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THE EUROPEAN UNION**



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Justice and Home Affairs

Luxembourg, 7-8 October 2010

Presidents	Mrs Annemie TURTELBOOM Minister for Home Affairs
	Mr Stefaan DE CLERCK Minister for Justice
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Main results of the Council

*On the three draft **negotiation mandates for PNR agreements with Australia, the United States of America and Canada** presented by the Commission, the Council decided that the three mandates should be identical in content and that negotiations with the three countries should start at the same time.*

*On information sharing systems, the Council adopted conclusions concerning the development of the **Schengen Information System II (SIS II)** and welcomed the Commission's announcement that the central **Visa Information System (VIS)** is expected to be ready for operations on 24 June 2011.*

*On asylum and migration, the Council held a first debate on two recent Commission proposals concerning **conditions of entry and residence of third-country nationals**: one in the framework of an **intra-corporate transfer** (regarding managerial and qualified employees for branches and subsidiaries of multinational companies) and one for the purposes of **seasonal employment**.*

*On justice affairs, the Council adopted without discussion a directive on the **right of interpretation and translation in criminal proceedings** and held a first exchange of view on a related proposal concerning the **right to information in criminal proceedings**.*

Other important items adopted without discussion include:

- a decision on the conclusion of a **readmission agreement with Pakistan**;*
- two **agreements with Brazil concerning visa free-travel** for stays of up to three months (holders of ordinary passports and holders of diplomatic passports);*
- an **agreement with Japan on mutual legal assistance in criminal matters**; and*
- a regulation aimed at enabling the member states to step up their efforts in **combating fraud with regard to value-added taxation (VAT)**.*

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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:

Ms Annemie TURTELBOOM	Minister of Home Affairs
Mr Stefaan DE CLERCK	Minister for Justice
Mr Melchior WATHELET	Secretary of State for Immigration and Asylum

Bulgaria:

Mr Tsvetan TSVETANOV	Minister for the Interior
Ms Margarita POPOVA	Minister for Justice

Czech Republic:

Mr Radek JOHN	Minister for the Interior
Mr Marek ŽENÍŠEK	Deputy Minister for Justice

Denmark:

Ms Birthe RØNN HORNBÆK	Minister for Refugees, Immigration and Integration
Mr Lars BARFOED	Minister for Justice

Germany:

Mr Thomas DE MAIZIERE	Federal Minister for the Interior
Ms Birgit GRUNDMAN	State Secretary for Justice

Estonia:

Mr Marko POMERANTS	Minister for the Interior
Mr Rein LANG	Minister for Justice

Ireland:

Mr Rory MONTGOMERY	Permanent Representative
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Greece:

Mr Christos PAPOUTSIS	Minister for Social Protection
Mr Théodoros SOTIROPOULOS	Permanent Representative

Spain:

Mr Antonio CAMACHO	State Secretary for the Interior
Ms Anna TERRÓN I CUSI	State Secretary of Immigration and Emigration
Mr. Carlos CAMPO MORENO	State Secretary for Justice

France:

Mr Brice HORTEFEUX	Minister for the Interior, Overseas Territories and Local and Regional Authorities
Mr Jean-Marie BOCKEL	Secretary of State for Justice

Italy:

Mr Nitto Francesco PALMA	State Secretary for the Interior
Mr Angelino ALFANO	Minister for Justice

Cyprus:

Mr Loukas LOUKA	Minister for Justice and Public Order
Mr Lazaros SAVVIDES	Permanent Secretary

Latvia:

Mr Imants Viesturs LIEĢIS	Minister for Justice
Mr Normunds POPENS	Permanent Representative

Lithuania:

Mr Remigijus ŠIMAŠIUS	Minister for Justice
Mr Evaldas GUSTAS	Chancellor to the Ministry

Luxembourg:

Mr Jean-Marie HALSDORF
Mr François BILTGEN
Mr Nicolas SCHMIT

Minister for the Interior and Regional Planning
Minister for Justice
Minister for Immigration

Hungary:

Mr Sándor PINTÉR
Mr Tibor NAVRACSICS

Minister for the Interior
Minister of Public Administration and Justice

Malta:

Mr Carmelo MIFSUD BONNICI

Minister for Justice and Home Affairs

Netherlands:

Mr Ernst HIRSCH BALLIN
Mr Tom de BRUIJN

Minister for Justice, Interior and Kingdom Relations
Permanent Representative

Austria:

Ms Claudia BANDION-ORTNER
Mr Hans-Dietmer SCHWEISGUT

Minister for Justice
Permanent Representative

Poland:

Mr Jerzy MILLER
Mr Igor DZIALUK

Minister for the Interior
Undersecretary of State, Ministry of Justice

Portugal:

Mr Rui PEREIRA
Mr Manuel LOBO ANTUNES

Minister for the Interior
Permanent Representative

Romania:

Mr Marian Cătălin PREDOIU
Mr Marian Grigore TUTILESCU

Minister for Justice
Minister for the Interior

Slovenia:

Mr Damjan LAH
Mr Boštjan SKRLEC

State Secretary for the Interior
State Secretary for Justice

Slovakia:

Mr Daniel LIPSIC
Ms Maria KOLIKOVA

Minister for the Interior
State Secretary Ministry of Justice

Finland:

Ms Anne HOLMLUND
Ms Astrid THORS
Ms Tuija BRAX

Minister for the Interior
Minister of Migration and European Affairs
Minister for Justice

Sweden:

Ms Beatrice ASK
Mr Tobias BILLSTRÖM

Minister for Justice
Minister for Migration and Asylum Policy

United Kingdom:

Mr Damian GREEN
Mr Kenneth CLARKE

Minister of State for Immigration
Lord Chancellor, Secretary of State for Justice

Commission:

Ms Viviane REDING
Ms Cecilia MALMSTRÖM

Vice-President
Member

ITEMS DEBATED

MIGRATION AND ASYLUM

Intra-corporate transfer and seasonal employment

Ministers held a first exchange of views on Commission proposals for two directives on conditions of entry and residence of third-country nationals concerning:

- intra-corporate transfers (regarding managerial and qualified employees for branches and subsidiaries of multinational companies) ([12211/10](#)), and
- seasonal employment ([12208/10](#)).

On both proposals, several ministers recalled the right of member states to determine the number of third-country nationals to be admitted to their territories. In this context, they pointed out that the impact on national labour markets should be taken into account. Several ministers also highlighted the need for greater flexibility, for example, in reference to the proposed duration of stay or the time limits in which applicants must be given a decision. In the case of seasonal employment, a number of member states mentioned that a choice should be given on whether accepted third-country nationals would receive residence permits, as proposed by the Commission, or rather long-term visas.

Another issue highlighted by several ministers was the question whether the rights accorded to third-country nationals should be equivalent to those of nationals of the host member states, in particular concerning social security benefits. Other delegations questioned whether the proposal on seasonal workers was in line with the principle of subsidiarity.

The Commission underlined that the main goal of the two proposals was that once member states decide they need legal immigrants in these two areas that equal treatment will be given to those accepted throughout the EU. On the proposal for intra-corporate transferees, favourable conditions were necessary to reach the main objective of the file: to attract those qualified people which the European labour market needs. On the proposal for seasonal employment, minimum conditions would be necessary in order to avoid exploitation.

For more information on the content of the two proposals see the Council [background note](#).

Common European Asylum System (CEAS)

Ministers discussed the state-of-play regarding the establishment of a Common European Asylum System (CEAS). The CEAS includes a package of six legislative proposals which EU member states have committed to adopt by 2012.

The basis for the discussion was a presidency report that gave an overview of the debate after an informal meeting of the Justice and Home Affairs Ministers on 15 and 16 July and a ministerial conference on 13 and 14 September 2010 in Brussels ([13703/10](#)).

Member states highlighted a number of issues of particular concern to them including the need to combine a high level of protection with efficient and effective asylum systems, solidarity and changes to the Dublin II system. The current text of the Dublin II regulation states that the member states through which an asylum seeker first entered the territory of the EU is responsible to deal with the person's request for asylum.

Malta, Greece and Cyprus, for example, repeated their call for solidarity and support from the European Commission and other member states to help them cope with the amount of asylum requests they are confronted with. The Dublin II regulation should, in their opinion, be reformed.

Other member states, including Germany and Austria, maintained that the well-functioning of the Dublin II regulation was at the heart of any possible future Common European Asylum System. These countries and others, like the UK, also stressed the importance for more cooperation with third countries on issues such as readmission agreements and border control. They also underlined that they were ready to provide practical support and cooperation in order to help those member states struggling with a greater burden to implement existing legislation. The European Asylum Support Office (EASO) which is expected to be operational early in 2011 is expected to play an important role in this respect.

In the context of this debate, the Commission also informed the Council of its recent missions to Greece where it discussed with Greek political leaders the reform of their asylum system. Greece has recently adopted a national action plan on asylum reform and migration management in response to significant increases in the number of illegal immigrants and asylum seekers. Member states confirmed their readiness to assist in the implementation of the plan.

Any other business

Under any other business, the Commission informed the Council of its recent missions to Libya.

The Commission met with political leaders to discuss, among other things, how to increase cooperation in asylum and migration issues. The two sides agreed on an agenda for possible further dialogue and cooperation in the areas of mobility, management of migratory flows, border management and international protection. The visit is also to be seen in the context of negotiations about a bilateral Framework Agreement, which aims to establish for the first time a legal relationship between the EU and Libya.

HOME AFFAIRS

EU strategy on PNR data and PNR agreements with third countries

The Council welcomed the EU strategy concerning the transfer of Passenger Name Record (PNR) data to third countries, as presented by the European Commission ([13954/10](#)). On the accompanying three draft negotiation mandates for PNR agreements with Australia, the United States of America and Canada, ministers took a number of procedural decisions.

They agreed that:

- Council preparatory bodies should start their discussions on the draft negotiation mandates as soon as possible;
- the three mandates should be identical in content and adopted at the same time;
- the goal should be to adopt the mandates before the end of the Belgian EU Presidency, i.e. until the end of 2010;
- once the mandates are adopted, negotiations with the three partner countries should start simultaneously.

Many member states also urged the European Commission in this context to rapidly come forward with a proposal for a European PNR system. The Council took note of the Commission's commitment to present such a proposal in January 2011.

For more information see the Council [background note](#).

Counter Terrorism Policy

The Council welcomed the Commission communication entitled "EU Counter-Terrorism Policy: main achievements and future challenges" ([12653/10](#)).

The communication is a descriptive overview of the actions taken under the [EU Counter-terrorism Strategy and Action Plan](#) adopted in December 2005. The EU Counter-terrorism Coordinator Gilles de Kerchove regularly reports to the Council on the implementation of the strategy and action plan.

Information management instruments

Ministers welcomed a Commission communication on the existing EU instruments regulating the collection, storage or exchange of personal data for the purpose of law enforcement or migration management ([12579/10](#)). In total, the Commission identified 18 such instruments.

For more information see the Council [background note](#).

Mixed Committee: SIS II, VIS and visa reciprocity

In the margin of the Council session, the Mixed Committee (the EU plus Norway, Iceland, Liechtenstein and Switzerland) examined the state of play concerning the development of the Schengen Information System II (SIS II) and the Visa Information System (VIS). The committee also discussed the visa requirement imposed by Canada on Czech nationals.

SIS II

On SIS II, the committee discussed a report by the Commission on a final global schedule as well as on a comprehensive budgetary estimate for the development of the system, as requested by the Council in June 2010.

The Council also adopted [conclusions](#) which, among other things:

- welcome the possibility for member states to use the European External Borders Fund (EBF) to support the completion of the national system developments; and
- recall that the contingency plan based on the further development of C.SIS 1+ needs to be retained until the successful implementation of the SIS II system has been confirmed.

VIS

Regarding VIS, ministers welcomed the Commission's final time table for the deployment of the system. According to this time table, the central VIS is expected to be ready for operations on 24 June 2011. The Council acknowledged that member states need to make sure that their national systems - centrally and at the embassies of the first "roll-out region" - will also be ready by that date so that the VIS can actually start functioning.

Once operational, VIS will support the implementation of the common visa policy and facilitate effective border control by enabling Schengen member states to enter, update and consult visa data, including biometric data, electronically.

The deployment of the VIS will take place gradually. The first "roll-out region" in which EU member states' embassies must be able to use the system includes the following countries: Algeria, Egypt, Libya, Mauritania, Morocco and Tunisia.

Visa requirement imposed by Canada on Czech nationals

At the request of the Czech Republic, the Council was informed about ongoing discussions regarding the reintroduction by Canada of a visa requirement for Czech nationals. On 20 September, members of the Canadian and Czech authorities as well as Commission experts met to continue their negotiations on the subject.

The Council invited the Commission to continue pressing the Canadian authorities so that the visa requirement will be lifted as soon as possible. At the same time, the Council is looking forward to the sixth Commission report concerning visa reciprocity which will also cover the Canada-Czech issue. The Commission is expected to present this report by the end of October 2010.

For more information see the Council [background note](#).

JUSTICE

Sexual exploitation of children

The Council discussed the proposal for a directive on combating the sexual abuse, sexual exploitation of children and child pornography ([8155/10](#)). Ministers focused on articles 1-13 (with the exception of Art. 10) of the current version of the text (*14052/10*).

Almost all member states agreed on the current wording of these articles. Only two delegations maintained their reservations on Art. 4(3) which concerns situations where children knowingly attend pornographic performances.

Articles 1-13 (with the exception of Art. 10) specify, among other things, the scope of offences and the level of penalties in the following areas:

- sexual abuse, sexual exploitation of children and child pornography;
- solicitation of children for sexual purposes by means of information and communication technology ('grooming');
- instigation, aiding and abetting, attempt.

They also concern provisions on aggravating circumstances, liability of and sanctions on legal persons as well as the possibility not to prosecute or impose penalties on the child victims.

Once adopted, the directive will not only establish minimum rules concerning criminal offences and sanctions. It will also strengthen the prevention of the crime and the protection of its victims.

Right to information in criminal proceedings

The Council welcomed the Commission proposal for EU-wide minimum standards as regards the right to information in criminal proceedings ([12564/10](#)).

During the discussion, Ireland announced its wish to participate in the directive by using its opt-in option provided for in Protocol 21 of the Lisbon Treaty. The UK, which has the same option, has not yet decided to do so.

The discussion also showed that further work is necessary on a limited number of provisions including the right to remain silent, the access to the case file and the question of costs. The Council asked its preparatory bodies to continue their work on the dossier with a view to reach a common position by the end of 2010.

The proposal is a second step in a wider package of legislative and non-legislative initiatives that aim at strengthening procedural rights of suspected or accused persons in criminal proceedings. The Council unanimously agreed on this wider package, or roadmap, in October 2009 ([14552/1/09](#)). It comprises six main areas:

- translation and interpretation,
- information on rights and information about charges,
- legal advice and legal aid,
- communication with relatives, employers and consular authorities,
- special safeguards for suspected or accused persons who are vulnerable, and
- a green paper on pre-trial detention.

On the first measure, the right of translation and interpretation, agreement has already been reached between the Council and the European Parliament. It was adopted by the same Council without discussion (see section "Other items approved").

For more information see the Council [background note](#).

European Protection Order

The Belgian presidency informed ministers about the state-of-play concerning the European protection order ([PE-CONS 2/10](#)). The main point highlighted was that the two European Parliament committees concerned (Civil Liberties and Women's Rights) supported by a strong majority the general aim of the draft text in an orientation vote on 29 September 2010 (vote result: 64 to 1).

The aim of the directive is to facilitate and enhance the protection granted to victims of crime, or possible victims of crime, who move between EU member states. Council and Parliament have to agree on a final text of the directive under the ordinary legislative procedure. Each member state will then need to transpose the new rules into national law.

The proposal for a European protection order is based on a joint initiative of twelve EU member states¹, presented in January 2010. The focus of the initiative is on crimes which may endanger the victims' life, physical, psychological and sexual integrity or their personal liberty. The ultimate goal is to avoid new acts of crime and to mitigate the consequences of previous acts of crime.

For more information on the content of the two proposals see the Council [background note](#).

¹ Belgium, Bulgaria, Spain, Estonia, France, Italy, Hungary, Poland, Portugal, Romania, Finland and Sweden.

Divorce and legal separation

The Council examined the state-of-play regarding a regulation on the law applicable to divorce and legal separation (Rome III) ([9898/2/10](#)).

The file constitutes the first enhanced cooperation¹ in the history of the EU. 14 member states are participating, so far.² In July 2010 and after having received the consent of the European Parliament, the Council adopted a decision authorising this first enhanced cooperation.

The Belgian presidency aims to adopt the regulation by the end of the year, after the European Parliament will have adopted its opinion. For the final adoption of the new rules, unanimity among the participating member states is required.

Once adopted, the regulation will set clear rules on how international couples can seek divorce or legal separation in the participating countries. Other EU member states who are not yet ready but wish to join this pioneer group at a later stage will be able to do so.

For more information see the Council [background note](#).

¹ EU rules governing enhanced cooperation are provided for in [Title IV, Article 20 TEU](#) as well as in [Title III, Articles 326-334 TFEU](#).

² Spain, Italy, Hungary, Luxembourg, Austria, Romania, Slovenia, Bulgaria, France, Germany, Belgium, Latvia, Malta and Portugal.

OTHER ITEMS APPROVED

JUSTICE AND HOME AFFAIRS

EU-Pakistan readmission agreement

The Council adopted an agreement between the EU and Pakistan on the readmission of persons staying illegally in their respective territories ([8793/09](#)). The main objective of this agreement is to establish, on the basis of reciprocity, rapid and effective procedures for the identification and safe and orderly return of those persons.

The agreement will most likely enter into force on 1 December 2010.

For more information, see the following [press release](#).

Visa agreements with Brazil

The Council adopted two agreements between the EU and Brazil which allow their citizens to travel to the other territory without a visa for stays of up to three months during a six months period. One agreement concerns holders of ordinary passports ([13712/10](#)), the other concerns holders of diplomatic, service or official passports ([13708/10](#)).

For more information, see the following [press release](#).

EU-Japan agreement on mutual legal assistance

The Council adopted an agreement between the EU and Japan on mutual legal assistance in criminal matters ([13377/10](#)).

It is the first such agreement between the two parties providing a solid basis for mutual legal assistance between all 27 Member States and Japan, while at the same time ensuring respect for the fundamental values of the EU. Hitherto, no member states had any bilateral mutual legal assistance treaty with Japan.

The agreement provides for a wide range of measures, including taking of evidence, seizing proceeds of crime, obtaining bank information and conducting hearings and taking of testimony by videoconferencing. The information obtained can be used only for the specific purpose set out in the request

The agreement also contains an adequate set of grounds of refusal (political offence exception, non-discrimination clause, *ne bis in idem*, double criminality). It explicitly stipulates that where a request concerns an offence punishable by death, the requested member state may refuse assistance unless there is an agreement with Japan on the conditions under which it can use this evidence, i.e. if Japan ensures that it will not use the evidence in any proceedings leading up to the death penalty.

For more information, see the following [press release](#).

Rights of interpretation and translation in criminal proceedings

The Council adopted EU wide rules on the rights to interpretation and translation in criminal proceedings ([PE-CONS 27/10](#)). The directive will substantially enhance the rights for suspected and accused persons throughout the EU.

For more information, see the following [press release](#).

Co-operation agreement between Monaco and EUROPOL

The Council approved a draft agreement on operational and strategic co-operation between the government of the sovereign Prince of Monaco and the European Police Office (EUROPOL) ([13144/10](#)).

Central Schengen Information System - Budget for 2011

The Council adopted the multiannual table of authorised C.SIS installation expenditure (situation at 31 December 2009) and the C.SIS installation and exploitation budget for 2011 ([12918/10](#)).

Instruments implementing the principle of mutual recognition of judicial decisions in criminal matters - *Council conclusions*

The Council adopted the conclusions set out in document [13403/1/10 REV 1](#).

For more information, see the following [press release](#).

Public-private partnership on enhancing the security of explosives - *Council conclusions*

The Council adopted the conclusions set out in document [13485/10](#).

For more information, see the following [press release](#).

COMMON FOREIGN AND SECURITY POLICY

International Criminal Tribunal for the former Yugoslavia - Support for the mandate

The Council adopted a decision extending, until 10 October 2011, the measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY) (*13720/10*).

The decision renews for a further year the measures adopted in October 2004 with the aim of freezing all economic resources belonging to persons who have been indicted by the ICTY for war crimes but who are not under its custody ([published in Official Journal of the EU L315 of 14.10.2004, p. 52](#)).

FOREIGN AFFAIRS

Union for the Mediterranean summit

The Council took note of preparations with a view to the Union for the Mediterranean summit to be held in Barcelona on 20 and 21 November.

The summit will be an opportunity for the EU and its Mediterranean partners to confirm the commitment undertaken at the Paris summit in 2008 ([11887/08](#)) and to carry forward the Union for the Mediterranean towards a space of peace, stability, prosperity and dialogue.

EU/Morocco agreement on participation in EU programmes

The Council adopted a decision approving the signing of a protocol to the Euro-Mediterranean agreement with Morocco establishing the general principles for the participation of Morocco in EU programmes ([12710/10](#) and [12711/10](#)).

The text of the protocol will be forwarded to the European Parliament for its consent with a view to the conclusion of the protocol at a later stage.

ECONOMIC AND FINANCIAL AFFAIRS**Cooperation on VAT fraud***

The Council adopted a regulation aimed at enabling the member states to step up their efforts in combating fraud with regard to value-added taxation (VAT) ([12193/10](#) + [13994/10 ADD1](#)). The main innovation involves the creation of Eurofisc, a network of national officials to detect and combat new cases of cross-border VAT fraud.

The Council took also note of a statement in which the representatives of the member states agreed on the organisational and operational details for the functioning of Eurofisc ([12569/10 REV 1](#)).

For more details, see press release [14349/10](#).

EMPLOYMENT POLICY**Mobilisation of the European Globalisation Adjustment Fund for Denmark and Spain**

The Council adopted three decisions mobilising a total amount of EUR 12.0 million under the European Globalisation Adjustment Fund (EGF), providing support for workers made redundant in Denmark and Spain. An amount of EUR 8.89 million is allocated for workers made redundant in three enterprises of the Danish Danfoss Group, and EUR 1.21 million for dismissed workers in the Danish enterprise Linak A/S. A further EUR 1.84 million is intended for workers made redundant in the Spanish textiles and clothing manufacturing sector. The support measures must be co-financed by the member states and include, inter alia, training, professional orientation, job-search and assistance for entrepreneurship.

AGRICULTURE

Health claims and purity criteria on foods

The Council decided not to oppose the adoption of three following Commission's legislative acts:

- a regulation on the authorisation and refusal of authorisation of certain health claims made on foods and referring to the reduction of disease risk and to children's development and health ([12032/10](#));
- a regulation refusing to authorise a health claim made on foods, other than those referring to the reduction of disease risk and to children's development and health ([12031/10](#));
- a directive amending directive 2008/84 laying down specific purity criteria on food additives other than colours and sweeteners ([12134/10](#)).

The three Commission acts are subject to the regulatory procedure with scrutiny. This means that now that the Council has not raised its opposition, the Commission may adopt the acts, unless the European Parliament objects.

ENVIRONMENT

Fuel quality

The Council did not oppose the adoption of a Commission decision updating the permitted vapour pressure waiver for petrol containing bioethanol in annex III of directive 98/70. The modifications took account of a change in a relevant EN ISO standard that now requires rounding to the first decimal place ([12898/10](#)).

INTERNAL MARKET

Motor vehicles - Type-approval safety requirements

The Council decided not to oppose the adoption by the Commission of four regulations on type-approval requirements for certain motor vehicles concerning: windscreen wiper and washer systems; wheel guards; the space for the fixing of rear registration plates and towing devices.

These draft regulations are intended to implement regulation 661/2009 on type-approval requirements for the general safety of motor vehicles.

They are subject to the regulatory procedure with scrutiny. This means that now that the Council has not raised its opposition, the Commission may adopt them, unless the European Parliament objects.

TRANSPORT

Conformity assessments in the railway sector

The Council decided not to oppose the adoption by the Commission of two regulations on common safety methods for the conformity assessments to be undertaken by national authorities when granting safety authorisations to railway infrastructure managers ([12636/10](#)) or safety certificates to railway undertakings ([12637/10](#)).

The Council also did not oppose a Commission decision on modules for assessment of conformity, suitability for use and EC verification to be used in the technical specifications for the interoperability of the European rail system ([12629/10](#) + [12629/10 ADD 1](#)).

These Commission legal acts are subject to the regulatory procedure with scrutiny. This means that now that the Council has not raised its opposition, the Commission may adopt them, unless the European Parliament objects.

Agreement on air services - Indonesia

The Council adopted a decision approving the signing of an agreement with Indonesia on certain aspects of air services.

WRITTEN PROCEDURES

Appointment - Committee of the Regions

On 1 October the Council adopted a decision appointing Dr Martina KROGMANN (Germany) as member of the Committee of the Regions for the remainder of the current term of office, which ends on 25 January 2015 ([14082/1/10](#)).

TRANSPARENCY

Public access to documents

The Council adopted the reply to the confirmatory application made by Mr Greg ARROWSMITH (No 19/c/01/10) ([13158/10](#)).
