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PRESSE 45
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OUTCOME OF THE COUNCIL MEETING

3559th Council meeting

Justice and Home Affairs

Home Affairs Issues

Brussels, 14 September 2017

President **Andres Anvelt**
Minister of the Interior

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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

Fight against terrorism

Following recent terrorist attacks in Europe, ministers discussed priority areas for action in the coming months. These areas include:

- prevention of radicalisation
- use of the internet, in particular cooperating with internet companies to detect and remove harmful content and enhancing positive narratives online
- exchange of information and interoperability of EU information systems
- cooperation between law enforcement and the military
- cross-border police cooperation
- protection of public spaces (soft targets)
- counter-terrorism-related elements of the legislative proposals for a European Travel Information and Authorisation System (ETIAS) and the addition of features to the Schengen information System (SIS)
- implementation of the EU Passenger Name Record (PNR) directive

[Response to foreign terrorist fighters and recent terrorist attacks in Europe \(background information\)](#)

Migration policy

Home affairs ministers discussed the state of play and next steps regarding migration. They took stock of events over the summer, including the decrease in arrivals in the Central Mediterranean, and focused on a number of issues where further action is needed at EU level.

They covered the comprehensive response to the migratory flows in the Central Mediterranean. This includes, in particular, providing training for the Libyan Coast Guard, supporting border controls in southern Libya, improving the socio-economic situation of local communities, supporting the UNHCR and the IOM in improving reception conditions for migrants in Libya and coordinating assisted voluntary returns, as well as stepping up voluntary resettlement efforts.

Home affairs ministers also discussed work in other areas, including improving the return of irregular migrants, the continued implementation of the EU-Turkey statement, relocation and resettlement, the contribution of experts to EU agencies, the concept of 'safe third country' and strengthening cooperation with key third countries.

[Finding solutions to migratory pressures \(background information\)](#)

[Infographic - Migration flows: Eastern and Central Mediterranean routes](#)

Other business

The Commission also informed ministers about the state of play of the draft EU-Canada PNR agreement following the opinion issued by the European Court of Justice on 26 July 2017. In its opinion, the Court declared that the agreement cannot be concluded in its current form because several of its provisions are incompatible with EU fundamental rights.

OTHER ITEMS APPROVED

JUSTICE AND HOME AFFAIRS

Schengen evaluation

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2016 evaluation of Germany on the application of the Schengen acquis in the field of return ([12214/17](#)).

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2016 evaluation of Belgium on the application of the Schengen acquis in the field of the Schengen Information System ([12215/17](#)).

Memorandum of understanding Eurojust-EU-lisa

The Council approved the conclusion of a memorandum of understanding between the European agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA) and Eurojust.

The memorandum will lay the foundations for a cooperation framework between both agencies. The agencies agree to cooperate by exchanging expertise and best practices developed in the implementation of their respective mandates, in particular in the following areas: exchange of information; ICT-related matters; cooperation with regard to the right of Eurojust to access SIS II; strategic and administrative matters.

FOREIGN AFFAIRS

Sanctions against North Korea

The Council strengthened its restrictive measures against the Democratic People's Republic of Korea (DPRK) by transposing the sectoral sanctions imposed by UN Security Council resolution 2371 (2017). This resolution was adopted on 5 August 2017 in response to the DPRK's ongoing nuclear weapon and ballistic missile development activities, in violation and flagrant disregard of previous UN Security Council resolutions.

Read the [press release](#)

Sanctions over actions against Ukraine's territorial integrity

The Council prolonged the restrictive measures over actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine for six months, until 15 March 2018. The measures consist of asset freezes and travel bans. The list was reviewed and the Council removed four deceased persons from the list of persons subject to these restrictive measures. Following a merger involving three listed entities, these entities were removed from the list and the entity into which they have merged was added in order to maintain the existing level of sanctions. The restrictive measures now apply to 149 persons and 38 entities.

Read the [press release](#)

Sanctions against ISIL /Da'esh and al-Qaeda

The Council extended until 31 October 2018 the legal acts allowing for EU autonomous restrictive measures against ISIL (Da'esh) and al-Qaeda and persons, groups, undertakings and entities associated with them.

[Press release of 20 September 2016 on CFSP Decision 2016/1693](#)

ECONOMIC AND FINANCIAL AFFAIRS

Markets in financial instruments

The Council decided to extend the objection period for a Commission regulation supplementing regulation 600/2014 on markets in financial instruments with regard to package orders ([11782/17](#) + [11702/17](#)).

The decision extends by one month, until 21 October 2017, the period within which the Council may object to the regulation.

The regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the European Union. It will enter into force if and when the Council and the European Parliament decide not to object.

TRADE

Trade agreement with Japan

The Council decided to publish the mandate given to the Commission in 2012 to negotiate a free trade agreement with Japan.

At the EU-Japan summit of 6 July 2017, both parties reached agreement in principle on the main elements of a free trade deal, known as the economic partnership agreement (EPA). Work is currently underway to address the remaining open issues and finalise the legal text, with a view to the signature, ratification and conclusion of the agreement.

ENERGY

Memorandum of Understanding on CESEC

The Council approved the EU position as set out in the Memorandum of Understanding complementing the Central and South-Eastern European Connectivity (CESEC) initiative with a joint approach on electricity market, energy efficiency and renewable development ([11742/17](#) + COR 1 + ADD 1 REV 1).

The Central and South-Eastern European Gas Connectivity (CESEC) initiative was signed in July 2015 by the European Union, nine of its member states and six Energy Community Contracting Parties. Its aim is to facilitate cross-border and trans-European projects that diversify gas supplies to the region, as well as to implement harmonised rules.

The Memorandum is scheduled to be signed on 28 September 2017 by CESEC ministers and the Commission on behalf of the European Union at the CESEC High Level meeting in Bucharest.

DEVELOPMENT

EU-China water policy dialogue

The Council decided to endorse the memorandum of understanding between the EU and China establishing a water policy dialogue and approve its signing on behalf of the EU by the Commission (11939/17). It also approved the signing of the Turku declaration by the Commission in the framework of the fifth high level dialogue of the China Europe water platform (CEWP) (11940/17).

The CEWP is a framework for encouraging exchanges on policy recommendations, best practices, capacity-building and technical and business cooperation. At regular intervals, CEWP members organise a ministerial meeting to give impetus to the work of the platform. The Turku declaration has been proposed by Finland, a number of EU member states and the Commission, in close coordination with the Chinese authorities. It contains a direct reference to the memorandum of understanding.

The memorandum of understanding will reinforce cooperation with China on the development, use, management and conservation of water resources. It will help in facing challenges posed by water management in the context of population growth, competing water demands, climate change and achieving the 2030 agenda sustainable development goals.

DECISIONS TAKEN BY WRITTEN PROCEDURE

Markets in financial instruments

The Council decided to extend the objection period for a Commission regulation supplementing directives 2004/39/EC and 2014/65/EU on markets in financial instruments as concerns regulatory technical standards for information to be included in the notification of a proposed acquisition of a qualifying holding in an investment firm (11222/17).

The decision, adopted on 27 July 2017, extends by one month, until 11 October 2017, the period within which the Council may object to the regulation.

The regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the European Union. It will enter into force if and when the Council and the European Parliament decide not to object.

Transparency - Public access to documents

On 18 August 2017, the Council adopted the reply to confirmatory application No 16/c/01/17 ([11556/1/17 REV 1](#)).

On 3 August 2017, the Council adopted the reply to confirmatory application No 15/c/02/17 ([10802/17](#)).

On 27 July 2017, the Council adopted the reply to confirmatory applications No 13/c/02/17 ([10335/17](#)) and No 14/c/03/17 ([10389/17](#)).
