisable to conclude. However, the Member States concerned spoke of their difficulties with certain provisions of the draft agreement, which is also the subject of reservations on the part of Turkey.

OTHER BUSINESS

EU-OPS

The Council took note of information from the Presidency on the progress of discussions on proposal for a Regulation on the harmonisation of technical requirements and administrative procedures in the field of civil aviation.

The proposal seeks to incorporate in a binding Community legislative act the hitherto non-binding Joint Aviation Requirements – Operational Standards (JAR-OPS) established by the Joint Aviation Authorities at international level.

Digital tachograph

The Council took note of information from the Commission and interventions from several delegations concerning the progress of preparations for the implementation of Regulation No 3821/85.

Reducing the blood alcohol content of young drivers to 0

The Council took cognisance of a note from the German delegation on introducing zero blood alcohol content for young drivers in Member States' legislation.

IMO and ICAO: Community participation in these two organisations

The Council took note of the Commission's request concerning Community participation in the proceedings of the IMO and the ICAO, as well as interventions on this matter from a number of delegations.

Ship decommissioning

The Council took note of information from the Presidency and the contribution by the Netherlands delegation on the decommissioning of ships, which was the subject of Environment Council conclusions on 24 June 2005.

Air quality

The Council took note of the request made by the Netherlands delegation to the Commission concerning the application of Community law on air quality.

OTHER ITEMS APPROVED

TRANSPORT

River Traffic Information Services on inland waterways in the Community *

The Council adopted a Directive on harmonised river traffic information services on inland waterways in the Community (3612/05, 10065/05 ADD 1 + COR 1).

The Directive establishes the framework for deploying and utilising harmonised river information services (RIS) in the EU to support the development of inland waterway transport with the aim of strengthening its safety, efficiency and environment-friendliness and facilitating interfaces with other modes of transport.

It provides a framework for the establishment and further development of the technical requirements, specifications and conditions to ensure harmonised RIS on Community inland waterways.

The Commission, assisted by a committee, is charged with this task of establishment and development and it takes account of measures adopted by the relevant international organisations such as the International Association for Navigation, the Central Commission for Navigation on the Rhine and the United Nations Economic Commission for Europe.

Member States with inland waterways have twenty-four months from the Directive's entry into force to transpose it into their national law.

Recognition of seafarers' certificates

The Council adopted a Directive on the recognition of seafarers' certificates issued by the Member States and amending Directive 2001/25/EC (PE-CONS 3613/05).

The main aims of the Directive are to facilitate the recognition by all Member States of seafarers' certificates issued in the Union, and to ensure full and constant compliance with the current EU provisions on training, certification and watchkeeping which were drawn up in accordance with the 1978 International Maritime Organisation Convention on Standards of Training, Certification and Watchkeeping for Seafarers, as amended (STCW Convention).

Under existing Community legislation¹, the procedure for the recognition of such certificates is considered to be more stringent than that laid down in the STCW Convention, which penalises seafarers who obtained their certificates in an EU Member State as against those whose certificates were issued in a third country. The Directive is designed to correct that imbalance.

The Directive also contains provisions to deal with the increase in fraudulent practices relating to certification procedures and thus help reinforce safety at sea.

Single-hull oil tankers – International Maritime Organisation

The Council approved the sending of a letter of notification to the International Maritime Organisation on the application of Regulation No 417/2002 on the accelerated phasing-in of double-hull or equivalent design requirements for single-hull oil tankers (10446/05).

ECONOMIC AND FINANCIAL AFFAIRS

Stability Pact – Excessive deficit procedure

The Council adopted a Regulation on speeding up and clarifying the implementation of the excessive deficit procedure which forms part of the reform of the EU's Stability and Growth Pact (9818/05).

This Regulation amends Regulation (EC) No 1467/97.

The Council had reached political agreement on the text of the Regulation on 13 June 2005.

DEVELOPMENT COOPERATION

Trade with developing countries *

The Council adopted a Regulation applying a scheme of generalised preferences for trade with developing countries during the period 1 January 2006 to 31 December 2008. The German delegation abstained (see Press Release 10601/05)

¹ Directive 2001/25/EC on the minimum level of training of seafarers and Directives 89/48/EEC and 92/51/EEC setting up a general system for the recognition of professional education and training.

The Regulation, which is based on the guidelines laid down for the continuation of the system in the period from 2006 to 2015, is intended to simplify and increase the transparency of the GSP, in accordance with the rules laid down by the World Trade Organisation.

EUROPEAN SECURITY AND DEFENCE POLICY

European Security and Defence College

The Council reached political agreement on a joint action establishing a European Security and Defence College (ESDC).

The ESDC will be organised as a network between national institutes, colleges, academies and institutions within the EU dealing with security and defence policy (ESDP) issues and the European Union Institute for Security Studies.

The ESDC's objectives will be:

- to enhance further the European security culture within ESDP;
- to promote a better understanding of ESDP as an essential part of the Common Foreign and Security Policy;
- to provide EU bodies with personnel knowledgeable in ESDP matters;
- to provide Member States' administrations and staff with knowledgeable personnel familiar with EU policies, institutions and procedures;
- to help promote professional relations and contacts among training participants.

JUSTICE AND HOME AFFAIRS

EU Drugs Action Plan (2005-2008)

The Council adopted an EU Drugs Action Plan for the period from 2005 to 2008 (8652/1/05 + *COR I*).

The Drugs Action Plan follows the structure and the objectives of the EU Drug Strategy (2005-2012), approved by the European Council in December 2004, which sets the framework, objectives and priorities for the fight against drugs, namely:

- to achieve a high level of health protection, well-being and social cohesion by complementing the Member States' action in preventing and reducing drug use;
- to ensure a high level of security for the general public by taking action against drugs production, cross-border trafficking in drugs and diversion of precursors and by intensifying preventive action against drug-related crime;
- to strengthen the EU's coordination mechanisms to ensure that action taken at national, regional and international levels is complementary.

The Action Plan aims to provide a framework for the adoption of a balanced structure for the reduction of the supply of and demand for drugs and also covers a number of cross-cutting themes: international cooperation, research, information and evaluation.

The Action Plan will be implemented by the Commission, the European Monitoring Centre for Drugs and Drug Addiction and Europol. The Commission will carry out an impact assessment in 2008 with a view to proposing a second Action Plan for 2009-2012.

The Hague Convention on the law applicable to certain rights in respect of securities held with an intermediary

The Council asked the Commission to carry out a study with a view to the signing of the 2002 Hague Convention on the law applicable to certain rights in respect of securities held with an intermediary.

The Commission study will essentially cover:

- the scope;
- the extent of third-party rights;
- the implications for substantive and public law;
- impact of the diversity of legislations on settlement and prudential supervision systems.

TRADE POLICY

Goods which could be used for capital punishment or torture*

The Council adopted a Regulation restricting trade with non-member countries in goods which could be used to inflict capital punishment, torture or other cruel, inhuman or degrading treatment or punishment (8888/05, 8887/05).

Association with Romania

The Council agreed to the EU-Romania Association Council's adopting a Decision concerning the improvement of the trade arrangements for processed agricultural products as provided for in the Europe Agreement (10248/05, 1802/05).

These changes are intended to improve economic convergence in preparation for Romania's accession to the EU and lay down concessions in the form of complete liberalisation of trade for certain processed agricultural products, reduction of duties or tariff quotas.

Russia – Steel products

The Council adopted a Decision on the conclusion of an agreement with the Russian Federation on trade in certain steel products and a Regulation on the administration of that agreement (8038/05 and 8736/05).

This new agreement fixes quantitative limits for imports of certain steel products into the EU and will apply from the date of its entry into force until 31 December 2006 or until Russia's accession to the World Trade Organisation if that occurs first. It replaces the previous agreement, which was concluded for the period from 2002 to 2004.

The new agreement takes account of the development of trade relations between the two parties in this sector and of the fact that the European Community took over the rights and obligations of the Treaty establishing the European Coal and Steel Community on the expiry of that treaty in 2002.

EUROPEAN ECONOMIC AREA

Telecommunications – Amendment of the EEA Agreement

The Council adopted a Decision approving the draft Decision of the European Economic Area (EEA) Joint Committee amending the EEA Agreement in order to establish the framework for participation by the States of the European Free Trade Association that are members of the EEA in the European Network and Information Security Agency (9281/05).

The EEA Joint Committee is incorporating the relevant Community legislation in the EEA Agreement in order to ensure that the internal market has the necessary security and legal homogeneity.

Energy – Amendment of the EEA Agreement

The Council approved a draft Decision of the Joint Committee amending the EEA Agreement by adding the new Community *acquis* in the field of energy (9277/05).

Reference values concerning that proportion of electricity produced from renewable sources of energy of the gross consumption of electricity in 2010 have been fixed for Norway and Iceland. This Decision also provides for a derogation concerning Liechtenstein, because it imports nearly 75% of its electricity from Switzerland.

The EEA Joint Committee has to incorporate all relevant Community legislation in the EEA Agreement in order to ensure that the internal market has the necessary security and legal homogeneity.

ATOMIC QUESTIONS

Convention on the Physical Protection of Nuclear Material

The Council adopted a Decision issuing directives to the Commission for the negotiation of the amendments to the Convention on the Physical Protection of Nuclear Material.

CUSTOMS UNION

Suspension of customs duties – Industrial, agricultural and fishery products

The Council adopted a Regulation amending Regulation (EC) No 1255/96 temporarily suspending the autonomous Common Customs Tariff duties on certain industrial, agricultural and fishery products (9844/05).

This Regulation deletes from the list in the Annex to Regulation No 1255/96 certain products regarding which it is no longer in the Community's interest to maintain suspension of the autonomous Common Customs Tariff duties. It adds to the list other products the descriptions of which must be amended in order to take account of technical developments in products and the economic development of the market.

The amended Regulation will apply from 1 July 2005.

COURT OF JUSTICE

Amendment of the Rules of Procedure*

The Council approved five amendments to the Rules of Procedure of the Court of Justice (9636/05, 9464/05).

Those amendments are intended to simplify and accelerate the processing of cases brought before the Court, in particular following the enlargement of the EU.

The Court will finally adopt the amendments in question and will effect their publication in the Official Journal at a later date.

STATISTICS

Vocational training in enterprises*

The Council adopted a Regulation on the statistics relating to vocational training in enterprises in order to contribute to the introduction of strategies for education and training at European level (PE-CONS 3607/05, 9657/05 + ADD 1).

The Regulation also aims at the creation of common statistical standards that permit the production of harmonised data on vocational training in enterprises.

The Member States will have to collect the data with a view to producing the necessary Community statistics for the analysis of continuing vocational training in enterprises in the following fields:

- training policy and training strategies of enterprises in developing the skills of their workforce;
- management, organisation and forms of continuing vocational training in enterprises;
- the role of social partners in ensuring continuing vocational training in the workplace;
- access to continuing vocational training, its volume and content, especially in the context of economic activity and enterprise size;
- specific continuing vocational training measures of enterprises to improve the skills of their workforce;

- chances for employees in small and medium-sized enterprises (SMEs) to acquire new skills, and the particular needs of SMEs in the provision of training;
- the effects of public measures on continuing vocational training in enterprises;
- equal opportunities to access continuing vocational training;
- specific continuing vocational training measures for people at a disadvantage in the labour market;
- continuing vocational training measures geared to different types of employment contract;
- expenditure on training: funding levels and funding resources, incentives for continuing vocational training;
- evaluation and monitoring procedures.

The Regulation gives particular attention to the aspects of training at the workplace and during working hours.

The production of specific Community statistics is governed by the rules set out in Regulation (EC) No 322/97 on Community Statistics (OJ L 52, 22.2.1997, p. 1; amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1)).
