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General Affairs

Brussels, 15 and 16 November 2016

Presidents

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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.

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ITEMS DEBATED

MFF mid-term review

The presidency informed ministers on the state of play of the mid-term review of the EU's multiannual financial framework (MFF) for 2014-2020.

The overarching aim of the MFF mid-term review is to strengthen the EU's ability to address new priorities. To that end the Commission proposed to:

- increase the resources available for measures to tackle the migration crisis, reinforce security, boost growth and create jobs;
- add flexibility by creating new special instruments outside the MFF, and increase the allocations to existing ones.

The MFF regulation sets out annual maximum amounts which the EU is allowed to spend on different policy areas over the period from 2014 to 2020. It translates political priorities into figures, ensures budgetary discipline for the EU and seeks to facilitate the adoption of the annual EU budget.

Preparation for the December European Council

The Council examined an [annotated draft agenda](#) for the European Council meeting to be held on 15 and 16 December 2016.

The European Council will focus on:

- **migration:** it will (1) assess progress on the partnership framework on migration, set orientations for further work and decide on a possible extension of the approach to other countries; (2) examine the implementation of the EU-Turkey statement; (3) return to the issue of the reform of the common European asylum system, including the matter of how to apply the principles of responsibility and solidarity in the future;

- **security:** it will address the implementation of the security agenda and the strengthening of EU cooperation on external security and defence
- **economic and social development, youth:** it will take stock of progress on the European fund for strategic investments, single market strategies, youth-related initiatives and the fight against youth unemployment
- **external relations:** Russia; the Netherlands/EU-Ukraine association agreement

The annotated draft agenda will serve as the basis for draft conclusions, to be prepared in the run-up to the meeting.

Follow-up to the June European Council

The presidency informed ministers about the implementation of the October **European Council** conclusions. It briefed ministers on progress and on the state of play of the main files referred to in the conclusions.

Evaluation of the rule of law dialogue

The Council evaluated the experience gained so far from the annual rule of law dialogue. Ministers will be invited to discuss the [presidency evaluation](#) of the dialogue. The presidency will draft a note summarising the views expressed.

To date, the Council has conducted two annual rule of law dialogues. The first dialogue took place under the Luxembourg presidency in November 2015. It allowed member states to share examples of best practices and challenges met at national level with regard to the respect of the rule of law. The second dialogue was held under the Netherlands presidency in May 2016. Member states presented best practices in the field of integration of migrants.

The rule of law mechanism was set up in December 2014. Its purpose is to promote and safeguard the rule of law in the framework of the Treaties.

Commission work programme for 2017

In a public session, ministers heard a presentation and exchanged views on the [Commission work programme for 2017](#) adopted on 27 October.

After the public session, the presidency informed ministers about the intended approach to the preparation of a joint declaration.

The better law-making agreement adopted by the Council on 15 March 2016 provides that each year the Council, the European Parliament and the Commission adopt a joint declaration identifying the common top priorities for the upcoming year. The intention is to allow the three institutions to work more closely together to tackle the big challenges which lie ahead.

2017 European Semester roadmap

The Council took note of a presentation by the Slovak and forthcoming Maltese presidencies of the [roadmap for the 2017 European Semester](#). The roadmap sets out how work will be taken forward in the coming months and in the first semester of 2017. The objective of the roadmap is to ensure that all relevant Council formations work in a coordinated manner and to enable the General Affairs Council to oversee the process.

The European Semester is a cycle of economic and fiscal policy coordination within the EU. Its task is to help the member states to better coordinate their economic, employment and fiscal policies and to make sure they reflect the EU-level goals.

Any other business

60th anniversary of the signature of the Treaty of Rome

The Italian delegation informed the Council about its plans to commemorate the 60th anniversary of the signature of the Treaty of Rome, on 24 and 25 March 2017 in Rome.

COHESION

Common provisions regulation

The presidency updated ministers on the state of play regarding modifications to the common provisions regulation.

The common provisions regulation defines the common principles, rules and standards for the implementation of the five European structural and investment (ESI) funds. These are the European regional development fund (ERDF), the European social fund (ESF), the cohesion fund, the European agricultural fund for rural development (EAFRD) and the European maritime and fisheries fund (EMFF).

On 14 November the Council adopted a regulation amending the common provisions regulation. It allows EU co-financing rates to be increased for any member state which benefits from financial assistance after 30 June 2016 as well as allowing Cyprus to apply the maximum co-financing rate of 85% until programme closure ([PE-CONS 39/16](#)).

The Council is currently working on simplification measures for the ESI funds proposed by the Commission in the omnibus regulation ([12187/16](#)).

The omnibus regulation seeks to simplify the financial rules applicable to the EU budget and to a number of sectorial legislative acts, including in the field of cohesion policy, by modifying the common provisions regulation. It has been proposed by the Commission as a part of the MFF mid-term review.

Results and new elements of cohesion policy

Ministers discussed results of cohesion policy programmes implemented in the years 2007-2013, and new elements of cohesion policy and the ESI funds for the period 2014-2020. They also adopted [conclusions](#) on this topic.

The ex-post evaluation presented by the Commission highlights achievements of cohesion policy in the period 2007-2013, as well as the evidence-based learning process regarding policy. The first concrete experience, with certain new elements from the current period 2014-2020, was gained during the development of the partnership agreements and programmes. This highlights a strong commitment to the practical application of the recent cohesion policy reform and its further improvement.

The discussion was steered by questions regarding the balance between the various objectives of the policy, the measures needed to effectively achieve these objectives and the communication of the policy.

Cohesion policy post 2020

Over lunch, ministers held an exchange views with Commissioner Corina Crețu on cohesion policy post 2020, with a particular focus on simplification.

OTHER ITEMS APPROVED

BUDGETS

Mobilisation of the EU's solidarity fund for Germany - draft amending budget 6/2016

The Council adopted its position on draft amending budget no 6 for 2016 mobilising €31.5 million in commitments and payments from the EU solidarity fund. The EU assistance seeks to remediate damage caused by extreme flooding in Bavaria in May and June 2016. The aid complements the efforts of Germany by covering part of its expenditure for essential emergency and recovery operations, such as the restoration of infrastructure, provision of temporary housing and cleaning up of disaster-stricken areas.

ECONOMIC AND FINANCIAL AFFAIRS

Derivatives

The Council decided not to object to a Commission regulation amending regulation 148/2013 on over-the-counter financial derivatives with regard to regulatory technical standards on the minimum details of data to be reported to trade repositories ([13915/16](#) + [13471/16](#) + ADD 1).

The regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the European Union. It can now enter into force, unless the European Parliament objects.

FOREIGN AFFAIRS

Sanctions on Syria

The Council decided to de-list two entities from the list of persons and entities under restrictive measures in view of the situation in Syria.

Establishment of a low-enriched uranium bank

The Council decided that the EU should contribute to the establishment and the secure management of a low-enriched uranium bank placed under the control of the International Atomic Energy Agency in order to reduce the growing proliferation risks caused by the spread of sensitive nuclear fuel cycle technologies.

The contribution will take the form of financing for security-related activities, including physical protection, transport, safeguarding, and contributions to the secure management of the low-enriched uranium reserve.

DEVELOPMENT

Financing of the European Development Fund

The Council established financial contributions to be paid by member states to finance the European Development Fund.

The ceiling for the 2018 annual amount of member states' EDF contributions is set at € 550 million for the Commission, and at €250 million for the EIB.

The annual amount of the member states' EDF contributions for 2017 is set at € 000 million. This will be divided into € 850 million for the Commission, and €150 million for the EIB.

The first instalment for 2017 is set at €1 800 million.

[Council decision on the financial contributions to be paid by member states to finance the European Development Fund](#)

JUSTICE AND TELECOM

Cybersecurity

The Council adopted conclusions on Strengthening Europe's Cyber Resilience System and Fostering a Competitive and Innovative Cybersecurity Industry ([13967/16](#)).

These conclusions follow the presentation by the Commission of a communication on Strengthening Europe's Cyber Resilience System and Fostering a Competitive and Innovative maximising the use of the various resources available.
