



Press release

22th December 2011

Major results of the work of the Polish Presidency of the European Union Council

September - December 2011

Adopting the 'six-pack' agreement

- On 13th December a package of six legislative acts and bolstering economic governance in the EU and euro area entered into force.
- In mid-September, after many weeks of gruelling negotiations, the Polish Presidency brought about a landmark agreement on the 'six-pack' issue.
- Discussions on the 'six-pack' have been dragging on since September 2010. In spite of numerous attempts and efforts by the Hungarian EU Council Presidency, agreement on the issue with the European Parliament could not be reached. A compromise was not achieved until mid-September 2011.
- The 'six-pack' introduces basic reforms long awaited by markets. Four of the six drafts refer to public finances. They reform both the preventive and the 'corrective' part of the Stability and Growth Pact. The new directive laying down budget framework requirements will guarantee that national solutions will help strengthen fiscal discipline in the EU. Moreover, supervision of the economic policies of Member States will be expanded to include a mechanism preventing and correcting excessive macroeconomic imbalances. A new 'excessive imbalance procedure' will be established with potential sanctions envisaged for a lack of discipline. The new principles will improve budget discipline in the Member States and bolster the stability of the EU economy.
- The package's main elements are:
 - strengthening the debt criterion, which had so far played a much smaller role than the deficit criterion in the part correcting the Stability and Growth Pact;
 - expanding under the Pact the possibility of imposing sanctions on euro area countries for not adhering to rules and principles, introducing them at an earlier stage than previously (the sanction-imposing process will become less arbitrary and the European Commission's supervision role is to be strengthened);
 - increasing the transparency of the decision-making process in coordinating economic policies in the EU and establishing a new 'economic dialogue' among EU institutions;
 - strengthening the commitment of governments and parliaments to adhere to mutually agreed EU principles and policies.

18th/19th November 2011

Agreement on the 2012 EU budget

- In the early hours of Saturday morning on 18th/19th November the negotiations on next year's budget between the European Parliament and the Council conducted by the Polish Presidency ended.
- Previously, in early July, following long and difficult negotiations, the Polish Presidency secured the qualified majority in the Council on the position of EU Council on the draft budget.
- It was agreed in the negotiations of 18th-19th November that next year's budget would amount to €147.2 billion in liabilities and €129 billion in payments. In terms of payments, that was the amount the Member States had proposed.
- The significant increase in liabilities (up to €147.232 billion) reflects the many demands proposed by the European Parliament primarily involving implementation of the 2020 Strategy and external challenges. The compromise that has been reached makes it possible to reconcile the need to maintain appropriate financial discipline with the increased financing needs for pro-development policies.
- A further important element of the negotiations was a proposal to amend the EU budget for 2011 resulting from increased demand for resources from structural funds (European Social Fund) as well as for research and development. It was ultimately agreed to increase the EU budget in 2011 by €200 million in payments to finance these additional needs.
- This was the first time since the entry into force of the Treaty of Lisbon that the Council and Parliament have reached agreement on the annual budget within the time provided by law (up to midnight on 21st November).

29th-30th September 2011

Eastern Partnership Summit

- Thirty-two delegations from European Union Member States and partnership countries as well as representatives of the leading EU institutions summarised the first two years of the Partnership's activities and took decisions regarding its future. The joint declaration issued at the end of the summit (accepted by all the states participating in the Warsaw gathering) sent out a clear signal to all six Partnership countries: the European Union is prepared to help them and discuss their European aspirations and forms of closer integration. The summit's participants agreed that strengthening the Eastern Partnership, including increased financing, is now a necessity, even though the EU is grappling with an economic crisis and is engaged in building a new strategy for the countries of the South.
- The summit's political declaration was backed by substance: the budget earmarked for the Eastern Partnership initiative has grown to nearly €2 billion; by the end of the year negotiations on an association agreement with Ukraine will be concluded and negotiations on a DCFTA agreement with Moldova and Georgia will be launched; the EP countries received a pledge of visa-free travel to the EU as soon as they are ready for it, and in Warsaw an Academy of Public Administration will be established to expedite the process of building democratic state institutions in Partnership countries.

- Belarus was one of the summit's main topics of discussion. The European Union emphasised its vigorous, common stand on that issue: assistance will be possible only in the event that fundamental changes in Belarus take place.
- 'A full amnesty and the rehabilitation of prisoners arrested after the election, initiating talks with the opposition and holding parliamentary elections in accordance with OSCE standards are the conditions for activating a "Modernisation package for Belarus",' Prime Minister Donald Tusk explained, presenting to the summit the Polish government's new conception, which partners received with great interest. The 'Package' initiative unveiled by the head of the Polish government included the possibility of international institutions such as the EIB and EBRD awarding grants and credits to Belarus as well as support for stabilisation of the Belarusian currency.
- In a special declaration adopted at the summit, EU Member States once again reiterated their total disapproval of the current policies of the Belarusian authorities.

12th December 2011

Trade negotiations with Georgia and Moldova get under way, partnership with Armenia and Azerbaijan strengthened

- On 12th December in Brussels, Foreign Minister Radosław Sikorski and EU Trade Commissioner Karel de Gucht placed their signatures on documents paving the way for the start of trade negotiations with Georgia and Moldova. At the signing ceremony both countries were represented by their Prime Ministers, Nika Gilauri and Vlad Filat.
- 'This is yet another matter we can enter in the "completed" column during the Polish Presidency,' remarked the Polish Foreign Minister. 'Talks on technical matters are due to be launched in January and formal rounds of negotiations will get under way in the first quarter of next year.'
- The start of negotiations on a deep and comprehensive free trade area with Georgia and Moldova had been one of the priorities of the Declaration of the Eastern Partnership Summit in Warsaw. The negotiations have also resulted from the efforts of Georgia and Moldova as well as their intensive cooperation with the European Commission.
- The commercial rapprochement of these Eastern Partnership countries with the European Union and their opening up to a market of 500 million consumers marks a step forward in the process of European integration.
- On 27th October Armenia signed the Mobility Partnership.
- Next year the European Commission will start negotiations with Armenia and Azerbaijan on visa facilitation and readmission accords on the basis of the mandate adopted in December.

September - December 2011

Negotiations end on free trade area and Association Agreement with Ukraine

- On 23rd September, Ukraine and the European Union worked out the key points of an

agreement to establish a deep and comprehensive free trade area (DCFTA), and on 20th October they concluded key technical negotiations in this matter.

- The free trade agreement is a component of the EU-Ukraine Association Agreement.
- Initialling of this agreement may take place by the end of December.

15th December 2011

The adoption of the declaration on the European Endowment for Democracy

- On 15th December, EU Member States agreed on the content of the political declaration on establishing the European Endowment for Democracy.
- The idea of creating the EED was presented in January 2011 by Foreign Minister Radosław Sikorski in response to developments in Belarus as well as the emerging Arab Spring. On 24th May the initiative became part of the reviewed Neighbourhood Policy presented by EU High Representative Catherine Ashton. The topic of establishing EED was discussed during the Sopot EU Foreign Ministers Meeting in Gymnich Format in September.
- The EED is funded from Member States' contributions and from the EU budget and its management structures are to be reduced to a minimum with procedures permitting a flexible and fast response to the needs of emerging democracies.
- It will perform its tasks through providing grants, which will be awarded directly to beneficiaries in cooperation with such partners as civil society organisations and politically oriented foundations.
- The EED as a new instrument for supporting the democratic transition processes in authoritarian countries and countries in the process of system transformation fills the gap in the existing set of EU instruments. Its activities are to be aimed at leaders of pro-democratic milieus, independent media and civil organizations working in favour of political pluralism and democratic transformation.
- The decisions made in December allow for the launching of the EED in 2012.

24th November 2011

The external dimension of EU energy policy

- 'The Member States adoption of the conclusions on energy cooperation is a major achievement of the Polish Presidency. It will truly enhance the security of energy supply in Europe,' noted Polish Deputy Prime Minister and Minister of Economy Waldemar Pawlak following a session of the EU Transport, Telecommunications and Energy Council.
- Agreement on the external dimension of the energy policy was among top priorities of the Polish Presidency.
- The document adopted by the participants elaborates the market rules in external relations, key infrastructure projects designed to facilitate imports of raw materials and cooperation of Member States in such international forums as the IEA and IRENA.
- At the meeting of the TTE Council energy ministers had discussed a new regulation on

transmission infrastructure. The draft contains proposals on ways of accelerating the issuance of permits, a mechanism for the division of costs connected with cross-border projects and the introduction of pro-investment incentives. 'The Commission has proposed that 9.1 billion euro be allocated to the Connecting Europe Facility in the years 2014-2020 for energy infrastructure investments,' the Deputy Prime Minister announced.

- The ministers had endorsed a Polish Presidency report devoted to the work over the past several months on a draft directive concerning energy efficiency.

18th July / 12th September 2011

The mandate for negotiations on the EU's agreements with Azerbaijan and Turkmenistan on the legal framework for the Trans-Caspian Gas Pipeline System

- On 18th July the Polish Presidency, presiding over COREPER I, announced that, as a result of intensive discussions at the working party, unanimity of the Member States has been reached on a mandate to negotiate a gas agreement [agreement on a legal framework for the Trans-Caspian Gas Pipeline System] with Azerbaijan and Turkmenistan.
- On 12th September this mandate was adopted by the General Affairs Council.
- This is the first joint mandate for gas talks with Turkmenistan and Azerbaijan.
- Negotiations conducted by the European Commission will relate to the Trans-Caspian gas pipeline linking Turkmenistan with Azerbaijan, which will allow – in conjunction with the implementation of projects of the Southern Corridor – the import of Caspian gas to the EU.
- According to the European Council Conclusions of February 2011, the Southern Corridor is a priority corridor of imports of large quantities of gas to the EU, because it is aimed at ensuring diversification of sources of supply for Europe (in addition to the Norwegian, Russian and Algerian sources).
- The Southern Corridor may include several different projects (ITGI, AGRI, Nabucco, White Stream). At this stage it is not the role of the Presidency/EU to prejudge which of the Southern Corridor projects will be implemented, because their implementation will depend on decisions made at the commercial level.

6th December 2011

Agreement on substantial issues relating to a single EU patent

- An agreement proposed by the Polish Presidency may reduce the cost of obtaining protection for inventions in the EU by as much as 80 per cent.
- The package will guarantee EU-wide common rules for obtaining protection of the inventions of entrepreneurs and the possibility of settlement of disputes before a Single EU Patent Court.
- The lack of an EU system of patent protection has so far constituted a barrier to the proper and effective functioning of European companies in both the EU internal market and world markets.

- The package allowing the creation of a single system of patent protection consists of two regulations and one international agreement creating the Single EU Patent Court.
- Work on the creation of a single system of patent protection in the EU has been going on for more than 30 years. The negotiations conducted by the Polish Presidency have led to a political agreement which will *de facto* determine the shape of the system to be created. The formal procedure regarding the entire patent package will be completed at the EP plenary session in February 2012, and signing of the international agreement creating the Single EU Patent Court is scheduled for the first half of 2012.
- The Presidency agreed, amongst other things, on the locations of the Court of Appeal in Luxembourg and the Patent Mediation and Arbitration Centre in Lisbon and Ljubljana, as well as the basic principles of the funding of the Single EU Patent Court.
- Talks are under way on where to locate the headquarters of the Single EU Patent Court.

23rd November 2011

Compromise on micro-accounting

- The Polish Presidency welcomed the compromise on a revised directive on annual accounts (78/660/EEC) by which certain types of companies, namely micro-entities, will be exempted from some of the obligations relating to annual financial reporting.
- The compromise concerns the simplification of financial reporting for micro-entities and should help to reduce significantly the administrative burdens of such companies. Finalisation of the legislative process for the said project, which has been under way since 2009, is the fulfilment of the European Council's demand of 23rd October that work on this measure should be completed as soon as possible to reduce the administrative burden for the smallest companies.

9th December 2011

Accession Treaty with Croatia signed

- The treaty was signed on behalf of Croatia by President Ivo Josipović and Prime Minister Jadranka Kosor, and on behalf of the EU by the President of the European Council Herman Van Rompuy, Prime Minister Donald Tusk and representatives of other EU Member States.
- 'We have been through an exhaustive discussion at a crucial moment for the history of the Union. We are looking for a way out of the crisis, which has been so severely felt all over the world, particularly in the euro area, and yet the decision of Croatia and the hopes and dreams of other countries applying to join the EU shows that the EU has a profound significance,' Donald Tusk said.
- The Polish Presidency has met the deadline for completing the first (English) version of the Accession Treaty for Croatia. At a ceremony in Zagreb on 17th September, Polish Prime Minister Donald Tusk presented the draft to the Croatian government.
- Croatia applied for EU membership in 2003; formal negotiations began in October 2005

and ended on 30th June 2011.

- The country will enter the EU on 1st July 2013 after completion of the ratification process in all Member States and Croatia.

11th December 2011

Success at the Climate Conference in Durban

- After two weeks of negotiations, over 190 countries that signed the UN Climate Convention agreed on a plan to work towards a new global agreement on climate protection, the issue that the EU had striven for.
- The agreement reached at the Durban summit has led to an ambitious understanding never before achieved. 'That was a historic breakthrough in the fight against climate change,' emphasised Marcin Korolec, the Environment Minister in charge of negotiations on behalf of the Polish Presidency representing the entire EU.
- The adopted action plan is expected no later than by 2015 to lead to a new and binding legal agreement encompassing all the countries of the Climate Convention and 100% of the greenhouse gases emitted by that group. The hitherto binding Kyoto Protocol had imposed reduction requirements only upon the group of developed countries. At the summit it was decided that the European Union would also accept a second Kyoto Protocol period after 2012.
- A number of other decisions were taken at the summit including one pertaining to the functioning of the Green Climate Fund, which is to support efforts to adjust to climate change and reduce emissions, particularly in the developing countries.
- The Polish Presidency has agreed its position and presented it at the global forum jointly with the European Commission. Poland was also the organiser of the logistic management centre handling the EU's work at the summit. It provided space for round-the-clock negotiations for some 1000 people representing the European Union at the summit involving over ten thousand participants.

23th September 2011

European Protection Orders in criminal cases

- On 23rd September the Polish Presidency concluded the political negotiations between the European Parliament and the Council concerning a draft directive dealing with European Protection Orders in criminal cases.
- The text was formally adopted in a vote of the European Parliament on 13th December.
- Work on a draft directive concerning European Protection Orders had been initiated by Poland and Spain. Protection orders are mainly intended to help victims of domestic violence. Statistics leave no doubt that the problem is urgent: over 134,000 cases of domestic violence were reported last year in Poland alone (according to Blue Card procedures).
- The order will be issued at the request of the victim and will be transferred between the competent authorities of the Member States. In particular, the directive will also make it

possible to transfer the application of such measures as restraining orders or, in particularly serious cases, the eviction of perpetrators.

16th December 2011

Presidency report on the future of Cohesion Policy in the period 2014-2020

- The Presidency's report on negotiations on draft regulations for Cohesion Policy in 2014-2020 was submitted to a formal meeting of EU ministers in charge of Cohesion Policy within the General Affairs Council,
- The report focused on the following key issues:
 - Manner of adopting a Common Strategic Framework (CSF).
A decisive majority of Member States unanimously favoured the acceptance of the CSF by the European Parliament and Council according to normal legislative procedures in the form of an annexe to the general regulation.
 - Using Recommendations for individual Member States as instruments of adapting cohesion policy to the broader process of implementing the Europe 2020 Strategy.
All the countries have confirmed their willingness to implement the Europe 2020 Strategy, emphasising the significance of Cohesion Policy for the attainment of its goals. Most countries have agreed to the Presidency's proposal that for Cohesion Policy National Reform Programmes rather than the Recommendations should be the reference point. This will allow better adaptation of the policy's intervention within the concrete developmental context of a given member and ensure greater effectiveness.
 - Equilibrium between thematic concentration and flexibility for Member States and regions in the implementation of Cohesion Policy. All Member States have confirmed the necessity of greater concentration of their support for Cohesion Policy and have acknowledged the directions mapped out by the Europe 2020 Strategy and the suitability of its list of corresponding topics. At a time of crisis and limited public and private funds, steps must be taken to ensure Cohesion Policy resources are earmarked for projects of the highest added value; development of entrepreneurship, R+D, innovation, energy effectiveness, climate change, employment and social integration. At the same time, most Member States see the need for increased flexibility of the concentration mechanisms proposed by the Commission in order to fully tap the diverse potentials of states, regions and other territories.
- 'The debate on the 2014-2020 legislative package has entered an advanced stage. The report presented during the deliberations was well received by the remaining Member States and forms the basis for further work by the Presidencies of Denmark and Cyprus,' Regional Development Minister Elżbieta Bieńkowska emphasised.
- The Presidency managed to achieve significant progress in the negotiations of two negotiating blocs: strategic programming and thematic concentration. Poland has also succeeded in launching a debate on conditionality and the territorial dimension.

14th November 2011

Compromise on the food distribution programme for the most deprived persons

- On 15th December, the Polish Presidency announced a political agreement during the latest session of the Agriculture and Fisheries Council regarding the food distribution programme benefiting those most deprived.
- On 14th November, a compromise to extend the operation of the programme was reached by the Agriculture and Fisheries Council.
- The support of a qualified majority has been guaranteed for the temporary operation of the programme in 2012 and 2013 in accordance with the agreed terms. The agreed terms of the compromise will be presented to the next EU Council to obtain their formal agreement.
- The proposal has been the subject of three rounds of discussion in the Council forum since the European Commission first presented draft changes to the programme in 2010. Each time it was opposed by a 'blocking minority'. Thanks to the efforts of the Polish Presidency, the proposed compromise solution should ensure the system's practical operation for another two years.
- Furthermore, the programme will be entirely funded by the EU and will include the financing of transport costs, storage costs and administrative costs directly related to the implementation of the programme.
- Some 18 million people in the European Union benefit from the programme, including four million in Poland. Next year €480 million will be designated for this purpose.

23rd November 2011

Biocides more environmentally friendly and safer for user

- The Member States felt that the compromise package negotiated by the Presidency is well balanced and consistent with the framework of the Treaty and EU's environmental policy objectives.
- Thanks to this regulation, an authentication system for biocidal products will be created which will be more environmentally friendly and safer for the consumer. Biocides are commonly used in households, hospitals, and various industries. They are used as disinfectants, additives for paints, varnishes, wood-preserving products, rodenticides, insecticides, and many other products. Changes in relation to the current directive will enable mutual recognition of permits by Member States, streamlining registration procedures through central coordination of the evaluation of active substances and products by the European Chemical Agency, including electronic data interchange using the Central Register of Biocidal Products.
- One of the new important elements is to extend the scope of regulation into products treated with biocidal agents, previously uncontrolled (and potentially hazardous for their users).

- Another key change is that from now on issues of registration and marketing will be governed by EU regulations (binding in its entirety and directly applicable in Member States) and not by directives (subject to implementation through national legislation).
- The introduction of this regulation will significantly improve the organisation of the market of biocidal products and increase their safety for users and the environment.

15th November 2011

Detergent compromise

- On 15th November, the Council adopted a compromise on the draft amending the regulation concerning the use of phosphates and other phosphorous compounds in laundry detergents used in households and detergents for dishwashers intended for consumer use.
- The draft established harmonises at the European Union level regulations pertaining to the phosphate content of detergents, helping to facilitate the free movement of goods and the elimination of barriers in the internal market. This will simultaneously facilitate the activities of producers and entrepreneurs in the EU market. The new rules will also benefit the environment: less phosphate in detergents means that the eutrophication process (excessive growth of algae and cyanobacteria) in lakes and seas will be limited.

28th September 2011

Compromise on 'correlation tables'

- On 28th September the Polish Presidency was successful in its efforts to broker an agreement on the so-called 'correlation tables' (or 'convergence tables') that define how EU laws are implemented in the respective Member States. The compromise between the European Parliament and the European Council was endorsed by members of the Committee of Permanent Representatives (COREPER).
- The Parliament, Commission and Council had been at loggerheads for years over the mandate and scope of the 'correlation tables' and the deadlock was hindering progress on legislation in the Union's institutions. Public opinion felt that many of the discussions that followed were too focused on technical matters instead of on the crux of the problem. For instance, the protracted debate over the tables recently blocked legislative work on two key dossiers (previously unconnected with the question of the tables). These were:
 - the European Parliament and Council directive on combating sexual exploitation of children and child pornography, repealing Framework Decision 2004/68/JHA
 - the European Parliament and Council Directive amending Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption.
- The compromise unblocked work at the European Parliament and the Council on these two draft directives allowing their adoption before the end of the Polish Presidency.

- Under the agreement, the 'correlation tables' – which Member States submit to the European Commission – will compare the dispositions of directives adopted at EU level with the corresponding dispositions of national laws. This will show how the respective Member States transpose EU legislation. Thus, the tables will enhance the transparency of decision-making and the effectiveness of the supervision of the implementation of EU law, without placing excessive administrative burdens on Member States.