



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 22 September 2009 (28.09)
(OR. fr)**

**13254/09
ADD 1**

PV/CONS 45

ADDENDUM to DRAFT MINUTES¹

Subject: **2960th** meeting of the Council of the European Union (**GENERAL AFFAIRS
and EXTERNAL RELATIONS**), held in Brussels on 14 September 2009

¹ The information from the Council minutes which is contained in this addendum is not confidential and may therefore be released to the public.

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Agenda items released to the public concerning the final adoption of Council acts

"A" items: (list: 13099/09 PTS A 37 + ADD 1)

When finally adopting the "A" items relating to legislative acts, the Council agreed to enter the following in these minutes:

12. Council Directive imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products

11297/09 ENER 235

+ COR 1 (hu)

+ COR 2 (fi)

+ COR 3 (bu)

+ REV 1 (nl)

The Council adopted the above Directive. (Legal basis: Article 100 of the Treaty establishing the European Community).

1. Statement by the Netherlands

"The Netherlands welcome the improvements in the EU's oil stocks mechanism that will result from the New Directive, especially the greater convergence between the Community system and the system provided for by the International Energy Agency. Moreover, we are pleased to see that some - in our view - detrimental elements in the initial proposal have been cancelled. These concerned the weekly statistical summary of the commercial stocks and the restrictions on maintaining emergency stocks across borders with the EU. However, the Netherlands are disappointed to see that opportunities to improve the Directive on the important aspect of security of supply have been missed. Under the new Directive, working stocks known as minimum operating requirements can still be used to cover stockholding obligations.

By their very nature, these minimum operating requirements will not contribute to a higher oil supply in the event of a crisis. In close connection to this, large differences will remain in the efforts that Member States make at creating fully available emergency stocks. The Netherlands call upon member states to take these concerns with regard to full availability into account when implementing the Directive."

14. Decision of the European Parliament and of the Council establishing an audiovisual cooperation programme with professionals from third countries (MEDIA Mundus)

PE-CONS 3672/09 AUDIO 24 RELEX 519 CULT 45 COMPET 305

CODEC 790

+ REV 1 (ro)

+ REV 2 (el)

The Council approved the amendment set out in the European Parliament's opinion and adopted the proposed act thus amended. (Legal basis: Articles 150(4) and 157(3) of the Treaty establishing the European Community).

15. Directive of the European Parliament and of the Council amending Directive 2005/35/EC on ship-source pollution and on the introduction of penalties for infringements

PE-CONS 3664/09 DROIPEN 37 MAR 87 ENV 384 CODEC 760

The Council approved the amendment set out in the European Parliament's opinion and adopted the proposed act thus amended. (Legal basis: Article 80(2) of the Treaty establishing the European Community).

2. Statement by Malta

"Although Malta is voting in favour of the compromise package for a consolidated text of the proposed Directive, as set out in the Annex to doc. 9196/09 (dated 28 April 2009), it is doing so on the premise that the determinant criterion for the criminal offence under Article 5a paragraph 3 is the "deterioration in the quality of the water" and that therefore the acceptance of this provision does not constitute an acceptance of the criminalisation of repeated minor offences. Therefore, Malta's acceptance is based on the strict understanding that this does not constitute a precedent in any other instrument providing for criminal offences."

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