



Council of the
European Union

Brussels, 5 December 2016
(OR. en)

14217/16

CRS/CRP 39

SUMMARY RECORD

Subject: 2605th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 16, 17 and 18 November 2016

I. Adoption of the agenda

14391/16 OJ CRP1 37 + ADD 1
14431/16 OJ CRP2 37 COMIX 750

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)

Wednesday 16 November 2016

2. **Setting** of the provisional **agenda** for the Council meeting (**Employment, Social Policy, Health** and Consumer Affairs) on 8 December 2016

The Committee agreed on the provisional agenda for the forthcoming Council meeting.

3. **Preparation** for the Council meeting (**Transport, Telecommunications and Energy**) on 1, 2 and 5 December 2016
1. Proposal for a Regulation of the European Parliament and of the Council on common rules in the field of civil aviation and establishing a **European Union Aviation Safety Agency**, and repealing Regulation (EC) No 216/2008 of the European Parliament and of the Council (**First reading**) (*Legislative deliberation*)
- = General approach
- 13505/1/16 REV 1 AVIATION 215 CODEC 1490 RELEX 867
- + ADD 1 REV 1
- + ADD 2 REV 1

The Committee agreed to submit the text to Council in view of a general approach.

Statement by the United Kingdom

"The UK would like to thank the Presidency for its hard work on this file. This is a matter of the application of EU law to Gibraltar. The United Kingdom notes that Article 355(3) of the Treaty on the Functioning of the European Union provides that "The provisions of the Treaties shall apply to the European territories for whose external relations a Member State is responsible", and that such territories include Gibraltar. Since aviation legislation does not fall within one of the exclusions to the application of EU law in Gibraltar provided for in the UK's Act of Accession of 1972, the UK considers that there is currently no basis in law to allow for the exclusion or suspension of the application of aviation legislation to Gibraltar.

This position was recognised by the Cordoba Agreement of 2006 between the UK, Gibraltar and Spain in which Spain (without prejudice to its position on the sovereignty of Gibraltar) committed to cease to seek the suspension of Gibraltar Airport from EU aviation legislation. The United Kingdom and Gibraltar continue to uphold this agreement.

The UK continues to be constructive but would not be able to accept a text which went against the EU Treaties and suspended application to Gibraltar.

The UK Government is confident of UK sovereignty over the whole of Gibraltar."

Statement by Spain

"Spain recalls that European legislation is, indeed, applied to the territory to which the Treaties are applied, pursuant to Articles 52 TEU and 355 TFEU, but that in the case of Gibraltar airport there is a conflict over the sovereignty of the territory on which the airport is located (the Isthmus, a territory not ceded to the United Kingdom in the Treaty of Utrecht). The existence of this conflict between two Member States, recognised by the European Court of Justice itself, makes it impossible to determine which is the legitimate authority responsible for applying said legislation to Gibraltar airport, and makes it obligatory to suspend said application until there is an agreement in this regard between the two Member States."

Statement by the Commission

"On the question whether this proposal establishes an obligation for a public authority that is responsible for activities taking place in or over the airport of Gibraltar the Commission wishes to stress that the current Council text for a Proposal for a Regulation on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and repealing Regulation (EC) No 216/2008 of the European Parliament and of the Council would not alter the scope of the relevant rules, compared to what was the case under Regulation (EC) No 216/2008, in as far as the airport of Gibraltar is concerned. It therefore would not establish any new obligation for a public authority that is responsible for activities taking place in or over that airport.

The Commission also recalls its neutrality in the dispute between the UK and Spain over the sovereignty issue on the territory on which the Gibraltar airport is situated and regrets that this issue delays progress on various aviation files in the Council."

Statement by Belgium

"A Article 123-2-4 : Amendments to Regulation (EC) N° 1008/2008

BE may support the intent for clarification made by the proposal to Art. 123 of the revision of the BR to make the (EC) 1008/2008 more understandable regarding the operation of a third country registered aircraft. But considering the too heavy requirements on the European applicants and additional workload on the National Aviation Authorities (NAA) of the MS in case of the complex and unfeasible approval of the wet-lease-in of an aircraft of third country operator as laid down in the current Implementation Rules IR OPS (EU) 965/2012 ORO.AOC.110 (c) (2) "Leasing agreement", BE proposes a wet-lease-in of a third country aircraft be addressed and assessed by a NAA only when an international agreement has been concluded between the Union and that third country. BE takes note that the Commission intends to address the Belgian concerns about the wet lease of third country operators by implementing acts in accordance with Article 57-2.

B Annex 1 : Aircraft referred to in Article 2(3)(d)

BE doesn't support the following specific modification of Annex 1 : (e) MTOM 350kg/500kg for Landplane and (f) Helicopters linked to Gyroplanes, as laid down in Council Doc Ref : 13505/16 ADD 2, 9 November 2016 (BE was against the introduction of Gyroplanes 560kg in the current Annex 2 of (EU) 216/2008).

Indeed, there exists no objective argued impact assessment with regards to safety (this is contrary to recitals (1)-(3)-(4)) to support this modification originally proposed by four MS without any added value on safety-wise. In addition this modification will have a negative impact such as an increasing of workload for the National Aviation Authorities (NAAs), a negative impact on the level playing field in EU with the implementation of 28 different national regulations, and a negative effect on the survivability of passengers in case of accident or hard landing, ... According respectively to the agreed principle of "declaration" and to the Article 2-4-(a), there exists a tool in the BR for a MS to accept a declaration or to request EASA to certify an aircraft above 450kg on the basis of the existing implementing rules (IR) CS-VLA or CS-LSA, and new Art. 126-2a (supported by BE) foresees an updating of these IR for sports and recreational rules within two years after the entry into force of this Regulation. Regarding the Helicopters/Gyroplanes, it has to be noted that the respective mechanics of flight are different and therefore these two types of aircraft may not be jointly assimilated each other in the Regulation.

BE supports the consolidated version of Annex 1 as laid down in the Council document 13219/16 ADD 1 Rev 1 (Aviation 206, Codec 1435, Relex 835) dated 28 October 2016 (Interinstitutional file 2015/0277 (COD)): (e) MTOM 300kg/450kg for Landplane/helicopter/powered parachute/powered sailplanes, (f) gyroplanes 560kg."

Statement by Italy and Belgium

"Italy and Belgium have tried to save article 109(f) proposing two compromise texts aimed at reaching the rational use of resources and cost neutrality with respect to Eurocontrol charges, for airspace users.

Italy and Belgium support that supervisory tasks linked to regulatory tasks, other than rulemaking activities, performed by EASA under the ATM/ANS performance system, are to be funded through aviation user charges. Rejecting the application of this principle to the ATM/ANS authority tasks developed by the Agency would penalise the EU tax payer. At the same time, Italy and Belgium acknowledge the need for extra funding to EASA to deal with ATM/ANS rulemaking activities. This can be financed on a temporary basis through the user charge system, provided the cost neutrality is guaranteed. A permanent financing of rulemaking activities with user charges should be, however, extended for symmetry as to the other aviation domains.

In addition to those Member States which supported our second compromise proposal, Italy and Belgium also acknowledge that a group of Member States expressed their intention to keep this option and establish their final position on the basis of the Commission-EASA-Eurocontrol pan-European roadmap whose purpose was to clarify the tasks that have been transferred from Eurocontrol to EASA in order to avoid overlapping between the two institutions.

The user charges for EASA should be determined in accordance with the procedures of the ATM/ANS Performance System, which means the development of a specific EASA Performance Plan. Similar to what happens for Eurocontrol contribution, Member States should collect the money and then give it to EASA.

Italy and Belgium also acknowledge that art. 109 (f) was supported by the European Parliament, namely the vast majority of the political Groups and national delegations during the vote on EP Transport Committee last 10 November 2016."

2. **Review of the Regulatory Framework** (*Legislative deliberation*)
 - a) Proposal for a Directive of the European Parliament and of the Council establishing the European Electronic Communications Code (Recast) **(First reading)**
 - b) Proposal for a Regulation of the European Parliament and of the Council establishing the Body of European Regulators for Electronic Communications **(First reading)**
 = Policy debate
 14229/16 TELECOM 225 COMPET 569 MI 694 CONSOM 272 AUDIO 119
 CODEC 1628

3. **Review of the Regulatory Framework** (*Non-legislative activity*)
 - a) Communication from the Commission on "5G for Europe: An Action Plan"
 - b) Communication from the Commission on "Connectivity for a Competitive Digital Single Market - Towards a European Gigabit Society"
 = Policy debate
 (Public debate in accordance with Article 8(2) of the Council's Rules of Procedure [proposed by the Presidency])
 14229/16 TELECOM 225 COMPET 569 MI 694 CONSOM 272 AUDIO 119
 CODEC 1628

The Committee agreed to hold one policy debate in Council. The Committee also took note of the background note provided by the Presidency and agreed to forward it to Council in view of the policy debate.

4. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 531/2012 as regards rules for **wholesale roaming markets** **(First reading)** (*Legislative deliberation*)
 = General approach
 14221/16 TELECOM 224 COMPET 568 MI 692 CONSOM 271 CODEC 1610
 10329/16 TELECOM 121 COMPET 381 MI 458 CONSOM 154 CODEC 838

The Committee agreed to submit the text to Council in view of a general approach.

Friday 18 November 2016

4. **Preparation** for the Council meeting "**Competitiveness**" (Internal Market, Industry, Research and Space) on 28 and 29 November 2016

1. Proposal for a Regulation of the European Parliament and of the Council on **addressing geo-blocking** and other forms of discrimination based on customers' nationality, place of residence or place of establishment within the internal market and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (**First reading**) (*Legislative deliberation*)
 - = General approach

13744/16 MI 661 TELECOM 204 DIGIT 122 CONSOM 255 IND 221
COMPET 542 ENT 193 POSTES 16 JUSTCIV 282 PI 119
CODEC 1535

The Committee took note of all scrutiny reservations, amended the text and agreed to submit it to Ministers in view of a general approach.

2. Competitiveness "**check-up**": State of play of the real economy (*Non-legislative activity*)
 - = Presentation by the Commission
 - = Exchange of views

The Committee took note of the Presidency's and Commission's intentions.

3. **Single Market** (*Non- legislative activity*)
 - a) One year after Single Market Strategy adoption
 - b) Presentation of the Start-up initiative
 - = Policy debate

14246/16 COMPET 570 MI 698 CONSOM 275 PI 128 IND 236 ECOFIN 1020

The Committee took note of the background note provided by the Presidency and agreed to forward it to Council in view of the policy debate.

4. Finalisation of implementation and entry into operation of the **Unitary Patent and Unified Patent Court** (*Non-legislative activity*)
 - = Exchange of views

14262/16 PI 130 COMPET 573

The Committee took note of the background note submitted by Belgium, The Netherlands, Luxembourg and Sweden.

5. Draft Council conclusions on measures to support **early stage researchers**, raise the attractiveness of scientific careers and foster investment in human potential in research and development (*Non-legislative activity*)

= Adoption

14131/16 RECH 306 EDUC 355 SOC 675 COMPET 563

The Committee submitted the amended text to Council for adoption.

6. Report from the Commission on implementation of the strategy for international **cooperation in research and innovation** (*Non-legislative activity*)

= Exchange of views

13298/16 RECH 289 COMPET 532 RELEX 906 DEVGEN 234

13288/16 RECH 287 COMPET 530 RELEX 838 DEVGEN 221

The Committee submitted the background note to Council as a basis for the exchange of views and agreed that the discussion be held in public.

7. Communication from the Commission on **Space Strategy for Europe** (*Non-legislative activity*)

= Presentation by the Commission

= Policy debate

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

14212/16 ESPACE 54 RECH 308 COMPET 567 IND 234 EU-GNSS 33

TRANS 414 TELECOM 223 MI 691 EMPL 466 CSDP/PSDC 641

CFSP/PESC 912

+ COR 1

13758/16 ESPACE 52 RECH 298 COMPET 544 IND 222 EU-GNSS 32

TRANS 404 TELECOM 206 MI 665 EMPL 442 CSDP/PSDC 613

CFSP/PESC 867

The Committee prepared the policy debate and submitted the background note to Council as a basis for the policy debate.

3. **Preparation** for the Council meeting (**Transport, Telecommunications and Energy**) on 1, 2 and 5 December 2016 (**continuation**)

5. **The Energy Union Package** (*Legislative deliberation*)
= Presentation by the Commission

The Committee took note of the Presidency's and Commission's intentions.

6. Progress on the development of the **external dimension of the EU energy policy** (*Non-legislative activity*)
= Update from the Commission
= Exchange of views
13997/16 ENER 369 RELEX 917

The Committee took note of the Commission's intentions and forwarded the background note to Council as a basis for the exchange of views.

5. Proposal for a Decision of the European Parliament and of the Council on establishing an information exchange mechanism with regard to **intergovernmental agreements** and non-binding instruments between Member States and third countries in the field of energy and repealing Decision No 994/2012/EU (**First reading**) (**Legislative deliberation**)
= Preparation for the trilogue
13444/1/16 ENER 357 CODEC 1472 IA 91 REV 1

The Committee agreed the mandate for the forthcoming trilogue.

COREPER (PART 2)

15. 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**)
 - = Preparation for the third trilogue
14270/16 FRONT 437 VISA 361 SIRIS 156 CODEC 1627 COMIX 742

The Committee confirmed the conclusions of the Mixed Committee and provided a mandate to the Presidency to take forward and finalise negotiations with the European Parliament.

16. Proposal for a Regulation of the European Parliament and of the Council on the **Union Code on visas (Visa Code) (recast) (**First reading**)**

- State of play and guidance for further work
14213/16 VISA 358 CODEC 1609 COMIX 738

The Committee confirmed the conclusions of the Mixed Committee and agreed with the proposed approach on the way forward.

17. 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 (**Ukraine**) (**First reading**)**

- Mandate for negotiations with the European Parliament
14265/1/16 REV 1 VISA 360 CODEC 1625 COEST 295 COMIX 741

The Committee confirmed the conclusions of the Mixed Committee and provided a mandate to the Presidency to start negotiations with the European Parliament.

Presidency's statement

"The COREPER gives mandate to the Presidency to start negotiations with the European Parliament, on the understanding that trilogues would not start before an agreement on the revision of the suspension mechanism is reached with the European Parliament on the basis of the general approach reached by the Council (JHA) on the 20th May 2016, and this text is adopted."

Commission's statement

"The Commission will duly and regularly monitor the continuous fulfilment by Ukraine of criteria set out in the Visa Liberalization Action Plan presented to the Ukrainian Government in November 2010, in accordance with the suspension mechanism to be set out in the revision of Regulation (EC) n°539/2001 currently being negotiated."

Statement by Belgium

"BE considers that successful fulfilment of all the benchmarks as set out in the Visa Liberalisation Action Plan should be the basis of any decision on visa liberalisation. The series of benchmarks are set out with a view to adopting a legislative, policy and institutional framework and ensuring its effective and sustainable implementation.

Regarding Ukraine, COM concluded that all benchmarks were fulfilled, including the anti-corruption benchmark. This assessment was based on commitments from the Ukrainian leadership. COM committed to continue to monitor the implementation of ongoing reforms, in fields such as, anti-corruption, trafficking in human beings and organised crime.

BE considers that the conclusion of COM is a departure from the methodology of the Visa Liberalisation Dialogue and regrets that COM did not provide any written feedback on the monitoring of the implementation of ongoing reforms since the final report of 18 December 2015.

For the sake of credibility, BE expects that the agreed methodology will be respected for any future visa liberalization dialogue. A premature positive conclusion could lead to false expectations on the part of the third country concerned."

18. **Preparation** of the Council meeting (**Justice and Home Affairs**) on 18 November 2016

= **ETIAS**: Proposal for a Regulation of the European Parliament and of the Council establishing a European Travel Information and Authorization System (**First reading**)

– Policy debate

14082/16 FRONT 426 VISA 351 DAPIX 198 CODEC 1586 COMIX 725

14084/16 FRONT 427 VISA 352 DAPIX 199 CODEC 1587 COMIX 726

The Committee prepared the discussion by ministers which will be based on a set of questions.

= Other items in connection with the Council meeting

The Presidency provided further information with regards to the upcoming JHA Council, as well as regarding intentions for next steps in the handling of the asylum system reform.

19. **Presentation of the agenda** of the Council meeting (**Justice and Home Affairs**) on 8/9 December 2016

The Committee took note of the main items of the agenda. The Presidency took note of the FR/DE request for an addition on the Home Affairs agenda on encryption issues.

20. **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 (**First reading**)

– Preparation for the trilogue

14225/16 DROIPEN 181 JAI 919 GAF 69 FIN 784 CADREFIN 105

FISC 188 CODEC 1614

The Presidency updated the Committee on the state of play. The Committee held an exchange of views providing guidance for the Presidency ahead of the next trilogue with the European Parliament.

21. Preparation of the **EU-Ukraine Summit** (Brussels, 24 November 2016)
14347/16 COEST 298 CFSP/PESC 922
+ COR 1

The Committee confirmed agreement on the key objectives and heard a presentation on the state of play from the EEAS and the Commission.

22. **Follow-up** to the Council meeting (**Foreign Affairs**) on 14/15 November 2016

The Committee took note of the proceedings of this Council meeting.

23. **Follow-up** to the Council meeting (**Foreign Affairs/Trade**) on 11 November 2016

The Committee took note of the proceedings of this Council meeting.

24. **Follow-up** to the Council meeting (**General Affairs**) on 15/16 November 2016

The Committee took note of the proceedings of this Council meeting.

25. **Follow-up** to the Council meeting (Economic and Financial Affairs/**Budget**) on 16 November 2016

The Committee took note of the proceedings of this Council meeting.

26. **Presentation of the agenda** of the Council meeting (**Economic and Financial Affairs**) on 6 December 2016

The Committee took note of the main items of the agenda of this Council.

IV. Any other business

COREPER (PART 1)

WEDNESDAY 16 NOVEMBER 2016

- Autumn economic governance package
= Presentation by the Commission

The Committee took note of the presentation by Commission.

COREPER (PART 2)

None.

"I" items approved**COREPER (PART 1)****Wednesday 16 November 2016**

6. Draft minutes of the following Council meetings
= Approval
- a) 3485th meeting of the Council of the European Union (Competitiveness (Internal Market, Industry, Research and Space)), held in Brussels on 29 September 2016
12755/16 PV/CONS 44 COMPET 514 RECH 281 ESPACE 45 MI 609 IND 204
+ ADD 1
- b) 3486th meeting of the Council of the European Union (Environment), held in Brussels on 30 September 2016
12788/16 PV CONS 45 ENV 629 CLIMA 131
+ COR 1 (de)
+ COR 2 (sv)
7. Commission delegated Regulation (EU) .../... of 20.10.2016 establishing a discard plan for turbot fisheries in the Black Sea
= Intention not to raise objections to a delegated act
14158/16 PECHE 420
13605/16 PECHE 388 DELACT 221
+ COR 1
8. Commission delegated Regulation (EU) .../... of 20.10.2016 establishing a discard plan for certain demersal fisheries in the Mediterranean Sea
= Intention not to raise objections to a delegated act
14157/16 PECHE 419
13602/16 PECHE 387 DELACT 220
+ ADD 1

The above-mentioned item was withdrawn.

9. Commission delegated Regulation (EU) .../... of 22.9.2016 on the verification activities and accreditation of verifiers pursuant to Regulation (EU) 2015/757 of the European Parliament and of the Council on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport (Text with EEA relevance)
= Intention not to raise objections to a delegated act
14218/16 TRANS 415 MAR 281 DELACT 232
12903/16 TRANS 376 DELACT 207
+ADD 1

10. Commission Regulation (EU) .../... of XXX amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards bis (pentabromophenyl) ether

= Decision not to oppose adoption

13890/16 COMPET 554 ENV 686 CHIMIE 65 MI 675 ENT 199 SAN 373
CONSOM 261

12832/16 COMPET 517 ENV 631 CHIMIE 54 MI 614 ENT 177 SAN 343
CONSOM 231

+ ADD 1

Statement by Germany

"In recital 1 the word „Überzügen“ will be replaced by „Beschichtungen“.

In recital 6 the first sentence will be replaced by the following one: „Der RAC verabschiedete am 2. Juni 2015 seine Stellungnahme, in der er bestätigte, dass die persistenten und bioakkumulierende Eigenschaften von DecaBDE selbst nach Ende der Emissionen aufgrund seiner großen Verbreitung und seines Potenzials, unumkehrbare langfristige Umweltschäden zu verursachen, noch Anlass zu konkreter Besorgnis geben“.

In recital 7 the word „zu“ will be exchanged for „bei“.

In recital 8 the first sentence will be replaced by: „Der SEAC verabschiedete am 10. September 2015 seine Stellungnahme, in der er äußerte, dass die vorgeschlagene Beschränkung in der durch den SEAC geänderten Form, was ihren sozioökonomischen Nutzen und ihre sozioökonomischen Kosten angeht, die zweckmäßigste EU-weite Maßnahme zur Reduzierung der Emissionen von DecaBDE darstellt“.

In recital 9 the word „Befolgung“ will be replaced by the word „Umsetzung“.

In recital 10 the second sentence will be replaced by the following one: „Infolge der im Zuge der öffentlichen Konsultation eingetroffenen Hinweise schlug der SEAC zudem vor, dies solle auch für militärische Luftfahrzeuge gelten“.

In the first sentence of recital 13 the word „Wege“ will be replaced by „Rahmen“ and furthermore the second sentence of the same recital will be replaced by the following one „Er begründete diese Ausnahmen mit der unverhältnismäßigen Belastung durch die vorgeschlagene Beschränkung für solche Ersatzteile, angesichts der betroffenen geringen Mengen, der vorgeschriebenen schrittweisen Reduzierung der DecaBDE-Menge (da die Fahrzeuge und Maschinen die letzte Phase ihres Lebenszyklus erreichen) und der Kosten für die Erprobung alternativer Werkstoffe für die Herstellung dieser Ersatzteile“.

In recital 17 the phrase „den Aufschub“ will be replaced by „die Übergangsfrist“.

Furthermore Germany assumes that the German version of entry 67 in Annex XVII is changed as follows:

In paragraph 3 the bullet point b) i) the phrase „ein Luftfahrzeug, das vor dem [Datum - zehn Jahre nach Inkrafttreten dieser Verordnung] produziert wird,“ will be used.

In paragraph 4 (c) the word „Kraftfahrzeuge“ will be replaced by „Fahrzeuge“.

Paragraph 5 a) will start with „ein“ instead of „Ein“ and the word „Zivilluftfahrts-Organisation“ will be replaced by „Zivilluftfahrtsorganisation“.

In annotation (***) an “und” will be inserted between „Flugsicherheit,“ and „zur Aufhebung“.

11. Commission Regulation (EU) .../... of XXX amending Annex VI to Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products
= Decision not to oppose adoption
14233/16 MI 696 ENT 204 CONSOM 274 SAN 381 ECO 74 ENV 702
CHIMIE 68
13063/16 MI 628 ENT 184 CONSOM 237 SAN 350 ECO 63 ENV 650
CHIMIE 57
+ ADD 1
12. Commission Regulation (EU) .../... of XXX amending Annex III to Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products
= Decision not to oppose adoption
14232/16 MI 695 ENT 203 CONSOM 273 SAN 380 ECO 73 ENV 701
CHIMIE 67
13062/16 MI 627 ENT 183 CONSOM 236 SAN 349 ECO 62 ENV 649
CHIMIE 56
+ ADD 1
13. 209th session of the ICAO Council (Montreal, 21 November - 2 December 2016)
= European Union coordination of a common position
14133/16 AVIATION 223 RELEX 924
14. Draft Council Decision authorising the signature, on behalf of the Union, of a cooperation agreement between the European Union and the Agency for Aerial Navigation Safety in Africa and Madagascar (ASECNA) on the development of satellite navigation and the provision of associated services in ASECNA's area of competence for the benefit of civil aviation
= Adoption
14269/16 TRANS 419 MAR 282 AVIAI 225 ESPACE 55 RELEX 931
EU-GNSS 34 CSC 322
13520/16 TRANS 396 MAR 271 AVIATION 216 ESPACE 49 RELEX 869
EU-GNSS 30 CSC 303
13661/16 TRANS 397 MAR 272 AVIATION 217 ESPACE 50 RELEX 888
EU-GNSS 31 CSC 312COREPER (part 2)

Friday 18 November 2016

47. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 952/2013 laying down the Union Customs Code, as regards goods that have temporarily left the customs territory of the Union by sea or air (**First reading**) (**Legislative deliberation**)
- = Confirmation of the agreement with the European Parliament
14341/16 UD 234 ENFOCUSTOM 187 MI 706 TRANS 425 CODEC 1640
48. Council Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and Council Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism
- Amended statements of reasons
 - = Adoption
14141/16 CORLX 437 COTER 109 CFSP/PESC 902 RELEX 926 FIN 776
 - + ADD 1
 - + ADD 1 COR 1

COREPER (PART 2)

27. Case before the General Court: Case T-423/16 (Fabio De Masi vs Commission)
 - Council intervention in support of the Commission
14239/16 JUR 555 INST 471 API 114 INF 193
28. Opinion Procedure before the General Court relating to the "EU-Turkey statement" of 18th March 2016
 - Declassification and production of European Council documents before the General Court of the European Union
14466/16 JUR 563 JAI 948 MIGR 196 POLGEN 142 ELARG 106
29. Draft Council Decision appointing a member, proposed by the Kingdom of the Netherlands, of the European Economic and Social Committee
 - Adoption
13859/16 CES 31
13858/16 CES 30
30. Finnish Common Commemorative coin for 2017
13816/16 ECOFIN 974 UEM 347
31. Submission for approval of the new draft design of the French 2 euro coin
14275/16 ECOFIN 1025 UEM 359
32. Draft Council Implementing Decision amending Decision 2009/790/EC authorising the Republic of Poland to apply a measure derogating from Article 287 of Directive 2006/112/EC on the common system of value added tax
 - Adoption
13843/16 FISC 177 ECOFIN 976
13842/16 FISC 176 ECOFIN 975
33. Commission Delegated Regulation (EU) No .../.. of 24.10.2016 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards for benchmarking portfolio assessment standards and assessment sharing procedures
 - Intention not to raise objections to a delegated act
13985/16 EF 329 ECOFIN 1000 DELACT 229
13751/16 EF 319 ECOFIN 963 DELACT 223
34. First meeting of the EU-Kosovo* Stabilisation and Association Council (Brussels, 25 November 2016)
 - Draft Common Position of the European Union
14091/16 COWEB 126

* 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.

35. Relations with Bosnia and Herzegovina:
- Draft Council Decision on the signing, on behalf of the Union and its Member States, and provisional application of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, to take account of the accession of the Republic of Croatia to the European Union
 - = Adoption
 - Proposal for a Council Decision on the conclusion, on behalf of the Union and its Member States, of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, to take account of the accession of the Republic of Croatia to the European Union
 - = Agreement in principle
 - = Request for the consent of the European Parliament
 - Draft Council Decision approving the conclusion, by the European Commission, on behalf of the European Atomic Energy Community, of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, to take account of the accession of the Republic of Croatia to the European Union
 - = Adoption
 - 13854/16 COWEB 125
 - 13822/16 COWEB 121
 - 13823/16 COWEB 122
 - 13824/16 COWEB 123
 - 13825/16 COWEB 124
36. Relations with Ukraine
Memorandum of Understanding on a Strategic Energy Partnership between the European Union together with Euratom and Ukraine
- Endorsement
 - 14142/16 ENER 376 COEST 290 NIS 7 ATO 61
 - + COR 1 (en)
37. 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
- Approval of the Croatian version
 - 14199/16 COASI 213 ASIE 86 CFSP/PESC 911 COHOM 140 CONOP 90
 - COTER 110 JAI 916 WTO 317 AGRI 599
 - ENER 377 TRANS 413 TELECOM 222 ENV 699 EDUC 358
 - 18204/10 ASIE 86 COASI 227 PVD 47 RELEX 1144 COMER 240
 - POLGEN 229
 - 5070/14 ASIE 3 COASI 3 PVD 2 RELEX 8 COMER 3 POLGEN 4 (hr)
38. Draft Council conclusions on the European Court of Auditors Special Report No 15/2016: "Did the Commission effectively manage the Humanitarian aid provided to populations affected by conflicts in the African Great Lakes Region?"
- 14297/16 FIN 785 COHAFA 67 DEVGEN 241 ACP 151

39. Draft Council conclusions on the first Results Report on EU international cooperation and development
13799/16 DEVGEN 231 ACP 147 RELEX 894
40. Draft Council conclusions on mainstreaming digital solutions and technologies in EU development policy
14320/16 DEVGEN 243 ACP 152 RELEX 938 TELECOM 227
41. Draft Council conclusions on the EU Common position for the second High Level Meeting of the Global Partnership for Effective Development Cooperation (GPEDC)
14324/16 DEVGEN 244 ACP 153 RELEX 939 OCDE 3
42. Commission Decision on a *Protocole d'accord de coopération* to be concluded between the European Union and the *Organisation Internationale de la Francophonie* - Endorsement by Council
14380/16 DEVGEN 247 ACP 155 RELEX 945
43. Draft Council Decision amending Decision 2013/255/CFSP concerning restrictive measures against Syria
and
Draft Council Regulation amending Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria
– Adoption
13821/16 CORLX 429 CFSP/PESC 873 RELEX 898 COARM 191
MAMA 220 FIN 715
12578/16 CORLX 375 CFSP/PESC 762 COARM 172 MAMA 192 FIN 599
12580/16 CORLX 377 CFSP/PESC 764 RELEX 792 COARM 174
MAMA 194 FIN 601
44. Draft Council Decision amending Decision 2010/279/CFSP on the European Union Police Mission in Afghanistan, providing for its liquidation phase (EUPOL AFGHANISTAN)
– Adoption
13818/16 CORLX 428 CFSP/PESC 872 CSDP/PSDC 616 JAI 881
COASI 211 EUPOL/AFG 14 CIVCOM 204 RELEX 897 CSC 314
12412/16 CORLX 354 CFSP/PESC 725 CSDP/PSDC 530 JAI 770
COASI 189 EUPOL/AFG 11 CIVCOM 181 RELEX 766 CSC 257
45. Proposal for a Regulation of the European Parliament and of the Council replacing the lists of insolvency proceedings and insolvency practitioners in Annexes A and B to Regulation (EU) No 2015/848 on insolvency proceedings (**First reading**)
– Confirmation of the final compromise text with a view to agreement
14231/16 JUSTCIV 292 CODEC 1618
46. Election of the Vice-President of Eurojust
14287/16 COPEN 334 EUROJUST 142
14281/16 COPEN 331 EUROJUST 141