



Council of the
European Union

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Eingelangt am 07/03/17

Brussels, 7 March 2017
(OR. en)

6492/17
ADD 1

PV/CONS 7
COMPET 108
IND 42
RECH 48
ESPACE 13

DRAFT MINUTES

Subject: **3519th** meeting of the Council of the European Union
(Competitiveness (**Internal Market, Industry**, Research and Space)),
held in Brussels on 20 February 2017

PUBLIC DELIBERATION ITEMS¹

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LEGISLATIVE DELIBERATIONS

"A" ITEMS (6236/17 PTS A 10)

1. Regulation of the European Parliament and of the Council amending Regulation (EU) No 19/2013 implementing the bilateral safeguard clause and the stabilisation mechanism for bananas of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, and amending Regulation (EU) No 20/2013 implementing the bilateral safeguard clause and the stabilisation mechanism for bananas of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other [First reading] 3

"B" ITEMS (6062/17 OJ CONS 7 COMPET 79 IND 31 RECH 32 ESPACE 11)

4. Proposal for a Regulation of the European Parliament and of the Council on cooperation between national authorities responsible for the enforcement of consumer protection laws [First reading] 4
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 - ii) Proposal for a Regulation of the European Parliament and of the Council on ensuring the cross-border portability of online content services in the internal market [First reading]

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¹ Deliberations on Union legislative acts (Article 16(8) of the Treaty on European Union), other deliberations open to the public and public debates (Article 8 of the Council's Rules of Procedure).

"A" ITEMS

1. **Regulation of the European Parliament and of the Council amending Regulation (EU) No 19/2013 implementing the bilateral safeguard clause and the stabilisation mechanism for bananas of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, and amending Regulation (EU) No 20/2013 implementing the bilateral safeguard clause and the stabilisation mechanism for bananas of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other [First reading]**
= Adoption of the legislative act
PE-CONS 61/16 COMER 138 WTO 371 COLAC 107 CODEC 1925

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Art. 207(2) TFEU).

Joint declaration by the European Parliament, the Council and the Commission

"The European Parliament, the Council and the Commission agree on the importance of close cooperation in monitoring the implementation of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part² as amended by Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of Ecuador³, Regulation (EU) No 19/2013 of the European Parliament and of the Council of 15 January 2013 implementing the bilateral safeguard clause and the stabilisation mechanism for bananas of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part⁴ and Regulation (EU) No 20/2013 of the European Parliament and of the Council of 15 January 2013 implementing the bilateral safeguard clause and the stabilisation mechanism for bananas of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other⁵. To that end they agree on the following:

² OJ L 354, 21.12.2012, p. 3.

³ OJ L 356, 24.12.2016, p. 3.

⁴ Regulation (EU) No 19/2013 of the European Parliament and of the Council of 15 January 2013 implementing the bilateral safeguard clause and the stabilisation mechanism for bananas of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part (OJ L 17, 19.1.2013, p. 1).

⁵ Regulation (EU) No 20/2013 of the European Parliament and of the Council of 15 January 2013 implementing the bilateral safeguard clause and the stabilisation mechanism for bananas of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other (OJ L 17, 19.1.2013, p. 13).

- Upon request by the responsible committee of the European Parliament, the Commission will report to it on any specific concerns relating to the implementation by Colombia, Ecuador or Peru of their commitments on trade and sustainable development.
- If the European Parliament adopts a recommendation to initiate a safeguard investigation, the Commission will carefully examine whether the conditions under Regulation (EU) No 19/2013 or under Regulation (EU) No 20/2013 for ex-officio initiation are fulfilled. If the Commission considers that the conditions are not fulfilled, it will present a report to the responsible committee of the European Parliament including an explanation of all the factors relevant to the initiation of such an investigation.
- The Commission will, by 1 January 2019, assess the situation of Union banana producers. If a serious deterioration in the state of the market or the situation of Union banana producers is found to have occurred, an extension in the period of validity of the mechanism may be considered with the agreement of the parties to the Agreement.

The Commission will continue to carry out regular analyses of the state of the market and the situation of Union banana producers after expiry of the stabilisation mechanism. If a serious deterioration in the state of the market or the situation of Union banana producers is found to have occurred, given the importance of the banana sector for outermost regions, the Commission will examine the situation, together with the Member States and the stakeholders, and decide whether appropriate measures should be considered. The Commission could also convene regular monitoring meetings with the Member States and the stakeholders.

The Commission has developed statistical tools to enable the monitoring and assessment of the trends in imports of bananas and of the situation of the Union banana market. The Commission will pay special attention to reviewing the format of the import surveillance data in order to make available regularly updated information in a more user-friendly manner."

"B" ITEMS

4. Proposal for a Regulation of the European Parliament and of the Council on cooperation between national authorities responsible for the enforcement of consumer protection laws (First reading)

Interinstitutional file: 2016/0148 (COD)

= General approach

6187/17 CONSUM 40 MI 119 COMPET 89 TELECOM 35 JUSTCIV 24 DIGIT
19 IND 34 CODEC 197

6190/17 CONSUM 41 MI 120 COMPET 90 TELECOM 36 JUSTCIV 25 DIGIT
20 IND 35 CODEC 198

9565/16 CONSUM 126 MI 393 COMPET 333 TELECOM 102
JUSTCIV 149 DIGIT 57 IND 114 CODEC 763 IA 30

+ ADD 1

The Council adopted the general approach on the proposed Regulation as set out in 6190/17 and which serves as a base to start the negotiation with the European Parliament.

8. Proposal for a Regulation of the European Parliament and the Council on the approval and market surveillance of motor vehicles and their trailers and of systems, components and separate technical units intended for such vehicles [First reading]

Interinstitutional file: 2016/0014 (COD)

= Progress report

5865/17 ENT 29 MI 87 CODEC 140

5712/16 ENT 20 MI 45 CODEC 103

+ REV 1 (sl)

+ REV 1 ADD 1

+ ADD 1

+ ADD 1 REV 1 (en)

The Council held an exchange of views on the proposal and took note of the Presidency progress report.

9. Any other business

c) Current legislative proposals

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

i) Services Package

= Information from the Commission

The Council took note of the Commission's presentation. Several delegations had interventions.

ii) Proposal for a Regulation of the European Parliament and of the Council on ensuring the cross-border portability of online content services in the internal market [First reading]

Interinstitutional file: 2015/0284 (COD)

= Information from the Presidency

The Council took note of information provided by the Presidency on the full political agreement achieved in trilogue on 7 February 2017 by the co-legislators, and which was endorsed by COREPER 1 on 15 February 2017, with a view to a first-reading agreement on this important file.