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OUTCOME OF THE COUNCIL MEETING

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General Affairs

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President **Gernot Blümel**
Federal Minister for the EU, Arts, Culture and the Media

P R E S S

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¹ • 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>).
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ITEMS DEBATED

Next multiannual financial framework

The Council held a policy debate on the multiannual financial framework (MFF) for 2021 to 2027.

Ministers were invited to concentrate on what they considered to be the politically most important issue(s) and reply to the following questions:

- Are the delegations of the opinion that EU policy priorities and European added value are well reflected in the MFF proposal?
- Regardless of the total volume (of the MFF), what is the delegations' view on the proposed allocations of EU funds to different policy areas?

The debate gave ministers an opportunity to set out their views on the Commission proposals and their priorities for the negotiations.

The Council also took note of a state of play report prepared under the responsibility of the presidency.

The report is based on discussions held during the Austrian presidency at working party level and on contributions from delegations. It outlines the state of discussions on a number of issues, such as the duration of the next MFF, its proposed new structure, administrative expenditure, the proposed flexibility and synergies within the MFF, outstanding commitments and own resources.

October European Council

The Council examined an annotated draft agenda for the **European Council** meeting to be held on 18 October. The annotated draft agenda will serve as the basis for draft conclusions, to be prepared in the run-up to the meeting.

At its meeting in October, the **European Council** is expected to return to the issue of migration. There will be a report on progress, as agreed in the June **European Council** conclusions. The **European Council** will also adopt conclusions on internal security, following the Leaders' thematic debate in Salzburg on 20 September 2018. In the light of events, the **European Council** may address specific foreign policy issues.

Rule of law in Poland

The Council held a hearing under Article 7(1) TEU on the rule of law in Poland.

The modalities for the hearing were the same as for the session at the meeting of the **General Affairs Council** on 26 June 2018.

Ministers continued their in-depth exchange with Poland on the concerns identified in the Commission's reasoned proposal under Article 7(1) TEU.

The Council will return to this issue.

Legislative programming

The Council exchanged views on the Commission's "letter of intent" concerning its draft work programme for 2019. The aim of this annual discussion, which takes place following the Commission President's speech on the state of the European Union, is to provide the Commission with broad indications of what the Council and its member states wish to highlight in relation to the priorities for next year.

The views expressed by ministers will be summed up in a presidency letter so that the Commission can take them into account before adopting its work programme.

The Council also took stock of the situation regarding pending legislative proposals in view of the end of the EP's legislative term in 2019.

Presidency programme

The Austrian presidency presented its priorities for the duration of its term of office ending on 31 December 2018.

OTHER ITEMS APPROVED

GENERAL AFFAIRS

UK negotiations with EFTA states

The Council has endorsed the non-objection to the United Kingdom negotiating before Brexit with the EFTA states (Iceland, Liechtenstein, Norway and Switzerland) agreements on citizens' rights and on other issues. If the UK were to sign, provisionally apply or conclude these agreements before the withdrawal date, it should inform the EU about the outcome of the negotiations so as to allow the EU to take a position with regard to its authorisation, in respect of areas of EU exclusive competence.

BUDGETS

Draft amending budget no 5 to the 2018 EU budget

The Council adopted its position on draft amending budget no 5 to the 2018 EU budget, accepting it without changes ([11767/18](#)).

The purpose of this draft amending budget is to:

- cancel the reserve related to the support to Turkey from the Instrument for Pre-Accession (IPA II) (€70 million in commitments and €35 million in payments);
- reinforce the European Neighbourhood Instrument (ENI) with €70 million in commitments to fund additional actions linked to the Central Mediterranean migratory route and to fulfil part of the pledge made at the Brussels II conference "Supporting the future of Syria and the region";
- reinforce Humanitarian Aid with €35 million in payments to meet the payment needs triggered by budgetary reinforcements in commitments at the end of 2017;
- add one post to the establishment plan of the Innovation & Networks Executive Agency (INEA) in the context of the WiFi4EU initiative.

The reserve related to the support from the Instrument for Pre-Accession to Turkey was decided in the context of the procedure for the adoption of the 2018 EU budget. The funds were to be released "when Turkey makes measurable sufficient improvements in the fields of rule of law, democracy, human rights and press freedom, according to the annual report of the Commission". The reserve was cancelled on the basis of an assessment by the Commission that this condition has not been met.

Mobilisation of the European Globalisation Adjustment Fund for the Netherlands

The Council adopted a decision mobilising €1.2 million under the European Globalisation Adjustment Fund (EGF) to provide support to 1 324 dismissed workers made redundant in 20 Dutch enterprises operating in the "Financial service activities, except insurance and pension funding" sector ([11780/18](#)). The redundancies are the result of the serious impact that the continuation of the global financial and economic crisis had on the functioning of Dutch banks ([11657/18](#)).

The EGF helps workers to find new jobs and develop new skills when they have lost their jobs as a result of changing global trade patterns, e.g. when a large company shuts down or a factory is moved outside the EU, or as a result of the global financial and economic crisis. The help of the EGF consists in co-financing measures such as job-search assistance, careers advice, tailor-made training and re-training, mentoring and promoting entrepreneurship. It also provides one-off, time-limited individual support, such as job-search allowances, mobility allowances and allowances for participating in lifelong learning and training activities.

FOREIGN AFFAIRS

Relations with Tunisia

The Council endorsed the EU-Tunisia strategic priorities for the period 2018-2020. The priorities were agreed at the 14th meeting of the EU-Tunisia Association Council, which was held in Brussels on 15 May 2018. They focus on inclusive and sustainable socio-economic development, democracy, good governance and human rights, bringing peoples together, mobility and migration, as well as security and the fight against terrorism.

[EU-Tunisia Association Council, 15/05/2018](#)

[Delegation of the European Union to Tunisia](#)

Relations with Morocco

The Council endorsed the decision of the [EU-Morocco Association Council](#) to extend by one year the EU-Morocco Action Plan implementing the advanced status (2013-2017).

The EU-Morocco Action Plan implementing the advanced status is an essential point of reference that guides the EU's bilateral relations with Morocco and provides a road map for a deeper association between Morocco and the EU.

Reinforcing the UN-EU Strategic Partnership on Peace Operations and Crisis Management

The Council adopted conclusions endorsing the priorities of the UN-EU Strategic Partnership on peace operations and crisis management for the period 2019-2021. The Council recognised the mutually beneficial nature of the longstanding UN-EU cooperation on peacekeeping and civilian, police and military crisis management.

The Council highlighted the significance of including women, peace and security as an overarching priority. It welcomed the efforts to enhance conflict prevention in the context of peace operations and crisis management operations.

Through these conclusions, the Council reiterates the EU's firm commitment, alongside its member states, to a strong UN as the bedrock of the multilateral rules-based order. The EU provides the UN with political support as well as expertise, financial backing and political leverage to deliver on UN mandates. Close cooperation helps UN and EU missions and operations act more coherently and effectively to address various security challenges and ensure a positive and sustainable impact on the ground. Partnering with the UN contributes to the EU playing its role as a global peace and security actor in support of effective multilateralism.

[Council conclusions on "Reinforcing the UN-EU Strategic Partnership on peace operations and crisis management: priorities 2019-2021"](#)

[The European Union at the United Nations - Factsheet](#)

EUCAP Sahel Niger

On 18 September 2018, the Council extended the mandate of EUCAP Sahel Niger until 30 September 2020 and agreed on a budget of €3.4 million for the period 1 October 2018 to 30 September 2020.

The Council also updated the mission's mandate. EUCAP Sahel Niger has provided advice and training to support the Nigerien authorities in strengthening their security capabilities since its launch in 2012. The mission supports the capacity building of the Nigerien security actors to fight terrorism and organised crime. Since 2016, the mission has also assisted the Nigerien central and local authorities, as well as security forces, in developing the procedures and techniques to better control and address irregular migration.

EUCAP Sahel Niger contributes to the development of an integrated, multidisciplinary, coherent, sustainable, and human rights-based approach among the various Nigerien security actors.

The head of mission is Frank Van der Mueren. The mission's headquarters are located in Niamey.

[EUCAP Sahel Niger](#)

EU action in support of UNVIM in Yemen

The Council approved an EU project in support of the United Nations Verification and Inspection Mechanism (UNVIM) in Yemen. The objective of UNVIM is to facilitate the unimpeded free-flow of commercial items to Yemen and to revive the economy of the country. The EU project aims at strengthening UNVIM through the provision of a transparent and effective clearance process for commercial shipments destined for Yemeni ports not under the control of the Government of Yemen. The Council allocated a budget of €4.915 million for a period of 12 months in order to contribute to the deployment of additional UNVIM personnel and resources in Djibouti and other ports in the region. This decision makes the EU the first donor to the UNVIM in Yemen.

The EU contributes through this project to the reinforcement of UNVIM and thereby also helps to respond to the needs of the Yemeni population and reduce its suffering as part of a broader humanitarian strategy. UNVIM became operational in 2016.

[Yemen and the EU - EEAS](#)

[The United Nations Verification and Inspection Mechanism for Yemen](#)

EU Special Representative for the Middle East Peace Process

The Council appointed Susanna Terstal as EU Special Representative for the Middle East Peace Process.

The tasks of the Special Representative are to contribute to actions and initiatives leading to a final settlement of the Israeli-Palestinian conflict based on a two-state solution. She will facilitate and maintain close contacts with all parties to the peace process, political actors, other countries, as well as the UN and other international organisations, in order to work with them on strengthening the peace process.

Susanna Terstal was Ambassador of the Netherlands to Iran. She has also been the Dutch Ambassador to Angola. She joined the Ministry of Foreign Affairs of the Netherlands in 1994. She held a number of positions in the ministry's legal department and was Deputy Permanent Representative in Geneva. She studied in the Netherlands, the United States and Italy.

Susanna Terstal will take up her duties immediately and has initially been appointed until 29 February 2020.

[Susanna Terstal's biography](#)

Restrictive measures against Libya

The Council added one person to the list of persons and entities subject to restrictive measures, including the assets freeze and travel ban, transposing into EU law a decision by the UN Security Council Committee.

[EU-Libya Relations \(Factsheet\)](#)

[Security Council Committee concerning Libya Adds Name to Its Sanctions List \(UN Press release, 11 September 2018\)](#)

TRADE

Trade with Georgia

The Council adopted a decision on the position to be taken on behalf of the EU in the association committee meeting in trade configuration in the context of the EU-Georgia association agreement. The position concerns in particular amendments to the rules applicable to standardisation, accreditation, conformity assessment, technical regulation, metrology and public procurement.

The EU and Georgia signed an association agreement in June 2014. This agreement entered into force on 1 July 2016.

EU-Canada CETA Joint Committee: recommendations

The Council endorsed three non-binding recommendations to be signed in the first session of the EU-Canada CETA (Comprehensive Economic and Trade Agreement) Joint Committee which will take place in Montreal on 26-27 September 2018. These recommendations cover the issues of trade, climate action and the Paris Agreement; Small- and Medium-sized Enterprises (SMEs); and Trade and Gender ([11131/18](#)).

The Council also noted that the European Parliament will be informed accordingly.

EU-China agreement on WTO dispute settlement proceeding DS 492

The Council adopted two decisions on the signing ([10881/18](#)) and conclusion ([10882/18](#)) of an agreement ([10883/18](#)) in the form of an exchange of letters between the EU and the People's Republic of China in connection with the WTO dispute settlement proceeding DS 492 - Measures affecting Tariff Concessions on Certain Poultry Meat Products.

The Council also noted that the Council decision on the signing will be transmitted to the European Parliament and the draft decision on the conclusion of the agreement will be forwarded to the European Parliament for its consent.

ECONOMIC AND FINANCIAL AFFAIRS

Appointment of external auditors of Slovenia's central bank

The Council adopted a decision appointing Ernst & Young revizija, pslovno svetovanje, d.o.o. as the external auditors of Banka Slovenije, Slovenia's central bank, for the financial years 2018 to 2020.

Pursuant to Article 27.1 of the Statute of the European System of Central Banks (ESCB) and the European Central Bank (ECB), the accounts of the ECB and national central banks are to be audited by independent auditors recommended by the Governing Council of the ECB ([11224/18](#)).

Anti-money laundering and terrorist financing

The Council decided not to object to a delegated act to the anti-money laundering and terrorist financing directive, as regards the addition of Pakistan to the list of high-risk third countries.

According to the anti-money laundering directive, third-country jurisdictions which have strategic deficiencies in their anti-money laundering regimes that pose significant threats to the financial system of the Union ('high-risk third countries') must be identified in order to protect the proper functioning of the internal market. Based on this identification, financial institutions need to apply enhanced customer due diligence measures when establishing business relationships or carrying out transactions with those countries.

In the process of identification of high-risk third countries, the Commission takes into account new information from international organisations and standard setters, in particular those issued by the Financial Action Task Force (FATF). ([11712/18](#))

JUSTICE AND HOME AFFAIRS

Regulation on the electronic publication of the Official Journal

The Council agreed in principle ([14463/17](#)) on the amended Regulation on the electronic publication of the Official Journal of the European Union. This agreement is subject to the consent of the European Parliament.

Council decision appointing the members of the selection panel

The Council has adopted the list of members of the selection panel for the European Public Prosecutor's Office (EPPO) proposed by the European Commission ([11513/18](#)).

The panel will be in charge of:

- drawing up a shortlist of qualified candidates for the position of European Chief Prosecutor. The European Parliament and the Council will then appoint the European Chief Prosecutor, by common accord, from the shortlist of qualified candidates drawn up by the selection panel.
- providing a reasoned opinion on the qualifications of candidates for European Prosecutors. The Council will then appoint each European Prosecutor from amongst three candidates nominated by each member state after having received the reasoned opinion from the selection panel.

The regulation creating the EPPO was adopted in October 2017 under enhanced cooperation. 22 member states currently participate in this case of enhanced cooperation.

For more information on EPPO:

[Commission website](#)

Schengen evaluation

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2017 evaluation of Norway on the application of the Schengen acquis in the field of the common visa policy. (12291/18)

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2017 evaluation of Norway on the application of the Schengen acquis in the field of management of the external border. (12289/18)

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2017 evaluation of Norway on the application of the Schengen acquis in the field of police cooperation. (12290/18)

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2017 evaluation of Iceland on the application of the Schengen acquis in the field of data protection. (12288/18)

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2017 evaluation of Spain on the application of the Schengen acquis in the field of return. (12287/18)

The Council invited the Commission to submit a proposal to the Council to adopt recommendations for remedial action aimed at addressing any deficiencies identified in the evaluation of the United Kingdom in view of fulfilling the conditions necessary for the application of the Schengen acquis in the field of the Schengen Information System.

AGRICULTURE AND FISHERIES

Export refunds on poultrymeat

The Council adopted a regulation on fixing the export refunds on poultrymeat ([11846/18](#)).

In order to comply with the judgment of the European Court of Justice of 20 September 2017 in Tilly-Sabco v Commission (C-183/16 P), the regulation fixes the export refunds on poultrymeat at the same level as they were fixed by implementing regulation No [689/2013](#), before this was annulled by the Court.

The new regulation applies retroactively for the period between 19 July 2013 and 31 December 2013.

Amendments of pesticides - maximum residue levels

The Council decided not to oppose the adoption of three Commission regulations amending regulation [396/2005](#) and in particular:

- Annexes II, III and IV as regards maximum residue levels for abamectin, acibenzolar-S-methyl, clopyralid, emamectin, fenhexamid, fenpyrazamine, fluazifop-P, isofetamid, Pasteuria nishizawae Pn1, talc E533B and tebuconazole in or on certain products ([11436/18](#) + [ADD 1](#) and [ADD 2](#)),
- Annexes III and V as regards maximum residue levels for diphenylamine and oxadixyl in or on certain products ([11453/18](#) + [ADD 1](#) and [ADD 2](#)),
- Annexes II and III as regards maximum residue levels for penoxsulam, triflumizole and triflumuron in or on certain products ([11434/18](#) + [ADD 1](#) and [ADD 2](#)).

Regulation 396/2005 establishes the maximum quantities of pesticide residues permitted in products of animal or vegetable origin intended for human or animal consumption. These maximum residue levels (MRLs) include, on the one hand, MRLs which are specific to particular foodstuffs intended for human or animal consumption and, on the other, a general limit which applies where no specific MRL has been set. MRL applications are communicated to the European Food Safety Authority (EFSA) which issues a scientific opinion on each intended new MRL. Based on EFSA's opinion, the Commission proposes a regulation such as those listed above to establish a new MRL or to amend or remove an existing MRL and modifying the annexes to regulation 396/2005 accordingly.

Registration of geographical indications for spirit drinks

The Council did not oppose the adoption of three Commission regulations approving amendments to the technical file of a geographical indication for a spirit drink listed in Annex III to regulation 110/2008, and thereby resulting in the registration of the following new geographical indications:

- ‘Ron de Guatemala’ (10977/18)
- ‘Карнобатска гроздова ракия’/‘Гроздова ракия от Карнобат’/‘Karnobatska grozdova rakya’/‘Grozdova rakya ot Karnobat’ (11445/18)
- ‘Гроздова ракия от Търговище’/‘Grozdova rakya ot Targovishte’ (11489/18 ADD 1)

Central Arctic Ocean: agreement to prevent unregulated high seas fisheries

The Council adopted a decision on the signing, on behalf of the EU, of an agreement to prevent unregulated high seas fisheries in the Central Arctic Ocean (10780/18), and agreed in principle on the decision on the conclusion of the agreement (10784/18).

The Council also decided to send it, together with the text of the agreement (10788/18), to the European Parliament for its consent.

TRANSPORT

ICAO - Coordination for the 13th Air Navigation Conference

The Council endorsed the text of the Working Papers and Information Papers contained in the annex to [11040/18](#) with a view to their submission to the upcoming 13th Air Navigation Conference of the International Civil Aviation Organisation (ICAO) in Montreal on 9 to 19 October 2018.

Oman air transport agreement

The Council adopted two decisions related to negotiating a comprehensive air transport agreement with Oman. The first decision authorises the European Commission to negotiate, on behalf of the member states, the provisions of the agreement as regards matters that do not fall within the EU's exclusive competence. The other one authorises the Commission to open negotiations as regards matters falling within the EU's exclusive competence.

Civil aviation: cooperation on satellite navigation with ASECNA

The Council adopted a decision on the conclusion, on behalf of the EU, of a cooperation agreement with the Agency for Aerial Navigation Safety in Africa and Madagascar (ASECNA) on the development of satellite navigation and the provision of associated services in ASECNA's area of competence for the benefit of civil aviation as well as the text of the agreement (decision on conclusion: [11351/17](#); agreement: [13661/16](#)). This will allow the conclusion of the agreement.

Convention concerning international carriage by rail - EU position

The Council adopted a decision establishing the position to be taken by the EU at the 13th General Assembly of the Intergovernmental Organisation for International Carriage by Rail (OTIF) as regards certain amendments to the Convention concerning International Carriage by Rail (COTIF) and its appendices ([11493/18](#) + [11493/18 ADD 1](#)). The experts will meet in Berne, Switzerland, on 25 and 26 September 2018.

ENVIRONMENT

Swiss ETS linking - EU position in the Joint Committee

The Council adopted a decision on the position to be taken on behalf of the EU in the Joint Committee established by the agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems ([10971/18](#) and [11089/18](#)).

The decision relates to the adoption by the Joint Committee of its rules of procedure as set out in [10971/18 ADD 1](#) (Statement by Germany: [11089/18 ADD 1](#)).

INTERNAL MARKET AND INDUSTRY

Appointment of the Executive Director of the European Union Intellectual Property Office

The Council decided to appoint Christian L.L.G. Archambeau to the post of Executive Director of the European Union Intellectual Property Office (EUIPO) for a term of five years ([11386/18](#)).

Approval of Industry Indicators Framework

The Council approved a framework of indicators aimed at monitoring the implementation of the industrial policy objectives and the trends in the development of EU industry. This general indicator framework should be considered as a contribution to work in progress regarding a fully-fledged monitoring mechanism ([11244/18](#)).

Decision not to oppose an amendment of regulation on cosmetic products

The Council decided not to object to a Commission regulation amending annex V to regulation (EC) No [1223/2009](#) of the European Parliament and of the Council of 30 November 2009 on cosmetic products.

The amendment concerns the use of o-phenylphenol as a preservative in cosmetic products.

The regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU. It can enter into force, unless the European Parliament objects.

RESEARCH

Extension of the scientific and technological cooperation agreement with the USA

The Council decided to extend the existing agreement for scientific and technological cooperation between the European Union and the Government of the United States of America by five years ([8166/18](#)).

HEALTH

Food regulations

The Council decided not to oppose the adoption of the following Commission regulations regarding food additives and food flavourings:

- Regulation (EU) .../... amending annexes II and III to regulation (EC) No 1333/2008 and the annex to regulation (EC) No 231/2012 as regards octyl gallate (E311) and dodecyl gallate (E 312);
- Regulation (EU) .../... amending annex I to regulation (EU) No 1334/2008 as regards caffeine and theobromine;
- Regulation (EU) .../.. amending annex II to regulation (EC) No 1333/2008 regarding food category 17 and the use of food additives in food supplements;
- Regulation (EU) .../... amending annex I to regulation (EU) No 1334/2008 concerning the removal from the Union list of certain flavouring substances.

The Commission regulations are adopted through the so-called regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt the regulations, unless the European Parliament objects.