

P R E S S

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Main results of the Council

The Council reached a political agreement on a draft regulation updating the conditions for the **marketing of construction products** in the internal market.

The Council adopted conclusions on **clean and energy efficient vehicles** for a competitive automotive industry and decarbonised road transport.

The Council adopted conclusions on the future revision of the **trade mark system** in the EU.

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Research ministers exchanged views on the setting of national **targets for investment in research** and development, as foreseen in the strategy for the creation of jobs and growth («Europe 2020 strategy»), in view of the June European Council summit.

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¹ 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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EUROPEAN ECONOMIC AREA

-

Commission:

Mr Antonio TAJANI
Ms Viviane REDING
Ms Neelie KROES
Ms Máire GEOGHEGAN-QUINN
Mr Michel BARNIER
Mr John DALLI
Ms Androulla VASSILIOU

Vice-President
Vice-President
Vice-President
Member
Member
Member

ITEMS DEBATED

Marketing of construction products

During a public debate, the Council reached, by qualified majority, a political agreement on a draft regulation updating the conditions for the marketing of construction products in the internal market ([9459/10](#)).

Once the legal and linguistic adjustments of the text are completed, it will be forwarded to the European Parliament for eeme4(a)4(r)3ld4(nt)-2()4(e)4(m))-2(n-20(q)-:6(g)10(ui)-2 undga)4(r)-2(he)4(t)-2(e)

The objective is to clarify the basic concepts and the use of "CE marking"; to introduce simplified procedures so as to reduce the costs incurred by enterprises; and to increase the credibility of the whole system by imposing new and stricter designation criteria to bodies involved in the assessment and verification of constancy of performance of construction products. More specifically, it seeks to ensure accurate and reliable information on construction products in relation to their performance.

The future regulation will also take into account the "New Legal Framework" for the marketing of products adopted in 2008 ¹.

Following the European Parliament's first reading opinion of April 2009 (

Automotive industry: clean and energy efficient vehicles -

RECALLING the need to decarbonise the transport sector and reduce its fossil dependency and the emissions of greenhouse gases, *inter alia* through the introduction of innovative and energy efficient technologies for vehicles;

RECALLING the Commission's Communication on "A sustainable future for transport

- (d) offer an opportunity to revitalise the industrial fabric in Europe by fostering innovation, growth and jobs;
 - (e) offer, in particular if combined with electricity generated from safe and sustainable sources of energy, including renewables, a superior well-to-wheel energy efficiency and can therefore contribute significantly to the objective of transport decarbonisation;
6. **CONSIDERS** that in order to speed up the market uptake of clean and energy efficient vehicles, including full electric vehicles and hybrids, and to enable the citizens to benefit from the improvement of air quality, public authorities are encouraged to provide the appropriate support framework, in compliance with existing State aid rules and the principle of subsidiarity. A supportive policy framework could contribute to creating business confidence, which is necessary for investment and production decisions and ensuring uptake of more safe and sustainable sources of energy, including renewables. In that respect, a well-timed and well-tailored public policy could send the European automotive industry an important signal, improving competitiveness in the increasingly important and attractive global market for clean cars;
7. **EMPHASIZES** that the European Union should take leadership in supporting the roll-out and consumer acceptance of alternative power-trains and energy efficient vehicles while bearing in mind actions taken by the Member States, regions and municipalities – in line with the principle of subsidiarity.

With regard to the action plan presented in the Communication:

8. **HIGHLIGHTS** the importance of the actions set out in the action plan for further reduction of CO₂ emissions from vehicles following the adoption of Communication COM (2007) 19¹ and of Regulation (EC) No 443/2009² on CO₂ emission standards for passenger cars; the measures implementing the Regulation should be completed by the end of 2010, especially regarding the procedure for approving innovative technologies (eco-innovations);

¹ Communication from the Commission to the Council and the European Parliament: Results of the review of the Community Strategy to reduce CO₂ emissions from passenger cars and light-commercial vehicles (doc. [6204/07](#) of 12 February 2007).

² Regulation (EC) No 443/2009 of the European Parliament and of the Council of 23 April 2009 setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO₂ emissions from light-duty vehicles (OJ L 140, 5.6.2009, p. 1-15).

9. STRESSES the need to focus on research excellence in order to ensure that alternative power-trains receive targeted research financing, including innovative energy storage and conversion technologies, such as batteries, fuel cells and the necessary respective infrastructure;
10. STRESSES MOREOVER the need to support breakthrough improvements in internal combustion engines, further step-change improvements to the performance of conventional vehicles and exploring the opportunities offered by mild hybridisation of conventional vehicles, aerodynamics improvement and weight reduction;
11. STRESSES that the research portfolio of different technologies should not be narrowed. In this context, CALLS ON the Commission to provide European added-value and contribute to the coordination of efforts in the field of R&D by using effective forms of organisation via Joint Programming Initiatives, Public-Private Partnerships or Joint Technology Initiatives. Also HIGHLIGHTS the need to simplify and streamline the administrative rules for obtaining EU research grants, as well as the framework of classical multilateral cooperation or existing instruments, such as collaborative projects, ERA-Net/ERA-Net Plus or measures under Article 185 (ex 169) of the TFEU and can thus be co-financed under the Framework Programmes;
12. HIGHLIGHTS the successful implementation of the Green Car Initiative via EIB financing and European research grants that helped the industry to maintain their R&D activities during the crisis in order to be well positioned for the economic recovery. STRESSES that further technical developments will make alternative power-trains more attractive for wider market uptake;
13. CALLS ON the Commission to consult Member States and stakeholders and to rapidly come up with guidelines on potential financial incentives for consumers to buy green vehicles in order to stimulate the market uptake of clean and energy-efficient vehicles, without giving preference to any particular technology as well as exploring the potential of public procurement and of grouped purchases for large vehicle fleets within the existing legal framework for public procurement. Non-financial incentives, at national or regional level, could also be explored by the relevant actors;
14. RECOGNIZES the need for the implementation of the Raw Materials Initiative¹ in order to ensure access to, recycling and recovery of indispensable materials, including rare earth elements and notably lithium reflecting their importance for the production of alternative power-train components, inter alia, batteries;

¹ Communication from the Commission to the European Parliament and the Council - The raw materials initiative - Meeting our critical needs for growth and jobs in Europe (doc. [16053/08](#) of 20 November 2008).

PROVISIONAL VERSION

20. NOTES WITH INTEREST the European Commission's intention to put forward a legislative proposal on smart grids; URGES all stakeholders to use electricity generated from safe and sustainable sources of energy, including renewables, for charging electric vehicles by smart meters and building of smart grids, while recognizing differences in energy sectors of Member States;

21. In this context, STRESSES the importance to closely collaborate with regional and local authorities and to accompany market introduction with measures like awareness building, mobility information tools and services, and incentives for adopting a more sustainable mobility behaviour privileging efficient choice of mobility modes;

Trade mark system in the EU - Council conclusions

The Council adopted conclusions aimed at providing the Commission with input for its ongoing study on the future revision of the trade mark system in the EU.

The conclusions are set out in document [9412/10](#).

Consumer rights directive

In public session, the Council held a policy debate on a draft directive aimed at improving the functioning of the internal market while ensuring a high level of consumer rights across the EU, by revising and complementing four existing directives¹ and introducing new rules on delivery and the passing on of risk.

The outcome of this second ministerial debate, after the first one held on 3 December 2009, provides guidance and a solid basis for continuing work, pending the opinion of the European Parliament.

The debate was structured by means of a questionnaire drawn up by the Presidency (9480/10).

Ministers examined key political aspects of the proposal, notably concerning maximum harmonization as a general principle governing the directive and the level of harmonisation as regards consumer information, the right of withdrawal and guarantees (covered by chapters II to IV of the proposal) for distance contracts (including off-premises contracts) and face-to-face contracts.

All delegations subscribed to the objective of an updated, clear and more uniform set of rules concerning consumer rights when purchasing goods and services in order to contribute to a properly functioning internal market as well as to ensure a high level of protection for consumers.

The Commission proposal ([14183/08](#)) covers the right to information and withdrawal when buying

Services directive: implementation and evaluation process

The Council took note of information from the Commission on the state of play on implementation of the directive on services in the internal market ([9475/10](#)).

Several delegations provided additional information regarding the progress made in implementing the directive into their national legislations.

The Council also took note of a Presidency report on the mutual evaluation process ([9327/10](#)).

Mutual evaluation is based on the results of the screening of national legislation (i.e. the identification, assessment and, when required, modification of requirements affecting service providers) carried out by member states during the implementation period. At the end of the process, the Commission will issue a report to be presented to the Council and the European Parliament.

The services directive aims at eliminating obstacles to trade in services, allowing the development of cross-border operations, bringing down prices and improving quality and choice for consumers.

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Over lunch on 25 May, ministers of international market exchanged views on priority areas for reinvigorating the single market and the links between market integration in goods, services, labour and capital and the social and citizens' dimensions of Europe. The informal debate followed an introduction by Professor Mario Monti, president of Bocconi University, who delivered a report to the Commission on the future of the internal market on 9 May ¹.

Vice-president Antonio Tajani, commissioner for industry and entrepreneurship, Michel Barnier, commissioner in charge of internal market and services, and Malcolm Harbour, chairman of the internal market committee of the European Parliament, also attended the ministerial lunch.

¹ http://ec.europa.eu/commission_2010-2014/president/news/press-releases/pdf/20100510_1_en.pdf

Strategy for growth and jobs: targets for investment in research

The Council held an exchange of views on the new EU strategy for the creation of growth and jobs, on the basis of the results of the dialogue between the Commission and the member states regarding national targets for investment in research and development (R&D).

Delegations agreed with the Commission on the idea of setting ambitious and realistic national targets for investment in R&D.

The also welcomed the Commission intention to go on working on the design of appropriate indicators for monitoring the impact of research into the economic growth. In relation to this, some ministers referred to the need of increasing resources for innovation whilst improving the efficiency in the use of the existing research instruments.

Some delegations highlighted the need to put forward means in order to encourage the private sector for investments in research and innovation.

Other participants emphasized the importance of education, the conditions to attract scientist and the promotion of a culture of innovation among European citizens.

Finally, some delegations proposed to monitor the progress towards achieving the objectives in 2020, by conducting a mid-term review in 2015.

At the last Spring summit, the European Council agreed on several of the main elements of the Europe 2020 strategy together with headline targets. In the area of knowledge and innovation, the objective is to bring the combined public and private research investment levels to 3% of the gross domestic product.

In view of the next EU summit on 17 June, the European Council called for member states to set their national targets taking due account of their relative starting positions, national circumstances and potential for increasing research expenditure, and to check consistency with the EU headline targets through a dialogue with the Commission.

European Research Area

The Council had an in-depth examination of the development of the European Research Area (ERA), and adopted the following texts:

Future development of the ERA - Council conclusions:

[9451/10](#)

Governance of the ERA - Council resolution:

"THE COUNCIL OF THE EUROPEAN UNION

RECALLS its Resolution of 14 January 1974 on the coordination of national policies and the definition of projects of interest to the Union in the field of science and technology which established a Scientific and Technical Research Committee (CREST)¹, replaced by Council Resolution of 28 September 1995 on CREST²;

RECALLS relevant Articles of the Treaty on the functioning of the European Union concerning the objectives of the Union research policy and competence sharing between the Union and the Member States in the field of research, in particular as regards new emphasis to the development of the European Research Area (ERA);

RECALLS its Resolution of 15 June 2000 establishing a European Research Area (ERA)³ following the European Council of 23 and 24 March 2000 which agreed on the Lisbon Strategy;

RECALLS the conclusions of the European Council of 8 and 9 March 2007 which referred to the notion of well functioning knowledge triangle in the form of interaction between education, research and innovation, and of 19 and 20 March 2009 which called for urgent concrete measures to encourage partnership between business, research, education and training and to step up and improve the quality of investment in research, knowledge and education;

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RECALLS the conclusions of the European Council of 11 and 12 December 2008, which called for the launching of a European plan for innovation, together with the development of the ERA and with reflection on the future of the Lisbon Strategy beyond 2010;

RECALLS its conclusions of 29 May 2009, to establish and regularly update a Roadmap for the implementation of the ERA Vision 2020 and to further engage in ensuring enhanced complementarity and synergies between Union policies and instruments such as the RTD Framework Programmes, the Competitiveness and Innovation Framework Programme, Structural Funds, the Ljubljana Process, the Common Framework on Education and Training and the Bologna Process;

RECALLS its resolution of 3 December 2009¹ on the Enhanced Governance of the European Research Area, which recognised the need to develop more coherent policy-making at European and Member State level; the need to establish the means to provide fresh and innovative impetus on the political level in order to be able to achieve the goals of the ERA; emphasised the need for regular exchange of views and interaction with the European Parliament, and considered that a revised mandate for CREST should be drawn up and approved by the Council by mid-2010, on the basis of principles as set out in paragraphs 11 and 12 of the resolution,

CONSIDERS that this more coherent policy making may also extend to research activities covered by the EURATOM Treaty, without prejudice to the procedures set up by this treaty and the powers of the bodies charged with implementing those procedures;

1. On this basis, and with a view to provide for better policy interactions relevant to the development of ERA:
 - (a) EMPHASISES the need for improved support for policy interactions in the Council with respect to policy issues in the areas relevant to the knowledge triangle; and, in this respect, also the need to consider how the Council configurations could best address Research, Innovation and Higher Education issues to contribute to the full realisation of the ERA;
 - (b) EMPHASISES the invitation to future Presidencies of the Council of the EU to consider convening well prepared and focused ERA Ministerial conferences when there is a clear added value in providing orientations for a strategic view on the ERA, as well as the agreement that such conferences could take the form of a broadened informal meeting of Ministers;

¹ Official Journal C 323, 31.12.2009, p. 1-4.

- (c) INVITES the Commission to ensure that, in matters related to ERA, it provides a coherent and comprehensive consideration to research, innovation and education issues;
- (d)

ANNEX

MANDATE OF THE EUROPEAN RESEARCH AREA COMMITTEE (ERAC)

1. CREST changes its name to European Research Area Committee – ERAC (hereinafter referred to as “the Committee”) to better reflect its renewed role as a strategic policy advisory committee in the framework of the governance of the European Research Area.
2. The Committee’s main mission is to provide timely strategic input to the Council, the Commission and the Member States on any research and innovation issue relevant to the development of the ERA, on its own initiative or on the request of the Council or the Commission;
3. With respect to its strategic policy advice mission, the Committee shall, in particular:
 - (a) at an early stage, provide advice on the identification and design of strategic priorities for policy initiatives on research and innovation relevant to the development of the ERA, including the EU Framework Programmes and other relevant EU, national and intergovernmental initiatives;
 - (b) provide advice on broad orientations for possible future policies and interaction between existing policies, at international, European and national levels, to contribute to the development of the ERA;
 - (c) monitor the progress of ERA, while having regard to the principles of subsidiarity and complementarity, with special attention to the efficiency, accessibility, transparency and coherence of its different instruments and initiatives, including those defined in EU Framework Programmes, based notably on the criterion of European added value;
 - (d) identify needs for independent, quantitative and qualitative, assessment and evaluation of ERA related policies and use the results of relevant assessments and evaluations to make recommendations for a faster and better progress of the ERA;
 - (e) contribute to promoting the coordination of national research and innovation policies, where relevant, and to ensuring that national policies and Union policy are mutually consistent;
 - (f) contribute to preparing any ERA Ministerial conferences, convened and organised under the auspices of the Member States holding the Presidency of the Council of the European Union;

4. In addition to its main mission, the Committee shall also stimulate the voluntary evaluation of national policy mix and promote mutual learning exercises relevant to the ERA.

European Earth observation programme (GMES) and its initial operations (2011-2013)

The Council took note of a presidency progress report ([9862/10](#)) on a draft regulation on the European Earth observation programme (GMES) and its initial operations (2011-2013).

Its objective is to establish GMES as an operational programme and to provide additional funds for its initial operations enabling a gradual build-up of capabilities up to the end of the current EU financial framework in 2013, as well as putting into place the necessary structures for the governance of the programme.

The report includes the three main outstanding issues contained in the proposal: the funding for 2011 to 2013, the governance and the treatment of data and information policy.

A first reading agreement with the European Parliament is expected to be confirmed after the vote at the EP plenary assembly at mid-June, thus allowing to invest 107 additional million euros in the initial operational phase of GMES, as proposed by the Commission in May 2009 ([10285/09](#)).

GMES is an EU-led initiative to develop Europe's own operational Earth observation capacity in order to collect information about the planet's physical, chemical and biological systems or, more generally, monitoring of the natural environment. It draws on both space-based (i.e. satellite)n03(b)-10(a)4(s)-in

Baltic Sea research project ("BONUS-169 programme")

The Council took note of a presidency progress report ([9423/10](#)) on a decision aimed at approving the participation by the Community in a research project in the Baltic Sea ("BONUS-169 programme") undertaken by several EU countries.

BONUS-169 is a joint research programme undertaken by eight EU Baltic Sea member states (Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland and Sweden) in support of the Baltic Sea region's sustainable development.

Its main objective is to provide an effective response to key challenges in the region in relation to environmental protection and sustainable development, tourism, aquaculture, food safety, maritime transport and socio-economic issues.

A first reading agreement with the European Parliament is expected to be confirmed after the vote at the EP plenary assembly at mid-June, thus allowing the EU to contribute with up to 50 million euros for all the duration of the project.

BONUS-169, which is in line with the objectives of the European strategy for 366.96 -13.8 4.aaimeresea-7-2.00

ITER experimental reactor for nuclear fusion

Ministers exchanged views on the status and the way forward of the ITER project on nuclear fusion research¹, with a view to the establishment of a sound and sustainable financial framework for the construction of the thermonuclear reactor, following the estimated cost increases of the project.

The Council reiterated its commitment to the success of the ITER project. All member states recognised its importance and the need to find a solution for the financial situation in due time. They also acknowledged the strategic role the project for the European competitiveness.

ANY OTHER BUSINESS

Electric mobility in Europe

The Council took note of a joint declaration made by France, Germany, Portugal and Spain, for electric mobility in Europe, in line with the conclusions adopted by the Council on clea

Digital agenda for Europe

Commissioners Neelie Kroes and Michel Bannier gave a presentation on the communication « A digital agenda for Europe », published on 19 May¹, which is one of the seven flagship initiatives of the Europe 2020 strategy.

This initiative clusters policy actions in six main areas: very fast internet access, a digital single market, a sustainable digital society, trust and security, research and innovation, and open standards and interoperability.

It will be discussed at the next telecommunications Council on 31 May.

Consumer market scoreboard

The Commission presented the first part of the 3rd consumer market scoreboard, which focuses on the integration of the EU retail market ([9821/10](#) and [9821/10 ADD1](#)). The document outlines that the retail market is far from being integrated and that sustained efforts are needed to address the existing barriers, notably in the digital economy.

From 2010 the consumer market scoreboard is published in two parts, the second one to be issued next Autumn.

During his presentation, Commissioner John Dalli also referred to the recommendation on the use of a harmonised methodology for classifying and reporting consumer complaints and enquiries adopted by the Commission on 12 May ([9821/10](#)).

Legislation on textile labelling

The Council took note of preliminary remarks made by the Commission ([10120/10](#)) on the European Parliament's opinion on the revision of the EU legislation on textile labelling, following the vote .36 -1313.8 Td (t)-2f 1 0 (t)-2f 1 0 (t)-2f 1 034g

In 2009 the Commission submitted a proposal aimed at simplifying the regulatory environment for the labelling 13.8 .0012(f)3(t)-2(e)4(x)-10(t)-2(i)-2(l)-2(e)4(pr)13(ad)14(t)2(s)11(c)14(n)chep4(nc)4(ou)-10(r)3(

OTHER ITEMS APPROVED

FOREIGN AFFAIRS

Review Conference of the Roma Statute of the International Criminal Court - *Council conclusions*

The Council adopted the conclusions set out in [9809/10](#).

EU mission in support of security sector reform in Guinea-Bissau

The Council adopted a decision amending and extending joint action 2008/112/CFSP on the EU mission in support of security sector reform in the Republic of Guinea-Bissau ("EU SSR GUINEA-BISSAU mission") (9140/10).

The EU SSR GUINEA-BISSAU mission is extended for a period of 4 months, until 30 September 2010, with a view to making a final decision on further engagement in Guinea-Bissau by July 2010, based on a strategic review and on developments on the ground.

In February 2008 the Council approved the joint action 2008/112/CFSP¹ on the EU SSR GUINEA-BISSAU mission, which was to apply until 31 May 2009.

JUSTICE AND HOME AFFAIRS

EU drug precursors legislation: Functioning and implementation - *Council conclusions*

The Council adopted the conclusions set out in [8427/10](#).

Drugs - Mephedrone

The Council took a decision requesting that the risks caused by the use, manufacture and traffic of mephedrone (4-methylmethcathinone), the involvement of organised crime and possible consequences of control measures, be assessed in accordance with the procedure set out in decision 2005/387/JHA (*Official Journal L 127 of 20.5.2005*).

¹ OJ L 40, 14.2.2008, p. 11.

Under the regulatory procedure with scrutiny, the Council can oppose an act which exceeds the implementing powers of the Commission, is not compatible with the aim or content of the basic

PROVISIONAL VERSION