



Council of the  
European Union

Brussels, 19 October 2016  
(OR. en)

13465/16

CRS/CRP 33

## SUMMARY RECORD

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Subject: 2600th meeting of the PERMANENT REPRESENTATIVES COMMITTEE  
held in Brussels on 5 October 2016

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### I. Adoption of the agenda

12823/16 OJ CRP1 32 + COR 1  
12828/1/16 REV 1 OJ CRP2 32 COMIX 641

The Committee adopted the agenda.

### II. Approval of the "I" items

The Committee approved the "I" items as set out in the Annex.

### III. Discussion items

#### COREPER (PART 1)

#### 2. **Preparation** for the Council meeting (**Agriculture and Fisheries**) on 10 October 2016

##### 1. Proposal for a Council Regulation fixing for 2017 the fishing opportunities for certain fish stocks and groups of **fish stocks** applicable in the Baltic Sea

(*Non-legislative activity*)

= Political agreement

12590/16 PECHE 339

+ ADD 1

11813/16 PECHE 296

+ ADD 1

The Committee examined the text and submitted it to the Council.

2. **EU/Norway**: annual consultations for 2017 (*Non-legislative activity*)  
= Exchange of views  
12589/16 PECHE 338 N 55

The Committee prepared the exchange of views.

3. **ICCAT** annual meeting (Vilamoura, Portugal, 14-21 November 2016) (*Non-legislative activity*)  
= Exchange of views  
12591/16 PECHE 340

The Committee prepared the exchange of views.

3. Proposal for a Regulation of the European Parliament and of the Council concerning the establishment of a Union framework for the **collection, management and use of data in the fisheries sector** and support for scientific advice regarding the Common Fisheries Policy (recast) (**First reading**) (**Legislative deliberation**)  
= Presidency debriefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 29 September 2016.

4. **Preparation** for the Council meeting (**Employment, Social Policy**, Health and Consumer Affairs) on 13 October 2016

1. Proposal for a Directive of the European Parliament and of the Council amending Directive 2004/37/EC on the protection of workers from the risks related to exposure to **carcinogens** or mutagens at work (**First reading**) (*Legislative deliberation*)  
= General approach  
12224/16 SOC 525 EMPL 346 SAN 325 IA 69 CODEC 1264  
+ ADD 1  
+ COR 1  
8962/16 SOC 255 EMPL 158 SAN 187 IA 23 CODEC 666  
+ REV 1 (mt)  
+ ADD 1 - ADD 3

The Committee forwarded the text to Council with a view to reaching a general approach. Belgium, Denmark, France, Germany, Latvia, The Netherlands and Sweden announced a joint statement expressing concern about the limit value for Chromium VI. The Commission representative indicated the Commission's intention to pursue the scientific and socio-economic evaluation of all dangerous substances and in particular Chromium VI.

2. **New Skills Agenda for Europe** (*Non-legislative activity*)
  - = Policy debate  
(Public debate in accordance with Article 8(2) of the Council's Rules of Procedure [proposed by the Presidency])  
12483/16 SOC 550 EMPL 361 ECOFIN 823 EDUC 292 JEUN 62
  - a) Opinion of the Employment Committee (EMCO)
    - = Endorsement  
12485/16 SOC 551 EMPL 362 ECOFIN 824 EDUC 293 JEUN 63
  - b) Commission proposal on the revision of the Europass framework for the provision of better services for skills and qualifications
    - = Presentation by the Commission

The Committee prepared the policy debate and submitted the opinion of the Employment Committee to Council for endorsement.

3. **European Semester 2017: Contributions in view of the Autumn Economic Package** (*Non-legislative activity*)
  - a) Employment Performance Monitor (EPM) - Report on key employment challenges and main messages from EMCO  
12486/16 SOC 552 EMPL 363 ECOFIN 825 EDUC 294  
12488/16 SOC 553 EMPL 364 ECOFIN 826 EDUC 295  
12490/16 SOC 554 EMPL 365 ECOFIN 827 EDUC 296
  - b) Social Protection Performance Monitor (SPPM) - Report on key social challenges and main messages from SPC
    - = Endorsement  
(Public debate in accordance with Article 8(2) of the Council's Rules of Procedure [proposed by the Presidency])  
12606/16 SOC 565 EMPL 375 ECOFIN 837 EDUC 302  
12607/16 SOC 566 EMPL 376 ECOFIN 838 EDUC 303  
+ ADD 1 - ADD 13

The Committee submitted the contributions to Council for endorsement.

4. **Follow-up of specific employment-related issues** (*Non-legislative activity*)  
(Public debate in accordance with Article 8(2) of the Council's Rules of Procedure [proposed by the Presidency])
  - a) Report on the Implementation of the Youth Guarantee / Youth Employment Initiative  
= Presentation by the Commission  
12749/16 EMPL 386 SOC 583 ECOFIN 860 EDUC 312 JEUN 68
  - b) Implementation of the Council Recommendation on Long-Term Unemployment (LTU)  
= Exchange of views  
12492/16 SOC 555 EMPL 366 ECOFIN 828 EDUC 297  
= Endorsement of the EMCO key messages on the integrating of long term unemployed into the labour market  
12493/16 SOC 556 EMPL 367 ECOFIN 829 EDUC 298  
+ ADD 1  
+ ADD 2
  - c) Public Employment Services (PES) Network: bench-learning  
= Presentation by the Commission and the Chair of the PES Network  
12498/16 SOC 557 EMPL 368 ECOFIN 830 EDUC 299

The Committee prepared the exchange of views and submitted the key messages to Council for endorsement.

5. **European Pillar of Social Rights: state of play and views on the way forward** (*Non-legislative activity*)  
= Endorsement of the joint opinion of the EMCO and the SPC  
(Public debate in accordance with Article 8(2) of the Council's Rules of Procedure [proposed by the Presidency])  
12605/16 SOC 564 EMPL 374 ECOFIN 836

As preliminary input to future discussions the Committee submitted the joint opinion of the EMCO and the SPC to Council for endorsement.

5. Proposal for a Regulation of the European Parliament and of the Council setting a framework for **energy efficiency labelling** and repealing Directive 2010/30/EU (**First reading**) (**Legislative deliberation**)  
= Preparation for the trilogue  
12105/16 ENER 313 ENV 571 CONSOM 208 CODEC 1234

The Committee agreed the mandate for the forthcoming trilogue.

6. Proposal for a Regulation of the European Parliament and of the Council establishing a framework on market access to **port services** and financial transparency of ports  
**(First reading) (Legislative deliberation)**

= Analysis of the final compromise text with a view to agreement  
12531/16 TRANS 357 MAR 238 FIN 592 CODEC 1305

The Committee examined and approved the final compromise. The United Kingdom maintained a parliamentary reservation on the legislative proposal. The Commission representative announced a statement for the minutes of Council setting out concerns on interinstitutional aspects.

7. Proposal for a Council Decision on the position to be adopted on behalf of the European Union at the International Maritime Organization during the 70th and 71st session of the Marine Environment Protection Committee on the approval and adoption of amendments to **MARPOL** Annex VI concerning the designation and taking effect of the Baltic Sea and North Sea as Nitrogen Oxyde Emissions Control Area (NECA)

= Consideration of the outcome of discussions within the Shipping Working Party  
12706/16 MAR 243 OMI 62 ENV 620  
12519/16 MAR 236 OMI 61 ENV 604

The Committee confirmed the outcome of discussions at Working Party level that there was a large majority against the adoption of a Council Decision on the basis of the Commission proposal. The Committee recommended to Council to decide not to work further on the basis of the Commission proposal.

#### Statement by the Commission

"The Commission regrets that COREPER decided to not continue discussing the proposed Council Decision on the position to be adopted on behalf of the European Union in the IMO on the approval and adoption of the amendments to MARPOL Annex I concerning the designation and taking effect of the Baltic Sea and North Sea as NECAs.

The Commission is of the view that the proposed amendments to Annex VI of the MARPOL Convention may affect existing EU acquis in the area of protecting and preserving air and water quality as well as human health and provisions related to the internal market. The Commission therefore takes the view that the Council is under the obligation to establish the position to be taken and to use the procedure set out in Art. 218(9) to ensure a coordinated Union position that sends a politically strong, transparent and unified message to IMO which also corresponds to the impact of the political decision.

The Commission reserves its position and reserves itself the right to have recourse to all means available under the Treaty."

8. **Preparation** for the Council meeting (**Environment**) on 17 October 2016

1. **Non-ETS** sectors (**First reading**) (*Legislative deliberation*)

- a) Proposal for a Regulation of the European Parliament and of the Council on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 for a resilient Energy Union and to meet commitments under the Paris Agreement and amending Regulation No 525/2013 of the European Parliament and the Council on a mechanism for monitoring and reporting greenhouse gas emissions and other information relevant to climate change
  - b) Proposal for a Regulation of the European Parliament and of the Council on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework and amending Regulation No 525/2013 of the European Parliament and the Council on a mechanism for monitoring and reporting greenhouse gas emissions and other information relevant to climate change
- = Policy debate

12696/16 CLIMA 124 ENV 618 ENER 339 TRANS 366 AGRI 511 FORETS 50  
COMPET 512 ECOFIN 852 ONU 107 CODEC 1338 IA 76

Following comments made by PL and IT, the Committee took note of the questions set out in the background paper and agreed to submit it to Council in view of the policy debate.

2. Draft Council conclusions on **Sustainable Water Management** (*Non-legislative activity*)

= Adoption

(Public debate in accordance with Article 8(2) of the Council's Rules of Procedure [proposed by the Presidency])

12681/16 ENV 614 CLIMA 121 AGRI 508 IND 202 PROCIV 62 RELEX 802  
MED 45 DEVGEN 208

The Committee agreed on the text of the draft Council conclusions with a view to its adoption by Council.

The Commission welcomed the contents and relevance of these conclusions, recalled in this context that water will be high on the agenda in the years to come, and called on Member States who have not adopted yet Flood Risk Management Plans and River Basin Management Plans to adopt them as soon as possible.

3. Draft Council conclusions on the **Convention on Biological Diversity (CBD)**  
(*Non-legislative activity*)
- a) Preparation of the 13th meeting of the Conference of the Parties to the Convention on Biological Diversity (COP 13) (Cancun, Mexico, 4-17 December 2016)
  - b) Preparation of the 8th meeting of the Conference of the Parties to the CBD serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP 8) (Cancun, Mexico, 4-17 December 2016)
  - c) Preparation of the 2nd meeting of the Conference of the Parties to the CBD serving as the Meeting of the Parties to the Nagoya Protocol on Access and Benefit-sharing (COP-MOP 2) (Cancun, Mexico, 4-17 December 2016)
- = Adoption
- 12690/16 ENV 617 AGRI 510 DEVGGEN 211 FORETS 48 PI 106 PECHE 344  
RECH 279 ONU 105 CADREFIN 75

The Committee discussed the text and submitted a revised version to the Council for further discussion and adoption.

## **COREPER (PART 2)**

20. **Preparation** of the Council meeting (**Justice and Home Affairs**) on 13/14 October 2016

a) **Migration**

= Implementation <sup>1</sup>

12730/16 JAI 787 ASIM 126 RELEX 805 FRONT 367 COMIX 637

The Committee exchanged views on the Presidency report in order to prepare the discussion of ministers. The Presidency provided detailed information on how it intends to organise the ministerial debates on 13 October 2016 and on the results of the last IPCR meetings. The Commission updated on the situation on the ground on the various routes and the EEAS provided an extensive presentation on the results of contacts ongoing with the five priority countries of the Partnership Framework.

### Statement by Hungary

"Hungary is of the view that the explicit reference to the wording 'Member States continue to increase efforts on relocation, including by adequate pledges...' in point 13 of the Presidency document 12730/16 to be discussed at the Coreper on 5 October 2016 is without prejudice to the pending Court proceeding launched by Hungary relating to the Council Decision (EU) 2015/1601 of 22 September 2015."

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<sup>1</sup> Exceptionally, in the presence of the Schengen Associated States.



b) **Reform of the Common European Asylum System**

- i) **Dublin:** Proposal for a Regulation of the European Parliament and of the Council establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast) **(First reading)**
- ii) **Reception conditions:** Proposal for a Directive of the European Parliament and of the Council laying down standards for the reception of applicants for international protection (recast) **(First reading)**
- iii) **Qualification:** Proposal for a Regulation of the European Parliament and of the Council on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted and amending Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents **(First reading)**
- iv) **Procedure:** Proposal for a Regulation of the European Parliament and of the Council establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU **(First reading)**  
= Progress report  
12724/16 ASILE 39 CODEC 1350
- v) **Eurodac:** Proposal for a Regulation of the European Parliament and of the Council on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of [Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person], for identifying an illegally staying third-country national or stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes (recast) **(First reading)**
- vi) **EASO:** Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010 **(First reading)**  
= Policy debate  
12726/16 ASILE 40 EURODAC 10 ENFOPOL 312 CODEC 1351
- vii) **Resettlement Framework:** Proposal for a Regulation of the European Parliament and of the Council establishing a Union Resettlement Framework and amending Regulation (EU) No 516/2014 of the European Parliament and the Council **(First reading)**  
= Policy debate  
12717/16 ASIM 125 RELEX 803 CODEC 1348

The Presidency presented the intended handling of this item at the Council meeting and the aim of the discussion for each of the three sets of files.

- c) Information Technology (IT) measures related to border management
  - i) **Systematic checks of external borders**
    - Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 562/2006 as regards the reinforcement of checks against relevant databases at external borders (**First reading**)
  - ii) **Entry/Exit System (EES)**
    - Proposal for a Regulation of the European Parliament and of the Council establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third country nationals crossing the external borders of Member States of the European Union and determining the conditions for access to the EES for law enforcement purposes and amending Regulation (EC) No 767/2008 and Regulation (EU) No 1077/2011 (**First reading**)
    - Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 2016/399 as regards the use of the Entry/Exit System (**First reading**)
  - iii) **Evolution of the Schengen Information System (SIS)**
  - iv) **EU Travel Information and Authorisation System (ETIAS)**
  - v) **High-Level Expert Group on Information Systems and Interoperability**
    - = Progress report
    - 12661/16 FRONT 364 VISA 298 SIRIS 130 CODEC 1331 COMIX 632

The Committee took note of the discussion in the Mixed Committee and prepared the discussion of ministers on the basis of the Presidency report.

- d) **European Border and Coast Guard: Implementation**
  - = Progress report

The Committee took note of the discussion in the Mixed Committee and prepared the discussion of ministers. The Presidency noted the entry into force of the European Border and Coast Guard on 6 October 2016 and related events.

- e) **EPPO: Proposal for a Council Regulation on the establishment of the European Public Prosecutor's Office**
  - = Policy debate/Partial general approach
  - 12774/1/16 REV 1 EPPO 26 EUROJUST 120 CATS 71 FIN 614 COPEN 277  
GAF 57 CSC 270
  - 12775/16 EPPO 27 EUROJUST 121 CATS 72 FIN 615 COPEN 278 GAF 58  
CSC 271
  - 12809/1/16 REV 1 EPPO 28 EUROJUST 122 CATS 73 FIN 620 COPEN 280  
GAF 59 CSC 272

The Committee prepared the discussion by ministers on the basis of a Presidency report. The aim of the Presidency is to reach broad conceptual support in order to pave the way for a possible agreement in December.

- f) **PIF**: Proposal for a Directive of the European Parliament and of the Council on the fight against fraud to the Union's financial interest by means of criminal law

**(First reading)**

= Policy debate/Progress report

12686/16 DROIPEN 147 JAI 785 GAF 55 FIN 603 CADREFIN 74 CODEC 1336

The Committee prepared the discussion by ministers on the basis of a Presidency note, with two questions intended to structure the discussion at the Council.

- g) Other items in connection with the Council meeting

No new items were raised under this heading.

21. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (**Georgia**) (**First reading**)

= Mandate for negotiations with the European Parliament

9622/1/16 REV 1 VISA 175 CODEC 774 COEST 143 COMIX 413

The Committee confirmed the outcome of the discussions in the Mixed Committee and gave a mandate to the Presidency to start negotiations with the European Parliament. The Presidency concluded that the mandate has been received on the understanding that trilogues will not start until an agreement is reached with the European Parliament on the visa suspension mechanism.

22. **Preparation** of the Council meeting (**Economic and Financial Affairs**) on 11 October 2016

- a) **Climate finance**

– Preparation of the 22nd Conference of Parties to the United Nations Framework Convention on Climate Change (UNFCCC) (Marrakesh, 7-18 November 2016)

= Draft Council conclusions

12722/16 ECOFIN 857 ENV 623 CLIMA 128

The Committee took note of the report in view of the Council meeting.

- b) **European Semester 2016** - Lessons learnt

= Exchange of views

12727/16 ECOFIN 858 UEM 302 SOC 580 EMPL 384 COMPET 513 ENV 624  
EDUC 311 RECH 280 ENER 342 JAI 786

The Committee noted the letter from the EFC chair and prepared the discussion by ministers.

c) **Joint Report on health systems and fiscal sustainability**

= Presentation by the Commission

12735/16 ECOFIN 859 SOC 581 BUDGET 28 SAN 341  
+ ADD 1

The Committee agreed to submit the report to the Council. The Presidency informed of its aim to revert to this subject at the Council also in November.

d) Other items in connection with the Council meeting

The Presidency provided further information with regard to the timing and handling of the Council meeting.

23. **Preparation of the Council meeting (General Affairs) on 18 October 2016**

a) **Preparation of the European Council on 20-21 October 2016**

= Draft guidelines for the conclusions

11224/16 CO EUR-PREP 32

The Committee examined the draft guidelines for the conclusions of the upcoming European Council meeting on 20-21 October 2016.

b) Other items in connection with the Council meeting

No new items were raised under this heading.

24. **Restrictive measures against Iran: listing (*restricted session*)**

12479/1/16 REV 1 CORLX 371 CFSP/PESC 746 RELEX 781  
CONUN 182 MOG 107 CONOP 76 COARM 167  
FIN 591 **EU RESTRICTED**

The Committee did not reach agreement on this item and agreed to make use of the written procedure for its approval in case of a change in positions.

**IV. Any other business**

**COREPER (PART 1)**

None.

**COREPER (PART 2)**

None.

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"I" items approvedCOREPER (PART 1)

9. Replies to written questions put to the Council by Members of the European Parliament  
= Adoption by silence procedure
- a) E-005732/2016 - João Ferreira (GUE/NGL)  
Suspension of EU funding for Portugal  
12095/16 PE-QE 292  
+ COR 1
- b) E-005779/2016 - Vilija Blinkevičiūtė (S&D)  
Need to take measures to combat various forms of discrimination in the EU  
12059/16 PE-QE 291  
+ COR 1
- c) E-005850/2016 - Pavel Poc (S&D), Christel Schaldemose (S&D) and Karin Kadenbach (S&D)  
Glyphosate - implementation and enforcement of the recommended restrictions  
12057/16 PE-QE 290  
+ COR 1
10. Draft minutes of the following Council meetings  
= Approval
- a) 3471st meeting of the Council of the European Union (Education, Youth, Culture and Sport), held in Brussels on 30 and 31 May 2016  
9615/16 PV/CONS 31 EDUC 216 JEUN 40 CULT 50 AUDIO 71 SPORT 23  
+ COR 1  
+ COR 2 REV 1  
+ ADD 1  
+ ADD 1 COR 1 REV 1
- b) 3472nd meeting of the Council of the European Union (Transport, Telecommunications and Energy), held in Luxembourg on 6 and 7 June 2016  
9951/1/16 PV/CONS 32 TRANS 223 TELECOM 115 ENER 244 REV 1  
+ REV 1 COR 1  
+ REV 1 COR 2 (nl)  
+ REV 1 COR 3 (de)  
+ ADD 1 REV 1  
+ ADD 1 REV 1 COR 1  
+ ADD 1 REV 1 COR 2 (nl)
- c) 3476th meeting of the Council of the European Union (Environment), held in Luxembourg on 20 June 2016  
10472/16 PV/CONS 36 ENV 441 CLIMA 78  
+ COR 1
- d) 3481st meeting of the Council of the European Union (Agriculture and Fisheries), held in Brussels on 18 July 2016  
11358/16 PV/CONS 41 AGRI 423 PECHE 282  
+ COR 1 (pt, mt, ro, sl)  
+ ADD 1

11. Case before the Court of Justice of the European Union  
Case C-426/16 (Liga van Moskeeën en Islamitische Organisaties Provincie Antwerpen a.o. against Vlaams Gewest)  
Request for a preliminary ruling  
= Information note for the Permanent Representatives Committee (Part 1)  
12581/16, JUR 471 AGRI 504 VETER 89 SAN 336
12. 35th Annual meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) (Hobart, Australia, 17-28 October 2016)  
= Establishment of the EU position  
12523/16 PECHE 335 ENV 622

Statement by the Commission

"In line with the position defended in case C-626/15, the Commission cannot agree with the Council's conclusion that the proposals on conservation measures establishing the Weddell Sea Marine Protected Area (WSMPA), the East Antarctic Representative System of Marine Protected Areas (EARSMPA), time-limited Special Areas for Scientific Study in newly exposed marine areas following ice shelf retreat or collapse in Subarea 48.1, Subarea 48.5 and Subarea 88.3. and the Ross Sea Region marine protected area (RSRMPA) by the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) should be submitted or supported by the European Union and its Member States, as these measures fall, in view of their aim, content and context, within the Union's exclusive competence for the conservation of marine biological resources (Article 3(1)(d) TFEU).

While the Commission will, in accordance with the Council's position, inform the CCAMLR Secretariat that the submission of the proposals to CCAMLR is made on behalf of the European Union and its Member States so as not to prevent the Union from playing its role on this issue, it reserves the possibility of legal remedies."

13. a) Council Decisions and negotiating Directives for comprehensive air transport agreements between the European Union and its Member States and the Association of Southeast Asian Nations (ASEAN), the Republic of Turkey, the State of Qatar and the United Arab Emirates as regards matters falling within the exclusive Union competence
- b) Council Decisions and negotiating Directives for bilateral agreements between the EU and the Government of the People's Republic of China and between the EU and Japan on civil aviation safety
- = Transmission to the European Parliament  
12659/16 AVIATION 191 RELEX 799 ASIE 80 MOG 108 NT 25 CHINE 6  
INST 380 CSC 266  
12208/16 AVIATION 180 RELEX 742 ASIE 77 MOG 101 NT 24 CHINE 5  
INST 367 CSC 248

14. a) Draft Council Decision on establishing the European Union position within the Ministerial Council of the Energy Community (Sarajevo, 14 October 2016)  
12654/16 ENER 334 RELEX 796 COWEB 99 COEST 237
- b) Draft Council Decision authorising the opening of negotiations on amending the Treaty establishing the Energy Community  
12657/16 ENER 336 RELEX 797 COWEB 100 COEST 238 **EU RESTRICTED**
- = Adoption
15. Draft Council Decision on guidelines for the employment policies of the Member States  
= Adoption  
12213/16 SOC 523 EMPL 345 ECOFIN 800 EDUC 282  
12163/16 SOC 516 EMPL 340 ECOFIN 792 EDUC 278
16. Draft Council Decision on a Tripartite Social Summit for Growth and Employment  
= Adoption  
12136/16 SOC 514 EMPL 338  
5820/14 SOC 53  
+ COR 1 (lt)
17. Draft Council Decision on the signing, on behalf of the European Union, of the Agreement between the European Union and New Zealand on cooperation and mutual administrative assistance in customs matters  
= Adoption  
12518/16 UD 187  
7661/16 UD 75  
7682/16 UD 77  
+ REV 1 (fr, de, nl, da, es, pt, sv, cs, et, lv, hu, mt, pl, sk, sl, bg, ro, hr)  
+ REV 2 (lt)
18. Draft Council implementing Decision amending implementing Decision 2014/170/EU to remove the Republic of Guinea from the list of non-cooperating third countries in fighting illegal, unreported and unregulated fishing  
= Adoption  
12603/16 PECHE 342  
11831/16 PECHE 298
19. Draft Regulation of the European Parliament and of the Council on European statistics on natural gas and electricity prices and repealing Directive 2008/92/EC (**First reading**)  
= Adoption of the legislative act  
12588/16 CODEC 1318 STATIS 68 ENER 333  
PE CONS 28/16 STATIS 45 ENER 262 CODEC 942  
+ COR 1 (pt)

## **COREPER (PART 2)**

25. Judgment in Case C-330/15, rejecting the appeal by the applicants of the Judgment in Case T-190/12, Tomana and 120 others v. Council and Commission  
12414/16 JUR 463 COAFR 246 RELEX 767
26. Case before the Court of Justice of the European Union  
Request for a preliminary ruling in Case C-349/16, T.KUP SAS v. Belgium  
12702/16 JUR 481 COMER 102
27. Draft Council Decision appointing an alternate member, proposed by the Republic of Austria, of the Committee of the Regions  
= Adoption  
12529/16 CDR 100  
12528/16 CDR 99
28. Transparency - Public access to documents  
Complaint 21/2016/JAP made to the European Ombudsman  
12263/16 OMBUDS 12 INST 372 INF 159 API 98  
  
The above-mentioned item was withdrawn.
29. Commission Delegated Regulation (EU) .../... of 19.7.2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council with regard to regulatory technical standards specifying the organisational requirements of investment firms engaged in algorithmic trading  
= Intention not to raise objections to a delegated act  
12698/16 EF 289 ECOFIN 853 DELACT 202  
11747/16 EF 255 ECOFIN 762 DELACT 171  
+ ADD 1
30. Commission Delegated Regulation (EU) .../... of 28.7.2016 supplementing Regulation (EU) No 600/2014 of the European Parliament and of the Council with regard to regulatory technical standards for the reporting of transactions to competent authorities  
= Intention not to raise objections to a delegated act  
12699/16 EF 290 ECOFIN 854 DELACT 203  
11748/16 EF 256 ECOFIN 763 DELACT 172  
+ ADD 1
31. Draft Council Implementing Decision authorising the Republic of Poland to continue to apply measures derogating from point (a) of Article 26(1) and Article 168 of Directive 2006/112/EC on the common system of value added tax  
= Adoption  
12217/16 FISC 136 ECOFIN 802  
12215/16 FISC 135 ECOFIN 801



32. Commission Communication on further measures to enhance transparency and the fight against tax evasion and avoidance  
 – Draft Council conclusions  
 = Adoption  
 12670/16 FISC 141 ECOFIN 846
33. Draft Council Decision on the conclusion, on behalf of the European Union, of the Amending Protocol to the Agreement between the European Community and the Principality of Monaco providing for measures equivalent to those laid down in Council Directive 2003/48/EC  
 = Adoption  
 12677/16 FISC 142 ECOFIN 847 AELE 74 MC 8  
 8388/16 FISC 64 ECOFIN 339 AELE 33 MC 4
34. Draft Council conclusions on Special Report No 16/2016 by the European Court of Auditors "EU education objectives: programmes aligned but shortcomings in performance measurement"  
 = Adoption  
 12664/16 FIN 602 FSTR 65 FC 57 REGIO 81 EDUC 308 SOC 570
35. Special Report No 18/2016 "The EU system for the certification of sustainable biofuels"  
 = Designation of Working Party  
 12575/16 FIN 597 ENER 332 CLIMA 118 ENV 607 TRANS 360 AGRI 503

Statement by Germany

"Germany supports an in depth analysis of the report of the European Court of Auditors. Germany would like to stress that this decision for the Working Party on Energy is without prejudice for the negotiations of the upcoming winter package with the Renewable Energy Directive including sustainability issues of biofuels. We have to decide at a later stage whether the sustainability criteria of biofuels will be discussed either in the Working Party on Energy or in an ad hoc working group formed by experts from the Working Party on Environmental Issues and the Working Party on Energy."

36. Draft Regulation of the European Parliament and of the Council on the establishment of a European travel document for the return of illegally staying third-country nationals, and repealing the Council Recommendation of 30 November 1994 (**First reading**)  
 = Adoption of the legislative act  
 12592/16 CODEC 1319 MIGR 168 FRONT 357 COMIX 614  
 + ADD 1  
 PE-CONS 30/16 MIGR 126 FRONT 280 COMIX 498 CODEC 1003
37. Draft Council conclusions on organised domestic burglary  
 = Adoption  
 12742/16 JAI 789 COSI 147 ENFOPOL 313 CRIMORG 113  
 ENFOCUSTOM 142 GENVAL 99 FRONT 368  
 12583/16 JAI 782 COSI 142 ENFOPOL 302 CRIMORG 112  
 ENFOCUSTOM 140 GENVAL 98 FRONT 356

38. Draft Council conclusions on the implementation of the general provisions on data protection of Chapter 6 of Council Decision 2008/615/JHA
- Evaluation of Denmark with regard to automated exchange of vehicle registration data (VRD)
    - 12216/16 JAI 751 DAPIX 149 CRIMORG 105 ENFOPOL 286  
ENFOCUSTOM 132
    - 12206/16 JAI 747 DAPIX 145 CRIMORG 101 ENFOPOL 282  
ENFOCUSTOM 128
    - 11789/16 JAI 707 DAPIX 129 CRIMORG 90 ENFOPOL 256  
ENFOCUSTOM 117
39. Draft Council conclusions on the implementation of the general provisions on data protection of Chapter 6 of Council Decision 2008/615/JHA
- Evaluation of Greece with regard to automated data exchange of DNA data
    - 12219/16 JAI 752 DAPIX 150 CRIMORG 106 ENFOPOL 287  
ENFOCUSTOM 133
    - 12210/16 JAI 748 DAPIX 146 CRIMORG 102 ENFOPOL 283  
ENFOCUSTOM 129
    - 10627/14 JAI 439 DAPIX 84 CRIMORG 54 ENFOPOL 170  
ENFOCUSTOM 77
40. CEPOL five-year report
- 12484/16 ENFOPOL 297 JAI 774
  - 10648/16 ENFOPOL 221 JAI 620
41. Draft Council Resolution concerning an updated handbook with recommendations for international police cooperation and measures to prevent and control violence and disturbances in connection with football matches with an international dimension, in which at least one Member State is involved ("EU Football Handbook")
- 12796/16 ENFOPOL 319 SPORT 57
  - 12795/16 ENFOPOL 318 SPORT 56
42. Draft Council Resolution concerning a handbook with recommendations for preventing and managing violence and disturbances in connection with football matches with an international dimension, in which at least one Member State is involved, through the adoption of good practice in respect of police liaison with supporters
- 12794/16 ENFOPOL 317 SPORT 55
  - 12792/16 ENFOPOL 315 SPORT 53
43. Draft Council Resolution concerning the costs of hosting and deploying visiting police delegations in connection with football matches (and other sports events) with an international dimension, in which at least one Member State is involved
- 12793/16 ENFOPOL 316 SPORT 54
  - 12791/16 ENFOPOL 314 SPORT 52
44. Draft Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2015 evaluation of the Netherlands on the application of the Schengen acquis in the field of data protection
- 12609/16 SCH-EVAL 150 COMIX 616
  - 12608/16 SCH-EVAL 149 COMIX 615

45. Draft Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2015 evaluation on the application of the Schengen acquis in the field of police cooperation by the Netherlands  
12611/16 SCH-EVAL 152 ENFOPOL 304 COMIX 618  
12610/16 SCH-EVAL 151 ENFOPOL 303 COMIX 617
46. Draft Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2015 evaluation on the application of the Schengen acquis in the field of the Schengen Information System by Liechtenstein  
12614/16 SCH-EVAL 154 SIRIS 128 COMIX 620  
12613/16 SCH-EVAL 153 SIRIS 127 COMIX 619 **EU RESTRICTED**
47. Draft Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2016 evaluation of Luxembourg on the application of the Schengen acquis in the field of management of the external border  
12616/16 SCH-EVAL 156 FRONT 359 COMIX 622  
12615/16 SCH-EVAL 155 FRONT 358 COMIX 621
48. Draft Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2016 evaluation of Luxembourg on the application of the Schengen acquis in the field of the common visa policy  
12618/16 SCH-EVAL 158 VISA 297 COMIX 624  
12617/16 SCH-EVAL 157 VISA 296 COMIX 623
49. Draft Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2015 evaluation on the application of the Schengen acquis in the field of absence of border control at the internal border by Switzerland  
12621/16 SCH-EVAL 160 FRONT 361 COMIX 626  
12620/16 SCH-EVAL 159 FRONT 360 COMIX 625
50. Draft Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2016 evaluation of Denmark on the application of the Schengen acquis in the field of the management of the external border (Copenhagen Kastrup Airport)  
12626/16 SCH-EVAL 162 FRONT 363 COMIX 628  
12625/16 SCH-EVAL 161 FRONT 362 COMIX 627
51. Draft Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2015 evaluation on the application of the Schengen acquis in the field of police cooperation by Liechtenstein  
12628/16 SCH-EVAL 164 ENFOPOL 306 COMIX 630  
12627/16 SCH-EVAL 163 ENFOPOL 305 COMIX 629
52. The New Urban Agenda (Outcome of the 3rd UN Conference on Housing and Sustainable Development - HABITAT III, held in Quito, Ecuador, 17-20 October 2016)  
= Approval of signature on behalf of the European Union  
12669/16 DEVGEN 207 RELEX 800 ONU 102 REGIO 82

53. Proposal for a Council Decision on the conclusion of the stepping stone Economic Partnership Agreement between Ghana, of the one part, and the European Community and its Member States, of the other part  
 = Request for the consent of the European Parliament  
 12585/16 ACP 130 WTO 266 COAFR 251 RELEX 793  
 12396/16 ACP 128 WTO 261 COAFR 245 RELEX 764
54. Draft Council Decision on the signing on behalf of the EU of the Agreement establishing the EU-LAC International Foundation  
 = Adoption  
 and  
 Proposal for a Council Decision on the conclusion of the Agreement establishing the EU-LAC International Foundation  
 = Request for the consent of the European Parliament  
 12305/16 COLAC 68 RELEX 750  
 11329/16 COLAC 60  
 11356/16 COLAC 64  
 11342/16 COLAC 61  
 + COR 1 (nl)
55. Joint Declaration between the European Union, the European Investment Bank and the Caribbean Forum on reinforced cooperation in the field of sustainable energy  
 = Approval of signature on behalf of the European Union  
 12747/16 COLAC 81 ENV 625 CLIMA 129 ENER 343
56. Draft Council Decision on the signing and conclusion of the Agreement between the European Union and the United States of America for acquisition and cross-servicing (ACSA) in the framework of military CSDP operations and exercises  
 = Adoption  
 12593/16 CORLX 378 CSDP/PSDC 541 CFSP/PESC 766 CSC 263  
 10330/16 CORLX 253 CDSP/PSDC 353 CFSP/PESC 498 CSC 185  
 10332/16 CORLX 254 CDSP/PSDC 354 CFSP/PESC 499 CSC 186
57. Draft Council Decision amending Decision 2010/638/CFSP concerning restrictive measures against the Republic of Guinea  
 = Adoption  
 12532/16 CORLX 372 CFSP/PESC 758 COAFR 250 COARM 169 FIN 593  
 12443/16 CORLX 361 CFSP/PESC 737 COAFR 248 COARM 158 FIN 579
58. Restrictive measures against the Democratic People's Republic of Korea  
 = Draft letter of reply to an entity subject to the restrictive measures provided for in Decision (CFSP) 2016/849 and Council Regulation (EC) No 329/2007  
 12765/16 CORLX 382 CFSP/PESC 776 COASI 202 COARM 176  
 CONUN 184 FIN 608
59. Draft Council Decision amending Decision 2010/573/CFSP concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova  
 = Decision to use the written procedure for the adoption  
 12820/16 CORLX 384 CFSP/PESC 779 COEST 246  
 12750/16 CORLX 381 CFSP/PESC 774 COEST 242