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OUTCOME OF THE COUNCIL MEETING

3494th Council meeting

General Affairs

Luxembourg, 18 October 2016

President **Miroslav Lajcak**
Minister for Foreign Affairs of the Slovak Republic

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- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's internet site (<http://www.consilium.europa.eu>).
- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's internet site or may be obtained from the Press Office.

ITEMS DEBATED

MFF mid-term review

The Council took note of the state of play of the mid-term review of the EU's multiannual financial framework for 2014-2020 as set out in a [presidency report](#).

Guided by a [questionnaire](#) ministers discussed the tools proposed by the Commission and reflected about the right balance between predictability and flexibility in the budgetary framework. They also exchanged views on whether budgetary prudence is compatible with new solutions to accommodate new needs.

The Council will revert to this file in November. The presidency's objective is to conclude the negotiations by the end of this year.

Preparation of the October European Council

The Council examined draft conclusions for the European Council meeting to be held on 20-21 October, prepared by the President of the European Council, Donald Tusk, in cooperation with the Slovak presidency and the Commission.

The European Council is due to focus on:

- migration: the European Council will take stock of the latest developments concerning the EU's migration policy, including in the area of external border protection and Schengen; it will in particular review (1) progress on the partnership framework of cooperation with countries of origin or transit and on the external investment plan and (2) the implementation of the EU-Turkey statement
- trade issues: the European Council will discuss how to ensure a robust EU trade policy able to provide the benefits of open markets while addressing concerns of citizens; it will (1) set out the way forward on the ongoing free trade negotiations, notably with the United States and Japan, (2) call for swift agreement on the modernisation of trade defence instruments and (3) endorse the decision to sign and provisionally apply the comprehensive economic trade agreement with Canada
- external relations: the European Council will hold a policy debate on relations with Russia

An [annotated draft agenda](#) was discussed by the Council on 20 September 2016.

Interinstitutional agreement on better law-making

The Council took stock of the implementation of the interinstitutional agreement on better law-making adopted by the Council on 15 March 2016.

The presidency informed ministers that good progress has been made notably with regard to the programming strand of implementation. In line with the agreement the Council, the European Parliament and the Commission will adopt before year end a joint declaration that sets out common top priorities for 2017.

The main objective of the interinstitutional agreement is to improve the way in which the European Union legislates to ensure that EU laws better serve citizens and businesses.

OTHER ITEMS APPROVED

JUSTICE

Eurojust - cooperation agreement with Albania

The Council took note of the Eurojust's proposal to launch formal negotiations with the intention of entering into a cooperation agreement with Albania ([12900/16](#)).

TRADE POLICY

GATT - China - Croatia

The Council approved an agreement with China on the modification of Croatia's concessions under the 1994 General Agreement on Tariffs and Trade following its accession to the EU ([12849/16](#) + [15561/15](#) + [15562/15](#)).

GATT - Uruguay - Croatia

The Council approved an agreement with Uruguay on the modification of Croatia's concessions under the 1994 General Agreement on Tariffs and Trade following its accession to the EU ([12854/16](#) + [6870/16](#) + [6871/16](#)).

WTO - United States - Nepal

The Council approved the position to be taken by the EU in support of a United States request for a WTO waiver allowing it to provide preferential treatment to products from Nepal ([12559/16](#) + [12560/16](#)).

EUROPEAN FREE TRADE ASSOCIATION

Switzerland

The Council reached an agreement on the reply to the letter from the Swiss Federal Council to the Presidency of the EU Council dated 27 July 2016.

FISHERIES

Deep-sea fishing in the North-East Atlantic - position of Council at first reading

The Council adopted its position at first reading on a regulation establishing specific conditions for deep-sea stocks in the North-East Atlantic and provisions for fishing in international waters of the North-East Atlantic ([11625/16](#) + [ADD 1](#)). The Spanish delegation voted against ([12857/16 ADD 1](#)).

The agreed draft regulation aims to ensure the sustainable exploitation of deep sea stocks while reducing the environmental impact of these fisheries.

The EU deep sea fishing regime regulates which operators are allowed to target deep sea species and sets the conditions under which member states can issue fishing authorisations for deep sea fisheries.

The agreement on revised rules strikes a balance between the commercial exploitation of certain deep water fish populations and their sustainability through the introduction of innovative tools to manage the stocks such as:

- a 800 meter depth limit below which it will not be possible to fish with bottom trawls,
- the setting of a geographical footprint based on historical criteria by which vessels will only be able to fish in those areas where they have done so during the reference period,
- special protection measures for vulnerable marine eco-systems which apply to operations with bottom gears below a depth of 400 m,
- boosted control measures based on the system applied by the management plans,
- additional targeted data collection obligations aimed at ensuring a better picture of deep-sea stocks. Among these, of particular importance is an observer coverage of 20% applicable to EU vessels fishing with bottom trawls and bottom set gillnets in both EU and NEAFC waters.

The Council and the European Parliament reached a provisional political agreement on this regulation on 30 June 2016. This compromise was endorsed by the Council's Permanent Representatives Committee on 20 July 2016.

The European Parliament is expected to confirm the Council's position in a second-reading vote at an upcoming plenary session.

TRANSPORT**International Maritime Organisation - Nitrogen Oxide Emissions Control Areas**

The Council decided not to work further on the Commission proposal for a Council decision on the position to be adopted on behalf of the EU during the 70th and 71st session of the Marine Environment Protection Committee of the International Maritime Organisation. The proposal relates to the approval and adoption of amendments to Annex VI the International Convention for the Prevention of Pollution from Ships (MARPOL) concerning the designation and taking effect of the Baltic Sea and the North Sea as Nitrogen Oxide Emissions Control Areas (NECAs). Member states consider that NOx emissions from international shipping fall in the domain of unexercised Union competence and they do not wish to exercise Union competence in this area.

INTERNAL MARKET**Motor vehicles type-approval - eCall alert devices**

The Council did not object to the adoption by the Commission of a delegated regulation setting out technical requirements and test procedures for the EU's type-approval of eCall emergency devices in motor vehicles ([12133/16](#) + [12133/16 ADD1](#)).

The delegated regulation supplements [regulation 2015/758](#), which lays down a general obligation for new vehicles of categories M1 and N1 to be equipped with 112-based eCall in-vehicle systems as of 31 March 2018.

While [regulation 2015/758](#) sets out the general requirements for the type-approval of 112-based eCall in-vehicle systems, it delegates to the Commission the power to lay down the corresponding detailed technical requirements and test procedures in a delegated act.

The delegated regulation will enter into force after its publication in the EU's Official Journal, unless the European Parliament objects.

The EU-wide eCall system is designed to speed up emergency services in road accidents. New vehicles will have to be fitted with wireless devices to trigger automatically a distress signal to the 112 emergency call number.