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## OUTCOME OF THE COUNCIL MEETING

3462nd Council meeting

**Foreign Affairs**

**Development issues**

Brussels, 12 May 2016

President **Federica Mogherini**  
High Representative for Foreign Affairs and Security  
Policy

# P R E S S

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**ITEMS DEBATED****Revision of the European consensus on development in light of the 2030 Agenda**

The Council discussed the revision of the European consensus on Development in light of the implementation of the 2030 Agenda for sustainable development.

During their general orientation debate, EU ministers for development exchanged views on the main changes they would like to see in a revised European consensus on development. They notably underlined the need to build synergies between the EU policies and adopt a more coherent and flexible approach in order to reduce inequalities and address the root causes of migration. They also underlined the importance of strengthening the links between the framework of sustainable development and humanitarian aid. The need to better include civil society and the private sector while promoting human rights, good governance and the rule of law was also mentioned. Following this orientation debate the ministers had two thematic discussions, on joint programming and on engagement with the private sector.

EU development ministers will revert to the revision of the European consensus on development later on, in particular to deepen two more themes:

- the security and development nexus, and the need to enhance coordination among all instruments;
- the ways to increase differentiation from the least developed countries to middle-income and industrialised countries in the EU development policy.

## **Trade, private sector and sustainable development**

The Council had a discussion on the role of the private sector in implementing the 2030 Agenda for sustainable development, in the context of the revision of the European consensus on development.

Ministers underlined the importance of encouraging investments from the private sector, including through a better use of ODA and public financing, in order to ensure a sustainable and inclusive growth and to generate jobs in developing countries. They welcomed the increased role of the European Investment Bank in stimulating private investments.. They also stressed the importance of micro, small and medium enterprises in this context.

The Council adopted conclusions on responsible global value chains:

### **Introduction**

1. The Council recognises that global value chains (GVCs) have become an important feature of global production patterns. With the complexity of GVCs comes the need for increased and proactive engagement in the EU and abroad to ensure their adequate management for inclusive and sustainable growth. In this regard, the Council recalls that one of the objectives of the EU is to ensure that inclusive economic growth and development go hand in hand with social justice, human rights, including core labour standards, and sustainable environmental practices and policy frameworks.<sup>1</sup> The Council stresses that this issue is of particular relevance in a development context, as developing countries often face significant challenges in terms of sustainable development and growth for the most vulnerable.
2. The Council underlines the key role of the 2030 Agenda on Sustainable Development, including the Addis Ababa Action Agenda, and recalls its conclusions of 26 May 2015<sup>2</sup>, particularly highlighting the need for the promotion of policy coherence, enabling policy frameworks and mobilisation of the private sector. The Council also recalls the Agenda for Change<sup>3</sup>, which focuses EU trade and development policy on Least Developed Countries (LDCs) and countries most in need, including in the form of trade preferences or Aid for Trade.

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<sup>1</sup> Article 3 TEU.

<sup>2</sup> 9241/15.

<sup>3</sup> 15560/11 - COM(2011) 637 final.

3. The Council recalls its conclusions on the Commission Communication "Trade for All: Towards a more responsible trade and investment policy"<sup>1</sup>, emphasising the contribution that EU trade instruments can make to sustainable development, human rights and good governance. The Council welcomes the Commission Staff Working Document<sup>2</sup> reporting on the implementation of the Communication on "Trade, Growth and Development"<sup>3</sup> and the follow-up to the Council conclusions on the "EU's approach to trade, growth and development in the next decade". The Council also welcomes initiatives promoting internationally accepted environmental standards as well as labour rights and occupational safety and health with our partners, such as the Bangladesh Sustainability Compact and the Myanmar Labour Rights initiative.
4. The Council recalls its conclusions on the Commission Communication "A stronger role of the private sector in achieving inclusive and sustainable growth in developing countries"<sup>4</sup>, underlining the need for Corporate Social Responsibility (CSR), private sector engagement and responsible management of GVCs in achieving inclusive and sustainable economic growth, as well as business opportunities. The sustainable sourcing and management of natural resources is essential in this respect.
5. The participation of micro, small and medium-sized enterprises (MSMEs) in global value chains can bring substantial benefits. Multinational enterprises could play a constructive role in partnering with MSMEs, facilitating the dissemination of knowledge, skills and technology, including regarding the implementation of environmental and social standards.
6. The Council acknowledges the contribution of the EU CSR Strategy<sup>5</sup> and the Joint Communication of the Commission and the High Representative of the Union on "Responsible sourcing of minerals in conflict-affected and high-risk areas"<sup>6</sup>, and the EU Action Plan for the Circular Economy.<sup>7</sup> The Council stresses the importance of CSR/RBC (Responsible Business Conduct)<sup>8</sup> in stimulating sustainable development, the creation of decent jobs and the social and economic empowerment of all, particularly women and youth, as well as of vulnerable categories including persons with disabilities.

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1 14708/15.

2 6554/16 - SWD(2016) 47 final.

3 5887/1/12 REV 1 - COM(2012) 22 final.

4 16856/14.

5 16606/11 - COM(2011) 681 final.

6 7704/14 - JOIN(2014) 8 final.

7 COM (2015) 614 final.

8 The EU uses CSR and RBC interchangeably. In 2011, the EU's CSR Strategy defined Corporate Social Responsibility as the "the responsibility of enterprises towards their impacts on society" and stressed that "to fully meet their corporate social responsibility, enterprises should have in place a process to integrate social, environmental, ethical, human rights and consumer concerns into their business operations and core strategy in close collaboration with their stakeholders".

7. The Council underlines the importance of inclusive and sustainable approaches as agreed in the 2030 Agenda Sustainable Development Goals, notably those on sustainable production, sustainable consumption and decent work, and welcomes the intensified international cooperation on RBC. The Council recognises the important work done by the EU and its Member States in promoting the implementation and monitoring of UN conventions on climate change and biodiversity, as well as internationally recognised guidelines and principles. These include the Organisation of Economic Cooperation and Development (OECD) Guidelines for Multinational Enterprises, as well as the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, the UN Guiding Principles on Business and Human Rights and the Committee on World Food Security principles for responsible investment in agriculture and food systems. The Council welcomes the work undertaken by the International Labour Organisation (ILO) in this area and looks forward to active collective engagement in discussions on decent work in global supply chains<sup>1</sup> at the 105th International Labour Conference in June 2016. The Council fully supports the Leaders' Declaration at the 2015 G7 Summit, recognising the joint responsibility of governments and business to foster responsible supply chains, and jointly advance the understanding of due diligence. The Council also supports the G20 Leaders' acknowledgment of the importance of fostering safer and healthier workplaces including within sustainable global supply chains (2015 Antalya Summit). The Council recalls that the EU and its Member States will further promote a transparent, cooperative and fair international tax environment in line with the principles of good governance. Financial transparency should be enhanced, this could include related exchanges in this respect between relevant authorities.
8. The Council highlights that the EU and its Member States, being collectively the world's largest market and the leading provider of Aid for Trade with more than a third of total EU Official Development Assistance (ODA) supporting trade related needs, can leverage this position to make GVCs more sustainable and inclusive in particular in those markets in which the poorest make their living.

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<sup>1</sup> 'Supply Chains' and 'Value Chains' are similar terms that refer to the entire production chain, from processing raw materials to end-user products. Depending on the context, the term 'supply chain' may be used to specifically refer to the process of all parties involved in the production and distribution of a commodity and the term 'value chain' to the set of interrelated activities by which a company adds value to an article. However, they are used here interchangeably.

## Stepping up our joint efforts

9. The Council encourages the Commission and the Member States to further ensure that policies contribute to support sustainability in global value chains and promote CSR principles, notably by respecting CSR principles in the formulation of EU policy tools and through EU funded projects. The Council furthermore encourages the Commission to enhance the implementation of due diligence and to foster dialogue and cooperation amongst all relevant public and private stakeholders, in order to achieve a global level playing field and to implement policy measures aimed at promoting e.g. human rights due diligence at company-level. As such, doing business in a responsible way may ultimately create a competitive advantage. The Council reaffirms the importance of continued support for strengthening national regulatory systems for sustainable and inclusive markets.
10. The Council welcomes the systematic inclusion in all EU Trade Agreements of trade and sustainable development (TSD) provisions, which contain commitments by parties to respect core labour standards and other ILO conventions as well as key multilateral environmental agreements. TSD provisions promote relevant internationally agreed guidelines and principles on CSR. The Council invites the Commission to present a regular update and follow-up on the implementation of TSD provisions by making effective use of existing reporting and monitoring tools.
11. The Council encourages the Commission and the Member States to continue the work on Policy Coherence for Development as provided by Article 208 TFEU in internal and external policies. Synergies between development cooperation, environmental policy and trade tools must be sought, notably to unpack their full combined potential and contribute to the implementation of, and progress on, TSD chapters and other provisions relevant to sustainable development, so as to maximise the development impact. This includes capacity building, political dialogue and the participation of civil society, social partners, and other stakeholders. The Council looks forward to the upcoming review of the Joint EU Aid for Trade Strategy to enhance synergies in the area of trade and development, notably with a view to achieving the related Sustainable Development Goals.
12. The Council supports efforts undertaken in promoting responsible supply chains through initiatives such as an EU Garment Initiative and through initiatives in the agricultural sector such as the Forest Law Enforcement, Governance and Trade Action Plan (FLEGT), Amsterdam Declarations on deforestation and on sustainable palm oil supply, as well as in other sectors. The Council strongly encourages the Commission and Member States to share best practices, including the promotion of new and innovative approaches, and to scale up such initiatives and expedite their delivery. The development of a Public-Private Partnership on Responsible Mineral Sourcing and other initiatives concerning the responsible sourcing of minerals in conflict-affected and high-risk areas, are useful tools in this regard.



13. The Council supports multi-stakeholder approaches in the EU and partner countries at all levels. This can involve international organisations, civil society and social partners, the private sector and governments, as well as other public bodies, as appropriate and with the support of EU delegations, that have an important role to play in promoting CSR in global value chains. Transnational Company Agreements such as Global Framework Agreements that include suppliers are valuable instruments in this regard. The Council invites the Commission to further support actions aimed at enhancing private sector engagement for development and RBC.
14. The Council underlines the need for continued advocacy for the uptake of internationally agreed principles, guidelines and initiatives on CSR/RBC such as the UN Guiding Principles on Business and Human Rights, the UN Global Compact, the ILO Tripartite Declaration on Principles concerning Multinational Enterprises and Social Policy, and the OECD Guidelines for Multinational Enterprises, including in non-OECD member countries, also contributing to anti-corruption efforts by creating more open and transparent business environments. Sustainable public procurement should be promoted. Special attention should be paid to gender equality and ensuring women's full, equal and effective participation at all levels of decision making in line with the Gender Action Plan 2016-2020.
15. The Council encourages the Commission, EEAS and Member States to intensify their work on Responsible Business Conduct. This would include, inter alia, National Action Plans on CSR/RBC and Business and Human Rights by Member States, and the Commission launching a new EU RBC Action Plan in 2016. These Action Plans should specify concrete actions to meet current and future social, environmental and governance challenges and priorities for the implementation of the UN Guiding Principles on Business and Human Rights.

## Afghanistan

Over lunch, EU development ministers were joined by Afghan minister for Finance, Eklil Ahmad Hakimi. Minister Hakimi presented the new Afghan national development framework outlining the government's reform agenda in the run-up to the Brussels Conference on Afghanistan to take place on 5 October 2016. Ministers welcomed the progress made on reforms and encouraged the continuation of their swift implementation. The High Representative underlined the EU's continued engagement in Afghanistan, both politically and financially with a high level of development assistance of EUR 200 million per year until 2020.

After the working lunch, the Council adopted conclusions on Afghanistan:

1. The Brussels Conference on Afghanistan, 'Partnership for Prosperity and Peace', on 4-5 October 2016 will take place at a critical juncture. It will provide an important opportunity for the Afghan National Unity Government ("the Afghan Government") to reconfirm its commitments towards continued reforms and progress through the Afghan Realising Self-Reliance agenda and for the international community to take stock of progress achieved over the last years. The NATO Warsaw Summit and the Brussels Conference will together allow the international community, on the basis of reinforced mutual commitments with the Afghan Government, to signal sustained political and financial support to Afghan peace, state-building, and development.
2. The Council recalls the collective responsibility of the Afghan Government to demonstrate a clear commitment to political and economic reforms, including the electoral framework and its institutions. Clear and tangible steps towards electoral reform will help strengthen public confidence in the democratic process, particularly in view of the upcoming elections. The Council is concerned by the deteriorating humanitarian situation, as highlighted by UNAMA, and also recalls the importance of respecting international humanitarian law. It supports all efforts to facilitate an Afghan-owned and Afghan-led peace process as well as to promote reconciliation at national and regional level. The EU remains committed to supporting civilian policing in Afghanistan beyond the completion of the EUPOL mission in 2016. Progress achieved by Afghanistan in the respect, protection and promotion of human rights, and in particular women's and children's rights, must be consolidated and further improved and mainstreamed in all government activities. It is for the Afghan Government, with the continued support of international and regional partners, to maintain the momentum for reform, to make progress towards Afghan Self-Reliance and peace.

3. The Council underlines the need for the Afghan people, especially the youth, to be able to see a viable future in Afghanistan. In this regard, the capacity of Afghanistan's institutions to address the population's basic needs and to reduce poverty will be a determining factor. This will require the Afghan Government to promote sustainable economic, social and environmental development, including sustained job creation for women and men alike, while further improving governance, tackling drug production and trafficking, as well as building up fiscal sustainability. Corruption in particular is a critical challenge for development in Afghanistan, and the adoption and implementation of effective anti-corruption measures is of paramount importance. A stable political and economic environment will help consolidate Afghanistan's nascent democratic institutions and the establishment of a reliable rule of law framework with safeguards to respect, protect and promote human rights, and in particular women's and children's rights.
4. Substantial, cooperative efforts will also be necessary to address large population movements and the issue of irregular migration. They represent a severe constraint for the development of the Afghan society and economy, as well as a pressing challenge to the region, transit states, and the EU. The Council strongly encourages further efforts by the Afghan Government to provide a conducive environment that can offer Afghan citizens opportunities within the country. The Council calls on the efforts of the Afghan Government, the High Representative and the European Commission to develop a framework for cooperation through the High Level Dialogue on Migration scheduled for June and October 2016, in co-operation with Member States. In this framework, which should also support bilateral initiatives, return as well as readmission and reintegration by the Afghan Government of its nationals, in full respect of their fundamental rights and in accordance with international commitments, will be important elements to agree on. The Council welcomes the policy "Sustaining Self-Reliance: A Strategy for Reducing Informal Out-Migration and Re-integrating the People Who Have Left" adopted by the Afghan Cabinet on 9 December 2015.
5. The Council welcomes the presentation of the outline of the new Afghan National Development Framework and looks forward to the revised National Priority Programmes. We expect these policy documents to reveal in full the Afghan government's vision for reforms in key areas such as basic service delivery, women's empowerment and infrastructure development. Before the Brussels Conference on Afghanistan, the Afghan Government and its international partners will have agreed on the best way to refresh the Self-Reliance through Mutual Accountability Framework for the coming years of the transformation decade.

6. The Council welcomes the progress achieved by the Afghan Government on the path of reform which was presented at the Joint Coordination and Monitoring Board (JCMB) meeting on 4 April 2016. These reforms are being pursued within a challenging environment, and the Government's reform progress has not always been as strong as expected. However, the Council notes the positive turnaround on revenues, the demonstrated commitment to financial sector reforms under the International Monetary Fund's Staff-Monitored Program, the approval of Afghanistan's WTO membership terms, the adoption of an anti-harassment regulation protecting women in the public sector, and the launch of the Jobs for Peace Programme. These achievements represent an encouraging signal of the capacity of the Afghan government to deliver on its reform commitments, which must now be followed by further tangible progress.
  
7. The Council recalls the aim to maintain a high level of EU development assistance for Afghanistan with EUR 200 million per year until 2020. The Council recognizes the need to take account of the Agenda 2030 for Sustainable Development in its future partnership with Afghanistan. In line with its commitments under the Global Partnership for Effective Development Cooperation, the EU is working with the Afghan Government and its partners to deliver aid in a more effective and flexible way, and to promote a high degree of Afghan ownership through increased use of in-country systems. Subject to adequate transparency and accountability mechanisms, a State-Building Contract (SBC) for Afghanistan is currently being considered, based on a specific request by the Afghan Government and supported by the World Bank's recommendation to increase 'on-budget' assistance. The EU will seek increasing aid efficiency further, by assessing with Member States a Joint Programming approach, recognising that this must be voluntary, flexible, inclusive and tailored to the country context. Combined with successful implementation by the Afghan government of reforms towards self-reliance in line with its commitments, the EU and its Member States intend to maintain the necessary political support and financial assistance at or near current levels until 2020 and encourage other international donors and regional partners also to provide political and financial support.

[Brussels Conference on Afghanistan, 5 October 2016](#)

## **Joint programming**

In the context of the revision of the European consensus on development, ministers had a discussion on how to consolidate and expand joint programming of EU and member states' external assistance.

The Council adopted conclusions on stepping up joint programming:

### **Progress and challenges**

1. The Council welcomes the progress made on Joint Programming of external assistance by the EU and its Member States. By pursuing Joint Programming the EU and its Member States collectively contribute to implementing the policy commitments made at global and EU level<sup>1</sup>. In this context the Council recalls its conclusions on the EU Common Position for the Fourth High Level Forum on Aid Effectiveness<sup>2</sup> which set the framework for joint multiannual programming, its conclusions on the Review of the European Neighbourhood Policy<sup>3</sup> emphasising the need for full involvement of Member States in the European Neighbourhood Policy, as well as other regions, and its conclusions Increasing the impact of EU Development Policy: an Agenda for Change<sup>4</sup>.
2. The EU and its Member States are committed to strongly support partner countries in delivering on the 2030 Agenda for Sustainable Development and recognise the value of a Joint Programming approach, notably to strengthen a coordinated and strategic EU response. If properly implemented Joint Programming offers concrete opportunities to contribute to Policy Coherence for Development.
3. Since 2011 Joint Programming has focused on 55 partner countries with 25 EU Joint Cooperation Strategies currently in place or being finalised. Joint Programming has the potential for strengthening the efficiency, coherence, transparency, predictability, and visibility of the external assistance of the EU and its Member States. Implementing Joint Programming at country level can facilitate a more effective division of labour and reduced aid fragmentation.

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<sup>1</sup> The Fourth High Level Forum on Aid Effectiveness held in Busan, December 2011, the European Consensus on Development, the Agenda for Change, and the Joint Communication on the Review of the European Neighbourhood Policy.

<sup>2</sup> 16773/11.

<sup>3</sup> 8087/15.

<sup>4</sup> 9369/12.

4. Joint Programming can also be an effective tool to enhance EU coordination at country and sector level and can reinforce coordinated policy dialogue, as well as joint analysis, information sharing, joint implementation initiatives, joint monitoring and joint evaluation. Yet there remain challenges that need to be addressed. In some cases transaction costs are still high. The synchronisation of programming cycles between EU participants and receiving countries should be improved, where possible. Strong commitment by all actors at country level and in EU capitals is key for success.

### **Consolidating and expanding Joint Programming**

5. Joint Programming should be promoted and strengthened, while being kept voluntary, flexible, inclusive, and tailored to the country context, and allow for the replacement of EU and Member States Programming documents with EU Joint Programming documents. In countries where Joint Programming has yet to start, the Council calls on the Commission services and the EEAS to assess the potential with Member States missions for Joint Programming and for developing a roadmap. Partner country engagement, appropriation and ownership are essential for this process. Joint Programming should be led by the partner country's development strategy.
6. The Council recognises the added value that Joint Programming can have in terms of avoiding duplication, reducing transaction costs (including for partner countries), and further strengthening EU coordination and EU visibility. This process should meet EU and Member States' requirements and should align with partner countries' development priorities.
7. The Council stresses the opportunity of expanding Joint Programming including in fragile situations and conflict-affected countries, as well as in prevention or post-conflict contexts. In this context the Council recalls its conclusions<sup>1</sup> on the EU's comprehensive approach, noting that the starting point of the comprehensive approach must be early, coordinated and shared analysis. This provides a strategic basis for conflict-sensitive EU programming. This also contributes to the New Deal for Engagement in Fragile States. The Council also invites the Commission services and the EEAS to consider ways in which Joint Programming can accompany countries in transition to higher income levels, as part of a wider relationship going beyond external assistance.

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<sup>1</sup> 9644/14.

## The way forward

8. In addition, the Council considers that renewed effort and commitment by the EU and the Member States are necessary for Joint Programming to fully deliver its benefits, in particular in countries where participating parties have recognised its potential to become the preferred approach. The EU and the Member States should mobilise political and technical support to ensure adequate capacity at both field and headquarters levels. Joint programming should take into account EU and Member State thematic and sector initiatives and cross-cutting policies notably on human rights, gender equality, good governance and civil society.
9. In line with the EU Comprehensive Approach, Joint Programming documents should evolve to include strategic issues such as migration, climate change, fragility, security and democracy. The Council looks forward to the continued implementation of the EU Comprehensive Approach Action Plan and calls for better coordination and greater coherence of the EU response, including through Joint Programming. Trust Fund activities should also take account of the Joint Programming dimension.
10. Efforts to reduce fragmentation and promote coherence and synergies between the EU and the Members States should also be part of the implementation phase. The Council therefore calls on the Commission services and the EEAS to continue promoting EU and Member States-financed joint implementation activities, which also contributes to increasing the visibility of the EU and its Member States on the ground, for example through co-financing and delegated cooperation, paying particular attention to development actors from the EU and the Member States. Cooperation between Member States development actors should also be encouraged in the framework of joint implementation.
11. The Council encourages the EU and Member States to strengthen their efforts to raise awareness among partner governments and other stakeholders of Joint Programming in order to strengthen and encourage ownership and alignment by timely consultations and dialogue. Joint Programming should continue to be open also for other donors when assessed relevant at country level, by EU and Member States representations.
12. The Council invites the EEAS and the Commission services to report back on EU Joint Programming processes on a regular basis and looks forward to the ongoing Evaluation of the EU Joint Programming Process of Development Cooperation and its findings and recommendations which could be of key importance to improve Joint Programming processes and procedures and guide further steps. The Council invites the EEAS and the Commission services to also take forward the work on Joint Programming including, in the light of the orientations from the upcoming EU Global Strategy, the revised Neighbourhood Policy and any future revision of the EU's development policy.

## **Migration and development**

Ministers focused on the implementation of the **Valletta action plan** six months after its adoption. They took note of the state of play of the **Emergency Trust Fund for Africa**. Projects worth more than EUR 750 million in favour of the Sahel and Lake Chad regions, as well as the Horn of Africa have already been approved.

They also reviewed the state of play of **high-level dialogues with partner countries**. The Council also discussed the internally displaced persons and forced displacement, and exchanged views on how to best support refugees and displaced people in long lasting crises.

They adopted the following conclusions:

1. Globally, more than 60 million people – refugees and internally displaced persons (IDPs) – are forcibly displaced because of conflict, violence, and human rights violations. In light of the global refugee and migration crisis also affecting Europe, this is a major source of concern for the Council. Climate change, natural and man-made disasters, as well as a lack of development possibilities or human security pose additional challenges in this respect. The Council recalls that 86% of the world's refugees live in developing regions and that least developed countries (LDCs) host 25% of the global total. The Council reiterates its commitment to work towards peaceful solutions to conflict and durable and dignified solutions for refugees and IDPs, including safe voluntary return, as well as the importance of prevention and capacity building as cornerstones for resilience.
2. The Council recalls its conclusions (19 July 2013) on the 2013 High level Dialogue on Migration and Development and on broadening the development-migration nexus<sup>1</sup> as well as its December 2014 conclusions on Migration in EU development cooperation<sup>2</sup> which called for "a coherent and coordinated development approach towards refugees and IDP issues and ensuring appropriate funding responses". This demand was reiterated during the Council meeting on 26 May 2015.
3. The Council stresses the need to take urgent and decisive policy action in dealing with protracted displacement situations and therefore welcomes the Commission Communication "Lives in Dignity: from Aid-Dependence to Self-Reliance. Forced Displacement and Development".

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<sup>1</sup> 12415/13.

<sup>2</sup> 16901/14.



4. The Council acknowledges that forced displacement has a severe impact not only on displaced individuals and their families, but also on host countries and communities. The humanitarian system alone cannot address the growing and evolving needs of the forcibly displaced and of the countries and communities hosting them, especially as more crises become protracted. Forced displacement is a political, human rights, security, developmental and economic challenge, compounded by smuggling, trafficking and exploitation. It should be addressed from a needs-based perspective, underpinned by a rights-based approach encompassing all human rights, through long-term development support involving as a rule development actors, including local ones, from the early stages, whenever possible, and throughout a crisis, thus complementing the humanitarian approach in a coordinated and coherent manner, supported by political dialogue. The goal should be to work towards sustainable global and local solutions for displaced persons, by addressing root causes and combatting the protracted nature of forced displacement, to improve their lives and move from aid dependence to self-reliance. On the other hand, host countries and communities should receive adequate and sustained support, while maximising the benefits that displaced persons can bring. A stronger strategic and operational link between development and humanitarian approaches should seek to establish a framework for broad partnerships that improve protection and create durable social and economic opportunities, including education at all levels, for forcibly displaced persons and their host communities, taking into account the priorities, financial circumstances and needs of countries and communities that are hosting forcibly displaced persons.

#### **A coherent, development-led approach to forced displacement**

5. The Council welcomes the approach and guiding principles, which recognise the potential of refugees' and IDPs to actively contribute to and participate in the economy and society of host countries and communities until safe return is possible. The Council is of the view that host governments should be supported in adopting and implementing national legal systems and policies that are in line with international standards and conducive to self-reliance of displaced persons, and by doing so safeguarding their rights and human dignity. The EU will work together with host governments and local authorities in gradually implementing plans and policies for the socio-economic inclusion of forcibly displaced persons, within the framework of local and national development plans. Access to labour markets, education and services are of crucial importance in this regard. This work should be based on partnerships with all development actors, including diasporas. The involvement of local civil society and the private sector, e.g. through public-private partnerships, is crucial to offer much-needed services and opportunities for employment, business and investment for both forcibly displaced persons and their host communities. These efforts should be underpinned by solidarity, local ownership, sustainability, respect for human rights and rooted in concrete economic and social evidence of all the impacts and implications of hosting refugees or IDPs.

6. The Council is committed to and calls upon the EU and its Member States as well as international actors to systematically include forcibly displaced persons and their host communities in the design, programming and implementation of international cooperation and assistance interventions in a comprehensive manner. Interventions in support of sustainable solutions must be context-specific and address the specific needs and vulnerabilities of the forcibly displaced, beyond legal status. The early engagement and close coordination of political and development actors at the outset of a crisis should be the rule, to complement and build on the humanitarian actors' emergency and early recovery interventions, in full respect of international humanitarian law, refugee law and human rights law. This is in line with the commitment to "leave no one behind", enshrined in the 2030 Agenda for Sustainable Development by empowering the most vulnerable, including refugees and IDPs. Special attention should be paid to women, youth and children, as well as to vulnerable categories including persons with disabilities. In this regard, education is of crucial importance as part of a long-term perspective.
7. The Council acknowledges that solid evidence, and shared development and humanitarian situational assessments, reliable data and comprehensive analysis of refugee and migration flows, including impacts on host communities, are crucial to formulate evidence-based and results-oriented policies. To improve this, the Commission Services and the Member States will work together with all relevant actors.
8. The more coherent approach aims to enhance the appropriateness, efficiency and cost-effectiveness of EU assistance provided in protracted displacement situations – complementing in a coordinated way humanitarian assistance to meet acute and mid-term needs and employing development approaches that include longer-term perspectives and preserve the dignity and foster the self-reliance of the displaced and the resilience of the host communities and countries alike, while fully respecting the humanitarian principles as the basis of humanitarian assistance.

### **Next steps and the way forward**

9. The Council acknowledges that – as part of the European Agenda on Migration – major new programmatic and funding tools that link immediate relief to mid- and long-term support for both the displaced and their hosts are being developed. These include among others dedicated EU Trust Funds, the Facility for Refugees in Turkey, the forthcoming compacts with host countries, such as Jordan and Lebanon, and Regional Development and Protection Programmes (RDPP) in the Middle East, the Horn of Africa and the North of Africa. In this context, the Council looks forward to forthcoming reviews, including of financing instruments, to guide EU programming, so as to better address root causes in an appropriate manner and to improve long term perspectives for host communities, refugees, IDPs, as well as voluntary returnees. To that end, the Council calls upon the Commission Services and the EEAS to strengthen the cooperation with partner countries in implementing relevant programmes, in compliance with international agreements.

10. The EU is committed to providing a policy framework for a more efficient, context-specific and dignified response to global forced displacement and maximise the impact of EU support to refugees and IDPs, in line with the European Agenda on Migration, with particular emphasis on protracted displacement as a long-term development challenge. Combatting violence against women should be a priority. Efforts should build on what host countries, international organisations and civil society organisations are already doing in order to offer an integrated package of measures: education, basic services, livelihoods, decent work opportunities, private sector instruments, trade and specific attention for the protection, in particular of children, and full participation of the displaced with particular attention for the most vulnerable groups. This will require considerable efforts by the EU and the full cooperation of these countries in question, but these are conditions that the EU and Member States, also with the support of international financial institutions (IFIs), including the European Investment Bank, can help create through innovative and effective development cooperation, economic assistance and investment in infrastructure and businesses, as well as political dialogue and action.
11. The Council welcomes the UN-led World Humanitarian Summit in May 2016, including the Agenda for Humanity presented in the UNSG report, and the UN General Assembly High-Level Meeting on Refugees and Migrants to take place in September 2016 as an opportunity for political, developmental and humanitarian actors to commit to a more coherent and holistic global approach to forced displacement, as part of the broader migration agenda.
12. The Council calls upon the Commission Services, the EEAS and the Member States to implement the new policy framework to forced displacement by taking the necessary political, policy, legal and financial steps, and provide a concrete action and results-oriented follow-up to it. The Council also calls upon the Commission Services and the EEAS to regularly report, starting in 2016, to the Council on the actions taken and the state of play of the implementation, and to promote further engagement of stakeholders.

## **World Humanitarian Summit**

The World Humanitarian Summit will take place on 23-24 May in Istanbul. Conclusions setting out the EU position for the Summit were adopted:

1. The World Humanitarian Summit (WHS) is a once-in-a-generation opportunity for the global community to assume its shared responsibility to save lives, alleviate suffering and preserve human dignity. The EU and its Member States welcome the powerful vision set out in the UN Secretary-General's Report "One Humanity: Shared Responsibility" and its "Agenda for Humanity".
2. The EU and its Member States are committed to strong progress on each of the five core responsibility areas, for which core commitments have been formulated by the UN.
3. To make the vision of the UN Secretary-General a reality, the WHS must bring about transformative change and decisive action by all stakeholders, building on the commitments of the Sendai Framework for Disaster Risk Reduction, the 2030 Agenda for Sustainable Development, and the Paris Agreement on Climate Change. The WHS will also represent an important step along the path to the UNGA Summit on Addressing Large Movements of Refugees and Migrants on 19 September 2016. We are committed to playing our full part in this collective endeavour.
4. As the world's biggest humanitarian donor, the EU and its Member States have been at the forefront in supporting the WHS<sup>1</sup>. We reiterate our commitment to the humanitarian principles of humanity, neutrality, impartiality and independence<sup>2</sup>, and to preventing politicisation and instrumentalisation of humanitarian aid. We call on world leaders and all stakeholders to do the same in Istanbul.

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<sup>1</sup> Commission Communication "Towards the World Humanitarian Summit: A global partnership for principles and effective humanitarian action" (11667/15), Council Conclusions on the World Humanitarian Summit preparatory process (15232/15), European Parliament resolution on preparing for the World Humanitarian Summit: Challenges and opportunities for humanitarian assistance (2015/2051(INI))

<sup>2</sup> as also enshrined in the European Consensus on Humanitarian Aid (OJ C 25 of 30.01.2008, p. 1)

*Global leadership to prevent and end conflicts*

5. Humanitarian action cannot be a substitute for political solutions. The root causes of crises and conflicts must be addressed so as to end needless loss of lives and human suffering. The primary responsibility to prevent and solve conflicts lies with national governments and non-state parties to armed conflict, and requires engagement of communities and civil society in political and governance processes. The EU and its Member States recognise the distinct role of women in conflict prevention, resolution and peace processes. The EU and its Member States stand ready to support these processes by reinforcing investments in early warning and early action and by mobilising the full array of their policies and instruments in line with the EU comprehensive approach<sup>1</sup>, which addresses all stages of conflicts or other external crises through early warning and preparedness, conflict prevention and mediation, crisis response and management, to early recovery, stabilisation and peace-building. The EU and its Member States reconfirm that resolving and preventing conflicts, and preventing relapses into conflict, is a primary objective of the EU's external action.

*Uphold the norms that safeguard humanity*

6. The EU and its Member States will continue to advocate strongly and consistently for the respect of international law, including international humanitarian law (IHL), refugee law and international human rights law. Serious violations of IHL cause intolerable human suffering and aggravate humanitarian crises. All parties to armed conflict must comply with IHL, including with the principles of distinction, proportionality and precaution as also reflected in international customary law. This is of particular importance for the protection of civilians, detainees and those *hors de combat*, as well as of civilian objects<sup>2</sup>. It is also of paramount importance for the protection of humanitarian and healthcare personnel, patients, and medical facilities; the EU and its Member States will continue to actively promote all possible measures to prevent them from being targeted in conflicts. The EU and its Member States will continue placing respect for IHL at the top of the international agenda, strengthening dialogue and cooperation among States on the implementation of IHL and fully implementing the EU guidelines on the promotion of compliance with international humanitarian law<sup>3</sup>.

<sup>1</sup> Joint Communication "The EU's comprehensive approach to external conflict and crises" (17859/13); Council Conclusions on the EU's comprehensive approach (9644/14)

<sup>2</sup> such as schools, cultural objects and places of worship

<sup>3</sup> OJ C 303 of 15.12.2009

7. States have the primary responsibility to ensure accountability for violations of IHL. The EU and its Member States call upon all States to fight impunity for IHL violations, and upon all parties to an armed conflict to support global efforts to systematically monitor, report and investigate IHL violations and ensure accountability. We support efforts to reinforce the global justice system, namely by strengthening the capacity of domestic jurisdictions, in particular by further developing procedures for mutual legal assistance, and further promoting the cooperation with independent and impartial national, regional and international mechanisms, so that those responsible for IHL violations are promptly brought to justice. The EU and its Member States will continue supporting the International Criminal Court, not least by promoting universality and complementarity with domestic judicial systems. We call upon members of the UN Security Council not to vote against credible draft resolutions before the Security Council on timely and decisive action to end the commission of genocide, crimes against humanity or war crimes, or to prevent such crimes.
8. The EU and its Member States will integrate protection measures throughout the response cycle, taking into account the needs, vulnerabilities and capacities of specific population groups. Increased advocacy efforts are needed to ensure humanitarian access enabling safe, unimpeded and timely delivery of assistance to all people in need.
9. The EU and its Member States are determined to work towards eradicating all forms of sexual and gender-based violence, to ensure that survivors are treated with dignity and receive necessary support to help rebuild their lives, and to hold perpetrators accountable for their crimes.

#### *Leaving no one behind*

10. The pledge of the 2030 Agenda to leave no one behind, and to endeavour to reach those furthest behind first, must apply equally to the people affected by humanitarian crises and disasters, including refugees and internally displaced persons. The EU and its Member States reiterate their commitment to put people at the centre of their humanitarian action. Women, children, older persons and people with disabilities are disproportionately vulnerable to the effects of disasters and conflicts. Humanitarian operations must take into account their specific needs and capacities and involve them throughout the response cycle.

11. The EU and its Member States propose a new, development-oriented policy framework to address forced displacement, together with humanitarian assistance. This approach is set out in the Commission Communication 'Lives in Dignity: from Aid-dependence to Self-reliance: Forced displacement and development'<sup>1</sup>. Its aim is to foster the self-reliance and resilience of the displaced and their host communities through securing sustainable livelihoods and access to basic services, including education at all levels. This framework will build upon a broad engagement between international donors, host governments, local communities, civil society and the displaced themselves with the objective of improving living conditions during protracted forced displacement, achieving durable solutions for ending displacement and mitigating the shock of large-scale movements of people on host countries.
12. The EU and its Member States are tackling the multi-dimensional root causes of the current refugee crisis and broader forced displacement, including by stepping up their efforts on conflict prevention, resolving existing conflicts and addressing climate change challenges and human rights abuses, all of which are major drivers of forced displacement. The EU and its Member States will continue promoting collective global responses to the root causes of forced displacement, contributing to finding durable solutions, and building the resilience of vulnerable communities.
13. The EU and its Member States are committed to ensure the full and equal participation and representation of women and girls in disaster risk reduction (DRR), conflict prevention and resolution, post-conflict reconstruction and rehabilitation, and in all phases of the humanitarian assistance and the development process. We reconfirm our commitment to UNSC Resolution 1325 and its follow-up resolutions, and to fully implement the EU's second Gender Action Plan for the period 2016-2020<sup>2</sup>, which provides a results-oriented framework to advance the agenda for gender equality and women's empowerment in all EU external relations. The Council encourages all EU Member States to join the Call to Action on Protection from Gender-Based Violence in Emergencies Communiqué<sup>3</sup> and implement the Roadmap<sup>4</sup>.

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<sup>1</sup> 8339/16, COM(2016) 234

<sup>2</sup> Joint Staff Working Document "Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020", annexed to the Council Conclusions on the Gender Action Plan 2016-2020 (13201/15)

<sup>3</sup> The Call to Action on Protection from GBV in Emergencies Communiqué was launched by the UK Department for International Development (DFID) and the Swedish International Development Cooperation Agency (SIDA) in November 2013;  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/256872/Final\\_Communique\\_v\\_11\\_Nov\\_4.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/256872/Final_Communique_v_11_Nov_4.pdf)

<sup>4</sup> The Call to Action Road Map 2016-2020 was launched by US Secretary of State John Kerry and Swedish Minister for Foreign Affairs/Deputy Prime Minister of Sweden Margot Wallström on 1 October 2015 at the High-level event of the 70th UN General Assembly in New York;  
<http://reliefweb.int/sites/reliefweb.int/files/resources/Call-to-Action-Roadmap.pdf>

*From delivering aid to reducing need*

14. The EU and its Member States will further enhance efforts to address drivers of vulnerability and to protect development outcomes. The EU and its Member States in particular see the need to better link humanitarian aid and development cooperation from the pre-crisis stage onwards, to better anticipate, prepare for and respond to a crisis or disaster, and to build resilience. Forging synergies between the respective instruments, including those related to climate change, DRR and poverty eradication, will be crucial.
15. The EU and its Member States commit to ensuring that the international humanitarian system is able to address current and future challenges in a reliable and predictable way. This requires strong, empowered leadership at both international and local levels, risk-informed joint assessments and analysis, a focus on delivering quality outcomes through collective, system-wide action, and greater accountability. The EU and its Member States call for collaborative humanitarian action that transcends siloes and involves affected governments, UN agencies, NGOs, the International Red Cross and Red Crescent Movement, the private sector, faith-based organisations and other groups, based on the comparative advantages of each actor.
16. Local ownership and leadership are essential. Humanitarian aid should be provided as locally as possible and as internationally as necessary, in full respect of the humanitarian principles. Capacity-building and empowerment of local responders is crucial. Where possible, we will promote ways to enable local actors to better anticipate and mitigate risks, and to prepare and respond to crises.
17. Innovative approaches, partnerships, financing and technologies, and harnessing science and research, are important for ensuring an efficient and effective response to increasing humanitarian needs. The digital revolution can drive transparency and accountability, particularly vis-à-vis affected people. The EU and its Member States support multi-stakeholder collaboration to harness insights from the private sector and academia to spur effective and demand-driven humanitarian innovation.

*Investing in humanity*

18. The EU and its Member States welcome the report of the High-Level Panel on Humanitarian Financing and its focus on shrinking humanitarian needs, deepening and broadening the resources base, and improving delivery.



19. The EU and its Member States commend the generous contributions being made by other donors, and encourage all States to embrace their share of responsibility for humanity according to their capacities and based on the humanitarian principles. The EU and its Member States encourage broadening of the funding base, including through stronger involvement of citizens, civil society, the private sector, Islamic Social Finance, multilateral development banks within their respective mandates, and other means.
20. The EU and its Member States welcome the Grand Bargain between donors and humanitarian organisations and encourage both sides to undertake the necessary reforms to ensure that funding is spent in the most effective and efficient way, with full transparency and accountability towards both the affected people and taxpayers. The EU and its Member States encourage the UN to complete the roll-out of the Transformative Agenda and move towards a model of more collaborative efficiency and collective outcomes.

*Implementation and reporting*

21. The success of the WHS will depend on the timely implementation of all stakeholders' commitments. The EU and its Member States call for strong UN leadership to ensure inclusive, accountable, transparent and efficient follow-up. We will regularly report on the implementation of our commitments and encourage all other stakeholders to do the same.

## **OTHER ITEMS APPROVED**

### **DEVELOPMENT**

#### **EU development aid targets**

The Council adopted conclusions on the annual report 2016 to the European Council on EU development aid targets. The report features the preliminary information on the 2015 EU official development assistance (ODA), and shows that the EU's collective ODA reached €68.23 billion in 2015, an increase of 15% compared to 2014. ([8822/16](#))

#### **Habitat III**

The Council adopted conclusions on Habitat III, the EU and its member states objectives and priorities for the 3rd UN conference on housing and sustainable urban development. ([8824/16](#))

#### **European Court of Auditors Special report on the risks related to a results-oriented approach**

The Council adopted conclusions on the European Court of Auditors' Special Report No 21/2015 on the risks related to a results-oriented approach for EU development and cooperation action. ([8825/16](#))

### **FOREIGN AFFAIRS**

#### **Partnership and cooperation agreement with Tajikistan**

The Council approved the signing of a protocol to the partnership and cooperation agreement between the EU and the Republic of Tajikistan, to take account of the accession of Croatia to the EU. ([7425/16](#))

#### **Partnership and cooperation agreement with Turkmenistan**

The Council approved the signing of a protocol to the partnership and cooperation agreement between the EU and the Republic of Turkmenistan to take account of the accession to the EU of Bulgaria, the Czech Republic, Estonia, Croatia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Romania, Slovenia and the Slovak Republic. ([7419/16](#))

## **COMMON SECURITY AND DEFENCE POLICY**

### **High Representative report on Operation Althea**

The Council approved the High Representative's six-monthly report on Operation Althea. The military operation was launched on 2 December 2004 with the aim to provide capacity-building and training to armed forces of Bosnia and Herzegovina, and support the maintenance of a safe and secure environment.

### **EU NAVFOR Atalanta**

The Council amended the mandate of EU NAVFOR Atalanta, the EU naval operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast.

The amendments allow the operation to contribute to the implementation of CRIMARIO, a programme set up by the EU to enhance maritime situational awareness in the Indian Ocean. The decision enables the operation to share information, other than personal data, gathered on illegal or unauthorized activities during the course of routine counter piracy operations, with relevant partners, including CRIMARIO.

### **EUAM Ukraine**

The Council increased the financial reference amount covering the expenditure of the European Union advisory mission for civilian security sector reform for the period running until 30 November 2016 by EUR 3.27 million. This will enable the mission to establish regional presences in temporary offices in Lviv and Kharkiv and increase the mission's strength from 105 international staff members to 140.

**ECONOMIC AND FINANCIAL AFFAIRS****Court of Auditors' special report on delivery of technical assistance to Greece**

The Council adopted the following conclusions:

**THE COUNCIL OF THE EUROPEAN UNION**

1. **WELCOMES** the European Court of Auditors' Special Report No 19/2015: "More attention to results needed to improve the delivery of technical assistance to Greece", **NOTES** the Court's findings and **WELCOMES** the recommendations regarding the technical assistance for Greece coordinated through the Task Force For Greece (TFGR);
2. **WELCOMES** the Commission's detailed reply to the Special Report;
3. **RECOGNISES** that the Commission created the TFGR in the context of the economic crisis in order to identify and coordinate the technical assistance needed by Greece in the context of the EU/IMF economic adjustment programme;
4. **APPRECIATES** the TFGR's assistance in identifying Greece's needs, in coordinating the delivery of technical assistance, in helping Greece with the definition of the technical assistance needed, in providing support to accelerate the take-up of EU funds, and in preparing the terms of reference for the provision of technical assistance;
5. Nevertheless **RECOGNISES** that in line with the findings of the Special Report, though fulfilling its mandate overall, there were shortcomings in certain aspects of the TFGR's work that could be improved upon;
6. **HIGHLIGHTS** that the delivery of extensive and cross-cutting technical assistance, such as the technical assistance coordinated through the TFGR, should be based on a strategy defining the responsibilities of the parties and should include clearly defined objectives and **UNDERLINES** the importance of close cooperation between the Commission, the beneficiary Member State and all the parties providing technical assistance;
7. **UNDERLINES** that systematic monitoring and the evaluation of the implementation of technical assistance and its results are essential for assessing its delivery. The monitoring and evaluation should ideally take place against the objectives of the technical assistance;

8. STRESSES the importance of national ownership, transparency and efficient implementation and INSISTS that the coordination and delivery of technical assistance should always take place upon the request of, and in close cooperation with, the beneficiary Member State. Amongst others, the beneficiary Member State should be asked to formally endorse the strategy for providing technical assistance. In addition, feedback could be sought systematically from the beneficiary Member State;
9. Furthermore APPRECIATES the European Court of Auditors' suggestions that technical assistance actions should be prioritised and that to achieve sustainable results, technical assistance should focus on the capacity-building of national administrations;
10. In light of the recommendation to operate through the most appropriate and effective implementation mode, INVITES the Commission to review its practical implementation methods with the aim of improving its efficiency in the delivery of support;
11. NOTES that the creation of the Structural Reform Support Service and the Commission's proposal for a Regulation of the European Parliament and of the Council establishing the Structural Reform Support Programme could present the right framework for taking forward many of the recommendations put forward in the Special Report;
12. WELCOMES the Commission's acceptance of all of the European Court of Auditors' recommendations and INVITES the Commission to take these recommendations forward.

## **EUROPEAN ECONOMIC AREA**

### **Cooperation on financial services and free movement of workers**

The Council adopted two decisions establishing the EU positions to be taken in the Joint Committee of the European Economic Area (EEA) concerning amendments to protocol 31 to the EEA agreement, on cooperation in specific fields outside the four freedoms ([7153/16](#) + [7161/16](#)).

The first decision is aimed at allowing the four countries of the European Free Trade Agreement EFTA (Iceland, Liechtenstein, Norway, Switzerland) to continue participating in the EU actions to implement and develop the single market for financial services.

The second one is designed to continue the cooperation of the 28 EU member states and the four EFTA countries in the area of free movement of workers, coordination of social security systems and measures for migrants, including migrants from third countries.

## **JUSTICE AND HOME AFFAIRS**

### **Property regimes of international couples**

The Council adopted a proposal for a decision ([8311/16](#)) to authorise an enhanced cooperation in the area of property regimes of international couples. The proposal will now be transmitted to the European Parliament for consent.

The envisaged enhanced cooperation would cover the area of jurisdiction, applicable law and the recognition and enforcement of decisions on the property regimes of international couples. It would take the form of two regulations covering matters of matrimonial property regimes, on one side, and the property consequences of registered partnerships, on the other side.

The enhanced cooperation was proposed after the Council concluded, at its meeting of 3 December 2015, that it would not be possible to reach an EU-wide unanimous agreement on these matters within a reasonable period of time.

So far, 18 Member States requested to take part in the enhanced cooperation: Belgium, Bulgaria, Cyprus, the Czech Republic, Germany, Greece, Spain, France, Croatia, Italia, Luxembourg, Malta, Netherlands, Austria, Portugal, Slovenia, Finland and Sweden.

### **Border controls - Schengen**

The Council adopted an implementing decision setting out a recommendation allowing for the continuation of temporary internal border control in exceptional circumstances.

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

## **WRITTEN PROCEDURE**

### **Transparency - Public access to documents**

On 11 May 2016, the Council adopted by written procedure the replies to confirmatory application No 02/c/01/16 (see document [5049/1/16 REV 1](#)).

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