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## OUTCOME OF THE COUNCIL MEETING

3667th Council meeting

### General Affairs

Brussels, 8 January 2019

President **George Ciamba**  
Romanian Minister Delegate for European Affairs

# P R E S S

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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**

### **Priorities of the Romanian presidency**

The Romanian presidency presented the priorities for its term of office, which runs from 1 January to 30 June 2019.

The priorities are organised around four pillars:

- Europe of convergence
- A safer Europe
- Europe as a stronger global actor
- Europe of common values

### **Next multiannual financial framework**

The presidency informed ministers about its plans regarding work on the multiannual financial framework (MFF) for 2021-2027.

Prior to the meeting of the General Affairs Council on 11 December 2018, the Austrian presidency presented two documents concerning the next MFF – a progress report and a draft negotiating box.

At their meeting on 13-14 December 2018, EU leaders welcomed the intensive preparatory work carried out during the Austrian presidency. They called on the Romanian presidency to set the direction for the next stage of the negotiations, with a view to reaching an agreement in the European Council in autumn 2019.

The presidency informed the Council that it intends to continue discussions at technical and political level with the aim of making substantive progress on both the structure and content of the MFF and updating the draft negotiating box by the June European Council. It will include the MFF on the agenda of every meeting of the General Affairs Council.

At the same time intensive work will also continue on the various sectoral proposals.

## **Coordinated response to disinformation**

Ministers exchanged views on a coordinated response to disinformation. The discussion took place against the background of several recent initiatives on tackling disinformation and calls from the European Council to develop a coordinated response to the challenges in this field, especially in view of the forthcoming European elections.

At their meeting on 13-14 December 2018, EU leaders called for the prompt and coordinated implementation of the joint action plan against disinformation presented by the Commission and the High Representative on 5 December 2018. The Council was invited to continue its work on disinformation and to report back to the European Council in March 2019.

During their exchange of views, ministers discussed which priority lines of the action plan should be addressed without delay, how to ensure coherence between the internal and external dimensions of combating disinformation, and how to heighten public awareness of the issue.

The action plan was broadly welcomed as an important starting point for developing a coordinated response to disinformation.

Several ministers stressed that the EU and member states needed to work together on the issue, with a clear division of roles between them.

As regards the priorities in the action plan, many supported the strengthening of the European External Action Service's strategic communication task forces and the swift setting up of the rapid alert system on disinformation campaigns.

More broadly, several ministers highlighted the need to strike the right balance between efficiently combating disinformation, and guaranteeing the independence of the media and freedom of speech. It was therefore important to work hand-in-hand with civil society and the private sector on this issue. In the long run, strengthening media literacy and critical thinking were also key for building societal resilience.

### **State of play on legislative files**

The Council took stock of work on legislative files in view of the end of the legislative cycle.

Before the European Parliament elections, limited time is left to negotiate and conclude the files on the table.

The presidency stressed the need to focus delivery efforts during this period. It highlighted some important files in this context, including in the fields of migration and security, the banking union, social security, the digital single market, ensuring free and fair elections, and measures related to Brexit preparedness.

**OTHER ITEMS APPROVED****FOREIGN AFFAIRS****EU terrorist list**

The Council adopted the legal acts which conclude the six-monthly review of the EU terrorist list (measures set down in common position 2001/931/CFSP). The Council confirmed that the restrictive measures continue to apply to those listed. The Council also added two persons and one entity to the list. The legal acts will be published in the Official Journal of the European Union on 9 January 2019.

[EU terrorist list](#)

**ECONOMIC AND FINANCIAL AFFAIRS****Extension of scrutiny period for financial services delegated acts**

The Council adopted a decision to extend the objection periods as regards the following delegated acts:

- a regulatory technical standard (RTS) related to the payment services directive (PSD2) on development, operation and maintenance of the electronic central register within the field of payment services and on access to the information contained therein;
- an RTS related to the markets in financial instruments regulation (MiFIR) on the requirement for prices to reflect prevailing market conditions and to update and correct certain provisions;
- an RTS related to the European market infrastructure regulation (EMIR) on access to the data held in trade repositories;
- an RTS related to the EMIR on the details of the application for registration as a trade repository;

- an RTS related to the securities financing transactions regulation (SFTR) on access to details of securities financing transactions (SFTs) held in trade repositories;
- an RTS related to the SFTR on the details of the application for registration and extension of registration as a trade repository;
- an RTS related to the SFTR on the collection, verification, aggregation, comparison and publication of data on SFTs by trade repositories;
- an RTS related to the SFTR on the fees charged by the European securities and markets authority to trade repositories;
- an RTS related to the SFTR on the details of SFTs to be reported to trade repositories;
- an RTS related to the SFTR on the specification of a single electronic reporting format;
- an RTS related to the EMIR on the date until which counterparties may continue to apply their risk-management procedures for certain over-the-counter (OTC) derivative contracts not cleared by a central counterparty (CCP) (Brexit preparedness);
- an RTS related to the EMIR on the date on which the clearing obligation takes effect for certain types of contracts (Brexit preparedness).

For all the acts listed above, an initial objection period of one month applied. In order to grant member states sufficient time to scrutinise the delegated acts, the objection period has been extended by an additional month.

The Council also adopted the decision to extend the objection period for a delegated act related to the markets in financial instruments directive (MiFID2) on certain registration conditions to promote the use of SME growth markets. The initial objection period for this act was three months. The objection period is therefore extended by an additional three months. However, the Council intends to complete the scrutiny procedure for this delegated act without unnecessary delay ([15842/18](#)).

## **JUSTICE AND HOME AFFAIRS**

### **Schengen evaluation: Switzerland**

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2017 evaluation of Switzerland on the application of the Schengen acquis in the field of the Schengen Information System ([5115/19](#)).

### **Schengen evaluation: Finland**

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2017 evaluation of Finland on the application of the Schengen acquis in the field of the Schengen Information System ([5114/19](#)).

### **Schengen evaluation: Belgium**

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2017 evaluation of Belgium on the application of the Schengen acquis in the field of the Schengen visa policy ([5113/19](#)).

### **Schengen evaluation: the Netherlands**

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2017 evaluation of the Netherlands on the application of the Schengen acquis in the field of the Schengen visa policy ([5112/19](#)).

## **ENVIRONMENT**

### **Heavy duty vehicles - CO2 emissions and fuel consumption**

The Council decided not to oppose the adoption of a Commission regulation amending regulation (EU) [2017/2400](#) and directive [2007/46/EC](#) of the European Parliament and of the Council as regards the determination of the CO2 emissions and fuel consumption of heavy-duty vehicles ([15369/18](#) and [14120/18 +ADD 1](#)).

This amendment defines the specificities of vocational vehicles, attributed to specific sub-groups to distinguish them from vehicles that are used only for the delivery of goods, and their CO<sub>2</sub> emissions are determined in accordance with dedicated mission profiles. The amendment also defines those vehicles which, due to their advanced powertrains, including electric, hybrid electric and dual-fuel powertrains, cannot for the moment be subject to the requirement of determining their CO<sub>2</sub> emissions or fuel consumption using the available simulation tool.

The Commission decision is subject to the regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt the decision unless the European Parliament objects.

### **Hazardous substances in electrical and electronic equipment - extension of exemptions for cadmium and lead**

The Council decided not to raise objection to Commission delegated directive (EU) .../... of 16 November 2018 amending, for the purposes of adapting to scientific and technical progress, annex III to directive [2011/65/EU](#) of the European Parliament and of the Council regarding the restriction of the use of certain hazardous substances in electrical and electronic equipment ([14558/18](#), [14563/18](#), [14561/18](#), [14564/18](#), [14562/18](#), [14566/18](#), [14567/18](#), [14565/18](#), [14559/18](#) and [14468/18](#)).

This amendment extends the expiry date of the exemption from the restriction for cadmium and its compounds in electrical contacts and in printing inks for the application of enamels on glasses. The exemption is also extended for lead for specific purposes such as when it is used as activator in the fluorescent powder of discharge lamps containing phosphors, in crystal glass, in bearings and bushes applied in certain non-road professional use equipment, dielectric ceramic in certain capacitors, in the plating layer of certain diodes, in PZT-based dielectric ceramic materials for certain capacitors and in solders to complete a viable electrical connection between semiconductor die and carrier within integrated circuit flip chip packages. Finally, the exemption for lead oxide is also extended when it is used in seal frit to make window assemblies for certain laser tubes.

The Commission decision is subject to the regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt the decision unless the European Parliament objects.

**INTERNAL MARKET AND INDUSTRY**

**Conclusions on second progress report on risk management**

The Council adopted conclusions on the second progress report on the implementation of the EU strategy and action plan for customs risk management ([15497/18](#)).

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