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European Union

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14766/1/18
REV 1
PV CONS 62
EDUC 440
JEUN 153
CULT 153
SPORT 89
AUDIO 110

DRAFT MINUTES
COUNCIL OF THE EUROPEAN UNION
(Education, Youth, Culture and Sport)
26 and 27 November 2018

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MEETING ON MONDAY 26 NOVEMBER 2018

1. Adoption of the agenda

14472/18

The Council adopted the agenda set out in 14472/18.

2. Approval of "A" items

a) Non-legislative list

14477/18

The Council adopted the "A" items listed in 14477/18 including COR and REV documents presented for adoption. Statements related to these items are set out in the Addendum.

b) Legislative list (Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

14478/18

Agriculture

1. Regulation on medicated feed

Adoption of the legislative act

approved by Coreper, Part 1, on 21.11.2018



13914/1/18 REV 1
+ REV1 ADD 1
PE-CONS 43/18
AGRILEG

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 43(2) and point (b) of Article 168(4) TFEU). Statements related to these items are set out in the Annex.

2. Regulation on veterinary medicinal products

Adoption of the legislative act


approved by Coreper, Part 1, on 21.11.2018



13921/18
+ ADD 1 REV 1
PE-CONS 45/18
AGRILEG


The Council approved the European Parliament's position at first reading and the proposed act has been adopted, with the Czech delegation abstaining, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Articles 114 and 168(4)(b) TFEU). Statements related to these items are set out in the Annex.

Health

3. **Regulation amending Regulation (EC) No 726/2004 as part of  13919/1/18 REV 1**
the Veterinary Medicines Package
Adoption of the legislative act
approved by Coreper, Part 1, on 21.11.2018
+ REV1 ADD 1
PE-CONS 44/18
+ COR 1 (it,nl)
+ COR 2 (es)
+ COR 3 (el)
PHARM

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Articles 114 and 168(4)(c) TFEU). Statements related to these items are set out in the Annex.

Economic and Financial Affairs

4. **Council position on draft amending budget No 6/2018**  13959/18
Adoption
approved by Coreper, Part 2, on 14.11.2018
FIN

The Council adopted its position on draft amending budget No 6/2018, as set out in 13959/18.

YOUTH

Legislative deliberations


(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

3. **Regulation on the European Solidarity Corps (ESC)**  14079/18
2021 to 2027
Partial general approach
9993/1/18 REV 1
+ ADD 1

The Council agreed a partial general approach on the above proposal in the form of the text set out in the Annex to doc. 14079/18. The Council also agreed to enter into the minutes the joint statement of the French, Greek, Cypriot and Belgian delegations as well as the statement of the Greek delegation. This partial general approach constitutes the Council's negotiation mandate with a view to upcoming discussions with the European Parliament.

Non-legislative activities

The Council addressed the non-legislative discussion items 4 and 5

4. Resolution on the European Union Youth Strategy 2019-2027
Adoption 14080/18
5. Conclusions on the role of youth work in the context of migration and refugee matters
Adoption 14082/1/18 REV 1
+ ADD 1 COR 1
6. **European Union Youth Strategy 2019-2027: From vision to implementation**  13942/18 + COR 1
Policy debate

The Council held a policy debate on the topic of the European Union Youth Strategy 2019-2027: From vision to implementation, on the basis of a Presidency background document with guiding questions included in the Annex to 13942/18 + COR 1 and in light of the adoption of its Resolution on the European Union Youth Strategy 2019-2027.

EDUCATION

Legislative deliberations


(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

7. **Regulation on Erasmus**   13943/18
Partial general approach 9574/18 + ADD 1

The Council agreed a partial general approach on the above proposal in the form of the text set out in 13943/18. The Council also took note of the joint statements of delegations (see Annex).

Non-legislative activities

The Council addressed the non-legislative discussion item 8

8. Recommendation on promoting automatic mutual recognition of higher education and upper secondary education diplomas
Adoption  13955/18
9292/18 + ADD 1

9. **European Education Area 2025: From vision to implementation**
Policy debate

 13583/18

The Council held a policy debate on the above topic on the basis of a discussion paper prepared by the Presidency (doc. 13583/18).

Ministers highlighted the importance of cooperation and exchanges at European level, while fully respecting subsidiarity and national competences. The issues that were raised by Ministers during the debate covered a wide range of topics, including the digital challenges, the importance of mobility and lifelong learning, the need to enhance our common values and the possibilities of new initiatives, such as the European Universities networks.

Any other business

The Council addressed the "Any other business" item 10

10. Youth and Education

Work programme of the incoming Presidency
Information from the Romanian delegation



MEETING ON TUESDAY 27 NOVEMBER 2018

CULTURE/AUDIOVISUAL

Legislative deliberations

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

11. **Regulation on Creative Europe 2021-2027**
Progress report

  13925/18
9170/18 + ADD 1
+ ADD 1 COR 1

The Council took note of the progress report on the above proposal as contained in doc. 13925/18.

Non-legislative activities

The Council addressed the non-legislative discussion items 12 and 13

12. Conclusions on the Work Plan for Culture 2019-2022 13948/18
Adoption
13. Conclusions on the strengthening of European content in the digital economy 13949/18
Adoption
14. **Tackling the spread of disinformation online: Challenges for the media ecosystem** 13362/18
Policy debate

The Council held a policy debate on the above topic on the basis of a discussion paper prepared by the Presidency (doc. 13362/18)

Ministers welcomed recently launched Commission initiatives and highlighted their own actions in the field of tackling the disinformation and 'fake news'. Ministers stressed the need for a common EU approach and underlined the role of media actors in this context. Many highlighted the importance of the recently agreed AVMS Directive. Among other issues, Ministers stressed the need for promoting media pluralism and media literacy and maintaining high journalistic standards.

SPORT

Non-legislative activities

15. **Major sporting events as drivers of innovation** 13952/18 + COR 1
Policy debate
(Public debate in accordance with Article 8(2) of the Council's Rules of Procedure)

The Council held a public policy debate on the topic of Major sporting events as drivers of innovation, on the basis of a note prepared by the Presidency (doc. 13952/18) including a background paper and guiding questions.

The Council addressed the non-legislative discussion item 16 and "Any other business" item 17

16. Conclusions on the economic dimension of sport and its socio-economic benefits 13764/18
Adoption

Any other business

17. Culture/Audiovisual

- a) How to deal with colonial context in European collections 14227/18
Information from the German delegation
- b) Consumer protection in relation to resale of tickets to culture and sport events with the aim of profit 14219/18
Information from the Danish delegation

Sport

- c) Meetings of the World Anti-Doping Agency (WADA) 14220/18 + COR 1
(Baku, Azerbaijan, 14 and 15 November 2018)
Information from the EU Member States representatives in the WADA Foundation Board

Culture/Audiovisual and Sport

- d) Work programme of the incoming Presidency
Information from the Romanian delegation

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- 1** First reading
- 2** Public debate proposed by the Presidency (Article 8(2) of the Council's Rules of Procedure)
- C** Item based on a Commission proposal

Statements to the legislative "B" items set out in 14772/18

Ad "B" item 3: **Regulation on the European Solidarity Corps (ESC) 2021 to 2027**
Partial general approach

STATEMENT BY GREECE

"Greece expresses its serious concerns on the proposed integration of the European Voluntary Humanitarian Aid Corps to the European Solidarity Corps, in particular due to the lack of opportunity for all European citizens, regardless of age, to participate actively in the EU humanitarian response operations in third countries. Greece also considers that the European Voluntary Humanitarian Aid Corps, provided explicitly by the Treaty on the Functioning of the EU (article 214, para 5), should not be set aside by a new Regulation and thus lose its own identity."

STATEMENT BY FRANCE, GREECE, CYPRUS, BELGIUM

"France, Greece, Cyprus and Belgium are expressing their concerns with regard to the use of delegated acts in the case of the evaluation indicators for the Erasmus+ programme (foreseen in articles 20 and 30) and for the European Solidarity Corps (foreseen in articles 19 and 29).

Evaluation indicators define the parameters that are estimated crucial for the implementation of the programs, offering the necessary policy guidelines to those who are vested with the responsibility to implement them. Consequently, they have a political character and delegated acts are not the appropriate procedure to elaborate and select them. The procedure of delegated acts does not allow an in-depth debate and a co-elaboration of such indicators to take place.

Therefore France, Greece, Cyprus and Belgium regret the choice made in the above articles, which shall not constitute a precedent for the future."

Ad "B" item 7: **Regulation on Erasmus**
Partial general approach

STATEMENT BY FRANCE, GREECE, CYPRUS, BELGIUM

"France, Greece, Cyprus and Belgium are expressing their concerns with regard to the use of delegated acts in the case of the evaluation indicators for the Erasmus+ program (foreseen in articles 20 and 30) and for the European Solidarity Corps (foreseen in articles 19 and 29).

Evaluation indicators define the parameters that are estimated crucial for the implementation of the programs, offering the necessary policy guidelines to those who are vested with the responsibility to implement them. Consequently, they have a political character and delegated acts are not the appropriate procedure to elaborate and select them. The procedure of delegated acts does not allow an in-depth debate and a co-elaboration of such indicators to take place.

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STATEMENT BY THE CZECH REPUBLIC, GERMANY, ESTONIA, GREECE, SPAIN, CROATIA, ITALY, LITHUANIA, THE NETHERLANDS, PORTUGAL, SLOVAKIA AND SLOVENIA

"The Czech Republic, Germany, Estonia, Greece, Spain, Croatia, Italy, Lithuania, the Netherlands, Portugal, Slovakia and Slovenia welcome the Austrian Presidency compromise proposal on the Erasmus+ programme 2021-2027 which will boost learning mobility within and beyond Europe as well as facilitate transnational institutional cooperation in education, training, youth and sport.

The Czech Republic, Germany, Estonia, Greece, Spain, Croatia, Italy, Lithuania, the Netherlands, Portugal, Slovakia and Slovenia wish to underline that support through the Erasmus+ programme should normally be granted following a call for proposals and a thorough evaluation process of applications. Direct support to institutions through the programme, such as the Jean Monnet actions, can only be justified when institutions are unique and pursue activities of a common interest to the Union.

With regard to Jean Monnet actions referred to in article 7 of the programme proposal, the Czech Republic, Germany, Estonia, Greece, Spain, Croatia, Italy, Lithuania, the Netherlands, Portugal, Slovakia and Slovenia support the goals to 1) stimulate teaching, learning and research in European integration matters as well as to 2) contribute to the development of excellence in European integration studies. To this end the Czech Republic, Germany, Estonia, Greece, Spain, Croatia, Italy, Lithuania, the Netherlands, Portugal, Slovakia and Slovenia embrace the monitoring and evaluation mentioned in recital 31 with regard to the development of the institutions which will be funded under article 7c of the proposal.

The Czech Republic, Germany, Estonia, Greece, Spain, Croatia, Italy, Lithuania, the Netherlands, Portugal, Slovakia and Slovenia urge the European Commission to:

- ensure that the evaluation of the institutions funded under article 7c and referred to in recital 31, will be completed by the time of the interim evaluation mentioned in article 21.2;
- carry out a mapping exercise with the view to examining the existence of institutions in the Member States pursuing an aim of European interest and European integration studies;
- develop - on the basis of the evaluation and the mapping exercise - funding criteria until 2027 with the aim of facilitating open and transparent selection procedures for such institutional funding in a possible successor programme from 2028 onwards."

STATEMENT BY PORTUGAL, GREECE AND FRANCE

"Portugal, Greece and France welcome the Austrian Presidency compromise proposal on the Erasmus+ programme 2021-2027, which will support the educational, professional and personal development of people in education, training, youth and sport, fostering learning mobility and transnational institutional cooperation, in Europe and beyond, thereby contributing to sustainable growth, jobs and social cohesion and to strengthening European identity and citizenship.

Portugal, Greece and France warmly welcome and wishes to **underline the inclusive approach of the Erasmus+ programme for 2021-2027**, one of the greater added value of the future programme for education, training, youth and sport.

Portugal, Greece and France consider that **the new programme should be effectively inclusive** and that excluding adult learners from Key Action 1 (Learning mobility activity), the unique learner group from education and training sector excluded from KA1, will send a negative signal, including at political level.

This is why Portugal, Greece and France express their **concerns related to the fact that the draft regulation on the future programme does not include a reference to the learning mobility of adult learners in Key Action 1, in article 4.**

Portugal, Greece and France recall that, under the current Erasmus+ programme, pupils from school education are not included in Key Action 1, and that, within the future Erasmus+ programme for 2021-2027, the pupils learning mobility will be funded under Key Action 1, as specifically stated in article 4.

Therefore, Portugal, Greece and France **urge the European Commission to:**

- ensure that, under the future programme for education, training, youth and sport (2021-2027), efforts will be made to promote the adult learning mobility;
- **carry out a study to examine the impacts of adult learning mobility if funded under Key Action 1** (both financial and administrative), with the view to a potential funding of learning mobility for all adults within a possible successor programme from 2028 onwards."

Ad "A" item 1: **Regulation on medicated feed**
Adoption of the legislative act

STATEMENT BY AUSTRIA

"With a view to the objective of the Regulation, which is to achieve a high degree of protection of human health, Austria would like to draw attention to the following points:

It should only be possible to use veterinary medicinal products via the feed channel when there is a specific need (i.e. in the case of sickness).

In the interests of subsidiarity in accordance with the new Regulation on the manufacture, placing on the market and use of medicated feed, it should be possible to maintain established national control systems for the use of medicated feed directly on the farm, as is currently practised in Austria by registered on-farm mixers.

In order to take account of the special needs of small-scale agriculture, primarily involving family farms, the requirements for the manufacture of medicated feed must be implemented in a way that is feasible and practical for on-farm mixers. The manufacture and administration of medicated feed by trained farmers under the supervision of a veterinarian constitutes a well-established practice in Austria which minimises many risks, as the medicinal products are used in the place and in the quantity in which they are absolutely needed."

Ad "A" item 2: **Regulation on veterinary medicinal products**
Adoption of the legislative act

STATEMENT BY THE COMMISSION

"The new EU Regulation on veterinary medicinal products requires Member States to collect and report data on sales and use of antimicrobials used in animals. The Commission considers this information essential to identify possible risk factors for development and spread of antimicrobial resistance (AMR), monitor trends in antimicrobial consumption, target relevant policy measures and assess their implementation. Although the implementation of this legal requirement is foreseen through a gradual (stepwise) approach, it may require substantial input in terms of administrative, human and financial resources.

The European One Health Action Plan against AMR recognises that in order to deliver long-lasting results and create the necessary impetus, it is important that the EU legislation related to AMR (including, inter alia, on the use of veterinary medicines) is adequately implemented. In this context, the Commission has committed in that Action Plan to engage in supporting Member States in the implementation of EU rules, including by providing technical support through the Structural Reform Support Service (SRSS) for designing and implementing policies against AMR.

Furthermore, the Commission will explore the possibilities for supporting this data collection in Member States in line with its proposals made in the context of the future EU Multiannual Financial Framework."

STATEMENT BY THE CZECH REPUBLIC

"The Czech Republic can agree that the update of the existing Directive 2001/82/EC would be beneficial in the case of full and reasonable adherence to the objectives and principles as declared by the European Commission prior the beginning of negotiations of the draft regulation on veterinary medicinal products.

The Czech Republic also strongly supports the objective to contain the risks related to antimicrobial resistance. However, the failure of the new legislation to enforce compliance with the EU standards, inter alia, with respect to restricted conditions for use of antimicrobials, by the 3rd countries, weakens significantly the EU political message with respect to commitments to fight against the antimicrobial resistance and in the same time, renders the EU producers uncompetitive with their 3rd countries counterparts. In addition, the required room for flexibility for the Member States to ensure availability of suitable alternatives to antimicrobials in particular on the small markets, and risks related to future availability of old, legacy, veterinary medicinal products, present another key issues related to the new regulation.

The proposal according to the Czech Republic opinion will increase administrative and associated financial burdens both for the public budgets and for private enterprises. It is becoming apparent that the implementation of the regulation will be more costly than originally expected. This new regulation will also decrease the flexibility and - in the consequence – the innovation, what can cause lack of availability of the veterinary medicinal product on the Czech market.

The text also contains apparent mistakes that can have an impact on the safety of consumer. The Czech Republic regrets to express that via the approval of this regulation we miss the opportunity to meet the principles as were originally declared and intended to be reached.

The Czech Republic therefore keeps the position from the COREPER after the trilogue (June 2018) and abstains from the voting."

STATEMENT BY GERMANY

"Germany would like to comment as follows on Articles 73 to 81 in the version set out in the present document, PE-CONS 45/18:

The final document PE-CONS 45/18 on the proposal for a Regulation of the European Parliament and of the Council on veterinary medicinal products represents an essentially balanced overall outcome, in which agreement was reached on many important points. However, Germany is concerned that in pharmacovigilance for veterinary medicinal products the emphasis is placed on signal management performed by the marketing authorisation holder, and the provisions currently in force are not to be maintained. This applies in particular to

- the discontinuation of the periodic safety update reports,
- the extension of the period allowed for reporting serious undesirable effects of the medicinal products, and
- the lack of differentiation as regards the degree of seriousness of undesirable effects of the medicinal products.

Since, however, the discussions led to improvements being achieved overall, the remaining concerns from Germany's point of view do not prevent us from giving our consent to the final compromise text."

Ad "A" item 3: **Regulation amending Regulation (EC) No 726/2004 as part of the
Veterinary Medicines Package**
Adoption of the legislative act

STATEMENT BY THE COMMISSION

"The Commission recalls its position that when adapting existing Commission empowerments to Article 290 and 291 TFEU it is not an appropriate legislative technique to provide for transitional provisions that would state that Commission acts adopted previously under those empowerments will continue to apply unless and until repealed. In the Commission's view such provisions state the obvious and would not be coherent with other legislative acts and are liable to induce legal uncertainty at a broader level.

The Commission regrets that only part of the existing regulatory procedure with scrutiny empowerments in Directive 2001/83 and Regulation 1901/2006 will be aligned in this instrument, while the rest of the empowerments remain to be aligned in the context of the negotiations on the Omnibus alignment proposal (COM(2016) 799). In the Commission's view the full alignment should have taken place in one of the two instruments."
