



Brussels, 16 June 2017  
(OR. en)

10171/17

CRS/CRP 19

## SUMMARY RECORD

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Subject: 2629th meeting of the PERMANENT REPRESENTATIVES COMMITTEE  
held in Brussels on 24 May 2017

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### I. Adoption of the agenda

9537/17 OJ CRP1 19

9568/1/17 REV 1 OJ CRP2 19 COMIX 376

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)

2. **Preparation** for the Council meeting "**Competitiveness**" (Internal Market, Industry, Research and Space) on 29 and 30 May 2017

- **Fitness check of EU consumer and marketing legislation** (*Non-legislative activity*)
  - = Presentation by the Commission
  - = Exchange of views

The Committee took note of the Presidency's intentions concerning this point.

3. 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)**

= Preparation for the trilogue

9195/17 AVIATION 65 CODEC 810 RELEX 406

The Committee agreed on the mandate for the forthcoming trilogue.

4. **Setting** of the provisional **agenda** for the Council meeting (**Agriculture and Fisheries**) on 12 June 2017 (For the items in the remit of the Permanent Representatives Committee)

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

5. **Setting** of the provisional **agenda** for the Council meeting (**Employment, Social Policy, Health** and Consumers) on 15 and 16 June 2017

The Committee agreed on the provisional agenda for the forthcoming Council meeting. The Presidency took note of the concerns expressed by several delegations about its intentions for some agenda items.

6. **Preparation** for the Council meeting (**Transport, Telecommunications** and Energy) on 8 and 9 June 2017

1. Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/59/EC on the initial qualification and **periodic training of drivers** of certain road vehicles for the carriage of goods or passengers and Directive 2006/126/EC on driving licenses **(First reading) (Legislative deliberation)**

= General approach

8596/17 TRANS 155 CODEC 667 MI 359 EDUC 157 IA 66

The Committee confirmed the agreement reached at Working Party level and agreed to submit text to Council in view of a general approach.

2. Draft Council conclusions on "**Priorities for the EU's maritime transport policy** until 2020: Competitiveness, Decarbonisation, Digitalisation to ensure global connectivity, an efficient internal market and a world-class maritime cluster" (*Non-legislative activity*)

= Adoption

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

9150/17 MAR 95 TRANS 178 COMPET 345 CLIMA 129 MI 415 ENV 447  
FISC 105 OMI 27

+ COR 1

The Committee confirmed the agreement reached at Working Party level and agreed to submit text to Council.

3. Draft Council conclusions on "Road safety endorsing the **Valletta Declaration**" (Valletta, 28–29 March 2017) (*Non-legislative activity*)
  - = Adoption  
(Public debate in accordance with Article 8(2) of the Council's Rules of Procedure [proposed by the Presidency])  
8666/17 TRANS 158

The Committee confirmed the agreement reached at Working Party level and agreed to submit text to the Council.

#### Statement by Germany

"The present Valletta Declaration of March 2017, to which the Council refers in its conclusions on road safety, uses the terms "Schwerverletzte" or "schwere Verletzungen" (serious injuries) several times in the German version.

For reasons of clarification, Germany would like to point out that these terms, on the basis of the spirit and purpose of this Declaration as well as the Council conclusions, are always to be interpreted in connection with the definition based on the MAIS3+ abbreviated injury scale. Only then will it be possible to guarantee the differentiation of persons who exhibit a smaller degree of injury, but in Germany, for instance, are considered to show "serious injuries" within the meaning of the official road accident statistics because they had to be hospitalized for 24 hours. For this reason, all comments in the Valletta Declaration referring to "serious injuries" must be interpreted based on the common European MAIS3+ definition."

4. **Regulatory Framework (First reading)** (*Legislative deliberation*)
    - a) Proposal for a Directive of the European Parliament and of the Council establishing the European Electronic Communications Code (Recast)
    - b) Proposal for a Regulation of the European Parliament and of the Council establishing the Body of European Regulators for Electronic Communications
      - = Progress report
      - = Policy debate
- 9355/17 TELECOM 129 COMPET 420 MI 432 CONSOM 221 CODEC 841  
9356/17 TELECOM 130 COMPET 421 MI 433 CONSOM 222 CODEC 842

The Committee agreed to submit the progress report to Council as well as the background note in view of the policy debate.

5. Proposal for a Regulation of the European Parliament and of the Council on **cross-border parcel delivery services (First reading)** (*Legislative deliberation*)
  - = General approach

8834/17 POSTES 5 TELECOM 102 MI 377 COMPET 292 DIGIT 118  
CONSOM 176 IA 72 CODEC 727

The Committee examined the text and agreed to submit it to the Council in view of a general approach. DK introduced a parliamentary reservation.

6. Proposal for a Regulation of the European Parliament and of the Council concerning the respect for private life and the protection of personal data in electronic communications and repealing Directive 2002/58/EC (Regulation on **Privacy and Electronic Communications**) (**First reading**) (*Legislative deliberation*)

= Progress report

9324/17 TELECOM 127 COMPET 416 MI 428 DATAPROTECT 101

CONSUM 219 JAI 497 DIGIT 141 FREMP 62 CYBER 77 IA 87

CODEC 834

The Committee agreed to submit the progress report to Council.

7. 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**) (**Legislative deliberation**)

= Presidency briefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 17 May 2017.

8. **European Intellectual Property Office** (This item was discussed in restricted session)  
Appointment of a Chairperson of a Board of Appeal

= Examination of the selected candidatures

9409/17 PI 64

After having examined the candidatures the Committee selected a candidate and agreed to recommend to Council to adopt at a forthcoming meeting the Decision appointing this candidate to the post of chairperson of a Board of Appeal of the European Intellectual Property Office.

## **COREPER (PART 2)**

23. **EES:** 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 the 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**)

= Preparation for the 3rd trilogue

9415/17 FRONT 232 VISA 187 CODEC 852 COMIX 369

The Committee confirmed the outcome of the Mixed Committee. It provided guidance ahead of the next trilogue on the basis of the Presidency compromise.

24. **Passive access to VIS for Bulgaria and Romania**

Draft Council Decision of...2017 on the putting into effect of certain provisions of the Schengen acquis relating to the Visa Information System in the Republic of Bulgaria and in Romania

= Agreement in principle

9074/17 VISA 167 FRONT 209 COMIX 337

The above-mentioned item was withdrawn.

25. Preparation of the Council meeting (**Justice and Home Affairs**) on 8/9 June 2017

- a) **ETIAS:** Proposal for a Regulation of the European Parliament and of the Council establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 515/2014, (EU) 2016/399, (EU) 2016/794 and (EU) 2016/1624 (**First reading**)

= Preparation for a general approach

9349/17 FRONT 224 VISA 181 DAPIX 190 DATAPROTECT 102 CODEC 838  
COMIX 358

+ ADD 1

The Committee confirmed the outcome of the Mixed Committee and provided guidance on the outstanding issues.

The Committee will return to the issue at its next session.

- b) **Money laundering:** Proposal for a Directive of the European Parliament and of the Council on countering money laundering by criminal law (**First reading**)

= General approach

9280/17 JAI 466 DROIPEN 62 COPEN 152 CT 44 CODEC 832

The Committee agreed on an amended text to be submitted to the Council with a view to reaching a general approach.

- c) **Revision of Brussels II a:** Proposal for a Council Regulation on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (recast)  
= Policy debate  
9317/17 JUSTCIV 113

The Committee took note of the Presidency note for the policy debate in the Council.

- d) **Insolvency:** Proposal for a Directive of the European Parliament and of the Council on preventive restructuring frameworks, second chance and measures to increase the efficiency of restructuring, insolvency and discharge procedures and amending Directive 2012/30/EU (**First reading**)  
= Policy debate  
9316/17 JUSTCIV 112 EJUSTICE 65 ECOFIN 418 COMPET 415 EMPL 312  
SOC 398 CODEC 833

The Committee took note of the Presidency note for the policy debate in the Council.

- e) Other items in connection with the Council meeting

The Committee took note of the updated information provided by the Presidency on the upcoming Council and of the intention to inform on on-going legislative files and on the incoming Presidency priorities under 'Any other business'.

26. **Follow-up** to the Council meeting (**Justice and Home Affairs**) on 18 May 2017

The Committee took note of the main outcomes of the Council meeting.

27. Draft Council Decision determining the **planning and conduct arrangements for EU non-executive military CSDP** missions and amending Council Decisions 2010/96/CFSP, 2013/34/CFSP and (CFSP) 2016/610  
9388/17 CORLX 240 CFSP/PESC 432 CSDP/PSDC 262 RELEX 431  
CONUN 112 EUTM RCA 7 EUTM SOMALIA 8 EUTM MALI 5  
CSC 104

The Committee reached an agreement on the elements addressing the open issues and invited the Working Party to finalise the draft Council Decision establishing the MPCC in line with the agreement reached.

28. **Follow-up** to the Council meeting (**Foreign Affairs/Defence**) on 18 May 2017

The Committee took note of the main outcomes of the Council meeting.

29. **Follow-up** to the Council meeting (**Foreign Affairs/Development**) on 19 May 2017

The Committee took note of the main outcomes of the Council meeting.

30. **Follow-up** to the Council meeting (**Economic and Financial Affairs**) on 23 May 2017

The Committee took note of the main outcomes of the Council meeting.

31. Council implementing Decision imposing a **fine on Austria** for manipulation of debt data in Land Salzburg

9140/17 ECOFIN 354 STATIS 26 UEM 109

The Committee held a first discussion on the draft Council implementing decision.

32. **Relations with the European Parliament**

The Committee took note of the main outcomes of the 15-18 May Plenary session of the European Parliament.

56. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 1303/2013 as regards specific measures to provide additional assistance to Member States affected by **natural disasters (First reading)**

= Mandate for negotiations with the European Parliament

9460/17 FSTR 41 FC 43 REGIO 59 SOC 410 EMPL 321 BUDGET 19  
AGRISTR 46 PECHE 209 CADREFIN 61 CODEC 866

The Committee agreed on a revised mandate for negotiations with the European Parliament.

#### **IV. Any other business**

##### **COREPER (PART 1)**

- European Semester 2017: Country-specific recommendations
- = Information from the Presidency and the Commission

The Committee took note of the information provided by the Presidency and the Commission.

##### **COREPER (PART 2)**

- European Semester 2017: Country-specific recommendations
- = Information from the Presidency and the Commission

The Committee took note of the information provided by the Presidency and the Commission.

**"I" items approved****COREPER (PART 1)**

## 9. Replies to written questions put to the Council by Members of the European Parliament

= Adoption by silence procedure

- a) E-001312/2017 - Virginie Rozière (S&D), Dietmar Köster (S&D), Juan Fernando López Aguilar (S&D), Emmanuel Maurel (S&D), Enrico Gasbarra (S&D), Evelyn Regner (S&D), Hugues Bayet (S&D), Péter Niedermüller (S&D), Elly Schlein (S&D), Peter Simon (S&D), Paul Tang (S&D), Ana Gomes (S&D), Pervenche Berès (S&D) and Tanja Fajon (S&D)

EU list of tax havens: 0 % corporate tax rate regimes

8549/17 PE-QE 104

- b) E-001463/2017 - Josef Weidenholzer (S&D)

10 000 refugee children still missing

8552/17 PE-QE 105

- c) E-001576/2017 - João Ferreira (GUE/NGL)

Israel's actions and decisions to extend its settlement policy

8653/17 PE-QE 108

- d) E-001820/2017 - Jadwiga Wiśniewska (ECR)

Council position on ETS reform

8555/17 PE-QE 106

- e) E-001881/2017 - Anja Hazekamp (GUE/NGL)

Democratic content of the new Rome Declaration

8698/17 PE-QE 109

- f) E-001933/2017 - Takis Hadjigeorgiou (GUE/NGL)

Sexist and xenophobic comments by the Eurogroup President

8557/17 PE-QE 107

- g) E-001934/2017 - Stelios Kouloglou (GUE/NGL)

Remarks by Jeroen Dijsselbloem

8700/17 PE-QE 110

- h) E-001976/2017 - Lorenzo Fontana (ENF)

Inappropriate comments by the Eurogroup President

8701/17 PE-QE 111

## 10. Advisory Committee on Safety and Health at Work

Appointment of Ms Ana GARCÍA DE LA TORRE, alternate member for Spain, in place of Ms Marisa RUFINO, who has resigned

= Adoption

9364/17 SOC 402 EMPL 316



11. Governing Board of the European Agency for Safety and Health at Work  
Appointment of Ms Ana GARCÍA DE LA TORRE, alternate member for Spain, in place of Ms Marisa RUFINO, who has resigned  
= Adoption  
9365/17 SOC 403 EMPL 317
12. Community Plant Variety Office  
Draft Council Decision appointing the Vice President  
= Adoption  
9277/17 AGRILEG 103
13. Commission Regulation (EU) .../... of XXX amending Annex III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of use of silicon dioxide (E 551) in potassium nitrate (E252)  
= Decision not to oppose adoption  
8961/17 DENLEG 39 AGRI 252 SAN 183  
8769/17 DENLEG 36 AGRI 241 SAN 177  
+ ADD 1
14. Commission Regulation (EU) .../... of XXX amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of potassium carbonate (E 501) on peeled, cut and shredded fruit and vegetables  
= Decision not to oppose adoption  
8962/17 DENLEG 40 AGRI 253 SAN 184  
8782/17 DENLEG 37 AGRI 242 SAN 178  
+ ADD 1
15. Commission Regulation (EU) .../... of XXX amending Regulation (EC) No 1107/2009 of the European Parliament and the Council concerning the placing of plant protection products on the market as regards the criteria for the approval of low-risk active substances  
= Decision not to oppose adoption  
9028/17 AGRILEG 96  
8318/17 AGRILEG 82  
+ ADD 1
16. Commission Regulation (EU) .../...of XXX amending Annex VII to Regulation (EC) No 882/2004 of the European Parliament and of the Council as regards the designation of the EU reference laboratory for foodborne viruses  
= Decision not to oppose adoption  
9071/17 AGRILEG 98 VETER 38 DENLEG 43  
8273/17 AGRILEG 87 VETER33 DENLEG 34

17. Draft EU position on the list of voluntary commitments to be presented by the EU on the occasion of the high-level United Nations Conference to Support the Implementation of Sustainable Development Goal 14 (The Ocean Conference) (New York, 5-9 June 2017)

= Approval

9385/17 POLGEN 67 POLMAR 13 COMAR 19 CONUN 111 DEVGEN 105  
AGRI 274 CLIMA 141 ENV 521 PECHE 206 RELEX 430  
TRANS 187

9495/17 POLGEN 69 POLMAR 14 COMAR 20 CONUN 115 DEVGEN 112  
AGRI 277 CLIMA 142 ENV 525 PECHE 213 RELEX 441  
TRANS 199

18. Draft Council Decision on the position to be adopted on behalf of the European Union at the International Maritime Organization during the 98th session of the Maritime Safety Committee and the 71st session of the Marine Environment Protection Committee on the adoption of amendments to SOLAS Regulation II-1/23, SOLAS Regulation II-2/9.4.1.3, the 1994 and 2000 High Speed Craft Codes, the International Life-saving Appliance Code and to Appendix V of MARPOL Annex VI

= Adoption

8455/17 MAR 81 OMI 24 EU-GNSS 18 ENV 377 CLIMA 100

8696/17 MAR 87 OMI 25 EU-GNSS 22 ENV 393 CLIMA 105

#### Statement by the Commission

"In so far as the relevant amendments to SOLAS Regulation II-2/9.4.1.3 and the amendments to paragraph 8.10.1.4 of the 1994 High Speed Craft Code and to paragraph 8.10.1.6 of the 2000 High Speed Craft Code are concerned, their adoption at the IMO affects existing Union legislation. Therefore, these amendments fall within the exclusive external competence of the Union. Consequently, the Union position established in respect of those amendments cannot be limited in scope and must therefore be understood as covering them in their entirety, without prejudice to Article 2(2) TFEU."

19. Draft Council Decision authorising the opening of negotiations on agreements between the European Union and third countries laying down the terms and conditions for their participation in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA), jointly undertaken by several Member States

= Adoption

8887/1/17 RECH 125 MED 41 AGRI 245 MIGR 66 RELEX 376 REV 1

9111/17 RECH 133 MED 44 AGRI 263 MIGR 72 RELEX 396

+ ADD 1 **EU RESTRICTED**

20. Draft Council conclusions on Customs Cooperation with the People's Republic of China

= Adoption

9342/17 UD 128

21. Proposal for a Decision of the European Parliament and of the Council amending Decision No 445/2014/EU establishing a Union action for the European Capitals of Culture for the years 2020 to 2033 **(First reading) (Legislative deliberation)**  
= Confirmation of the final compromise text with a view to agreement  
9402/17 CULT 66 AELE 48 EEE 26 CODEC 848
22. Proposal for a Decision of the European Parliament and of the Council amending Directive 2010/40/EU as regards the **period for adopting delegated acts (First reading) (Legislative deliberation)**  
= Mandate for negotiations with the European Parliament  
9418/17 TRANS 190 DELACT 84 CODEC 853  
+ ADD 1  
+ ADD 2

Statement by the Commission

"The European Commission confirms its intention to work closely with the Member States, in particular through consultations with Member States representatives, when preparing the update of the work programme (or any other future updates) related to the actions under Article 6(3) of the Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport."

## COREPER (PART 2)

33. Cases C-208/17 P, C-209/17 P and C-2017/17 P before the Court of Justice  
9148/17 JUR 238 JAI 424 ASILE 32 MIGR 73 POLGEN 65
34. Partial renewal of the membership of the Court of Justice of the European Union  
- Appointment of fourteen Judges (BG, CZ, DE, FR, IT, CY, LV, LT, MT, NL, AT, PT, SE and UK) and of five Advocates-General (EE, IE, FR, IT and PL)  
9116/1/17 REV 1 INST 217 JUR 237 COUR 7
35. Draft Directive of the European Parliament and of the Council relating to certain aspects of company law (codification) (**First reading**)  
= Adoption of the legislative act  
8716/17 CODEC 704 CODIF 14 DRS 24 ETS 34 MI 366  
+ ADD 1  
PE-CONS 57/16 CODIF 43 DRS 51 ETS 50 MI 791 CODEC 1864

### Statement by Poland

"1. The Polish delegation welcomes the adoption of the Proposal for a Directive of the European Parliament and of the Council relating to certain aspects of company law (PE-CONS 57/16 "Certain aspects of company law (codification)" (2015/0283 COD)2015/0283 (COD)), which codifies i.a. the provisions of Directive 2012/30/EU of the European Parliament and of the Council of 25 October 2012 on coordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 54 of the Treaty on the Functioning of the European Union, in respect of the formation of public limited liability companies and the maintenance and alteration of their capital, with a view to making such safeguards equivalent (OJ L 315, 14.11.2012, p. 74).

2. Directive 2012/30/EU of the European Parliament and of the Council of 25 October 2012 (recast) has repealed i.a. art. 6 (2) of the Second Company Law Directive 77/91/EEC which stated: "2. If the equivalent of the European unit of account in national currency is altered so that the value of the minimum capital in national currency remains less than 22 500 European units of account for a period of one year, the Commission shall inform the Member State concerned that it must amend its legislation to comply with paragraph 1 within 12 months following the expiry of that period. However, the Member State may provide that the amended legislation shall not apply to companies already in existence until 18 months after its entry into force".

3. For that reason, at the time of adoption of Directive 2012/30/EU, a joint statement by the Commission and the Council was made on 28 September 2012 (Council document No. 14263/12) and included in the minutes of the COREPER and the Council. That joint statement reads as follows: "Article 6(2) of Directive 77/91/EEC addressed i.a. the short-term volatility of national currencies against the ECU and the time necessary for legislative adaptation where needed. When compliance with Article 6(1) is examined due account will be taken of those conditions."

4. Considering that according to Interinstitutional Agreement of 20 December 1994 on an accelerated working method for official codification of legislative texts (96/C 102/02), in the codification procedure no substantive changes are introduced to the acts to be codified, the Polish delegation wishes to underline that the joint statement by the Commission and the Council made on 28 September 2012 is not affected by the codification and should therefore continue to guide the interpretation and application, in relation to the calculation of minimum capital requirements for companies in those Member States, whose currency is other than the euro, of Article 45(1) of Directive of the European Parliament and of the Council relating to certain aspects of company law (codification), which is to replace Article 6(1) of Directive 2012/30/EU."
36. Consultation on the Commission's vacancy notice for the function of Director-General of OLAF  
 = Approval of a letter  
 9398/17 GAF 19
37. Submission for approval of a new draft design of the Cyprus 2 euro commemorative coin  
 9172/17 ECOFIN 358 UEM 110
38. Revised Code of Conduct of the Stability and Growth Pact  
 9346/17 ECOFIN 425 UEM 171  
 9344/17 ECOFIN 423 UEM 170
39. Draft Council Directive amending Directive (EU) 2016/1164 as regards hybrid mismatches with third countries  
 = Adoption  
 8788/17 FISC 89 ECOFIN 328  
 6661/17 FISC 56 ECOFIN 151  
 + REV 1 (sv)  
 + REV 2 (de)
40. Draft Council Decision on the signing, on behalf of the Union, and provisional application of the Bilateral Agreement between the European Union and the United States of America on prudential measures regarding insurance and reinsurance  
 = Adoption  
 and  
 Draft Council Decision on the conclusion of the Bilateral Agreement between the European Union and the United States of America on prudential measures regarding insurance and reinsurance  
 = Request for the consent of the European Parliament  
 8940/17 EF 93 ECOFIN 340 SURE 14 SERVICES 16 USA 31  
 8054/17 EF 75 ECOFIN 264 SURE 9 SERVICES 12 USA 22  
 8055/17 EF 76 ECOFIN 265 SURE 10 SERVICES 13 USA 23  
 8065/17 EF 77 ECOFIN 268 SURE 11 SERVICES 15 USA 24

### Statement by the Commission

"As regards the change of the substantive legal basis for the Council Decisions on the EU-US Agreement on insurance and reinsurance, put forward by the Council, the Commission does not object to this change in order to allow for the swift signature, provisional application and conclusion of this Agreement.

Nevertheless, the Commission considers that Article 207 TFEU only is the legally appropriate substantive legal basis for these Decisions and that therefore the Commission's non-objection in this particular case does not constitute a precedent for future international agreements."

41. 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 data protection by Liechtenstein

= Adoption

9390/17 SCH-EVAL 152 COMIX 363

9387/17 SCH-EVAL 151 COMIX 362

42. Mandate of the Friends of the Presidency group on the implementation of Action 1 of the Joint Framework on countering hybrid threats

9502/17 COPS 166 PROCIV 48 CSDP/PSDC 268 CYBER 80 CFSP/PESC 440

JAI 521 ECOFIN 442 POLMIL 55 ENER 245 EUMC 66

CIVCOM 86 TRANS 202 COEST 104 ESPACE 26 COTER 40

CSC108 IPCR 4

The above-mentioned item was withdrawn.

43. Council Decision concerning the signing and conclusion of the Agreement between the European Union and the Government of Canada on security procedures for exchanging and protecting classified information

= Adoption

9275/17 CSC 99 JAI 465 CFSP/PESC 421 CORLX 234 COTRA 6

7982/17 CSC 75 JAI 305 CFSP/PESC 312 CORLX 184 COTRA 4

7984/17 CSC 76 JAI 307 CFSP/PESC 313 CORLX 185 COTRA 5

44. Draft Council Decision on Union outreach activities in support of the implementation of the Arms Trade Treaty

= Adoption

9184/17 CORLX 232 CFSP/PESC 415 COARM 132 CODUN 23

8977/17 CORLX 221 CFSP/PESC 396 COARM 121 CODUN 21

45. Council Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine and

Council Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine

= Pre-notification

9357/17 CORLX 236 CFSP/PESC 425 RELEX 420 COEST 101 FIN 311

46. Draft Council Implementing Regulation implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria  
and  
Draft Council Decision amending Decision 2013/255/CFSP concerning restrictive measures against Syria  
= Review  
9368/17 CORLX 239 CFSP/PESC 429 RELEX 424 MAMA 93 COARM 134  
FIN 312  
8276/17 CORLX 201 CFSP/PESC 338 MAMA 73 COARM 111 FIN 263  
8277/17 CORLX 202 CFSP/PESC 339 RELEX 318 MAMA 74 COARM 112  
FIN 264
47. Draft Council Decision on the Union position within the Association Council set up by the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, with regard to the adoption of the EU-Egypt Partnership Priorities  
= Adoption  
8623/17 EG 5 MAMA 84 MED 38  
8488/17 MAMA 80 MED 33 CFSP/PESC 352 EG 4
48. Recommendation for a Council Decision authorising the opening of negotiations on the adaptation of protocols to the Agreement between the European Union and the Kingdom of Morocco  
= Adoption  
9094/17 MAMA 90 MA 4 MED 43 RELEX 392  
9093/17 MA 3 MED 42 RELEX 391 **EU RESTRICTED**  
+ ADD 1 **EU RESTRICTED**
49. Draft Council Implementing Decision implementing Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo  
and  
Draft Council Implementing Regulation implementing Article 9(2) of 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  
= Adoption  
9531/17 CORLX 247 CFSP/PESC 446 RELEX 447 COAFR 149  
COARM 140 CONUN 120 FIN 319  
8690/17 CORLX 214 CFSP/PESC 369 COAFR 121 COARM 114 CONUN 95  
FIN 285  
8692/17 CORLX 216 CFSP/PESC 371 RELEX 361 COAFR 123 COARM 116  
CONUN 97 FIN 286
50. (poss.) Commission Decision on the signature of a Joint Declaration between the European Union, the Republic of France and the Republic of Guinea on reinforced cooperation in the field of sustainable energy  
= Endorsement by Council  
9358/17 DEVGEN 99 ACP 47 RELEX 421 COAFR 139 ENER 239

The above-mentioned item was withdrawn.

51. Draft Council Decision amending Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo\* (EULEX KOSOVO)  
= Adoption  
8942/17 CORLX 220 CSDP/PSDC 236 CFSP/PESC 394 COWEB 58 EU-LEX 6  
CSC 92  
8926/17 CORLX 219 CSDP/PSDC 235 CFSP/PESC 393 COWEB 57 EU-LEX 5  
CSC 91

Statement by the Commission

"In light of the rules of the Treaties, a CFSP Decision cannot be used as a means to confer power on the Council to enact a derogation from the procurement rules defined in the Financial Regulation given that such power is attributed to the Commission. Moreover, any derogation from the rules on participation in the procurement procedures of the mission cannot be of generic and unlimited nature and must be duly justified in each specific case. The Commission considers that the derogating provisions on procurement in the CFSP Decision can only be interpreted as a purely enabling clause. The Commission continues to exercise its competences in the implementation of the budget of the mission as stemming from the Treaties and in accordance with the rules and procedures of the Financial Regulation."

52. 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  
9285/17 CORLX 235 COMET 7 COTER 37 CFSP/PESC 422 RELEX 417  
FIN 309  
+ ADD 1
55. Case brought before the Court of Justice. Joint cases C-77/17 and C-78/17  
Reference for a preliminary ruling - Article 14, paragraphs 4 and 5 of the Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (JO L 337 20/12/2011, p.9)  
9615/17 JUR 259 JAI 542 ASILE 37 MIGR 86 FREMP 69  
JAI 521 ECOFIN 442 POLMIL 55 ENER 245 EUMC 66  
CIVCOM 86 TRANS 202 COEST 104 ESPACE 26 COTER 40  
CSC108 IPCR 4

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\* 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.