



Council of the European Union
General Secretariat

Brussels, 15 September 2017

CM 4083/17

EF
ECOFIN
SURE
SERVICES
USA
PROCED

COMMUNICATION

WRITTEN PROCEDURE

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Subject: Council Decision amending Council Decision (EU) 2017/... of 27 May 2017 on the signing, on behalf of the European 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

– End of written procedure

Delegations are informed that the written procedure initiated by CM 4048/17 on 14 September 2017 to adopt the Council Decision amending Council Decision (EU) 2017/... of 27 May 2017 on the signing, on behalf of the European Union, and provisional application of the Bilateral Agreement between the European Union and the United States of America on prudential measures regarding insurance and reinsurance¹ has been completed.

¹ doc. 12064/17

All delegations and the Commission agreed to the use of the written procedure.

Twenty-seven delegations agreed to the adoption of the Council Decision amending Council Decision (EU) 2017/... of 27 May 2017 on the signing, on behalf of the European 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, set out in document 12064/17, the signature of which is to be accompanied by exchange of letters set out in document 12192/17. One delegation abstained.

The Council Decision is therefore adopted.

The following unilateral statement was made 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 and provisional application 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."
