

Brussels, 23 October 2018 (OR. en)

> 13431/18 CRS CRP 34

SUMMARY RECORD

PERMANENT REPRESENTATIVES COMMITTEE 10 and 12 October 2018

I. Adoption of the agenda

12847/18 OJ CRP1 34 12902/1/18 REV 1 OJ CRP2 34 COMIX 543 + CM 4738/18

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)

WEDNESDAY 10 OCTOBER 2018

Internal Market and Industry

2. Regulation on SatCab

Presidency debriefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 8 October 2018.

Employment and Social Policy

3. Directive on work-life balance

Presidency debriefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 8 October 2018.

13431/18

GIP.1 EN

Fisheries

4. Regulation on technical measures

Presidency debriefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 4 October 2018.

Agriculture and Fisheries

5. Meeting of the Council (Agriculture and Fisheries) on 15 October 2018: Preparation

1.	Regulation fixing for 2019 the fishing opportunities in the	12693/18
	Baltic Sea	11735/18 + ADD 1
	Political agreement	

The Committee prepared the item for the Council.

2.	EU-Norway: Annual consultations for 2019	12691/18
	Exchange of views	

The Committee prepared the item for the Council.

3. ICCAT Annual Meeting 12695/18 Exchange of views

The Committee prepared the item for the Council.

FRIDAY 12 OCTOBER 2018

Employment and Social Policy

6. Directive on carcinogens and mutagens at work (second batch) *Presidency debriefing on the outcome of the trilogue*

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 11 October 2018.

Energy

7. Directive on electricity (recast) Preparation for the trilogue

7506/4/18 REV 4

The Committee agreed on a revised mandate for the forthcoming trilogue.

8. Regulation on electricity (recast) Preparation for the trilogue

5834/4/18 REV 4

+ COR 1

The Committee agreed on a revised mandate for the forthcoming trilogue.

Environment

9. Regulation on CO2 standards for cars and vans (recast) Presidency debriefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 10 October 2018.

COREPER (PART 2)

WEDNESDAY 10 OCTOBER 2018

Justice and Home Affairs

27. Meeting of the Council (Justice and Home Affairs) on 11 - 12 October 2018: Preparation

c) Fundamental rights
Conclusions on the application of the EU Charter of
Fundamental Rights in 2017
Adoption

10756/4/18 REV 4 12839/18

The Committee agreed to forward to the Council the draft conclusions as set out in 10756/3/18 REV 3 for further discussion.

d) Other items in connection with the Council meeting

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

General Affairs

28. Meeting of the Council (General Affairs) on 16 October 2018: Preparation

b) Preparation of the European Council on 18 October 2018: 11817/18
Conclusions
Exchange of views

The Committee discussed the draft conclusions.

c) European Council follow-up *State of play*

The Committee prepared this item for the Council.

Foreign Affairs

29. ASEM12 Summit (Brussels, 18-19 October 2018) *State of play*

The Committee discussed the state of play.

30. 9th EU-Republic of Korea Summit (Brussels, 19 October 2018) State of play

The Committee discussed the state of play and agreed to return to this issue at a future meeting if necessary.

General Affairs

- 28. Meeting of the Council (General Affairs) on 16 October 2018: Preparation
 - d) Rule of Law in Poland / Article 7(1) TEU Reasoned Proposal State of play

The Committee prepared this item for the Council.

e) Values of the Union - Hungary - Article 7(1) TEU Reasoned Proposal Information from the Presidency 12266/1/18 REV 1 + REV 1 COR 1 12266/18 ADD 1

The Committee prepared this item for the Council.

f) Other items in connection with the Council meeting

Presidency provided further information regarding the Council meeting.

Economic and Financial Affairs

31. Meeting of the Council (Economic and Financial Affairs) on 6 November 2018: Agenda

The Presidency presented the main items on the agenda.

Foreign Affairs

32. Meeting of the Council (Foreign Affairs/Trade) on 9 November 2018: Agenda

The Presidency presented the main items on the agenda.

- 33. Meeting of the Council (Foreign Affairs) on 15 October 2018: Preparation
 - a) Current affairs Exchange of views

The Committee prepared this item for the Council.

b) Central Asia

Exchange of views

This Committee agreed to remove this item from the Council agenda.

c) External aspects of migration Exchange of views

The Committee prepared this item for the Council.

d) Libya Exchange of views

The Committee prepared this item for the Council.

f) Other items in connection with the Council meeting

The EEAS provided further information regarding the Council meeting.

General Affairs

34. Relations with the EP (October I 2018) *Debriefing*

The Presidency informed the Committee of the outcomes of the plenary session.

35. IIA on Better Law-Making – International agreements *Guidance for further work*

The Committee discussed the new compromise proposal.

Justice and Home Affairs

- 27. Meeting of the Council (Justice and Home Affairs) on 11 12 October 2018: Preparation
 - a) Regulation amending the European Border and Coast Guard Regulation

 Policy debate

12768/18 + COR 1

The Committee prepared this item for the Council.

b) Commission proposals in the context of the Multiannual Financial Framework¹

12777/18

- ii) Regulation establishing the border management and visa instrument (BMVI) as part of the Integrated Border Management Fund
- i) Regulation establishing the Asylum and Migration Fund (AMF)
- iii) Regulation establishing the Internal Security Fund (ISF)

Policy debate

The Committee prepared this item for the Council.

General Affairs

- 28. Meeting of the Council (General Affairs) on 16 October 2018: Preparation
 - a) Multiannual Financial Framework (MFF) 2021-2027 State of play

12837/18 12838/18

The Committee prepared this item for the Council.

Foreign Affairs

33. Meeting of the Council (Foreign Affairs) on 15 October 2018: Preparation

e) CAR Exchange of views 12732/18

The Committee agreed to add the adoption of Council conclusions on this subject to the Council agenda and agreed to forward the draft conclusions to the Council as set out in 12732/18.

13431/18 7 GIP.1 **EN**

¹ Exceptionally in the presence of the Schengen Associated States.

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

Trilogues

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

"I" items approved

COREPER (PART 1)

WEDNESDAY 10 OCTOBER 2018

Institutional Affairs

Written questions

10.	by M	ies to questions for written answer submitted to the Council Iembers of the European Parliament otion by silence procedure	12778/18 PE-QE
	a)	Marie-Christine Arnautu (ENF) 'Strategy to combat the Islamisation of Europe: deport jihadists and, under the precautionary principle, their sympathisers'	12225/18
	b)	Hilde Vautmans (ALDE) 'Support for enhanced landfill mining'	12224/18
	c)	Hilde Vautmans (ALDE), Frédérique Ries (ALDE), Jozo Radoš (ALDE), Ilhan Kyuchyuk (ALDE), Urmas Paet (ALDE), Cecilia Wikström (ALDE), Maite Pagazaurtundúa Ruiz (ALDE), Robert Rochefort (ALDE), Lieve Wierinck (ALDE), Petras Auštrevičius (ALDE), Pavel Telička (ALDE) and Beatriz Becerra Basterrechea (ALDE) 'The situation of Dr Ahmad Reza Djalali	12194/18

Appointments

11.	Council Decision appointing one member (PT) and one alternate member (PT) in the Advisory Committee on Freedom of Movement for Workers Adoption	12648/18 12647/18 SOC
12.	One member (BE) and one alternate member (BE) in the Advisory Committee on Freedom of Movement for Workers <i>Adoption</i>	12679/18 12680/18 SOC
13.	One member (BE) and one alternate member (LU) in the Governing Board of the European Foundation for the Improvement of Living and Working Conditions <i>Adoption</i>	12653/18 12728/18 SOC
14.	One member (ES) in the Management Board of the European Institute for Gender Equality <i>Adoption</i>	12614/18 SOC

13431/18 GIP.1

Agriculture

15.	Council Decision on the conclusion of the Voluntary Partnership	12242/18
	Agreement between the EU and Viet Nam on forest law	10861/18
	enforcement, governance and trade	10877/18
	Agreement in principle	FORETS
	Request for the consent of the European Parliament	
16.	Council Decision on the signing, on behalf of the Union, of the	12242/18
	Voluntary Partnership Agreement between the EU and the	10860/18
	Socialist Republic of Viet Nam on forest law enforcement,	FORETS
	governance and trade	

Internal Market and Industry

Adoption

17.	Council Decision on the conclusion of an Agreement	12786/18 + COR 1
	EU-Norway in the form of exchange of letters on cumulation of	5883/17 REV 2
	origin	5814/17
	Adoption	UD

18. Council Decision on the conclusion of an Agreement
EU-Switzerland in the form of exchange of letters on
cumulation of origin
Adoption

12788/18
5882/17 REV 2
5803/17
UD

Research

19.	Regulation on the Research and Training Programme of the	12551/18 + ADD 1
	European Atomic Energy Community (2019-2020)	12431/18
	complementing the Horizon 2020 Framework Programme for	RECH
	Research and Innovation	
	Adoption	

20.	Joint Statement of Ministers for the occasion of the second	12678/18 + ADD 1
	Arctic Science Ministerial meeting (Berlin, 25-26 October 2018)	RECH
	Approval	

13431/18 10 CIP 1

EU positions for international negotiations

21.	XXXVII Annual Meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) (Hobart, Australia, 22 October to 2 November 2018) Establishment of the EU position	12753/18 PECHE
22.	Council Decision on an EU position for the IMO Marine Environment Protection Committee (73rd session) and the Maritime Safety Committee (100th session) concerning pollution prevention and inspections Adoption	12530/18 12103/18 12495/18 MAR

Statement by the Commission

"In so far as the relevant amendments to regulation 14 to the International Convention for the Prevention of Pollution from Ships (MARPOL) and to the International Code on the Enhanced Programme of Inspections During Surveys of Bulk Carriers and Oil Tankers, 2011 (ESP 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."

Delegated or Implementing Acts

Transport

23.	Commission Directive (EU)/ of XXX amending the	12783/18
	Annexes to Directive 2008/68/EC of the European Parliament	12738/18
	and of the Council on the inland transport of dangerous goods to	TRANS
	take into account scientific and technical progress	
	Decision not to oppose adoption	

FRIDAY 12 OCTOBER 2018

EU positions for international negotiations

24.	Council Decision on EU position in the Ghana EPA Committee concerning accession of Croatia Adoption	12712/18 12541/18 ACP
25.	Council Decision on EU position in Cote d'Ivoire EPA Committee concerning accession of Croatia Adoption	12710/18 12544/18 ACP
26.	Council Decision on EU position in the Central Africa EPA Committee concerning accession of Croatia Adoption	12709/18 12546/18 ACP

13431/18 GIP.1 **F**

COREPER (PART 2)

WEDNESDAY 10 OCTOBER 2018

Judicial Affairs

36.	Case T-199/18 (SCF Terminal (Cyprus) et S H B v. Council of	12672/18
	the European Union and Others)	JUR
	Information note for the Permanent Representatives Committee	
	(Part 2)	

Institutional Affairs

Appointments

37.	A member (IT) of the Committee of the Regions <i>Adoption</i>	12671/18 12670/18 CDR
38.	A member (SE) of the European Economic and Social Committee <i>Adoption</i>	11787/18 11786/18 CES
39.	Two alternate members (EE) of the Committee of the Regions <i>Adoption</i>	12571/18 + COR 1 12570/18 + COR 1 CDR

Economic and Financial Affairs

40.	Transfer No DEC 21/2018 (Section III - Commission) Approval	12512/18 FIN
41.	Transfer No DEC 22/2018 (Section III - Commission) Approval	12743/18 FIN
42.	Transfer No DEC 23/2018 (Section III - Commission) Approval	12744/18 FIN
43.	ECA SR No 17/2018 on Commission's and Member States' actions in the last years of the 2007-2013 Designation of a Working Party	12607/18 FIN
44.	ECA SR No 20/2018 on the African Peace and Security Architecture Designation of a Working Party	12802/18 FIN
45.	ECA SR No 21/2018 on the selection and monitoring for ERDF and ESF projects in the 2014-2020 period <i>Designation of a Working Party</i>	12610/18 FIN

46.	Decision on the mobilisation of the European Globalisation Adjustment Fund (EGF/2018/002 PT/Norde-Centro-Lisboa wearing apparel <i>Adoption</i>	12511/18 FIN
47.	Decision on the mobilisation of the EU Solidarity Fund for Latvia <i>Adoption</i>	12515/18 FIN
48.	Amendments of the European Parliament to the Council's position on the draft budget for 2019 Non-approval of the European Parliament's amendment(s)	12593/18 FIN
Gen	eral Affairs	
49.	EP Resolutions and decisions (October I 2018)	12787/18 PE-RE
50.	List of EU commitments - Our Ocean Conference (Bali 29-30.10.18) Approval	12180/18 12182/18 POLGEN POLMAR
51.	Regulation amending Common Provisions Regulation: Technical adjustment 2018 (YEI) Mandate for negotiations with the European Parliament	12687/18 10642/18 FSTR
Just	ice and Home Affairs	
52.	eu-LISA Regulation: Council Decision on the signing of a complementary arrangement with Schengen Associated States <i>Adoption</i>	12041/18 12042/18 DAPIX
53.	eu-LISA Regulation: Annex to the Council Decision on the signing of a complementary arrangement with Schengen Associated States <i>Adoption</i>	12366/18 12367/18 DAPIX
54.	Council Decision authorising Member States to become party to the Convention on an Integrated Safety at Football Matches and Other Sports Events (CETS n°218) Agreement in principle Preparation for the request for the consent of the European Parliament	12526/1/18 REV 1 12527/18 ENFOPOL

13431/18 GIP.1 EN

Foreign Affairs

55.	Council Decision authorising the opening of negotiations on an agreement with the USA regarding the imports of non-hormone treated beef <i>Adoption</i>	11802/18 11803/18 + COR 1 + ADD 1 WTO
56.	EUTM Somalia - amendment and extension - Decision <i>Adoption</i>	12205/18 12148/18 CORLX
57.	Council Decision on the EU position in the Joint Committee established by the EU-Vietnam Comprehensive Partnership and Cooperation Agreement in relation to the Rules of Procedure of the Joint Committee <i>Adoption</i>	12642/18 11867/18 + ADD 1 + ADD1 COR 1 COASI
58.	Conclusions on Connecting Europe and Asia <i>Adoption</i>	12720/18 COASI
59.	EU CFSP Exercises Programme 2018–2022 Approval	12704/18 CFSP/PESC
60.	Council Decision on the signing of the Investment Protection Agreement between the European Union and its Member States and the Republic of Singapore <i>Adoption</i>	7975/18 7977/18 7980/18 + ADD 1 FDI

Statement by Belgium

"Belgium welcomes the signing of the Investment Protection Agreement between the European Union and its Member States, of the one part, and the Republic of Singapore, of the other part.

Belgium reaffirms its commitment to the ongoing reform of investment dispute resolution. It constitutes a step towards the establishment of a multilateral investment court which shall become the responsible legal institution to resolve conflicts between investors and states. Belgium continues to support the Commission's ongoing efforts in this regard.

Belgium reiterates the importance of the statement of the Commission and the Council on investment protection and the Investment Court System (ICS), included in Council document 13463/1/16 REV 1 of 27 October 2016. In this context, Belgium welcomes the important progress which has been achieved in implementing this declaration through the inclusion, in the Investment Protection Agreement with Singapore, of rules on transparency, an appeal mechanism ensuring the consistency of decisions as well as some important innovations, notably the process for selecting all judges of the Tribunal and the Appeal Tribunal, their remuneration by the parties on a permanent basis and the code of conduct for members of the Tribunal, the Appeal Tribunal and Mediators.

13431/18 GIP.1 EN

Belgium believes that the opinion of the Court of Justice of the EU on the compatibility of ICS with EU treaties (Opinion 1/17) will contribute to further clarify the legal framework in which ICS can be established. Belgium takes note that the provisions of the Investment Protection Agreement with Singapore shall only enter into force when all Member States have ratified the Agreement in accordance with their national constitutional procedures. Belgium welcomes that the Commission does not propose the provisional application of this Agreement and that it will not be concluded before the CJEU renders its Opinion 1/17.

As already expressed in the statement of the Kingdom of Belgium on the conditions attached to full powers for the signing of CETA, included in Council document 13463/1/16 REV 1 of 27 October 2016, it will ultimately be the responsibility of the respective parliaments of the Kingdom of Belgium to ratify the Investment Protection Agreement with Singapore as it stands on the day on which it is signed and on the basis of, inter alia, the system for resolving disputes between investors and States as set out in the Agreement. Belgium wishes to make clear that, in accordance with its constitutional law, the result of the consent procedures undertaken both in the Federal Parliament and in each of the parliamentary assemblies of the competent federated entities may be that the process of ratifying the Investment Protection Agreement has permanently and definitively failed.

Belgium underlines that this agreement reaffirms the parties' right to regulate within their territories to achieve legitimate policy objectives, such as the protection of public health, social services, public education, safety, environment or public morals, social or consumer protection, privacy and data protection, and the promotion and protection of cultural diversity. Belgium has taken note that national treatment shall not apply to audio-visual services."

Statement by the Commission

"The Commission recalls that it has not proposed and does not intend to propose the provisional application of the agreement. The Commission understands that, in accordance with well-established practice, the Council will refrain from approving the conclusion of the agreement before the Court renders its opinion in the Opinion 1/17. If necessary in light of that Opinion, the Commission will make appropriate proposals before the Council approves the conclusion of the agreement."

61.	Council Decision on the conclusion of the Investment Protection	7975/18
	Agreement between the European Union and its Member States	7979/18
	and the Republic of Singapore	7980/18 + ADD 1
	Request for the consent of the European Parliament	FDI

62. Council Decision on the signing of the Free Trade Agreement between the European Union and the Republic of Singapore *Adoption*

7968/18 7970/18 7972/18 + ADD 1-5 WTO

Statement by Greece

"Greece fully acknowledges the importance of EU – Singapore Free Trade Agreement (FTA) and Investment Protection Agreement, as important steps towards deepening the EU-ASEAN trade and investment relations.

Greece recalls that the FTA itself does not offer direct protection of EU GIs and that Singapore has to run the official opposition procedures for the 196 EU GIs, which are included in the Annex to the Intellectual Property chapter, in order to confirm the final list. Greece notes that a satisfactory outcome for the protection of EU geographical indications in Singapore prior to the conclusion and entry into force of the Agreement is a prerequisite for a mutually beneficial Agreement. Particularly regarding PDO "Feta", Greece considers necessary that it will be granted full protection as for other EU GIs of high economic importance.

Greece highlights that the protection of EU geographical indications substantially contribute to regional development and employment. Greece also recalls the Commission's commitments on the occasion of CETA and SADC Agreements namely: a) to achieve the best possible level of protection of all EU registered geographical indications, including PDO "Feta", under ongoing or future negotiations of trade Agreements with third countries and b) to take all necessary measures to protect the PDO "Feta" not only within EU, but also in third—countries' markets as regards all possible unfair practices, which led to consumer misinformation. Furthermore, Greece welcomes the assurances of Commissioner Malmström as set out in her letter of the 1st of June 2018 that the Commission remains confident that PDO "Feta", like all other EU high-value GIs, will be protected in Singapore in line with the terms of protection laid down in the FTA.

Taking into account the aforementioned, Greece gives its consent as regards the Council Decision on the signing, on behalf of the EU, of the FTA between the EU and the Republic of Singapore and states its expectation that PDO "Feta" will be registered as a geographical indication in Singapore with exclusive rights. Greece reserves its position as regards the adoption of the Council Decision on the conclusion EU-Singapore FTA Agreement, which will be conditional upon the outcome as regards the level of protection of the PDO "Feta" in the Singaporean market."

Statement by Italy

"Italy acknowledges the importance of the EU –Singapore Free Trade Agreement, in the framework of the strategic EU-ASEAN trade and investment relations. FTAs offer a crucial instrument to ensure reciprocal and mutually beneficial market access, as well as to enhance global governance on issues like working conditions, food safety, public health and environmental protection. Also, FTAs represent an essential legal instrument to the international protection of geographical indications, which encompasses multilateral (Lisbon Agreement and the Geneva Act) and bilateral agreements.

In that respect, from the Italian perspective, the EU – Singapore Free Trade Agreement (FTA) holds a key relevance in defending geographical indications as intellectual property right and also as part of cultural heritage of Italy and EU.

In this regard, Italy wishes to recall that the FTA with Singapore does not offer direct protection of the 196 EU GIs included in the Annex to the Intellectual Property chapter and that the EU GIs will need to be examined and pass through an opposition period, according to the registration procedure in Singapore, in order to be protected. This registration procedure could be applied only once the implementing legislation on GIs will be adopted and the Singaporean registry for GIs be put in place, following the consent of the European Parliament to the conclusion of the FTA. Only at the end of this procedure, the Singaporean Authorities will be able to confirm the final list, with no certainty about the registration or the rejection of each listed GI.

Italy wishes to remind that Singapore Authorities have pledged to ensure the timeliness of the administrative procedure and to verify the generic nature when it is asserted in the opposition, taking on other commitments to reassure the European side. After informal public consultation by Singapore, a list of names probably subject to oppositions have already been communicated, including the PDO Fontina.

In this framework, Italy emphasizes that a satisfactory outcome for the effective protection of all EU GIs in Singapore prior to the conclusion and entry into force of the Agreement is a prerequisite for a mutually beneficial Agreement.

Italy therefore invites the Commission to continue to work intensively with the Singaporean Authorities in order to ensure that all EU GIs will be protected in line with the terms of protection laid down in the FTA.

Taking into account the aforementioned, Italy gives its consent as regards the Council Decision on the signing, on behalf of the EU, of the FTA between the EU and the Republic of Singapore and states its expectation that all GIs, will be registered as a geographical indication in Singapore with exclusive rights, without any exception or limitation (including annexes of footnotes), in order to preserve of both legitimate GI producers and consumers.

Italy reserves its position as regards the adoption of the Council Decision on the conclusion EU-Singapore FTA Agreement, which will be conditional upon the successful result for registration and full protection of the listed Italian GIs, via the aforementioned FTA in the Singaporean territory."

Statement by Ireland

"Should the implementation of the Agreement by the European Union necessitate a recourse to measures pursuant to Title V of Part Three of the Treaty on the Functioning of the European Union, the provisions of the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and the Treaty on the functioning of the European Union, will be fully respected."

63.	Council Decision on the conclusion of the Free Trade	7968/18
	Agreement between the European Union and the Republic of	7971/18
	Singapore	7972/18 + ADD 1-5
	Request for the consent of the European Parliament	WTO

64.	Council Decision on the signing of a Protocol to the Euro- Mediterranean agreement with Tunisia to take account of the accession of the Republic of Croatia to the EU Adoption	12820/18 12292/18 12295/18 MAMA
65.	Council Decision on the conclusion of a Protocol to the Euro-Mediterranean agreement with Tunisia to take account of the accession of the Republic of Croatia to the EU Request for the consent of the European Parliament	12820/18 12294/18 12295/18 MAMA
66.	European Security and Defence College - budget 2019 - Decision <i>Adoption</i>	12819/18 12652/18 CORLX
67.	Permanent Structured Cooperation (PESCO) - sequencing - recommendation Adoption	12827/18 11001/18 CORLX
68.	Chemical Weapons Restrictive Measures: update of CONOP mandate Approval	12830/18 CORLX
69.	Burundi restrictive measures - review - Decision and Implementing Regulation <i>Adoption</i>	12822/18 12723/18 12725/18 CORLX
70.	Republic of Guinea restrictive measures - review - Decision and Implementing Regulation <i>Adoption</i>	12823/18 12713/18 12715/18 CORLX
71.	Conclusions on Education in Emergencies and Protracted Crises <i>Adoption</i>	12817/18 COHAFA
72.	Conclusions on Althea <i>Adoption</i>	12875/18 BIH
74.	HR Report on 28th Operation ALTHEA Six-Monthly Report <i>Adoption</i>	12974/18 11970/18 BIH
73.	Transnistrian region of the Republic of Moldova - review - Decision <i>Adoption</i>	12895/18 12639/18 CORLX

13431/18

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FRIDAY 12 OCTOBER 2018

Foreign Affairs

72. Conclusions on Althea *Adoption*

12875/18 BIH