

Official Journal

of the European Union

ISSN 1725-2423

C 64 E

Volume 46

18 March 2003

English edition

Information and Notices

Notice No	Contents	Page
	<i>I Information</i>	
	Council	
2003/C 64 E/01	Common Position (EC) No 7/2003 of 21 January 2003 adopted by the Council, acting in accordance with the procedure referred to in Article 251 of the Treaty establishing the European Community, with a view to adopting a Decision of the European Parliament and of the Council on computerising the movement and surveillance of excisable products	1
2003/C 64 E/02	Common Position (EC) No 8/2003 of 21 January 2003 adopted by the Council acting in accordance with the procedure referred to in Article 251 of the Treaty establishing the European Community, with a view to adopting a Decision of the European Parliament and of the Council, amending for the twenty-fifth time, Council Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations (substances classified as carcinogens, mutagens or substances toxic to reproduction — c/m/r) ⁽¹⁾	6
2003/C 64 E/03	Common Position (EC) No 9/2003 of 3 February 2003 adopted by the Council, acting in accordance with the procedure referred to in Article 251 of the Treaty establishing the European Community, with a view to adopting a Decision of the European Parliament and of the Council adopting a multiannual programme for action in the field of energy: 'Intelligent Energy — Europe' (2003 to 2006) ⁽¹⁾	13
2003/C 64 E/04	Common Position (EC) No 10/2003 of 6 February 2003 adopted by the Council, acting in accordance with the procedure referred to in Article 251 of the Treaty establishing the European Community, with a view to adopting a Decision of the European Parliament and of the Council laying down a series of guidelines for trans-European energy networks and repealing Decision No 1254/96/EC	22

EN

⁽¹⁾ Text with EEA relevance

I

(Information)

COUNCIL

COMMON POSITION (EC) No 7/2003

adopted by the Council on 21 January 2003

**with a view to adopting Decision No .../2003/EC of the European Parliament and of the Council
of ... relating to computerising the movement and surveillance of excisable products**

(2003/C 64 E/01)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE
EUROPEAN UNION,

Having regard to the Treaty establishing the European
Community, and in particular Article 95 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the Opinion of the European Economic and
Social Committee ⁽²⁾,

Acting in accordance with the procedure provided for in
Article 251 of the Treaty ⁽³⁾,

Whereas:

- (1) Council Directive 92/12/EEC of 25 February 1992 on the general arrangements for products subject to excise duty and on the holding, movement and monitoring of such products ⁽⁴⁾ provides that products moving between the territories of the Member States under excise-duty suspension arrangements must be accompanied by a document completed by the consignor.
- (2) Commission Regulation (EEC) No 2719/92 of 11 September 1992 on the accompanying document for the movement under duty-suspension arrangements of products subject to excise duty ⁽⁵⁾ lays down the form and content of the accompanying document provided for in Directive 92/12/EEC.
- (3) It is necessary to have a computerised system for monitoring the movement of excisable goods, such as will allow Member States to obtain real-time information on those movements and to carry out the requisite checks, including checks during movement of products, within the meaning of Article 15 of Directive 92/12/EEC.
- (4) The setting up of a computer system should also allow the intra-Community movement of goods under suspension of excise duties to be simplified.
- (5) For the purposes of implementing this Decision, the Commission should coordinate Member States' activities, so as to ensure the smooth operation of the internal market.
- (6) Because of the size and complexity of such a computerised system, both the Community and the Member States will need considerable additional human and financial resources for the purpose. Accordingly, provision should be made whereby the Commission and the Member States make the necessary resources available for the development and deployment of the system.
- (7) The division between the Community and non-Community components of the computerised system should also be defined, as should the respective duties of the Commission and the Member States with regard to the system's development and deployment. In that context, the Commission, assisted by the relevant Committee, should fulfil a major role in coordinating, organising and managing the system.
- (8) Arrangements should be made for evaluating the implementation of the computerised system for monitoring excisable goods.
- (9) The funding of the system should be shared between the Community and the Member States, the Community's share being specifically entered as such in the general budget of the European Union.
- (10) Establishing the computerised system serves to enhance the internal-market aspects of the movement of excisable goods. Any fiscal aspects relating to the movement of excisable goods should be addressed by amending Directive 92/12/EEC. This Decision does not prejudice the legal basis of any future amendments to Directive 92/12/EEC.
- (11) This Decision lays down, for the entire period needed for the development and the deployment of the system, a financial framework constituting the prime reference within the meaning of Point 33 of the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure ⁽⁶⁾, for the budgetary authority during the annual budgetary procedure.

⁽¹⁾ OJ C 51 E, 26.2.2002, p. 372.

⁽²⁾ OJ C 221, 17.9.2002, p. 1.

⁽³⁾ European Parliament Opinion of 24 September 2002 (not yet published in the Official Journal), Council Common Position of 21 January 2003 and European Parliament Decision of ... (not yet published in the Official Journal).

⁽⁴⁾ OJ L 76, 23.3.1992, p. 1. Directive as last amended by Directive 2000/47/EC (OJ L 193, 29.7.2000, p. 73).

⁽⁵⁾ OJ L 276, 19.9.1992, p. 1. Regulation as amended by Regulation (EEC) No 2225/93 (OJ L 198, 7.8.1993, p. 5).

⁽⁶⁾ OJ C 172, 18.6.1999, p. 1.

- (12) The measures necessary for the implementation of this Decision should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾,

HAVE ADOPTED THIS DECISION:

Article 1

1. A computerised system for the movement and surveillance of excisable products of the kind referred to in Article 3(1) of Directive 92/12/EEC, hereinafter referred to as 'the computerised system', is hereby established.

2. The computerised system is intended to:

- (a) permit the electronic transmission of the accompanying document provided for in Regulation (EEC) No 2719/92, and the improvement of checks;
- (b) improve the functioning of the internal market, by simplifying the intra-Community movement of products under excise duty suspension arrangements, and by affording Member States the possibility of monitoring the flows in real time and of carrying out the requisite checks where necessary.

Article 2

Member States and the Commission shall establish the computerised system within six years of the entry into force of this Decision.

Activities relating to the initiation of application of the computerised system shall begin not later than twelve months after the entry into force of this Decision.

Article 3

The computerised system shall be made up of Community and non-Community components.

The Community components of the system shall be the common specifications, the technical products, the services of the Common Communications Network/Common Systems Interface network, and the coordination services used by all the Member States, to the exclusion of any variant or special feature of any such services designed to meet national requirements.

The non-Community components of the system shall be the national specifications, the national databases forming part of the system, network connections between Community and non-Community components and any software or equipment which a Member State considers necessary to ensure full use of the system throughout its administration.

Article 4

1. The Commission, acting in accordance with the procedure provided for in Article 7(2), shall coordinate the setting up and running of the Community and non-Community components of the computerised system, and in particular:

- (a) the infrastructure and tools needed to guarantee the system's internal links and overall interoperability;
- (b) the instruments for the exploitation of data to combat fraud.

2. To achieve the aims of paragraph 1, the Commission shall conclude the necessary contracts for setting up the Community components of the computerised system and shall, in cooperation with the Member States meeting within the Committee referred to in Article 7(1), draw up a master plan and management plans required for the establishment and running of the system.

The master plan and the management plans shall specify the initial and routine tasks which the Commission and each Member State are to perform. The management plans shall specify the completion dates for the tasks required for carrying out each project identified in the master plan.

Article 5

1. Member States shall ensure that they complete, by the date specified in the management plans mentioned in Article 4(2), the initial and routine tasks allocated to them.

They shall report to the Commission the results of each task and the date of its completion. The Commission shall in turn inform the Committee referred to in Article 7(1) thereof.

2. No Member State shall take any action relating to the setting up or running of the computerised system that might affect the system's internal links and overall interoperability or its functioning as a whole.

Any measure that a Member State might wish to take and that could affect either the computerised system's internal links and overall interoperability or its functioning as a whole shall be taken only with the prior agreement of the Commission, acting in accordance with the procedure provided for in Article 7(2).

3. Member States shall inform the Commission regularly of any measure they may have taken to enable their respective administrations to make full use of the computerised system. The Commission shall in turn inform the Committee referred to in Article 7(1) thereof.

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

Article 6

The measures necessary for the implementation of this Decision relating to the setting up and running of the computerised system and to the matters referred to in Article 4(1) and in Article 5(2) second subparagraph shall be adopted in accordance with the procedure provided for in Article 7(2). These implementing measures shall not affect the Community provisions in relation to the raising and checking of indirect taxes or administrative cooperation and mutual assistance in matters of indirect taxation.

Article 7

1. The Commission shall be assisted by the Committee on Excise Duties set up under Article 24 of Directive 92/12/EEC.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its rules of procedure.

Article 8

1. The Commission shall take whatever other steps are necessary to verify that the measures financed from the general budget of the European Union are being carried out correctly and in compliance with the provisions of this Decision.

It shall regularly, in collaboration with the Member States, meeting in the Committee referred to in Article 7(1), monitor the various development and deployment stages of the computerised system with a view to determining whether the objectives pursued have been achieved, and to issuing guidelines on how to raise the effectiveness of the activities involved in implementing the computerised system.

2. Thirty months after the entry into force of this Decision, the Commission shall submit to the Committee referred to in Article 7(1) an interim report on the monitoring operations. If appropriate, this report shall set out methods and criteria to be used in the later evaluation of how the computerised system is functioning.

3. At the end of the six-year period referred to in the first subparagraph of Article 2, the Commission shall present to the European Parliament and the Council a report on the implementation of the computerised system. The report shall set out, inter alia, the methods and criteria to be used in the later evaluation of how the system is functioning.

Article 9

The countries that have applied for membership of the European Union shall be kept informed by the Commission of the development and deployment of the computerised system and may take part in the tests to be carried out.

Article 10

1. The costs of setting up the computerised system shall be split between the Community and the Member States in accordance with paragraphs 2 and 3.

2. The Community shall bear the costs of the design, acquisition, installation and maintenance of the Community components of the computerised system and the ongoing operating costs of those Community components installed in Commission premises, or in those of a subcontractor designated by the Commission.

3. Member States shall bear the costs of setting up and running the non-Community components of the system and the ongoing operating costs of those Community components installed in their premises, or in those of a subcontractor designated by the Member State concerned.

Article 11

1. The financial framework for financing the computerised system for the period defined in the first subparagraph of Article 2 is hereby set at EUR 35 000 000 insofar as the general budget of the European Union is concerned.

The annual appropriations, including appropriations assigned to the use and operation of the system after the above implementation period, shall be authorised by the budgetary authority within the limits of the financial perspective.

2. Member States shall estimate and make available the budgets and human resources needed to meet their obligations described in Article 5. The Commission and the Member States shall provide the human, budgetary and technical resources needed to establish and run the computerised system.

Article 12

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Article 13

This Decision is addressed to the Member States.

Done at Brussels, ...

For the European Parliament
The President

For the Council
The President

STATEMENT OF THE COUNCIL'S REASONS

I. INTRODUCTION

1. On 20 November 2001 the Commission sent the Council a proposal for a Decision of the European Parliament and of the Council on computerising the movement and surveillance of excisable products.
2. The European Parliament delivered its Opinion on this proposal at first reading on 24 September 2002.
3. The Economic and Social Committee delivered its Opinion on 29 May 2002.
4. The Council adopted its common position under Article 251 of the Treaty on 21 January 2003.
5. On 20 December 2002 the Commission submitted an amended proposal in accordance with Article 250(2) of the Treaty.

II. OBJECTIVE OF THE PROPOSAL

The purpose of the proposal is to set up a system for computerising the movement and surveillance of excisable products.

III. ANALYSIS OF THE COMMON POSITION

Although the Council supports the objective of the Commission's proposal, the common position differs from this proposal,

— as regards the timetable

- the date of entry into force of the Decision is fixed on the day of its publication in the Official Journal (Art. 12)
- the period in which the Member States and the Commission must introduce the computerised system is six years from the date of entry into force of the Decision (Art. 2, first paragraph)
- activities relating to the initiation of application of the system begin not later than 12 months (instead of nine months) after the entry into force of the Decision (Art. 2, second paragraph)

— as regards the scope

In order to define the scope of the proposal and to clarify ambiguities regarding effects on tax legislation, the Council decided

- to reword points (b) and (c) of Article 1(2) so that the new point (b) aims to improve the operation of the internal market by simplifying intra-Community movements of products under excise-duty suspension arrangements and enabling the Member States to monitor the flow in real time and to carry out checks where necessary
- to make drafting amendments to Article 4, especially to paragraph 1(b), stating that the purpose of the computerised system is to set up the necessary instruments for the exploitation of data to combat fraud.

— as regards the management procedure

With a view to simplification, the Council has designated as the only competent committee responsible for project management the Committee on Excise Duties introduced by Article 24 of Directive 92/12/EEC.

IV. AMENDMENTS PROPOSED BY THE EUROPEAN PARLIAMENT

The common position adopted by the Council included as such, in part or in substance, five of the eleven amendments adopted by the European Parliament:

- *Amendments 1 and 7*: on the need to make the computerised system for movement and surveillance of excisable products consistent with the new computerised transit system. Most of this objective has been adopted by the Council in a statement to be entered in the Council minutes.
- *Amendment 5*: concerning the replacement in the English version of the concept 'special reference' by 'prime reference'.
- *Amendment 6*: concerning the collaboration of the Commission in establishing the computerised system. This objective is adopted in the first paragraph of Article 2.
- *Amendment 11*: concerning the computerisation requirement for countries that have applied for membership. For budgetary reasons, it was not deemed useful to make it mandatory, prior to accession, for Member States to take part in tests effected under this Decision.

The Council rejected amendments 2, 3, 4, 8, 9 and 10.

- *Amendments 2 and 8*: these amendments were not adopted; the arrangements referred to therein should be left to the Member States' discretion.
 - *Amendments 3 and 9*: it was not deemed useful to adopt these amendments, as the security aspects are covered in Article 3, first paragraph, by the term 'specifications'.
 - *Amendment 4*: it was not deemed necessary to introduce intermediate applications, as the proposal aimed at setting up a comprehensive system.
 - *Amendment 10*: goes beyond the scope of the proposal, since the amendment involves changes to the tax legislation of the Member States; the arrangements provided for by this amendment fall within the scope of Directive 92/12/EEC.
-

COMMON POSITION (EC) No 8/2003**adopted by the Council on 21 January 2003**

with a view to adopting Directive 2002/.../EC of the European Parliament and of the Council of ... amending for the twenty-fifth time, Council Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations (substances classified as carcinogens, mutagens or substances toxic to reproduction — c/m/r)

(2003/C 64 E/02)

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽³⁾,

Whereas:

(1) Council Directive 76/769/EEC ⁽⁴⁾ lays down restrictions on the marketing and use of certain dangerous substances and preparations.

(2) The measures provided for in this Directive fall within the framework of the action plan in Decision No 646/96/EC of the European Parliament and of the Council of 29 March 1996 adopting an action plan to combat cancer within the framework for action in the field of public health (1996 to 2000) ⁽⁵⁾.

(3) In order to improve health protection and consumer safety, substances classified as carcinogenic, mutagenic or toxic to reproduction, and preparations containing them should not be placed on the market for use by the general public.

(4) Directive 94/60/EC of the European Parliament and of the Council of 20 December 1994 amending for the fourteenth time Directive 76/769/EEC ⁽⁶⁾ establishes, in the form of an Appendix concerning points 29, 30 and 31 of Annex I to Directive 76/769/EEC, a list containing substances classified as carcinogenic, mutagenic or toxic to reproduction of category 1 or 2. Such substances and preparations containing them should not be placed on the market for use by the general public.

(5) Directive 94/60/EC envisaged that the said list would be extended shortly after publication of an adaptation to technical progress of Annex I to Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances ⁽⁷⁾ which lists substances classified as carcinogenic, mutagenic or toxic to reproduction of category 1 or 2.

(6) Commission Directive 2001/59/EC ⁽⁸⁾ which adapted to technical progress for the twenty-eighth time Council Directive 67/548/EEC, and more particularly Annex I thereto, lists two substances newly classified as carcinogenic category 1, nineteen substances newly classified as carcinogenic category 2, five substances newly classified as mutagenic category 2, one substance newly classified as toxic to reproduction category 1 and sixteen substances newly classified as toxic to reproduction category 2.

(7) Those substances should be added to the list in the appendix to Annex I to Directive 76/769/EEC.

(8) The risks and advantages of the substances newly classified, by Directive 2001/59/EC, as carcinogenic, mutagenic and toxic to reproduction of category 1 or 2 have been taken into account.

⁽¹⁾ OJ C 126 E, 28.5.2002, p. 398.

⁽²⁾ OJ C 221, 17.9.2002, p. 8.

⁽³⁾ Opinion of the European Parliament of 11 June 2002 (not yet published in the Official Journal), Council Common Position of 21 January 2003 and European Parliament Decision of ... (not yet published in the Official Journal).

⁽⁴⁾ OJ L 262, 27.9.1976, p. 201. Directive as last amended by Commission Directive 2002/62/EC (OJ L 183, 12.7.2002, p. 58).

⁽⁵⁾ OJ L 95, 16.4.1996, p. 9. Decision repealed on 31 December 2002 by Decision No 1786/2002/EC (OJ L 271, 9.10.2002, p. 1).

⁽⁶⁾ OJ L 365, 31.12.1994, p. 1.

⁽⁷⁾ OJ 196, 16.8.1967, p. 1. Directive as last amended by Commission Directive 2001/59/EC (OJ L 225, 21.8.2001, p. 1).

⁽⁸⁾ OJ L 225, 21.8.2001, p. 1.

(9) This Directive shall apply without prejudice to Community legislation laying down minimum requirements for the protection of workers contained in Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work ⁽¹⁾, and individual directives based thereon, in particular Council Directive 90/394/EEC of the 28 June 1990 on the protection of workers from the risks related to exposure to carcinogens at work ⁽²⁾,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

The substances listed in the Annex to this Directive shall be added to those substances listed in the appendix concerning points 29, 30 and 31 of Annex I to Directive 76/769/EEC. The substances listed in the Annex to this Directive in point 1(c) shall be deleted from list 2 of point 29 of Annex I to Directive 76/769/EEC.

Article 2

1. Member States shall adopt and publish the laws, regulations and administrative provisions necessary to comply

with this Directive by ... (*). They shall forthwith inform the Commission thereof.

They shall apply those provisions from ... (**).

2. When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

Article 3

This Directive shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Article 4

This Directive is addressed to the Member States.

Done at ...

For the European Parliament
The President

For the Council
The President

⁽¹⁾ OJ L 183, 29.6.1989, p. 1.

⁽²⁾ OJ L 196, 26.7.1990, p. 1. Directive as last amended by Council Directive 1999/38/EC (OJ L 138, 1.6.1999, p. 66).

(*) One year after the date of entry into force of this Directive.

(**) 18 months after the date of entry into force of this Directive.

ANNEX

The Appendix to Annex I to Directive 76/769/EEC is amended as follows:

1. The lists under the heading 'Point 29 — Carcinogens' are amended as follows:

(a) In the list for category 1, the following are added:

Substances	Index number	EC number	CAS number	Notes
Butane [containing $\geq 0,1$ % Butadiene (203-450-8)] [1]	601-004-01-8	203-448-7 [1]	106-97-8 [1]	C, S
Isobutane [containing $\geq 0,1$ % Butadiene (203-450-8)] [2]		200-857-2 [2]	75-28-5 [2]	
1,3-Butadiene; Buta-1,3-diene	601-013-00-X	203-450-8	106-99-0	D

(b) In the list for category 2, the following are added:

Substances	Index number	EC number	CAS number	Notes
Beryllium oxide	004-003-00-8	215-133-1	1304-56-9	E
Sodium chromate	024-018-00-3	231-889-5	7775-11-3	E
Trichloroethylene; Trichloroethene	602-027-00-9	201-167-4	79-01-6	
α -Chlorotoluene; Benzyl chloride	602-037-00-3	202-853-6	100-44-7	E
2,3-Dibromopropan-1-ol; 2,3-Dibromo-1-propanol	602-088-00-1	202-480-9	96-13-9	E
Propylene oxide; 1,2-Epoxypropane; Methyloxirane	603-055-00-4	200-879-2	75-56-9	E
Phenyl glycidyl ether; 2,3-Epoxypropyl phenyl ether; 1,2-Epoxy-3-phenoxypropane	603-067-00-X	204-557-2	122-60-1	E
Furan	603-105-00-5	203-727-3	110-00-9	E
R-2,3-Epoxy-1-propanol	603-143-00-2	404-660-4	57044-25-4	E
(R)-1-Chloro-2,3-epoxypropane	603-166-00-8	424-280-2	51594-55-9	
2,3-Dinitrotoluene	609-050-00-3	210-013-5	602-01-7	E
3,4-Dinitrotoluene	609-051-00-9	210-222-1	610-39-9	E
3,5-Dinitrotoluene	609-052-00-4	210-566-2	618-85-9	E
2,5-Dinitrotoluene	609-055-00-0	210-581-4	619-15-8	E
6-Hydroxy-1-(3-isopropoxypropyl)-4-methyl-2-oxo-5-[4-(phenylazo)phenylazo]-1,2-dihydro-3-pyridinecarbonitrile	611-057-00-1	400-340-3	85136-74-9	
(6-(4-Hydroxy-3-(2-methoxyphenylazo)-2-sulfonato-7-naphthylamino)-1,3,5-triazin-2,4-diyl)bis[(amino-1-methylethyl)-ammonium] formate	611-058-00-7	402-060-7	108225-03-2	

Substances	Index number	EC number	CAS number	Notes
Trisodium-[4'-(8-acetylamino-3,6-disulfonato-2-naphthylazo)-4''-(6-benzoylamino-3-sulfonato-2-naphthylazo)biphenyl-1,3',3'',1'''-tetraolato-O, O', O'', O''']cop- per(II)	611-063-00-4	413-590-3	—	
Phenylhydrazine [1]	612-023-00-9	202-873-5 [1]	100-63-0 [1]	E
Phenylhydrazinium chloride [2]		200-444-7 [2]	59-88-1 [2]	
Phenylhydrazine hydrochloride [3]		248-259-0 [3]	27140-08-5 [3]	
Phenylhydrazinium sulphate (2:1) [4]		257-622-2 [4]	52033-74-6 [4]	
A mixture of: N-[3-hydroxy-2-(2-methylacryloylamino-methoxy)propoxymethyl]-2-methylacrylamide; N-[2,3-Bis-(2-methylacryloylamino-methoxy)propoxymethyl]-2-methylacrylamide; Methacrylamide; 2-Methyl-N-(2-methylacryloylaminomethoxymethyl)-acrylamide; N-(2,3-Dihydroxypropoxymethyl)-2-methylacrylamide	616-057-00-5	412-790-8	—	

(c) In the list for category 2, the following are deleted:

Substances	Index number	EC number	CAS number	Notes
Butane [containing $\geq 0,1$ % Butadiene (203-450-8)] [1]	601-004-01-8	203-448-7 [1]	106-97-8 [1]	C, S
Isobutane [containing $\geq 0,1$ % Butadiene (203-450-8)] [2]		200-857-2 [2]	75-28-5 [2]	
1,3-Butadiene; Buta-1,3-diene	601-013-00-X	203-450-8	106-99-0	D

2. Under the heading 'Point 30 — Mutagens' in the list for category 2, the following are added:

Substances	Index number	CE number	CAS number	Notes
Sodium chromate	024-018-00-3	231-889-5	7775-11-3	E
Butane [containing 0,1 % Butadiene (203-450-8)] [1]	601-004-01-8	203-448-7 [1]	106-97-8 [1]	C, S
Isobutane [containing $\geq 0,1$ % Butadiene (203-450-8)] [2]		200-857-2 [2]	75-28-5 [2]	
1,3-Butadiene Buta-1,3-diene	601-013-00-X	203-450-8	106-99-0	D
Propylene oxide; 1,2-Epoxypropane; Methyloxirane	603-055-00-4	200-879-2	75-56-9	E
1,3,5-Tris-[(2S and 2R)-2,3-epoxypropyl]-1,3,5-triazine-2,4,6-(1H,3H,5H)-trione	616-091-00-0	423-400-0	59653-74-6	E

3. The lists under the heading 'Point 31 — Toxic to reproduction' are amended as follows:

(a) In the list for category 1, the following is added:

Substances	Index number	CE number	CAS number	Notes
2-Bromopropane	602-085-00-5	200-855-1	75-26-3	E

(b) In the list for category 2, the following are added::

Substances	Index number	CE number	CAS number	Notes
Flusilazole (ISO); Bis(4-fluorophenyl)-(methyl)-(1H-1,2,4-triazol-1-ylmethyl)-silane	014-017-00-6	—	85509-19-9	E
A mixture of: 4-[[Bis-(4-fluorophenyl)-methylsilyl]methyl]-4H-1,2,4-triazole; 1-[[Bis-(4-fluorophenyl)methyl-silyl]methyl]-1H-1,2,4-triazole	014-019-00-7	403-250-2	—	E
Bis(2-methoxyethyl) ether	603-139-00-0	203-924-4	111-96-6	
R-2,3-Epoxy-1-propanol	603-143-00-2	404-660-4	57044-25-4	E
Fluazifop-butyl (ISO); Butyl (RS)-2-[4-(5-trifluoromethyl-2-pyridyloxy)phenoxy]propionate	607-304-00-8	274-125-6	69806-50-4	
Vinclozolin (ISO); N-3,5-Dichlorophenyl-5-methyl-5-vinyl-1,3-oxazolidine-2,4-dione	607-307-00-4	256-599-6	50471-44-8	
Methoxyacetic acid	607-312-00-1	210-894-6	625-45-6	E
Bis(2-ethylhexyl) phthalate; Di-(2-ethylhexyl) phthalate; DEHP	607-317-00-9	204-211-0	117-81-7	
Dibutyl phthalate; DBP	607-318-00-4	201-557-4	84-74-2	
(±) Tetrahydrofurfuryl (R)-2-[4-(6-chloroquinoxalin-2-yloxy)phenoxy]propionate	607-373-00-4	414-200-4	119738-06-6	E
Flumioxazin (ISO); N-(7-Fluoro-3,4-dihydro-3-oxo-4-prop-2-ynyl-2H-1,4-benzoxazin-6-yl)cyclohex-1-ene-1,2-dicarboxamide	613-166-00-X	—	103361-09-7	
(2RS,3RS)-3-(2-Chlorophenyl)-2-(4-fluorophenyl)-[(1H-1,2,4-triazol-1-yl)-methyl]oxirane	613-175-00-9	406-850-2	106325-08-0	
N, N-Dimethylacetamide	616-011-00-4	204-826-4	127-19-5	E
Formamide	616-052-00-8	200-842-0	75-12-7	
N-Methylacetamide	616-053-00-3	201-182-6	79-16-3	
N-Methylformamide	616-056-00-X	204-624-6	123-39-7	E

STATEMENT OF THE COUNCIL'S REASONS

I. INTRODUCTION

1. On 12 February 2002, the Commission presented a proposal for a European Parliament and Council Directive amending for the 25th time Council Directive 76/769/EEC relating to restrictions on the marketing and use of certain dangerous substances and preparations (substances classified as carcinogens, mutagens or substances toxic to reproduction — CMR) ⁽¹⁾.

The proposal is based on Article 95 of the Treaty.

2. The European Parliament adopted its Opinion at first reading on 11 June 2002 ⁽²⁾.
3. The Economic and Social Committee delivered its Opinion on 29 May 2002 ⁽³⁾.
4. On 21 January 2003, the Council adopted its common position in accordance with Article 251 of the Treaty.

II. AIM

The aim of the Commission's proposal is to add to Annex I of Directive 76/769/EEC a list of substances classified as category 1 or 2 carcinogens, mutagens or substances toxic to reproduction. The proposal stipulates that these substances may not be used in substances and preparations placed on the market for sale to the general public.

III. ANALYSIS OF THE COMMON POSITION

1. The Council has been examining the proposal since spring 2002. The Council's Common Position is in substance identical to the Commission's proposal.
2. On 11 June 2002, the European Parliament adopted 5 amendments, proposing to extend the restrictions to articles and requesting the Commission to present proposals to this effect by the end of 2002. In addition, the Parliament proposed to end the exemption for CMR substances in cosmetics.
3. As concerns *amendments 5 and 3 + 6, second part*, the Council, in general, shares the concern of the European Parliament in relation to CMR substances in articles/products. However, the Council cannot agree to an extension of the scope of application of the Directive as proposed by the Parliament without basing it on scientific evaluation or a risk assessment. According to the current legislative framework, it is for the Member States and the Commission to determine, on the basis of a risk assessment, whether substances and preparations and articles containing them pose a risk to public health or the environment. In this respect, it should be recalled that a very high number of CMR substances exists and that these are contained in an indefinite number of products. A product based approach to CMR substances would thus, under the current legislative framework, be impossible to apply in practice.

Furthermore the Council considers that the proposed restrictions on certain CMR substances *and* preparations containing them provide adequate measures to limit the use of those CMR substances, and that these measures should be adopted without delay. Consequently, the Council cannot endorse these amendments by the Parliament and has rejected them.

⁽¹⁾ OJ C 126 E, 28.5.2002, p. 398.

⁽²⁾ OJ: not yet published.

⁽³⁾ OJ C 221, 17.9.2002, p. 8.

Finally, it should be noted that the issue of chemicals in products will be addressed in the context of the development of a new chemicals policy. It is the view of the Council that the envisaged measures in the new chemicals policy will considerably improve the effectiveness of the management of risks relating to dangerous substances, including CMR substances in articles.

4. In relation to *amendments 1, 2 and 3 + 6, first part*, the Council agrees with the aim of the Parliament of ensuring that the CMR substances restricted under the Dangerous Substances Directive should be subject to the same restrictions in cosmetic products. However, the Council is of the opinion that CMR substances in cosmetics should be dealt with in the framework of the Cosmetics Directive (Directive 76/768/EEC) and therefore cannot accept the amendments proposed by the Parliament.

It should be recalled that in the context of the 7th amendment of the Cosmetics Directive, the Parliament and the Council have, subject to final approval, agreed that all CMR substances, category 1 and 2, should be banned.

COMMON POSITION (EC) No 9/2003**adopted by the Council on 3 February 2003****with a view to the adopting Decision No .../2003/EC of the European Parliament and of the Council of ... adopting a multiannual programme for action in the field of energy: 'Intelligent Energy — Europe' (2003 to 2006)**

(2003/C 64 E/03)

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 175(1) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the Opinion of the European Economic and Social Committee ⁽²⁾,

Having regard to the Opinion of the Committee of the Regions ⁽³⁾,

Acting in accordance with the procedure provided for in Article 251 of the Treaty ⁽⁴⁾,

Whereas:

- (1) Natural resources, the prudent and rational utilisation of which is provided for in Article 174 of the Treaty, include, apart from renewable energy sources, oil, natural gas and solid fuels, which are essential energy sources but are also the main sources of carbon dioxide emissions. Promoting measures at international level to deal with regional or world-wide environmental problems is one of the aims of that Article.
- (2) The Commission communication entitled 'A sustainable Europe for a better world: A European Union strategy for sustainable development', presented to the Gothenburg European Council of 15 and 16 June 2001, includes greenhouse gas emissions and pollution caused by transport among the main obstacles to sustainable development. Overcoming these obstacles means adopting a new approach to Community policies to bring them closer to individual citizens and businesses in order to change patterns of consumption and investment.

⁽¹⁾ OJ C 203 E, 27.8.2002, p. 47.

⁽²⁾ Opinion delivered on 18 September 2002 (OJ C 61, 14.3.2003, p. 38).

⁽³⁾ Opinion delivered on 20 November 2002 (not yet published in the Official Journal).

⁽⁴⁾ Opinion of the European Parliament of 20 November 2002 (not yet published in the Official Journal), Council Common Position of 3 February 2003 and Decision of the European Parliament of ... (not yet published in the Official Journal).

- (3) The Gothenburg European Council adopted a strategy for sustainable development and added an environmental dimension to the Lisbon process for employment, economic reform and social cohesion.

- (4) Measures relating to energy efficiency and renewable energy sources are important elements of the action needed to comply with the provisions of the Kyoto Protocol, as provided for in the European Climate Change Programme (ECCP). Physical changes observed throughout Europe and elsewhere in the world highlight the need for urgent action.

- (5) The Green Paper entitled 'Towards a European Strategy for the Security of Energy Supply' notes that the European Union is becoming increasingly dependent on external energy sources and that its dependence could rise to 70 % in 20 to 30 years' time (compared with 50 % at present) and therefore stresses the need to balance supply policy against clear action for a demand policy and calls for a genuine change in consumers' behaviour so as to orientate demand towards better managed, more efficient and more environmentally friendly consumption, particularly in the transport and building sectors, and to give priority to the development of new and renewable sources on the energy supply side in order to respond to the challenge of global warming.

- (6) In its Resolution on the Green Paper 'Towards a European Strategy for the Security of Energy Supply' ⁽⁵⁾, the European Parliament identified energy efficiency and savings as first priority. It called for the promotion of an 'intelligent' approach to energy use, making Europe the most energy-efficient economy in the world.

- (7) The Communication from the Commission on an action plan to improve energy efficiency in the European Community provides for the improvement of energy efficiency by an additional 1 % a year compared with the figure of 0,6 % which corresponds to the trend recorded over the last ten years. If this target is met, two-thirds of the energy-saving potential, which is estimated at 18 % of total consumption, could be realised by 2010. The action plan proposes legislative measures and supporting actions. The implementation of the action plan also requires the setting-up of efficient systems for monitoring and follow-up.

⁽⁵⁾ OJ C 140 E, 13.6.2002, p. 543.

- (8) The Communication from the Commission entitled 'Energy for the future: renewable sources of energy — White Paper for a Community strategy and action plan' — recommends an indicative target of 12 % of energy from renewable sources in gross internal consumption in the Community by 2010. The Council, in its Resolution of 8 June 1998 on renewable energy sources ⁽¹⁾, and the European Parliament, in its Resolution on the White Paper, underlined the need for a substantial, sustained increase in the utilisation of renewable energy sources in the Community and endorsed the strategy and action plan proposed by the Commission, including the strengthening of programmes to support renewable sources. The action plan provides for measures to support the promotion and development of renewable energy sources. The Communication from the Commission on the implementation of the Community strategy and action plan for renewable energy sources (1998-2000) notes the progress which has been made, but stresses that further efforts are needed at Community and national level to attain these objectives, in particular new legislation on renewable energy sources and their promotion.
- (9) Directive 2001/77/EC of the European Parliament and of the Council of 27 September 2001 on the promotion of electricity produced from renewable energy sources in the internal electricity market ⁽²⁾ requires Member States to set national indicative targets consistent with the Community global indicative target of 12 % of gross national energy consumption by 2010 and in particular with the 22,1 % indicative share of electricity produced from renewable energy sources in total Community electricity consumption by 2010.
- (10) The Resolution on the use of renewable energy sources in the ACP States ⁽³⁾ adopted by the ACP-EU Joint Parliamentary Assembly on 1 November 2001 'calls on the Commission to include sustainable energy supplies, in particular through energy efficiency and the use of renewable forms of energy, as a priority action field in the new development policy strategy'.
- (11) The 'Final Implementation Plan' of the World Summit on Sustainable Development, agreed on 2 September 2002, committed the signatory countries, including the EU, to making efforts to:
- increase substantially the global share of renewable energy sources in the energy mix,
 - create a level playing field for renewable energy sources with respect to other energy sources,
 - promote increased research and development in renewable energy sources, energy efficiency and cleaner conventional fuel technologies, and
 - provide developing countries with financial resources to develop energy expertise, including renewable energy sources, energy efficiency and cleaner conventional fuel technologies,
- with the aim of achieving sustainable development.
- (12) The EU partnership initiative 'Energy Initiative for poverty eradication and sustainable development' launched on 1 September 2002 is based on better energy efficiency and the increased use of renewable energy sources, and several developing countries and regional organisations, as well as private sector and civil society organisations, have already associated themselves with this initiative, the principles and strategy of which are laid out in the 'Commission Communication on Energy cooperation with the developing countries'.
- (13) Since many Community measures on energy efficiency, in particular the labelling of electrical, electronic, office and communications equipment and the standardisation of lighting, heating and air-conditioning equipment, are not binding on the Member States, there is a need for specific promotion programmes at Community level to create the conditions for moving towards sustainable energy systems.
- (14) The same applies to the Community measures to achieve greater market penetration for renewable energy sources, in particular the standardisation of equipment which produces or consumes renewable energy sources.
- (15) Council Decision 1999/21/EC, Euratom of 14 December 1998 adopting a multiannual framework programme for actions in the energy sector (1998-2002) and related measures ⁽⁴⁾, the Decisions on the specific programmes, namely Council Decision 1999/22/EC of 14 December 1998 adopting a multiannual programme of studies, analyses, forecasts and other related work in the energy sector (1998-2002) ⁽⁵⁾ — ETAP programme, Council Decision 1999/23/EC of 14 December 1998 adopting a multiannual framework programme to promote international cooperation in the energy sector (1998-2002) ⁽⁶⁾ — Synergy programme, Council Decision 1999/24/EC,

⁽¹⁾ OJ C 198, 24.6.1998, p. 1.

⁽²⁾ OJ L 283, 27.10.2001, p. 33.

⁽³⁾ OJ C 78, 2.4.2002, p. 35.

⁽⁴⁾ OJ L 7, 13.1.1999, p. 16.

⁽⁵⁾ OJ L 7, 13.1.1999, p. 20.

⁽⁶⁾ OJ L 7, 13.1.1999, p. 23.

Euratom of 14 December 1998 adopting a multiannual programme of technical actions promoting the clean and efficient use of solid fuels (1998-2002) ⁽¹⁾ — CARNOT programme, Council Decision 1999/25/Euratom of 14 December 1999 adopting a multiannual programme (1998-2002) of actions in the nuclear sector relating to the safe transport of radioactive materials and to safeguards and industrial cooperation to promote certain aspects of the safety of nuclear installations in the countries currently participating in the TACIS Programme ⁽²⁾ — SURE programme, Decision 646/2000/EC of the European Parliament and of the Council of 28 February 2000 adopting a multiannual programme for the promotion of renewable energy sources in the Community (1998-2002) ⁽³⁾ — Altener programme, and Decision 647/2000/EC of the European Parliament and of the Council of 28 February 2000 adopting a multiannual programme for the promotion of energy efficiency (1998-2002) ⁽⁴⁾ — SAVE programme expired on 31 December 2002.

- (16) In accordance with Article 5(2) of Decision 1999/21/EC, Euratom, the Commission has had independent experts carry out an external evaluation of the abovementioned framework programme and the specific programmes. In their report, the evaluators recognise the importance of, in particular, the Altener, SAVE, Synergy and ETAP programmes in the context of the implementation of the energy strategy and the Community strategy for sustainable development. They note the lack of resources for these programmes, given the genuine needs, and suggest they should be increased.
- (17) Taking into account the Community strategy for sustainable development and the results of the framework programme evaluations, steps should be taken to strengthen Community support in those energy fields that contribute to sustainable development by grouping them in a single programme — 'Intelligent Energy — Europe' — comprising four specific areas.
- (18) The importance and success of Community support for renewable energy sources in the framework of the Altener programme during the period 1993 to 2002 justifies the inclusion in the present programme of a specific field concerning renewable energy sources — 'Altener'.
- (19) The need to strengthen Community support for the rational use of energy and the success of the SAVE programme during the period 1991-2002 justifies the inclusion in the present programme of a specific field concerning energy efficiency — 'SAVE'.
- (20) Improving energy use in the transport sector, including the diversification of fuels, is extremely important in Community efforts to reduce the negative effects of

transport on the environment. This justifies the inclusion in the 'Intelligent Energy — Europe' programme of a specific field concerning the energy aspects of transport — 'Steer'.

- (21) The need to promote the best practices developed in the Community in the fields of renewable energy sources and energy efficiency, and to transfer them to the developing countries in particular, is one of the Community's priorities as regards international commitments, along with strengthening cooperation on the use of the flexible mechanisms of the Kyoto Protocol. In order to ensure continuity with regard to the former Synergy programme concerning actions in the abovementioned areas, a specific field concerning the promotion of renewable energy sources and energy efficiency in the framework of international promotion — 'Coopener' — should be included in this programme.
- (22) Exchange of know-how, best practice and project results, coordination within the programme and with other Community policies, continuity with existing programmes, stability of rules of participation, sufficient human resources as well as a rapid implementation will be crucial for the success of the 'Intelligent Energy — Europe' programme.
- (23) Gender mainstreaming is an important aspect of all Community programmes and should therefore be taken into account in the framework of the 'Intelligent Energy — Europe' programme.
- (24) This Decision establishes a financial framework for the entire duration of the programme which is to be the principal point of reference for the budgetary authority, within the meaning of point 33 of the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure ⁽⁵⁾.
- (25) Since the objectives of the proposed programme, which concern the implementation of the Community strategy in the fields of energy contributing to sustainable development, cannot be sufficiently achieved by the Member States acting individually since a promotion campaign and exchanges are required, based on close cooperation on a European scale between the various players at national, regional and local level, and can therefore be better achieved at Community level, the Community may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Decision does not go beyond what is necessary in order to achieve those objectives.

⁽¹⁾ OJ L 7, 13.1.1999, p. 28.

⁽²⁾ OJ L 7, 13.1.1999, p. 31.

⁽³⁾ OJ L 79, 30.3.2000, p. 1.

⁽⁴⁾ OJ L 79, 30.3.2000, p. 6.

⁽⁵⁾ OJ C 172, 18.6.1999, p. 1.

(26) The provisions of this Decision are without prejudice to Articles 87 and 88 of the Treaty, and in particular the Community guidelines on State aid for environmental protection.

(27) The measures needed to implement this Decision should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾,

HAVE ADOPTED THIS DECISION:

Article 1

1. A multiannual programme for actions in the field of energy: 'Intelligent Energy — Europe', hereinafter referred to as 'this programme', is hereby adopted for the period 2003 to 2006.

2. This programme will support sustainable development in the energy context, making a balanced contribution to the achievement of the following general objectives: security of energy supply, competitiveness, and environmental protection.

3. This programme also aims at economic and social cohesion and seeks to increase transparency, coherence and the complementarity of all the actions and other related measures in the field of energy, thereby generating effective links between these measures and actions carried out under other Community and Member States' policies.

Article 2

The specific objectives of this programme are as follows:

- (a) to provide the elements needed for the promotion of energy efficiency, the increased use of renewable energy sources and energy diversification, including in transport, the improvement of sustainability, the development of the potential of the regions, in particular the outermost regions, and of islands, and the preparation of the legislative measures needed to attain these strategic objectives;
- (b) to develop means and instruments, which may be used by the Commission and the Member States, to follow up, monitor and evaluate the impact of the measures adopted by the Community and its Member States in the fields of energy efficiency and renewable energy sources, including the energy aspects of transport;
- (c) to promote efficient and intelligent patterns of energy production and consumption based on solid and sustainable foundations by raising awareness, notably through the educational system, and promoting exchanges of experience and know-how among the main players concerned, businesses and citizens in general, by supporting actions intended to boost investment in

emerging technologies, and by encouraging the spread of best practices and the best available technologies, as well as by means of promotion at international level.

Article 3

1. This programme is structured in four specific fields as follows:

- (a) 'SAVE', which concerns the improvement of energy efficiency and the rational use of energy, in particular in the building and industry sectors, with the exception of actions under Steer, including the preparation of legislative measures and their application;
- (b) 'Altener', which concerns the promotion of new and renewable energy sources for centralised and decentralised production of electricity and heat and their integration into the local environment and the energy systems, with the exception of actions under Steer, including the preparation of legislative measures and their application;
- (c) 'Steer', which concerns support for initiatives relating to all energy aspects of transport, the diversification of fuels and the promotion of renewable fuels and energy efficiency in transport, including the preparation of legislative measures and their application;
- (d) 'Coopener', which concerns support for initiatives relating to the promotion of renewable energy sources and energy efficiency in the developing countries, in particular in the framework of the Community cooperation with developing countries in Africa, Asia, Latin America and the Pacific.

2. 'Key actions' which are initiatives combining several of the abovementioned specific fields and/or relating to certain Community priorities, such as sustainable development in the outermost regions as defined in Article 299(2) of the Treaty, may be launched.

Article 4

1. For each of the four specific fields and the key actions referred to in Article 3, Community funding under the programme shall be for actions or projects concerned with:

- (a) the promotion of sustainable development, security of energy supply in the framework of the internal market, competitiveness and environmental protection, including the development of standards and labelling and certification systems, long-term voluntary commitments to be agreed with industry and other stake-holders, as well as forward studies, strategic studies on the basis of shared analyses, and regular monitoring of the development of the markets and energy trends including for the preparation of future legislative measures or for the review of existing legislation;

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

- (b) the creation, enlargement or reorganisation of structures and instruments for sustainable energy development, including local and regional energy planning and management, and the development of adequate financial products and market instruments;
- (c) the promotion of sustainable energy systems and equipment in order to accelerate their penetration of the market and stimulate investment to facilitate the transition from the demonstration to the marketing of more efficient technologies, including dissemination of best practices and new cross-cutting technologies, awareness campaigns and the creation of institutional structures aimed at implementing the clean development mechanism and joint implementation under the Kyoto Protocol;
- (d) the development of information, education and training structures; the utilisation of results, the promotion and dissemination of know-how and best practices involving all consumers, dissemination of results of the actions and projects and cooperation with the Member States through operational networks at Community and international level;
- (e) the monitoring of the implementation and the impact of Community initiatives, and the support measures;
- (f) the evaluation of the impact of actions and projects funded under the programme.

2. Under this programme, the financial assistance allocated to the actions or projects in the four specific fields and the key actions referred to in Article 3 shall be established on the basis of the Community added value of the action proposed and will depend on its benefit and expected impact. Where appropriate, priority shall be given to small and medium-sized enterprises and regional or local initiatives.

The aid may not exceed 50 % of the total cost of the action or project, the rest being covered either by public or private funds, or a combination of the two. The aid may, however, cover all the cost of some actions, such as studies, the dissemination of project results and other actions to prepare, supplement, implement and evaluate the impact of Community strategy and policy measures and any measures proposed by the Commission to encourage exchanges of experience and know-how to improve the coordination between Community, national, international and other initiatives.

All costs relating to actions or projects undertaken on the Commission's initiative, identified as such under Article 5(2)(b), shall be borne by the Community.

3. The Commission shall make available the reports on the actions and projects, if appropriate in electronic form.

Article 5

1. Within six months of the adoption of this Decision, the Commission shall establish a work programme, in consultation

with the Committee referred to in Article 8(1). This work programme shall be based on the principles set out in Article 1(2), Article 2, Article 3 and Article 4. It shall be prepared and updated in accordance with the procedure laid down in Article 8(2).

2. The work programme shall set out in detail:

- (a) the guidelines for each of the specific fields and the key actions referred to in Article 3 in order to implement the objectives and priorities laid down in Article 1(2), Article 2, Article 3 and Article 4, taking account of the added value that all the measures proposed will provide at Community level as compared with existing measures;
- (b) the implementation arrangements, distinguishing between actions envisaged on the Commission's initiative and those where the initiative comes from the sector and/or the market concerned, as well as the funding arrangements and the type of and rules for participation;
- (c) the selection criteria and the arrangements for applying them to each type of action and the method and instruments for monitoring and utilising the results of the actions and/or projects, including the definition of performance indicators;
- (d) the indicative timetable for the implementation of the work programme, in particular as regards the contents of the calls for proposals;
- (e) the detailed rules for coordination and linkage with existing Community policies. The procedure for the development and implementation of actions coordinated with those carried out by the Member States in the field of sustainable energy shall be set out. The aim is to provide added value as compared with measures taken by each Member State acting on its own. These measures will make it possible to achieve an optimum combination of the various instruments at the disposal of both the Community and the Member States;
- (f) if necessary, the operational arrangements in order to encourage the participation of remote and outermost regions, including islands, in the programme, and the participation of SMEs.
- (g) Community rules concerning public access to information, transparency and gender mainstreaming shall be taken into account in the work programme.

Article 6

1. The financial reference amount for the implementation of this programme for the period 2003 to 2006 shall be 190 million euros.

Annual appropriations shall be authorised by the budgetary authority within the limit of the financial perspective.

Financial reference amounts shall be laid down on an indicative basis for each specific field. An indicative allocation of this amount is given in the Annex. This budgetary allocation between fields shall be flexible in order to deal more effectively with changing needs in the sector; it may be changed with the agreement of the Committee referred to in Article 8.

On the basis of a report to be forwarded by the Commission before 30 September 2004, the European Parliament and Council shall, before 31 December 2004, examine the reference amount with a view possibly to revising it, in accordance with the procedures laid down in the Treaty, within the framework of the financial perspective and taking into account applications received.

2. The arrangements for the Community financial assistance for the actions undertaken under this programme shall be laid down in accordance with Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽¹⁾.

Article 7

The Commission shall be responsible for the execution of this programme in accordance with the procedure laid down in Article 8(2).

Article 8

1. The Commission shall be assisted by a committee.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its rules of procedure.

Article 9

1. The Commission shall carry out an annual examination of the progress made on this programme and the actions carried out in the four specific fields and the key actions referred to in Article 3.

2. During the third year of the period of application of the programme, and in any case before putting forward proposals on any subsequent programme, the Commission shall provide, and give its conclusions on, an external evaluation of the overall implementation of the Community actions carried out under this programme. The external evaluation shall be carried out by independent experts. The Commission shall communicate its conclusions regarding this evaluation to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions before putting forward proposals on any subsequent programme.

Article 10

1. Without prejudice to paragraphs 2 and 3, participation in this programme shall be open to any legal person, whether public or private, established in the territory of the Member States.

2. This programme shall be open to the participation of the candidate countries, in accordance with the conditions laid down in the Europe association agreements, in the additional protocols relating thereto and in the decisions of the respective Association Councils, on the basis of the relevant bilateral agreements.

3. Likewise, the programme shall be open to the participation of the EFTA/EEA countries on the basis of additional funds and in accordance with procedures to be agreed with these countries.

Article 11

This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 12

This Decision is addressed to the Member States.

Done at ...

For the European Parliament

The President

For the Council

The President

⁽¹⁾ OJ L 248, 16.9.2002, p. 1.

ANNEX

INDICATIVE ALLOCATION OF THE ESTIMATED AMOUNT NEEDED ⁽¹⁾

<i>million euros</i>	
Fields of action	(2003-2006)
1. Improvement of energy efficiency and the rational use of energy	66,3
2. New and renewable energy sources and diversification of energy production	76
3. Energy aspects of transport	31
4. Promotion of renewable energy sources and energy efficiency at international level, particularly in the developing countries	16,7
Total	190 ⁽¹⁾ ⁽²⁾ ⁽³⁾

⁽¹⁾ The appropriations earmarked for international promotion are a fixed amount representing 8,8 % of the total programme cost.

⁽²⁾ An additional contribution is to be anticipated from 2004 onwards as a result of the enlargement of the European Union to include new Member States. This contribution would be of around 50 million euros.

⁽³⁾ The budget for an Executive Agency could be set by the budgetary authority as a percentage of the programme's overall financial allocation.

⁽¹⁾ This allocation is indicative for the specific fields 'Improvement of energy efficiency and the rational use of energy', 'New and renewable energy sources and diversification of energy production' and 'Energy aspects of transport'. The budgetary allocation between fields is flexible in order to deal more effectively with changing needs in the sector.

STATEMENT OF THE COUNCIL'S REASONS

I. INTRODUCTION

1. On 12 April 2002, the Commission presented a proposal for a European Parliament and Council Decision on adopting a multiannual programme for action in the field of energy: 'Intelligent Energy — Europe' Programme (2003-2006) ⁽¹⁾ based on Article 175 (1) of the EC Treaty.
2. The Economic and Social Committee delivered its Opinion ⁽²⁾ on 18 September 2002; the Committee of the Regions adopted its Opinion ⁽³⁾ on 20 November 2002.
3. The European Parliament adopted its Opinion ⁽⁴⁾ at first reading on 20 November 2002, approving 39 amendments. The Commission will not present a modified proposal.
4. On 3 February 2003, the Council adopted its Common Position in accordance with Article 251 of the Treaty.

II. OBJECTIVE OF THE PROPOSAL

5. The proposal is intended to assure continuation with the current framework programme for actions in the energy sector which has expired on 31 December 2002; it aims at strengthening security of supply, combating climate change and stimulating the competitiveness of European Industry through actions in the following four specific fields:
 - 'SAVE', concerning the improvement of energy efficiency;
 - 'Altener', concerning the promotion of new and renewable energy sources;
 - 'Steer', relating to all energy aspects of transport;
 - 'Coopener', concerning renewable energy sources and energy efficiency in the cooperation with developing countries.

III. ANALYSIS OF THE COMMON POSITION

6. General Remarks

- (a) Concerning the *39 amendments of the European Parliament*:
 - The Council has accepted the following 22 amendments:
 - fully: 3-7, 11, 13, 14, 18, 21, 22, 27, 34;
 - partly and/or in principle: 1, 2, 15, 19, 20, 23, 26, 28, 30.
 - It has rejected the following 17 amendments: 8-10, 16, 17, 24, 25, 29, 31-33, 35, 37-41, on grounds of substance and/or of form.
- (b) Concerning the *Commission proposal*, the Council has introduced certain other modifications (of substance and/or of form) which are reflected below. All the changes to the Commission proposal have been accepted by the Commission.

7. Specific Remarks

- (c) The **main changes** introduced by the Council into the draft Decision concern the *financial reference amount* for the implementation of the programme: The Council considers a reference amount of EUR 190 million to be appropriate. This change is reflected in Article 6 (1), first subparagraph as well as in the Annex where an indicative breakdown of the budget for the four specific fields on the basis of the new reference amount is given.

⁽¹⁾ OJ C 203 E, 27.8.2002, p. 47.

⁽²⁾ OJ C 61, 14.3.2003, p. 38.

⁽³⁾ Not yet published in the Official Journal.

⁽⁴⁾ Not yet published in the Official Journal.

Furthermore, with a view to allowing a certain flexibility on this reference amount, the Council introduced a *review clause* in Article 6 (1), third subparagraph which allows for the possibility of revising the programme's budget after the first half of the programme, based on a report which the Commission is due to carry out before the end of September 2004.

(d) **Other changes** concern in particular

- Article 3 (1) (d) where certain *groups of developing countries* are specified in view of their participation in the Coopener programme (see amdt 18);
- Article 3 (2): here as well as in a number of other paragraphs (Article 4 (1), (2), Article 5 (2) (a)), the Council has clarified the relation between the four specific fields and the so-called key actions in order to make it clear that both actions concerning one field and those combining several fields (key actions) can be funded under the Intelligent Energy Programme (see amdt 19);
- Article 4 (1) where the Council considered it appropriate to refer also, in addition to the Commission proposed wording for the objectives of the actions or projects, to the *reorganisation* of structures and instruments for sustainable energy development (in (b)), to the *dissemination of best practices and new cross-cutting technologies* (in (c)), and to the *dissemination of results of the actions and projects* (in (d), see amdt 23);
- Article 4 (3) (new): the Council is of the opinion that an *easy availability of the reports* on the actions and projects is useful and appropriate and has therefore introduced this new paragraph (see amdt 23);
- Article 9 (2): the Council considered it useful to reformulate this paragraph in order to make it clear that before putting forward new proposals on any subsequent programme, the Commission should provide, and conclude on, an external evaluation of the implementation of the Intelligent Energy Programme, to be carried out by independent experts;
- Article 10 (2): the Council has reworded this paragraph with a view to clarifying that all candidate countries are treated on an equal footing as regards their participation in the Intelligent Energy Programme.

IV. CONCLUSIONS

The Council believes that to a large extent the common position meets the substance of most of the wishes expressed by the European Parliament, and that it will contribute to the balanced achievement of security of supply, competitiveness, and environmental protection.

COMMON POSITION (EC) No 10/2003**adopted by the Council on 6 February 2003****with a view to adopting Decision No .../2003/EC of the European Parliament and of the Council
of ... laying down a series of guidelines for trans-European energy networks and repealing
Decision No 1254/96/EC**

(2003/C 64 E/04)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE
EUROPEAN UNION,

Having regard to the Treaty establishing the European
Community and in particular the first paragraph of Article
156 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the Opinion of the European Economic and
Social Committee ⁽²⁾,

Having regard to the Opinion of the Committee of the
Regions ⁽³⁾,

Acting in accordance with the procedure laid down in Article
251 of the Treaty ⁽⁴⁾,

Whereas:

- (1) Since the adoption of Decision No 1254/96/EC of the
European Parliament and of the Council of 5 June 1996
laying down a series of guidelines for trans-European
energy networks ⁽⁵⁾, the need has arisen to incorporate
new priorities, to highlight the projects which are
particularly important, to update the list of projects, and
to adapt the procedure used for identifying projects.
- (2) The new priorities stem from the creation of a more open
and competitive internal energy market, as a result of the
implementation of Directive 96/92/EC of the European
Parliament and of the Council of 19 December 1996
concerning common rules for the internal market in elec-
tricity ⁽⁶⁾ and of Directive 98/30/EC of the European
Parliament and of the Council of 22 June 1998 concerning
common rules for the internal market in natural gas ⁽⁷⁾.
They follow the conclusions of the Stockholm European

Council of March 2001 concerning the development of
the infrastructures needed for the operation of the
energy market. A special effort should be undertaken to
achieve the objective of making greater use of renewable
energy sources as a contribution to furthering a
sustainable development policy.

- (3) As a rule the construction and maintenance of energy
infrastructure should be subject to market principles.
This is also in line with the Commission proposals for
the completion of the internal market in energy and the
common rules on competition law which aim at the
creation of a more open and competitive internal energy
market.
- (4) Energy infrastructure should be constructed and main-
tained so as to enable the internal energy market to
operate efficiently, without detracting from strategic and,
where appropriate, universal service criteria. The priorities
also stem from the growing importance of the trans-
European energy networks for diversifying the
Community's gas supplies, incorporating the candidate
countries' energy networks, and ensuring the coordinated
operation of the electricity grids in Europe and the Medi-
terranean and Black Sea basins.
- (5) Among the projects relating to trans-European energy
networks, it is necessary to highlight the priority
projects, which are very important for the operation of
the internal energy market or the security of energy
supply.
- (6) It is necessary to adapt the procedure for identifying
projects relating to trans-European energy networks in
order to ensure the harmonious application of Council
Regulation (EC) No 2236/95 of 18 September 1995
laying down general rules for the granting of
Community financial aid in the field of trans-European
networks ⁽⁸⁾.
- (7) The procedure for identifying projects relating to trans-
European energy networks should be adapted by means
of action at two levels: a first level identifying a restricted
number of thematically defined projects of common
interest, and a second level describing projects in detail,
referred to as specifications.
- (8) Since the project specifications are liable to change, they
are given indicatively. The Commission should therefore
continue to be empowered to update them.

⁽¹⁾ OJ C 151 E, 25.6.2002, p. 207.

⁽²⁾ OJ C 241, 7.10.2002, p. 146.

⁽³⁾ OJ C 278, 14.11.2002, p. 35.

⁽⁴⁾ Opinion of the European Parliament of 24 October 2002 (not yet
published in the Official Journal), Council Common Position of 6
February 2003 and Decision of the European Parliament of ... (not
yet published in the Official Journal).

⁽⁵⁾ OJ L 161, 29.6.1996, p. 147. Decision as last amended by Decision
No 1741/1999/EC (OJ L 207, 6.8.1999, p. 1).

⁽⁶⁾ OJ L 27, 30.1.1997, p. 20.

⁽⁷⁾ OJ L 204, 21.7.1998, p. 1.

⁽⁸⁾ OJ L 228, 23.9.1995, p. 1. Regulation as amended by Regulation
(EC) No 1655/1999 of the European Parliament and of the Council
(OJ L 197, 29.7.1999, p. 1).

- (9) The measures necessary for the implementation of this Decision should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾.
- (10) The identification of projects of common interest, their specifications and priority projects should be without prejudice to the results of the environmental impact assessment of the projects and of the plans or programmes.
- (11) The time-limit within which the Commission has to draw up the periodical report on the implementation of the guidelines under Decision No 1254/96/EC should be extended since, in pursuance of Regulation (EC) No 2236/95, it is to submit an annual report which contains information on the progress of projects, and in particular that of priority projects.
- (12) Given the scope of the amendments that are being made to Decision No 1254/96/EC, it is desirable, for reasons of clarity and rationalisation, that the provisions in question should be recast,

HAVE ADOPTED THIS DECISION:

Article 1

Purpose

This Decision defines the nature and scope of Community action to establish guidelines for trans-European energy networks. It establishes a series of guidelines covering the objectives, priorities and broad lines of action by the Community in respect of trans-European energy networks. These guidelines identify projects of common interest, including those which have priority, among trans-European electricity and natural gas networks.

Article 2

Scope

This Decision applies:

- 1. in electricity networks, to:
 - (a) all high-voltage lines, excluding those of distribution networks, and to submarine links, provided that this infrastructure is used for inter-regional or international transmission/connection;
 - (b) any equipment or installations essential for the system in question to operate properly, including protection, monitoring and control systems;
- 2. in natural gas networks, to:
 - (a) high-pressure gas pipelines, excluding those of distribution networks, making it possible to supply regions of the Community from internal or external sources;

- (b) underground storage facilities connected to the above-mentioned high-pressure gas pipelines;
- (c) reception, storage and regasification facilities for liquefied natural gas (LNG) and also gas carriers according to the capacities to be supplied;
- (d) any equipment or installations essential for the system in question to operate properly, including protection, monitoring and control systems.

Article 3

Objectives

The Community shall promote the interconnection, interoperability and development of trans-European energy networks and access to such networks in accordance with current Community law, with the aim of:

- (a) encouraging effective operation of the internal market in general and of the internal energy market in particular, while encouraging the rational production, distribution and utilisation of energy resources and the development and connection of renewable energy resources, so as to reduce the cost of energy to the consumer and contribute to the diversification of energy sources;
- (b) facilitating the development and reducing the isolation of the less-favoured and island regions of the Community, thereby helping to strengthen economic and social cohesion;
- (c) reinforcing the security of energy supplies, for example by strengthening relations with third countries in the energy sector in their mutual interest, in particular in the framework of the Energy Charter Treaty and cooperation agreements concluded by the Community.

Article 4

Priorities

The priorities for action by the Community on trans-European energy networks shall be compatible with sustainable development and shall be as follows:

- 1. for both electricity and gas networks:
 - (a) adapting and developing the energy networks in support of the operation of the internal energy market and, in particular, solving the problems of bottlenecks (in particular transfrontier ones), congestion and missing links, and taking account of the needs arising from the functioning of the internal market for electricity and natural gas and the enlargement of the European Community;
 - (b) establishing energy networks in island, isolated, peripheral and ultraperipheral regions while promoting the diversification of energy sources and the use of renewable energy sources, together with the connection of those networks, where necessary;

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

2. for electricity networks:

- (a) adapting and developing networks to facilitate the integration/connection of renewable energy production;
- (b) interoperability of electricity networks within the European Community with those in the accession candidate countries and other countries in Europe and the Mediterranean and Black Sea basins;

3. for gas networks:

the development of gas networks in order to meet the European Community's natural gas consumption needs, the control of its gas supply systems and the interoperability of gas networks with those in third countries in Europe and the Mediterranean and Black Sea basins, and the diversification of natural gas sources and supply routes.

Article 5

Lines of action

The broad lines of action by the Community on trans-European energy networks shall be:

- (a) the identification of projects of common interest;
- (b) the creation of a more favourable context for development of these networks, in accordance with Article 156, first paragraph, of the Treaty.

Article 6

Additional criteria for projects of common interest

1. The generic criteria to be applied when a decision is taken on modifications, specifications or applications for updating projects of common interest are the following:

- (a) the projects fall within the scope of Article 2;
- (b) the projects correspond to the objectives and priorities set out in Articles 3 and 4 respectively;
- (c) the projects display potential economic viability.

Projects of common interest which relate to the territory of a Member State shall require the approval of the Member State concerned.

2. The additional criteria for identifying projects of common interest are set out in Annex II.

3. Any modification which changes the description of the additional criteria for projects of common interest as it appears in Annex II shall be decided upon in accordance with the procedure laid down in Article 251 of the Treaty.

4. Only those projects listed in Annex III which fulfil the criteria referred to in paragraphs 1 and 2 shall be eligible for

Community financial aid provided under Regulation (EC) No 2236/95.

5. The indicative project specifications, comprising the detailed description of the projects and, where appropriate, their geographical description, are set out in Annex III. These specifications shall be updated in accordance with the procedure referred to in Article 10(2).

6. Member States shall take any measures they consider necessary to facilitate and speed up the completion of projects of common interest and to minimise delays while complying with Community law and international conventions on the environment. In particular, the necessary authorisation procedures shall be completed rapidly.

7. Where parts of projects of common interest are situated within the territory of third countries, the Commission may, by agreement with the Member States concerned, put forward proposals, where appropriate within the framework of the management of the agreements between the Community and those third countries and in accordance with the Energy Charter Treaty in respect of third countries which are signatories to that Treaty, for the projects also to be recognised as of reciprocal interest by the third countries concerned, in order to facilitate their implementation.

8. The evaluation of the economic viability referred to in paragraph 1(c) shall be based upon a cost-benefit analysis which shall take account of all costs and benefits, including those in the medium and/or long term, in connection with environmental aspects, security of supply and the contribution to economic and social cohesion.

Article 7

Priority projects

1. Those projects of common interest referred to in Article 6(4) and covered by Annex I shall have priority for the grant of Community financial aid provided under Regulation (EC) No 2236/95. Modifications to Annex I shall be decided upon in accordance with the procedure laid down in Article 251 of the Treaty.

2. The Member States concerned and the Commission shall endeavour, each within its own sphere of competence, to further the carrying out of the priority projects especially cross-border projects.

Article 8

Effects on competition

When projects are considered, an effort shall be made to take into account the effects on competition. Private financing or financing by the economic operators concerned shall be encouraged. Any competitive distortion between the operators on the market shall be avoided, in accordance with the provisions of the Treaty.

*Article 9***Restrictions**

1. This Decision shall be without prejudice to any financial commitment by a Member State or the Community.

2. This Decision shall be without prejudice to the results of the environmental impact assessment of projects and of the plans or programmes which define the future authorisation framework for such projects. The results of the environmental impact assessments, where such an assessment is requested in accordance with relevant Community legislation, shall be taken into consideration before a decision on the carrying out of the projects is actually taken in accordance with the relevant Community legislation.

*Article 10***Committee**

1. The Commission shall be assisted by a Committee.

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its rules of procedure.

*Article 11***Report**

Every four years the Commission shall draw up a report on the implementation of this Decision, which it shall submit to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. In this report, attention shall also be given to the implementation and progress made in the carrying out of priority projects which concern cross-border connections as mentioned in Annex II, points 1, 2 and 7.

Article 12

This Decision shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

Article 13

Decision No 1254/96/EC is hereby repealed, without prejudice to the obligations of Member States concerning the application of the said Decision. References to Decision No 1254/96/EC shall be construed as references to this Decision.

Article 14

This Decision is addressed to the Member States.

Done at . . .

For the European Parliament

The President

For the Council

The President

ANNEX I

TRANS-EUROPEAN ENERGY NETWORKS**Axes for Priority projects as defined in Article 7****ELECTRICITY NETWORKS**

- EL.1. France — Belgium — Netherlands — Germany: electricity network reinforcements in order to resolve congestion in electricity flow through the Benelux.
- EL.2. Borders of Italy with France, Austria, Slovenia and Switzerland: increasing electricity interconnection capacities.
- EL.3. France — Spain — Portugal: increasing electricity interconnection capacities between these countries and for the Iberian peninsula and grid development in island regions.
- EL.4. Greece — Balkan countries — UCTE System: development of electricity infrastructure to connect Greece to the UCTE System.
- EL.5. United Kingdom — Continental Europe and Northern Europe: establishing/increasing electricity interconnection capacities and possible integration of offshore wind energy.
- EL.6. Ireland — United Kingdom: increasing electricity interconnection capacities and possible integration of offshore wind energy.
- EL.7. Denmark — Germany — Baltic Ring (including Norway — Sweden — Finland — Denmark — Germany): increasing electricity interconnection capacity and possible integration of offshore wind energy.

GAS NETWORKS

- NG.1. United Kingdom — Northern Continental Europe, including Netherlands, Denmark and Germany — (with connections to Baltic Sea Region countries) — Russia: gas pipelines connecting some of the main sources of gas in Europe, improving the interoperability of the networks, and increasing the security of supply.
 - NG.2. Algeria — Spain — Italy — France — Northern Continental Europe: construction of new gas pipelines from Algeria to Spain, France and to Italy, and increasing network capacities in and between Spain, Italy and France.
 - NG.3. Caspian Sea countries — Middle East — European Union: new gas pipeline networks to the European Union from new sources, including the Turkey–Greece, Greece–Italy and Turkey–Austria gas pipelines.
 - NG.4. LNG terminals in Belgium, France, Spain, Portugal, and Italy: diversifying sources of supply and entry points, including the LNG connections with the transmission grid.
 - NG.5. Underground storage in Spain, Portugal, Italy, Greece and the Baltic Sea Region: increasing capacity in Spain, Italy and the Baltic Sea Region and construction of the first facilities in Portugal and Greece.
-

ANNEX II

TRANS-EUROPEAN ENERGY NETWORKS

Additional criteria for Projects of common interest

ELECTRICITY NETWORKS

1. Developing electricity networks in island, isolated, peripheral and ultraperipheral regions while promoting the diversification of energy sources and enhancing the use of renewable energies, and connection of the electricity networks of those regions, if appropriate.
 - Ireland — United Kingdom (Wales)
 - Greece (Islands)
 - Italy (Sardinia) — France (Corsica) — Italy (mainland)
 - Connections in island regions
 - Connections in ultraperipheral regions in France, Spain, Portugal
2. Developing electricity connections between the Member States needed for the functioning of the internal market and in order to ensure the reliability and dependability of the operation of electricity networks.
 - France — Belgium — Netherlands — Germany
 - France — Germany
 - France — Italy
 - France — Spain
 - Portugal — Spain
 - Finland — Sweden
 - Austria — Italy
 - Ireland — United Kingdom (Northern Ireland)
 - Austria — Germany
 - Netherlands — United Kingdom
 - Germany — Denmark — Sweden
 - Greece — Italy
3. Developing electrical connections within the Member States where this is needed in order to take advantage of the connections between the Member States, the functioning of the internal market or the connection of renewable energy sources
 - All Member States
4. Developing electricity connections with the non-Member States, and more particularly with the candidate countries for accession, thus contributing towards interoperability, the operational reliability and dependability of the electricity grids or the supply of electricity within the European Community.
 - Germany — Norway
 - The Netherlands — Norway
 - Sweden — Norway
 - United Kingdom — Norway
 - Italy — Slovenia
 - Baltic Electricity Ring: Germany — Poland — Russia — Estonia — Latvia — Lithuania — Sweden — Finland — Denmark — Belarus

- Norway — Sweden — Finland — Russia
 - Mediterranean Electricity Ring: France — Spain — Morocco — Algeria — Tunisia — Libya — Egypt — Near-Eastern Countries — Turkey — Greece — Italy
 - Germany — Poland
 - Greece — Turkey
 - Italy — Switzerland
 - Greece — Balkan Countries
 - Spain — Morocco
 - EU — Balkan Countries — Belarus — Russia — Ukraine
 - Black Sea Electricity Ring: Russia — Ukraine — Romania — Bulgaria — Turkey — Georgia
5. Actions improving the functioning of the interconnected electricity networks within the internal market and, in particular, identifying the bottlenecks and missing links, developing solutions in order to deal with congestion and adapting the methods of forecasting and of operating electricity networks.
- Identifying the bottlenecks and missing links, especially cross-border, within electricity networks
 - Developing solutions for electricity flow management in order to deal with the problems of congestion within electricity networks
 - Adapting the methods of forecasting and of operating electricity networks required by the functioning of the internal market and the use of a high percentage of renewable energy sources

NATURAL GAS NETWORKS

6. Introducing natural gas into new regions, mainly island, isolated, peripheral and ultraperipheral regions and developing gas networks in these regions.
- United Kingdom (Northern Ireland)
 - Ireland
 - Spain
 - Portugal
 - Greece
 - Sweden
 - Denmark
 - Ultraperipheral Regions: France, Spain, Portugal
7. Developing gas connections in order to meet the needs of the internal market or strengthening of the security of supply, including connection of separate gas networks
- Ireland — United Kingdom
 - France — Spain
 - Portugal — Spain
 - Austria — Germany
 - Austria — Hungary
 - Austria — Italy
 - Greece — Other Balkan Countries

- Italy — Greece
 - Austria — Czech Republic
 - Austria — Slovenia — Croatia
 - United Kingdom — The Netherlands — Germany
 - Germany — Poland
 - Denmark — United Kingdom
 - Denmark — Germany — Sweden
8. Developing capacities for receiving liquefied natural gas (LNG) and for storage of natural gas, needed in order to meet demand and control gas supply systems, and diversify sources and supply routes.
- All Member States
9. Developing gas transport capacity (gas supply pipelines) needed in order to meet demand and diversify supplies from internal and external sources, as well as supply routes.
- Nordic Gas Grid: Norway — Denmark — Germany — Sweden — Finland — Russia — Baltic States — Poland
 - Algeria — Spain — France
 - Russia — Ukraine — EU
 - Russia — Belarus — Poland — EU
 - Libya — Italy
 - Caspian Sea Countries — EU
 - Russia — Ukraine — Moldavia — Romania — Bulgaria — Greece — Other Balkan Countries
 - Germany — Czech Republic — Austria — Italy
 - Russia — Ukraine — Slovakia — Hungary — Slovenia — Italy
 - The Netherlands — Germany — Switzerland — Italy
 - Belgium — France — Switzerland — Italy
 - Denmark — (Sweden) — Poland
 - Norway — Russia — EU
 - Ireland
 - Algeria — Italy — France
 - Middle East — EU
10. Actions improving the functioning of the interconnected gas networks within the internal market and, in particular, identifying the bottlenecks and missing links, developing solutions in order to deal with congestion and adapting methods of forecasting and of operating gas networks.
- Identifying the bottlenecks and missing links, especially cross-border, within the gas networks.
 - Developing solutions for natural gas flow management in order to deal with the problems of congestion within the gas networks.
 - Adapting the methods of forecasting and operating natural gas networks required by the functioning of the internal market.
-

ANNEX III

TRANS-EUROPEAN ENERGY NETWORKS

Projects of common interest and their specifications, currently identified according to the criteria set out in Annex II

ELECTRICITY NETWORKS

1. Developing electricity networks in isolated regions

- 1.1. Submarine cable Ireland — Wales (UK)
- 1.2. Reinforcement of the Ipiros (GR) — Puglia (IT) link
- 1.3. Connection of the Southern Cyclades (GR)
- 1.4. 30 kV underwater cable link between the islands of Faial, Pico and S. Jorge (Azores, PT)
- 1.5. Connection and reinforcement of the grid in Terceira, Faial and S. Miguel (Azores, PT)
- 1.6. Connection and reinforcement of the grid in Madeira (PT)
- 1.7. Submarine cable Sardinia (IT) — Italy mainland
- 1.8. Submarine cable Corsica (FR) — Italy
- 1.9. Connection Italy mainland-Sicily (IT)
- 1.10. Doubling of the connection Sorgente (IT) — Rizziconi (IT)
- 1.11. New connections in the Balearic and Canary Islands (ES)

2. Developing electricity connections between the Member States

- 2.1. Moulaine (FR) — Aubange (BE) line
- 2.2. Avelin (F) — Avelgem (BE) line
- 2.3. Vigy (FR) — Marlenheim (FR) line
- 2.4. Vigy (FR) — Uchtelfangen (DE) line
- 2.5. La Praz (FR) phase transformer
- 2.6. Further increase of capacity through existing interconnection between France and Italy
- 2.7. New interconnection between France and Italy
- 2.8. New interconnection through the Pyrenees between France and Spain
- 2.9. Eastern Pyrenees connection between France and Spain
- 2.10. Connections between northern Portugal and north-western Spain
- 2.11. Sines (PT) — Alqueva (PT) — Balboa (ES) line
- 2.12. Valdigem (PT) — Douro Internacional (PT) — Aldeadávila (ES) line and Douro Internacional facilities
- 2.13. New connections north of the Gulf of Bothnia between Finland and Sweden
- 2.14. Lienz (AT) — Cordignano (IT) line
- 2.15. New connection between Italy and Austria at the Brenner Pass
- 2.16. Connection between Ireland and Northern Ireland
- 2.17. St. Peter (AT) — Isar (DE) line

- 2.18. Submarine cable between South-eastern England and central Netherlands
- 2.19. Reinforcement of connections between Denmark and Germany, e.g. the Kasso–Hamburg line
- 2.20. Reinforcement of the connections between Denmark and Sweden

3. **Developing electrical connections within the Member States**

- 3.1. Connections on the Danish East-West axis: connection between Denmark's western (UCTE) and eastern (NORDEL) networks
- 3.2. Connection on the Danish North-South axis
- 3.3. New connections in Northern France
- 3.4. New connections in South Western France
- 3.5. Trino Vercellese (IT) — Lacchiarelle (IT) line
- 3.6. Turbigo (IT) — Rho-Bovisio (IT) line
- 3.7. Voghera (IT) — La Casella (IT) line
- 3.8. S. Fiorano (IT) — Nave (IT) line
- 3.9. Venezia Nord (IT) — Cordignano (IT) line
- 3.10. Redipuglia (IT) — Udine Ovest (IT) line
- 3.11. New connections on the East-West axis of Italy
- 3.12. Tavarnuzze (IT) — Casellina (IT) line
- 3.13. Tavarnuzze (IT) — S. Barbara (IT) line
- 3.14. Rizziconi (IT) — Feroletto (IT) — Laino (IT) line
- 3.15. New connections on the North-South axis Italy
- 3.16. Network modifications for facilitating renewables connections in Italy
- 3.17. New wind energy connections in Italy
- 3.18. New connections in the North axis of Spain
- 3.19. New connections in the Mediterranean axis of Spain
- 3.20. New connections in the Galicia (ES) — Centro (ES) axis
- 3.21. New connections in the Centro (ES) — Aragón (ES) axis
- 3.22. New connections in the Aragón (ES) — Levante (ES) axis
- 3.23. New connections in Andalucía (ES)
- 3.24. Pedralva (PT) — Riba d'Ave (PT) line and Pedralva facilities
- 3.25. Recarei (PT) — Valdigem (PT) line
- 3.26. Picote (PT) — Pocinho (PT) line (upgrading)
- 3.27. Modification of the current Pego (PT) — Cedillo (ES)/Falagueira (PT) line and Falagueira facilities
- 3.28. Pego (PT) — Batalha (PT) line and Batalha facilities
- 3.29. Sines (PT) — Ferreira do Alentejo (PT) I line (upgrading)

- 3.30. New wind energy connections in Portugal
- 3.31. Pereiros (PT) — Zêzere (PT) — Santarém (PT) lines and Zêzere facilities
- 3.32. Batalha (PT) — Rio Maior (PT) I and II lines (upgradings)
- 3.33. Carrapatelo (PT) — Mourisca (PT) line (upgrading)
- 3.34. Valdigem (PT) — Viseu (PT) — Anadia (PT) line
- 3.35. Deviation of the current Rio Maior (PT) — Palmela (PT) line to Ribatejo (PT) and Ribatejo facilities
- 3.36. Thessaloniki (GR), Lamia (GR) and Patras (GR) substations and connecting lines
- 3.37. Connections of the regions of Evia (GR), Lakonia (GR) and Thrace (GR)
- 3.38. Strengthening of existing connections of peripheral regions in the mainland in Greece
- 3.39. Tynagh (IE) — Cashla (IE) line
- 3.40. Flagford (IE) — East Sligo (IE) line
- 3.41. Connections in the North-East and West of Spain, in particular to connect to the network wind-power generation capacities
- 3.42. Connections in the Basque country (ES), Aragón (ES) and Navarra (ES)
- 3.43. Connections in Galicia (ES)
- 3.44. Connections in Central Sweden
- 3.45. Connections in Southern Sweden
- 3.46. Lübeck/Siems (DE) — Görries (DE) line
- 3.47. Lübeck/Siems (DE) — Krümmel (DE) line
- 3.48. Connections in Northern Ireland, in relation to the interconnections with Ireland
- 3.49. Connections in the North West of UK
- 3.50. Connections in Scotland and England, with a view to the greater use of renewable sources in electricity generation
- 3.51. New offshore wind energy connections in Belgium
- 3.52. Borssele substation (NL)
- 3.53. Implementation of reactive power compensation equipment (NL)
- 3.54. St. Peter (AT) — Tauern (AT) line
- 3.55. Südburgenland (AT) — Kainachtal (AT) line

4. Developing electricity connections with the non-member States

- 4.1. Neuenhagen (DE) — Vierraden (DE) — Krajnik (PL) line
- 4.2. Brunsbüttel (DE) — Southern Norway link
- 4.3. S. Fiorano (IT) — Robbia (CH) line
- 4.4. New interconnection Italy–Switzerland
- 4.5. Philippi (GR) — Maritsa 3 (Bulgaria) line
- 4.6. Amintaio (GR) — Bitola (FYROM) line

- 4.7. Kardia (GR) — Elbasan (Albania) line
- 4.8. Elbasan (Albania) — Podgorica (F.R.Yugoslavia) line
- 4.9. Mostar (Bosnia-Herzegovina) substation and connecting lines
- 4.10. Ernestinovo (Croatia) substation and connecting lines
- 4.11. New connections between Greece and Albania, Bulgaria and FYROM
- 4.12. Philippi (GR) — Hamidabad (TR) line
- 4.13. Submarine cable between the north-east/east England and southern Norway
- 4.14. Eemshaven (NL) — Fedaa (NO) link
- 4.15. Submarine cable between South Spain and Morocco (strengthening of existing connection)
- 4.16. Connections for the Baltic Electricity Ring: Germany — Poland — Russia — Estonia — Latvia — Lithuania — Sweden — Finland — Denmark — Belarus
- 4.17. Southern Finland — Russia links
- 4.18. Germany — Poland — Lithuania — Belarus — Russia link (East–West High Power Link)
- 4.19. Poland–Lithuania link
- 4.20. Submarine cable between Finland and Estonia
- 4.21. New connections between North Sweden and North Norway
- 4.22. New connections between Mid Sweden and Mid Norway
- 4.23. Borgvik (S) — Hoesle (NO) — Oslo region (NO) line
- 4.24. New connections between the UCTE and CENTREL systems
- 4.25. New connections between the UCTE/CENTREL system and the Balkan countries
- 4.26. Connections and interface between the extended UCTE system and Belarus, Russia and Ukraine, including relocation of HVDC conversion stations operating previously between Austria and Hungary, Austria and the Czech Republic and, Germany and the Czech Republic
- 4.27. Connections in the Black Sea Electricity Ring: Russia — Ukraine — Romania — Bulgaria — Turkey — Georgia
- 4.28. New connections in the Black Sea area with a view to interoperability of the extended UCTE system with the networks in the countries concerned
- 4.29. New connections in the Mediterranean Electricity Ring: France — Spain — Morocco — Algeria — Tunisia — Libya — Egypt — Near-Eastern Countries — Turkey — Greece — Italy
- 4.30. Submarine cable between South Spain and North-West Algeria
- 4.31. Submarine cable between Italy and Algeria
- 4.32. New connections in the Barents Region/Area
- 4.33. Installation of flexible alternative current transmission systems between Italy and Slovenia
- 4.34. New interconnection Italia — Slovenia
- 4.35. Submarine cable Italy and Croatia
- 4.36. Reinforcement of connections between Denmark and Norway

5. **Actions improving the functioning of the interconnected electricity networks within the internal market**

(No specifications defined yet)

GAS NETWORKS

6. **Introducing natural gas into new regions**

- 6.1. Developing gas network from Belfast towards the North-West region of Northern Ireland (UK) and, if appropriate, to the western coast of Ireland
- 6.2. LNG in Santa Cruz de Tenerife, Canary Islands (ES)
- 6.3. LNG in Las Palmas de Gran Canaria (ES)
- 6.4. LNG in Madeira (PT)
- 6.5. Development of gas network in Sweden
- 6.6. Connection between the Balearic Islands (ES) and the mainland Spain
- 6.7. High pressure branch to Thrace (GR)
- 6.8. High pressure branch to Corinth (GR)
- 6.9. High pressure branch to North-West Greece (GR)
- 6.10. Connection of Lolland (DK) and Falster (DK) islands

7. **Developing gas connections in order to meet the needs of the internal market or strengthening of the security of supply, including connection of separate gas networks**

- 7.1. Additional gas interconnection pipeline between Ireland and Scotland
- 7.2. North–South interconnection, including Dublin–Belfast pipeline
- 7.3. Compression station on the Lacq (FR) — Calahorra (ES) pipeline
- 7.4. Lussagnet (FR) — Bilbao (ES) pipeline
- 7.5. Perpignan (FR) — Barcelona (ES) pipeline
- 7.6. Increasing transport capacity of gas pipelines supplying Portugal through South Spain and Galicia and Asturias through Portugal
- 7.7. Puchkirchen (AT) — Burghausen (DE) pipeline
- 7.8. Andorf (AT) — Simbach (DE) pipeline
- 7.9. Wiener Neustadt (AT) — Sopron (HU) pipeline
- 7.10. Bad Leonfelden (DE) — Linz (AT) pipeline
- 7.11. North-West Greece — Elbasan (AL) pipeline
- 7.12. Greece–Italy interconnection pipeline
- 7.13. Compression station on the main pipeline in Greece
- 7.14. Connection between the networks of Austria and Czech Republic
- 7.15. Gas transport corridor in South-East Europe across Greece, FYROM, FRY, Bosnia-Herzegovina, Croatia, Slovenia and Austria
- 7.16. Gas transport corridor between Austria and Turkey through Hungary, Romania and Bulgaria

- 7.17. Interconnecting pipelines between United Kingdom, the Netherlands and Germany, linking the main sources and markets of North-West Europe
- 7.18. Connection between North-East Germany (Berlin area) and North-West Poland (Szczecin area) with a branch from Schmöln to Lubmin (DE, Greifswald area)
- 7.19. Connection between offshore facilities in the North Sea, or from Danish offshore to UK onshore facilities
- 7.20. Reinforcement of the capacity of transport between France and Italy
- 7.21. The Baltic gas interconnector between Denmark — Germany — Sweden

8. Developing capacities for receiving liquefied natural gas (LNG) and for storage of natural gas

- 8.1. LNG at Le Verdon-sur-mer (FR, new terminal) and pipeline to Lussagnet (FR) storage
- 8.2. LNG at Fos-sur-mer (FR)
- 8.3. LNG at Huelva (ES), extending existing terminal
- 8.4. LNG at Cartagena (ES), extending existing terminal
- 8.5. LNG at Galicia (ES), new terminal
- 8.6. LNG at Bilbao (ES), new terminal
- 8.7. LNG in the Valencia Region (ES), new terminal
- 8.8. LNG in Barcelona (ES), extending existing terminal
- 8.9. LNG in Sines (PT), new terminal
- 8.10. LNG at Revithoussa (GR), extending existing terminal
- 8.11. LNG on the North Adriatic Coast (IT)
- 8.12. LNG offshore in the North Adriatic Sea (IT)
- 8.13. LNG on the South Adriatic Coast (IT)
- 8.14. LNG on the Ionian Coast (IT)
- 8.15. LNG on the Tyrrhenian Coast (IT)
- 8.16. LNG on the Ligurian Coast (IT)
- 8.17. LNG at Zeebrugge/Dudzele (BE, extending existing terminal)
- 8.18. LNG at Isle of Grain, Kent (UK)
- 8.19. Construction of a second LNG terminal in Greece
- 8.20. Developing underground gas storage facilities in Ireland
- 8.21. Storage at South Kavala (GR), conversion of an offshore depleted gas field
- 8.22. Storage at Lussagnet (FR, extending existing site)
- 8.23. Storage at Pecorade (FR, conversion of a depleted oil field)
- 8.24. Storage in Alsace region (FR, developing of saline cavities)
- 8.25. Storage in Centre region (FR, developing water table)

- 8.26. Storage on the North-South axis of Spain (new sites) in Cantabria, Aragon, Castilla y León, Castilla — La Mancha and Andalucía
- 8.27. Storage on the Mediterranean axis of Spain (new sites) in Catalonia, Valencia and Murcia
- 8.28. Storage in Carriço (PT, new site)
- 8.29. Storage at Loenhout (BE, extending existing site)
- 8.30. Storage at Stenlille (DK) and Lille Torup (DK, extending existing site)
- 8.31. Storage at Tønder (DK, new site)
- 8.32. Storage at Puchkirchen (AT, extending existing site), including pipeline to the Penta West system near Andorf (AT)
- 8.33. Storage at Baumgarten (AT, new site)
- 8.34. Storage at Haidach (AT, new site), including pipeline to the European gas grid
- 8.35. Developing underground gas storage facilities in Italy
- 9. Developing gas transport capacity (gas supply pipelines)**
 - 9.1. Creation and development of connections Nordic Gas Grid: Norway — Denmark — Germany — Sweden — Finland — Russia — Baltic States — Poland
 - 9.2. The Mid-Nordic gas pipeline: Norway, Sweden, Finland
 - 9.3. The North European gas pipeline: Russia, Baltic Sea, Germany
 - 9.4. Gas pipeline from Russia to Germany, via Latvia, Lithuania and Poland, including developing underground gas storage facilities in Latvia
 - 9.5. Gas pipeline Finland-Estonia
 - 9.6. New gas pipelines from Algeria to Spain and France and related capacity increase of the internal networks in these countries
 - 9.7. Increasing transport capacity of the Algeria — Morocco — Spain (up to Córdoba) pipeline
 - 9.8. Córdoba (ES) — Ciudad Real (ES) pipeline
 - 9.9. Ciudad Real (ES) — Madrid (ES) pipeline
 - 9.10. Ciudad Real (ES) — Mediterranean coast (ES) pipeline
 - 9.11. Branches in Castilla (ES) — La Mancha (ES)
 - 9.12. Extension towards North-West Spain
 - 9.13. Algeria — Spain submarine pipeline and pipelines for the connection to France
 - 9.14. Increasing transport capacity from Russian resources to the European Union, via Ukraine, Slovakia and the Czech Republic
 - 9.15. Increasing transport capacity from Russian resources to the European Union, via Belarus and Poland
 - 9.16. Yagal Sud gas pipeline (between the STEGAL pipeline leading to the DE, FR, CH triangle)
 - 9.17. SUDAL East gas pipeline (between MIDAL pipeline near Heppenheim to Burghausen connection with the PENTA pipeline in Austria)
 - 9.18. Gas pipeline from Libyan resources to Italy
 - 9.19. Gas pipeline from resources in the Caspian Sea Countries to the European Union

- 9.20. Greece–Turkey gas pipeline
 - 9.21. Increasing transport capacity from Russian resources to Greece and other Balkan countries, via Ukraine, Moldavia, Romania and Bulgaria
 - 9.22. St. Zagora (BG) — Ihtiman (GR) gas pipeline
 - 9.23. Connecting pipelines between the German, Czech, Austrian and Italian gas networks
 - 9.24. Gas pipeline from Russian resources to Italy, via Ukraine, Slovakia, Hungary and Slovenia
 - 9.25. Increasing transport capacity of the TENP gas pipeline running from the Netherlands through Germany to Italy
 - 9.26. Taisnieres (FR) — Oltingue (CH) gas pipeline
 - 9.27. Gas pipeline from Denmark to Poland, possibly via Sweden
 - 9.28. Nybro (DK) — Dragør (DK) gas pipeline, including connecting pipeline to the storage at Stenlille (DK)
 - 9.29. Gas network from the Barents Sea resources to the European Union, via Sweden and Finland
 - 9.30. Gas pipeline from the Corrib field (IE, offshore)
 - 9.31. Gas pipeline from Algerian resources to Italy, via Sardinia with a branch to Corsica
 - 9.32. Gas network from resources in the Middle East to the European Union
 - 9.33. Gas pipeline from Norway to the United Kingdom
 - 10. **Actions improving the functioning of the interconnected gas networks within the internal market**
(No specifications defined yet).
-

STATEMENT OF THE COUNCIL'S REASONS

I. INTRODUCTION

1. On 6 March 2002, the Commission presented a proposal ⁽¹⁾ based on Article 156(1) of the Treaty.
2. The Economic and Social Committee delivered its Opinion ⁽²⁾ on 18 July 2002, the Committee of the Regions delivered its Opinion ⁽³⁾ on 16 May 2002.
3. The European Parliament adopted its Opinion at first reading on 24 October 2002, approving 24 amendments.
4. On 6 February 2003, the Council adopted its Common Position in accordance with Article 251 of the Treaty.

II. OBJECTIVE OF THE PROPOSAL

5. The objective of this proposal is to promote the interconnection, interoperability and development of trans-European energy networks and access to such networks, with a view i.a. to contribute to attaining a level of 10 % of interconnection capacity for electricity between Member States, the importance of which was recognised at the Barcelona European Council.

III. ANALYSIS OF THE COMMON POSITION

6. The main changes introduced by the Council are as follows:
 7. (a) *Priorities*: the Council divided priorities on the basis of their relevance to the electricity, or gas network or to both types of network (Article 4), described clearly the character of projects of common interest and the additional criteria that a project need to fulfil in order to be eligible for Community financial aid provided under Council Regulation (EC) No 2236/95 (Article 6 and 7).
 - (b) The Council specified that results of *environmental impact assessments*, where requested in accordance with relevant Community legislation, have to be taken into consideration before actually taking a decision on carrying out projects in accordance with Community legislation (Article 9).
 - (c) The Council clarified the *structure of the Annexes* as follows:
 - Annex I contains the Axes for the priority projects;
 - Annex II contains (additional) criteria for projects of common interest. In doing so, the Council endeavoured to provide some of the detailed information originally in Annex III, thus also trying to meet the European Parliament request;
 - Annex III contains the projects of common interest, together with a description of their specifications.

IV. AMENDMENTS ACCEPTED

8. Of the 24 EP amendments, the Council accepted the following 15, some of them in substance, partially or in principle.

⁽¹⁾ OJ C 151 E, 25.6.2002, p. 207.

⁽²⁾ OJ C 241, 7.10.2002, p. 146.

⁽³⁾ OJ C 278, 14.11.2002, p. 35.

Recitals

Amendment 1: underscores the importance of renewable energy sources in this context (Recital 2)

Amendment 2: construction and maintenance of energy infrastructure should be subject to market principles (Recital 3)

Amendment 3: energy infrastructure should allow the internal energy market to operate efficiently (Recital 4)

Amendment 4 (partially): reference to the involvement of candidate countries' networks (Recital 4)

Articles

Amendment 9: underlines that the objective should encourage effective operation of the internal market while also encouraging rational production and use of energy resources (Article 3, first indent)

Amendment 22: the aim should facilitate development in isolated regions, thus improving social and economic cohesion (Article 3, second indent)

Amendment 26 (partially): evaluation of economic viability of projects has to take into account costs, benefits, environmental aspects, security of supply and contribution to economic and social cohesion (Article 6(8))

Amendments 12 and 18: specify the content of Annex I as priority axes (Annex I, Title)

Amendment 13: modifications to Annex I are to be decided by co-decision (Article 7(1))

Amendment 14: special attention should be given to transborder projects (Article 7(2))

Amendment 15: an effort should be made to take effects on competition into account (Article 8)

Amendments 19 and 20: extending electricity projects to include integration of offshore wind energy (Annex I, EL5, EL6 and EL7)

Amendment 21: stresses the importance of enhancing the use of renewable energies (Annex II, 1).

V. AMENDMENTS NOT INTEGRATED

9. The Council considered that amendments 23, 5, 6, 7, 8, 10, 11, 16 and 17 were either not in coherence with the Decision (16), too restrictive (17), or not within the scope of this Decision (23, 5, 6, 7), or were already covered by existing provisions (8, 10, 11), and decided therefore not to integrate them in its common position. The Commission rejected amendments 4, 5, 7, 8, 10, 11, 17 and 23.
-