



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 5 December 2007

**14915/2/07
REV 2 COR 1**

LIMITE

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CORRIGENDUM TO NOTE

from : the Presidency

to : the Working Party on Civil Protection

No. prev. doc. : 14083/07 PROCIV 166 JAI 515 COTER 71 ENER 247 TRANS 310
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No. Cion prop. : 16933/06 PROCIV 273 JAI 725 COTER 64 ENER 323 TRANS 345 TELECOM
133 ATO 174 ECOFIN 472 ENV 713 SAN 270 CHIMIE 43 RECH 365
DENLEG 61 RELEX 929 + ADD 1 + ADD 2

Subject : Proposal for a Directive of the Council on the identification and designation of
European Critical Infrastructure and the assessment of the need to improve their
protection

On page 6, footnote 2, the second sentence :

"FR requested the inclusion of the current recital (4) as well as of the following paragraph into an article of the proposed Directive: *"The reference made in this Directive to article 203 of the Euratom Treaty shall not give any competence to the European Atomic Energy Community in the field of nuclear security."*

should read

"FR suggested that the current recital (4) be amended in the following way: *"This Directive does not modify the existing powers of the EC and Euratom Communities as regards the protection of European Critical Infrastructures, the responsibility therefor falling in the first and ultimate instance on the Member States and the owners/operators of such infrastructures. This should not change."*

In addition, FR suggested a joint Commission/Council statement stipulating that :

- 1) The protection of critical infrastructures is the responsibility of the Member States as well as the owners/operators;
- 2) If a reference to Article 203 of the Euratom Treaty would allow the inclusion of critical nuclear infrastructures under the scope of this Directive, such a reference would not give new competences to the Euratom Community in terms of security and protection;
- 3) If the Commission, based on information provided by Member States, would consider it appropriate to present proposal with a view to improving the protection of ECI, such proposals should have the EC Treaty as legal basis."