



Council of the
European Union

Brussels, 6 December 2016
(OR. en)

15236/1/16
REV 1

OJ CRP2 40
COMIX 806

PROVISIONAL AGENDA

Subject:	2608th meeting of the PERMANENT REPRESENTATIVES COMMITTEE (Part 2)
Date:	7 December 2016
Time:	9.00
Venue:	Brussels

REVISED VERSION NO 1 OF PROVISIONAL AGENDA

1. Adoption of the agenda
Approval of "I" items in Annex

II

31. **Preparation** of the Council meeting (**Justice and Home Affairs**) on 8-9 December 2016
 - a) **Migration**
= Implementation¹

¹ Exceptionally, in the presence of the Schengen Associated States

32. 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 (**revision of the suspension mechanism**) (**First reading**)
- = Presidency debriefing on the outcome of the trilogue
 - = Preparation for the next trilogue
- 15059/16 VISA 384 CODEC 1778 COMIX 792
33. **Entry/Exit System (EES)**
- i) 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**)
- ii) 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**)
- = Partial mandate for negotiations with the European Parliament
- 15063/16 FRONT 464 VISA 386 CODEC 1780 COMIX 793
- = Progress report
- 14963/16 FRONT 462 VISA 380 CODEC 1756 COMIX 785
34. **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**)
- = Confirmation of the final compromise text with a view to agreement
- 15099/16 FRONT 466 VISA 387 SIRIS 166 CODEC 1793 COMIX 795
35. **Weapons**
- Proposal for a Directive of the European Parliament and of the Council amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons (**First reading**)
- = Presidency debriefing on the outcome of the trilogue
- 14974/16 JAI 1014 GENVAL 124 MI 753 COMPET 619 COMIX 787
CODEC 1759
36. **Reform of the Common European Asylum System and Resettlement**
- i) **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**)
- = Progress report
- 14106/1/16 REV 1 ASILE 72 CODEC 1592 CSC 347
- = State of play and guidance for further work
- 15065/16 ASILE 85 CODEC 1781 CSC 357

- ii) **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)**
- = Partial general approach
14858/16 ASILE 83 EURODAC 22 ENFOPOL 434 CODEC 1741
37. **PIF:** Proposal for a Directive of the European Parliament and of the Council on the fight against fraud to the Union's financial interests by means of criminal law **(Second reading)**
- = Analysis of the final compromise text with a view to agreement
14902/16 DROIPEN 200 JAI 1008 GAF 74 FIN 827 CADREFIN 116
FISC 219 CODEC 1750
31. **Preparation** of the Council meeting (**Justice and Home Affairs**) on 8-9 December 2016
- b) **EPPO:** Proposal for a Council Regulation on the establishment of the European Public Prosecutor's Office
- = Policy debate
15057/16 EPPO 32 EUROJUST 161 CATS 95 FIN 845 COPEN 366
GAF 75 CSC 356
15200/16 EPPO 33 EUROJUST 162 CATS 97 FIN 853
COPEN 373 GAF 77 CSC 361
- c) Other items in connection with the Council meeting
38. **Preparation** of the Council meeting (**General Affairs**) on 13 December 2016
- a) **Preparation of the European Council on 15 December 2016**
- = Draft conclusions
13938/16 CO EUR-PREP 44
- b) **Enlargement and stabilisation and association process**
- = Draft Council conclusions
14837/1/16 REV 1 ELARG 115 COWEB 141
- d) **IIA**
- Legislative programming - Joint declaration on interinstitutional programming
= Approval
15145/16 POLGEN 160 INST 514 CODEC 1814 PE 117
 - Implementation
= Information from the Presidency
15141/16 INST 513 POLGEN 159 JUR 588 IA 132 CODEC 1813

- e) **European Semester 2017 - Annual Growth Survey**
= Presentation by the Commission
14357/16 ECOFIN 1032 UEM 361 SOC 698 EMPL 478 COMPET 580 ENV 708
EDUC 371 RECH 311 ENER 382 JAI 937
+ **REV 1 (da)**

- c) **Multiannual Financial Framework (MFF) 2014-2020 Review/Revision**
= State of play
15126/16 CADREFIN 120 POLGEN 158 FIN 848
14942/16 CADREFIN 117 POLGEN 151

- f) Other items in connection with the Council meeting

39. **Omnibus/MFF**

- = Presidency report on the state of play

40. **Follow-up** to the Council meeting (**Economic and Financial Affairs**) on 6 December 2016

41. **Modernisation of the EU's trade defence instruments**

- = Revised Presidency compromise proposal
15131/16 WTO 345 ANTIDUMPING 14 COMER 129

42. **Preparation** of the Council meeting (**Foreign Affairs**) on 12 December 2016

- a) EU-Africa
b) Democratic Republic of Congo
c) Migration
d) Other items in connection with the Council meeting

43. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 230/2014 of the European Parliament and of the Council establishing **an instrument contributing to stability and peace (First reading)**

- = Mandate for negotiations with the European Parliament
15133/1/16 REV 1 CORLX 477 CFSP/PESC 989 DEVGEN 269 FIN 850
ACP 175 CADREFIN 122 CODUN 27 CIVCOM 236
POLMIL 141 CODEC 1807

- Any other business

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In the margins of Coreper:

MIXED COMMITTEE (09.00)

- 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 (**revision of the suspension mechanism**) (**First reading**)
 - = Exchange of views
15059/16 VISA 384 CODEC 1778 COMIX 792

- **Entry/Exit System (EES)**
 - a) 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**)
 - b) 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**)
 - = Exchange of views
15063/16 FRONT 464 VISA 386 CODEC 1780 COMIX 793
 - = Progress report
14963/16 FRONT 462 VISA 380 CODEC 1756 COMIX 785

- **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**)

 - = Exchange of views
15099/16 FRONT 466 VISA 387 SIRIS 166 CODEC 1793 COMIX 795

- **Weapons**

Proposal for a Directive of the European Parliament and of the Council amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons (**First reading**)

 - = Exchange of views
14974/16 JAI 1014 GENVAL 124 MI 753 COMPET 619 COMIX 787
CODEC 1759

I

44. Draft Council minutes
= Approval (°)
a) 3492nd meeting of the Council of the European Union (Foreign Affairs), held in Luxembourg on 17 October 2016
13346/16 PV CONS 51 RELEX 846
b) 3493rd meeting of the Council of the European Union (Foreign Affairs/Trade), held in Luxembourg on 18 October 2016
13432/16 PV CONS 52 RELEX 859
+ COR 1 (cz)
c) 3494th meeting of the Council of the European Union (General Affairs), held in Luxembourg on 18 October 2016
13433/16 PV CONS 53
+ ADD 1
+ ADD 1 REV 1
+ ADD 1 REV 1 COR 1
45. Case before the EU General Court
Case T-643/16 Gamaa Islamyta Egypte v. Council
= Production of Council documents before the General Court (°)
15161/16 JUR 589 CORLX 479 MAMA 243 CONOP 96 CFSP/PESC 995
46. Judgment of the Court of Justice in Case C-455/14 P
(H v. Council and Commission of the European Union)
14805/16 JUR 573 RELEX 988 CFSP/PESC 953 CIVCOM 229
PSC DEC 52
47. Follow-up on para. 40 of the Interinstitutional Agreement on Better Law Making
15097/1/16 REV 1 JUR 584 RELEX 1012 CFSP/PESC 985 INST 506 PE 114
48. Transparency - Public access to documents
a) Confirmatory application No 19/c/01/16
11735/16 INF 148 API 88
b) Confirmatory application No 23/c/08/16
13479/1/16 REV 1 INF 181 API 106
49. Draft Directive of the European Parliament and of the Council on the activities and supervision of institutions for occupational retirement provision (IORPs) (recast)
(First reading)
= Adoption of the legislative act
14975/16 CODEC 1760 EF 370 ECOFIN 1131 SURE 36 SOC 748
PE-CONS 35/16 EF 230 ECOFIN 701 SURE 24 SOC 459 CODEC 1046

50. Draft Decision of the European Parliament and of the Council providing further macro-financial assistance to the Hashemite Kingdom of Jordan (**First reading**)
= Adoption of the legislative act
14979/16 CODEC 1763 ECOFIN 1132 UEM 400 RELEX 1001 MED 63
+ ADD 1
PE-CONS 45/16 ECOFIN 979 UEM 350 RELEX 904 MED 55 CODEC 1559
51. Draft Regulation of the European Parliament and of the Council amending Regulation (EU) No 1286/2014 on key information documents for packaged retail and insurance-based investment products as regards the date of its application (**First reading**)
= Adoption of the legislative act
15028/16 CODEC 1773 EF 372 ECOFIN 1137
PE-CONS 51/16 EF 338 ECOFIN 1031 CODEC 1639
52. Commission Delegated Regulation (EU) .../... of 24.11.2016 amending Commission Delegated Regulation (EU) 2016/1675 supplementing Directive (EU) 2015/849 by identifying high-risk third countries with strategic deficiencies
= Intention not to raise objections to a delegated act
15104/16 EF 376 ECOFIN 1151 DELACT 248
14857/16 EF 363 ECOFIN 1119 DELACT 247
53. Proposal for a Regulation of the European Parliament and of the Council on Money Market Funds (**First reading**)
= Confirmation of the final compromise text with a view to agreement
14940/16 EF 369 ECOFIN 1128 CODEC 1753
14939/16 EF 368 ECOFIN 1127 CODEC 1752
54. Proposal for transfer of appropriations No DEC 36/2016 within Section III - Commission - of the general budget for 2016
15017/16 FIN 835 INST 499 PE-L 71
55. Proposal for transfer of appropriations No DEC 37/2016 within Section III - Commission - of the general budget for 2016
15018/16 FIN 836 INST 500 PE-L 72
56. Proposal for transfer of appropriations No DEC 38/2016 within Section III - Commission - of the general budget for 2016
15019/16 FIN 837 INST 501 PE-L 73

57. Proposal for transfer of appropriations No DEC 39/2016 within Section III - Commission - of the general budget for 2016
15020/16 FIN 838 INST 502 PE-L 74
58. Proposal for transfer of appropriations No DEC 1/2016 within Section VI - European Economic and Social Committee - of the general budget for 2016
15021/16 FIN 839 INST 503 PE-L 75
59. Proposal for transfer of appropriations No DEC 1/2016 within Section VII - Committee of the Regions - of the general budget for 2016
15022/16 FIN 840 INST 504 PE-L 76
60. Special Report No 21/2016 "EU pre-accession assistance for strengthening administrative capacity in the Western Balkans: A meta-audit"
= Designation of Working Party (°)
14727/16 FIN 815 COWEB 138 ELARG 112
61. Special Report No 20/2016 "Strengthening administrative capacity in Montenegro: progress but better results needed in many key areas"
= Designation of Working Party (°)
14737/16 FIN 817 ELARG 114
62. Draft Council conclusions on the European Court of Auditors' Special Report No 22/2016 "EU nuclear decommissioning assistance programmes in Lithuania, Bulgaria and Slovakia: some progress made since 2011, but critical challenges ahead"
= Adoption
15074/16 ATO 65
63. Draft Council conclusions on strengthening the EU internal security's external dimension in the Western Balkans including via the Integrative Internal Security Governance (IISG)
= Adoption
14796/16 JAI 993 COSI 194 CT 10 ENFOPOL 431 COTER 122 COWEB 140
PSC DEC 51 JAIEX 99 FRONT 453
14795/16 JAI 992 COSI 193 CT 9 ENFOPOL 430 COTER 121 COWEB 139
PSC DEC 50 JAIEX 98 FRONT 452
64. Draft Council conclusions on the implementation of the general provisions on data protection of Chapter 6 of Council Decision 2008/615/JHA
= Evaluation of Croatia with regard to automated exchange of vehicle registration data (VRD)
15191/16 JAI 1039 DAPIX 227 CRIMORG 163 ENFOPOL 458
ENFOCUSTOM 212
15190/16 JAI 1038 DAPIX 226 CRIMORG 162 ENFOPOL 457
ENFOCUSTOM 211
14621/16 JAI 962 DAPIX 205 CRIMORG 150 ENFOPOL 415
ENFOCUSTOM 193

65. Draft Council conclusions on countering environmental crime
 = Adoption
 15186/16 ENFOPOL 456 ENV 767 ENFOCUSTOM 231
 15184/16 ENFOPOL 455 ENV 766 ENFOCUSTOM 230
66. Draft Standard Operating Procedures between the EU and the Republic of Mali for the identification and return of persons without an authorisation to stay
 = Endorsement
 15050/16 MIGR 207 COAFR 307
67. 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 external borders (Algeciras Port) by Spain
 15146/16 SCH-EVAL 209 FRONT 468 COMIX 798
 15144/16 SCH-EVAL 208 FRONT 467 COMIX 797
68. 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 return
 15148/16 SCH-EVAL 211 MIGR 210 COMIX 800
 15147/16 SCH-EVAL 210 MIGR 209 COMIX 799
69. Council Decision on the conclusion, on behalf of the European Union and its Member States, of the Protocol to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Vietnam, of the other part, to take account of the accession of the Republic of Croatia to the European Union
 = Adoption
 12285/16 COASI 186 ASIE 78 ELARG 93
 13079/14 COASI 100 ASIE 51 ELARG 96
 13078/14 COASI 99 ASIE 50 ELARG 95
70. South Sudan
 = Draft Council conclusions
 14962/16 COAFR 303 CFSP/PESC 965 RELEX 999
 COHAFA 73 COHOM 153
71. Proposal for a Regulation of the European Parliament and of the Council on certain procedures for applying the Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community, of the one part, and Kosovo* of the other part (**First reading**)
 = Confirmation of the final compromise text with a view to agreement
 15094/16 COWEB 144 WTO 340 CODEC 1791

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

72. Relations with Ukraine
Draft EU position and draft Orientation Note for the 3rd meeting of the EU-Ukraine Association Council (Brussels, 19 December 2016)
= Approval
15157/16 COEST 321
73. Draft Council Decision on the position to be adopted, on behalf of the European Union, in the Association Committee in Trade configuration established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other in relation to the update of Annexes XXI-A to XXI-P on regulatory approximation in the area of public procurement
15158/16 COEST 322 WTO 347
14373/16 COEST 300 WTO 325
74. Draft Council conclusions on European Court of Auditors' Special Report No 13/2016 on EU assistance for strengthening the public administration in the Republic of Moldova
15195/16 COEST 324 FIN 852
75. (poss.) Political and Security Committee Decision on the appointment of the EU Mission Commander for the European Union military mission to contribute to the training of the Malian Armed Forces (EUTM Mali) and repealing Decision (CFSP) 2016/939 (EUTM Mali/2/2016)
= Authorisation for publication in the Official journal (°)
15045/16 CSDP/PSDC 681 CFSP/PESC 976 COAFR 305 RELEX 1002
EUTM MALI 21 PSC DEC 53 CONUN 212
14761/16 CSDP/PSDC 670 CFSP/PESC 949 COAFR 299 RELEX 980
EUTM MALI 20 PSC DEC 49 CONUN 208
76. (poss.) Political and Security Committee Decision on the acceptance of third States' contributions to the European Union CSDP Military Training Mission in the Central African Republic (EUTM RCA) (EUTM RCA/2/2016).
= Authorisation for publication in the Official journal (°)
13957/16 CSDP/PSDC 623 CFSP/PESC 882 COAFR 279 RELEX 911
CONUN 195 EUTM RCA 30 PSC DEC 46 CSC 317
13489/16 CSDP/PSDC 593 CFSP/PESC 840 COAFR 268 RELEX 863
CONUN 189 EUTM RCA 28 PSC DEC 44 CSC 302
77. Draft Council Decision establishing a European Security and Defence College (ESDC) and repealing Council Decisions 2013/189/CFSP and 2015/2310/CFSP
= Adoption
14936/16 CORLX 464 CSDP/PSDC 676 CFSP/PESC 962 CIVCOM 230
13326/16 CORLX 402 CSDP/PSDC 584 CFSP/PESC 825 CIVCOM190

78. Draft Council Declaration on the common funding of the deployment of EU Battlegroups
14972/16 CORLX 467 CFSP/PESC 969 CSDP/PSDC 678 FIN 828
79. Restrictive measures in view of the situation in Tunisia laid down by Council Decision
2011/72/CFSP and Council Regulation (EU) No 101/2011
= Review of the restrictive measures: pre-notifications
15152/16 CORLX 478 CFSP/PESC 992 RELEX 1016 MAMA 242
FIN 851
80. Restrictive measures directed against certain persons, entities and bodies in view of the
situation in Ukraine, laid down in Council Decision 2014/119/CFSP and Council Regulation
(EU) No 208/2014
= Pre-notifications
15214/16 CORLX 481 CFSP/PESC 1002 RELEX 1028 COEST 325 FIN 855
81. Proposal for a Regulation of the European Parliament and of the Council laying down supply
chain due diligence obligations for Union importers of tin, tantalum and tungsten, their ores,
and gold originating from conflict-affected and high-risk areas (**First reading**)
= Confirmation of the final compromise text with a view to agreement
15115/16 COMER 128 WTO 343 RELEX 1014 UD 256 CODEC 1799
82. Proposal for a Regulation of the European Parliament and of the Council amending
Regulation (EU) 2015/936 of the European Parliament and of the Council on common rules
for imports of textile products from certain third countries not covered by bilateral
agreements, protocols or other arrangements, or by other specific Union import rules
(**First reading**)
= Confirmation of the final compromise text with a view to agreement
15139/16 STIS 7 TEXT 2 WTO 346 CODEC 1812
83. Draft Council conclusions on a homogeneous extended single market and EU relations with
Non-EU Western European countries
15043/16 AELE 81 EEE 42 N 65 ISL 52 FL 39 CH 13 AND 6
MC 11 SM 5 MI 764 FISC 214
84. Association with Serbia
= Establishment of the position of the European Union for the 3rd Stabilisation and
Association Council meeting
15177/16 RS 4
85. Enlargement
Accession negotiations with Serbia
= Outcome of screening on Chapter 27: Environment and climate change
14871/16 ELARG 117

New item

86. (poss.) Council Decision amending Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo
and
Council Regulation amending Council Regulation (EC) No 1183/2005 imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo
- 15077/16 CORLX 474 CFSP/PESC 981 RELEX 1008 COAFR 310
CONUN 215 COARM 215 FIN 846
- 14481/16 CORLX 448 CFSP/PESC 929 COAFR 286 CONUN 202
COARM 204 FIN 793
- 14489/16 CORLX 450 CFSP/PESC 932 RELEX 953 COAFR 288
CONUN 204 COARM 206 FIN 795

New item

87. Enlargement
Accession negotiations with Serbia
= Chapter 5: Public procurement
15285/16 ELARG 118

(°) Item on which a procedural decision may be adopted by Coreper, in accordance with Article 19 (3) and (7) of the Council's Rules of Procedure.
