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## NOTE

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Subject: MONTHLY SUMMARY OF COUNCIL ACTS - OCTOBER 2018

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This document lists the acts<sup>1</sup> adopted by the Council in October 2018.<sup>2 3</sup>

It provides information on the adoption of legislative acts, including:

- the date of adoption,
- the relevant Council session,
- the number of the document adopted,
- the Official Journal reference,
- applicable voting rules, voting results and, where appropriate, explanations of vote and statements published in the minutes of the Council.

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<sup>1</sup> For easy reference, the "short titles" as mentioned in the Council's agendas are also indicated (see in *italics*).

<sup>2</sup> With the exception of certain acts of limited scope such as procedural decisions, appointments, decisions of bodies set up by international agreements, specific budgetary decisions, etc.

<sup>3</sup> In the case of legislative acts adopted in the ordinary legislative procedure, there may be a difference between the date of the Council's meeting where the legislative act is adopted and the actual date of the act in question, since legislative acts adopted in the ordinary legislative procedure are only considered to have been adopted after signature by both the President of the Council and the President of the European Parliament and the Secretaries-General of the two institutions.

This document also contains information on the adoption of non-legislative acts that the Council has decided to make public.

This document is also available on the Council's website at:

[Monthly summaries of Council acts \(acts\) - Consilium](#)

Documents listed in the summary may be obtained from the public register of Council documents at: [Documents and publications - Consilium](#)

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**INFORMATION ON THE ACTS ADOPTED BY THE COUNCIL IN OCTOBER 2018**

**3639th meeting of the Council of the European Union (Economic and Financial Affairs) held in Luxembourg on 2 October 2018**

LEGISLATIVE ACTS

ACT	DOCUMENT	VOTING RULE	VOTES
<i>Regulation on cash controls</i> Regulation (EU) 2018/1672 of the European Parliament and of the Council of 23 October 2018 on controls on cash entering or leaving the Union and repealing Regulation (EC) No 1889/2005 OJ L 284, 12.11.2018, p. 6–21	49/18	Qualified majority	All Member States in favour

**Statement by the Commission**

Under Article 53(1) of the draft DIRECTIVE (EU) 2018/...OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of ...amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU (AMLD 5), the Financial Intelligence Units exchange, spontaneously or upon request, any information that may be relevant for the processing or analysis of information by the Financial Intelligence Unit related to money laundering or terrorist financing. The decision on whether the information is relevant or not to be exchanged remains with the Financial Intelligence Unit, including for data to be received under the proposed Regulation on controls of cash. In this respect, the Commission underlines that, in the light of the general principles of EU law, the provisions of Article 8 of the proposed Regulation cannot be interpreted as affecting the provisions of the future Fifth Anti-Money Laundering Directive or as creating a mandatory obligation for exchange of information between Financial Intelligence Units for the purposes of the proposed Regulation.

Under Article 65(2) of the draft DIRECTIVE (EU) 2018/...OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of ...amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU (AMLD 5), the Commission must assess the framework for Financial Intelligence Units ' cooperation with third countries and obstacles and opportunities to enhance cooperation between Financial Intelligence Units in the Union including the possibility of establishing a coordination and support mechanism. In this context, the Commission will also assess whether there is a need to further strengthen the cooperation between Financial Intelligence Units.

### Statement by Germany

In Germany's view, the uniform retention period of five years provided for in Article 13(4) appears problematic, because data may also be collected on individuals who have not violated any rules and who themselves have not given any cause for their data to be stored. It would therefore have been preferable for Article 13(4) to differentiate between retention periods for suspicious and non-suspicious individuals. However, Germany welcomes the compromise that was reached during the negotiations whereby the permissible one-off extension of the retention period is limited to three years in accordance with Article 13(5).

### *Regulation on administrative co-operation in the field of VAT*

Council Regulation (EU) 2018/1541 of 2 October 2018 amending Regulations (EU) No 904/2010 and (EU) 2017/2454 as regards measures to strengthen administrative cooperation in the field of value added tax  
OJ L 259, 16.10.2018, p. 1–11

10472/18

Qualified majority

All Member States in favour

### Statement by the Commission

In a VAT system based on the principle of taxation in the Member State of destination of goods and services with Member States collecting VAT on behalf of the others in particular in e-commerce activities, in order to combat VAT fraud and evasion, it is crucial that Member States adapt their legislation to make possible and effective the presence and participation of officials from the Member States of taxation during the administrative enquiries. The Commission will closely monitor the effectiveness of the measure and will report to the Council.

## Statement by Germany

With reference to the fifth recital:

'Such access should be made available via the European Vehicle and Driving Licence Information System (EUCARIS) software application, whose use is mandatory for Member States under Council Decision 2008/615/JHA6 and Council Decision 2008/616/JHA7, as regards vehicle registration data.'

We understand the references to EUCARIS and to the two Council Decisions to mean that each Member State realises and administers the automated data retrieval from national vehicle registers for Eurofisc liaison officials via a national contact point.

With reference to Article 21a(2):

'Access to the information referred to in paragraph 1, shall be granted under the following conditions:

- i) access is in connection with an investigation into suspected VAT fraud or is to detect VAT fraud;
- ii) access is through a Eurofisc liaison official, as referred to in Article 36(1), who holds a personal user identification for the electronic systems allowing access to this information.'

We understand this to mean that access to the data is not granted for the purpose of prosecuting parking violations, and that the requesting Member State must ensure that the data are not used for the purpose of prosecuting parking violations. According to our understanding, the purpose limitation in Article 21a(2) ('VAT fraud') overrides the broader utilisation provisions of Article 55 in this respect.

### NON-LEGISLATIVE ACTS

#### ACT

#### DOCUMENT / STATEMENTS

*Council Implementing Decision on a VAT derogation for Latvia as regards ferrous and non-ferrous semi-finished metals*

Council Implementing Decision (EU) 2018/1492 of 2 October 2018 authorising the Republic of Latvia to introduce a special measure derogating from Article 193 of Directive 2006/112/EC on the common system of value added tax  
OJ L 252, 8.10.2018, p. 42–43

11373/18

<p><i>Council Implementing Decision on a derogation for Hungary as regards turnover threshold for exemption from VAT</i></p> <p>Council Implementing Decision (EU) 2018/1490 of 2 October 2018 authorising Hungary to introduce a special measure derogating from Article 287 of Directive 2006/112/EC on the common system of value added tax</p> <p>OJ L 252, 8.10.2018, p. 38–39</p>	10892/18
<p><i>Council Implementing Decision on a VAT derogation for Hungary as regards use of passenger cars for non-business purposes</i></p> <p>Council Implementing Decision (EU) 2018/1493 of 2 October 2018 authorising Hungary to introduce a special measure derogating from point (a) of Article 26(1) and Articles 168 and 168a of Directive 2006/112/EC on the common system of value added tax</p> <p>OJ L 252, 8.10.2018, p. 44–46</p>	11895/18
<p><i>Council Implementing Decision on a VAT derogation for Austria as regards goods or services used for non-business purposes or non-economic activities</i></p> <p>Council Implementing Decision (EU) 2018/1487 of 2 October 2018 amending Implementing Decision 2009/1013/EU authorising the Republic of Austria to continue to apply a measure derogating from Articles 168 and 168a of Directive 2006/112/EC on the common system of value added tax</p> <p>OJ L 251, 5.10.2018, p. 33–34</p>	12032/18
<p><i>Council Implementing Decision on a derogation for Spain as regards excise duty on electricity for vessels at berth in a port</i></p> <p>Council Implementing Decision (EU) 2018/1491 of 2 October 2018 authorising Spain to apply a reduced rate of excise duty to electricity directly supplied to vessels at berth in a port, in accordance with Article 19 of Directive 2003/96/EC</p> <p>OJ L 252, 8.10.2018, p. 40–41</p>	11795/18

<p><i>Conclusions on Court of Auditors report on EU pre-accession assistance to Turkey</i> Council Conclusions on Special Report No 7/2018 by the Court of Auditors: "EU pre-accession assistance to Turkey: Only limited results so far"</p>	12862/18
<p><i>Council Decision on the EU position in the United Nations Economic Commission on customs questions</i> Council Decision on the position to be taken on behalf of the European Union within the United Nations Economic Commission for Europe (UNECE) Working Party on Customs Questions affecting Transport and within the UNECE Inland Transport Committee concerning the adoption of the Convention on the facilitation of border crossing procedures for passengers, luggage and load-luggage carried in international traffic by rail</p>	11892/18
<p><i>Council Decision on the EU position in the EU-CTC Joint Committee on the simplification of formalities in trade in goods and on a common transit procedure</i> Council Decision on the position to be taken on behalf of the European Union within the EU-CTC Joint Committee established by the Convention of 20 May 1987 on the simplification of formalities in trade in goods and within the EU-CTC Joint Committee established by the Convention of 20 May 1987 on a common transit procedure, as regards an invitation to the United Kingdom to accede to those Conventions</p>	12139/18
<p><i>Council Decision on the EU position in the EU-CTC Joint Committee on a common transit procedure on amendments to the Convention</i> Council Decision on the position to be taken on behalf of the European Union within the EU-CTC Joint Committee established by the Convention of 20 May 1987 on a common transit procedure, as regards amendments to that Convention</p>	12141/18

**3640th meeting of the Council of the European Union (Environment) held in Luxembourg on 9 October 2018**

## LEGISLATIVE ACTS

ACT	DOCUMENT	VOTING RULE	VOTES
<i>Regulation amending Regulation (EC) No 110/2008 as regards nominal quantities for shochu</i> Regulation (EU) 2018/1670 of the European Parliament and of the Council of 23 October 2018 amending Regulation (EC) No 110/2008 as regards nominal quantities for the placing on the Union market of single distilled shochu produced by pot still and bottled in Japan OJ L 284, 12.11.2018, p. 1–2	56/18	Qualified majority	All Member States in favour
<i>Decision on EU seed equivalence for Brazil and the Republic of Moldova</i> Decision (EU) 2018/1674 of the European Parliament and of the Council of 23 October 2018 amending Council Decision 2003/17/EC as regards the equivalence of field inspections carried out in the Federative Republic of Brazil on fodder plant seed-producing crops and cereal seed-producing crops and on the equivalence of fodder plant seed and cereal seed produced in the Federative Republic of Brazil, and as regards the equivalence of field inspections carried out in the Republic of Moldova on cereal seed-producing crops, vegetable seed-producing crops and oil and fibre plant seed-producing crops and on the equivalence of cereal seed, vegetable seed and oil and fibre plant seed produced in the Republic of Moldova OJ L 284, 12.11.2018, p. 31–35	32/18	Qualified majority	All Member States in favour



<p><i>Regulation adapting the financial envelope of the Structural Reform Support Programme (SRSP 2.0)</i>  Regulation (EU) 2018/1671 of the European Parliament and of the Council of 23 October 2018 amending Regulation (EU) 2017/825 to increase the financial envelope of the Structural Reform Support Programme and adapt its general objective  OJ L 284, 12.11.2018, p. 3–5</p>	58/18	Qualified majority	All Member States in favour
<p><b>Joint statement by the European Parliament, the Council and the Commission</b></p> <p>As regards financing the increase of the financial envelope for the Structural Reform Support Programme and without prejudice to the powers of the budgetary authority, the European Parliament, the Council and the Commission have agreed as follows:</p> <ol style="list-style-type: none"> <li>1. EUR 40 million will be financed through the budget line of the SRSP located in Heading 1b (13.08.01) of the MFF (Economic, social and territorial cohesion) by mobilising the Global margin for commitments in accordance with Article 14 of the MFF Regulation (EU, Euratom) No 1311/2013 in the framework of the budgetary procedure pursuant to Article 314 TFEU;</li> <li>2. EUR 40 million will be financed through the budget line of the SRSP located in Heading 2 (13.08.02) of the MFF (Sustainable Growth: Natural Resources) by redeployments other than technical assistance and Rural Development within this Heading and without having recourse to the margins. The exact sources for such redeployments will be further specified in due course having regard to the negotiations of the budgetary procedure for the 2019 budget.</li> </ol>			
<p><b>Statement by the Commission</b></p> <p>The Commission will identify and propose redeployments of EUR 40 million in Heading 2 of the MFF (Sustainable Growth: Natural Resources) in the amending letter to the draft general budget 2019.</p> <p>The Commission intends to propose the mobilisation of the Global Margin for Commitments in accordance with Article 14 of the MFF Regulation (EU, Euratom) No 1311/2013 in the framework of the budgetary procedure for 2020 pursuant to Article 314 TFEU.</p>			

## NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
<i>Conclusions on the EU Customs Action Plan to combat IPR infringements for 2018 to 2022</i> Council Conclusions on the EU Customs Action Plan to Combat IPR Infringements for the Years 2018 to 2022	12002/18
<i>Conclusions on Public Private partnerships in the EU (CoA SR No 9/2018)</i> Council Conclusions on the Special Report No 09/2018 by the European Court of Auditors : "Public Private Partnerships in the EU: Widespread shortcoming and limited benefits"	12945/18
<i>Council Decision approving the external auditors of Banco de España</i> Council Decision (EU) 2018/1518 of 9 October 2018 amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditors of Banco de España OJ L 256, 12.10.2018, p. 63–64	12208/18
<i>Council Decision on the EU position on the accession of Australia to the Agreement on Government Procurement</i> Council Decision (EU) 2018/1536 of 9 October 2018 establishing the position to be taken on behalf of the European Union within the Committee on Government Procurement on the accession of Australia to the Revised Agreement on Government Procurement OJ L 257, 15.10.2018, p. 26–28	11928/18
<i>Conclusions on the preparations for the United Nations - Framework Convention on Climate Change (Katowice, Poland, 2-14 December 2018)</i> Council Conclusions on preparations for the UNFCCC meetings in Katowice (2 - 14 December 2018)	12901/18

<p><i>Conclusions on the Convention on Biological Diversity (CBD)</i>  <i>(Sharm El-Sheikh, Egypt, 17-29 November 2018)</i>          Convention on Biological Diversity (CBD):</p> <ul style="list-style-type: none"> <li>• Preparation of the Fourteenth meeting of the Conference of the Parties (COP 14) to the CBD</li> <li>• Preparation of the Ninth meeting of the Conference of the Parties to the CBD serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP 9)</li> <li>• Preparation of the Third meeting of the Conference of the Parties to the CBD serving as the Meeting of the Parties to the Nagoya Protocol on Access and Benefit Sharing (COP-MOP 3)          (Sharm El-Sheikh, Egypt, 17-29 November 2018)</li> </ul>	12948/18
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**3641st meeting of the Council of the European Union (Justice and Home Affairs) held in Luxembourg on 11 and 12 October 2018**

LEGISLATIVE ACTS

ACT	DOCUMENT	VOTING RULE	VOTES
<p><i>Regulation on Data Protection by EU Institutions and bodies</i>            Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/ECText with EEA relevance.            OJ L 295, 21.11.2018, p. 39–98</p>	31/18	Qualified majority	All Member States in favour

**Statement by the Commission**

The Commission regrets the exclusion of missions referred to in Articles 42(1), 43 and 44 TEU from the scope of the Regulation and notes that, as a result, there will be no data protection rules in place for such missions. The Commission notes that a Council decision, based on Article 39 TEU, could only lay down the data protection rules for processing of personal data by Member States when carrying out activities that fall within the scope of the Common Foreign and Security Policy. Such a Council decision could not include rules that apply to activities carried out by EU institutions, bodies, offices and agencies. In order to remedy the legal lacuna, a possible Council decision therefore would need to be accompanied by an additional, complementary instrument, based on Article 16 TFEU.

The Commission notes that paragraph 3 of Article 9 (former Article 70a of the Council's General Approach) does not create a new obligation on Union institutions and bodies as regards the balance to be struck between personal data protection and public access to documents.

**Statement by the Republic of Slovenia**

The Republic of Slovenia supports the compromise “Proposal for a Regulation of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC”, since it will update existing data protection rules, and data subjects’ rights and will align the data protection for European Union institutions, bodies, offices and agencies with the European Union data protection reform of 2016

However, the Republic of Slovenia would like to highlight again its opinion that the very concept of introducing derogations to data protection by internal rules runs contrary to the core principles of data protection, in particularly the principles of lawfulness, legal security, proportionality, and democratic legitimacy (transparency).

<p><i>Money laundering Directive</i>          Directive (EU) 2018/1673 of the European Parliament and of the Council of 23 October 2018 on combating money laundering by criminal law          OJ L 284, 12.11.2018, p. 22–30</p>	30/18	Qualified majority	All Member States in favour, except: Against: DE Abstention: SI Not participating: DK, IE, UK
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**Statement by the Czech Republic, Germany, Greece and Slovenia**

The Czech Republic, the Federal Republic of Germany, the Hellenic Republic and the Republic of Slovenia support the aim of the Directive of the European Parliament and of the Council on combating money laundering by criminal law (the Directive) to strengthen the fight against money laundering by means of criminal law.

However, the Czech Republic, the Federal Republic of Germany, the Hellenic Republic and the Republic of Slovenia would like to highlight their concerns regarding Article 3(3)(c) and (4) of the Directive. Under this provision, Member States have to criminalize the laundering of property derived from conduct that took place in another jurisdiction, even if such conduct is not a criminal offence in that jurisdiction. This provision is applicable to conduct according to point (a) to (e) and (h) of point 1 of Article 2 which Member States are required to criminalize under EU law. Given, however, that third countries are not bound by EU law and may not have criminalized such conduct, the provision can result in the criminalization of transactions regarding property legally obtained in a third country which raises serious concerns.

It is the opinion of the Czech Republic, the Federal Republic of Germany, the Hellenic Republic and the Republic of Slovenia that dual criminality in these cases, i.e. the requirement that predicate conduct be criminalized in both, the jurisdiction where it took place and (had it occurred there) the jurisdiction where the money laundering is committed, is necessary for the proportionality of a criminal offence and penalty according to the fundamental principles that constitutes a common constitutional tradition of the Member States and Article 49 of the Charter of Fundamental Rights of the European Union.

## NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
<p><i>Schengen evaluation Recommendation - Spain visa policy</i> Council 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 the common visa policy</p>	13003/18
<p><i>Schengen evaluation Recommendation - Spain SIS</i> Council 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 the Schengen Information System</p>	13004/18
<p><i>Schengen evaluation Recommendation - Norway SIS</i> Council 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 Schengen Information System</p>	13005/18
<p><i>Prüm Decisions: Conclusions on automated exchange of DNA data in the United Kingdom</i> Council Conclusions on the implementation of the general provisions on data protection of Chapter 6 of Council Decision 2008/615/JHA - Evaluation of the United Kingdom with regard to automated exchange of DNA data</p>	13079/18
<p><i>eu-LISA Regulation: Council Decision on the signing of a complementary arrangement with Schengen Associated States</i> Council Decision (EU) 2018/1549 of 11 October 2018 on the signing, on behalf of the Union, of the Arrangement between the European Union, of the one part, and the Kingdom of Norway, the Republic of Iceland, the Swiss Confederation and the Principality of Liechtenstein, of the other part, on the participation by those States in the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice OJ L 260, 17.10.2018, p. 1–2</p>	12042/18

<p><i>Council Decision on the signing, on behalf of the Union, of the Voluntary Partnership Agreement between the EU and the Socialist Republic of Viet Nam on forest law enforcement, governance and trade</i></p> <p>Council Decision (EU) 2018/1528 of 11 October 2018 on the signing, on behalf of the Union, of the Voluntary Partnership Agreement between the European Union and the Socialist Republic of Viet Nam on forest law enforcement, governance and trade</p> <p>OJ L 257, 15.10.2018, p. 1–2</p>		10860/18	
<b>3642nd meeting of the Council of the European Union (Agriculture and Fisheries) held in Luxembourg on 15 October 2018</b>			
LEGISLATIVE ACTS			
ACT	DOCUMENT	VOTING RULE	VOTES
Amendments of the European Parliament to the Council's position on the draft budget for 2019	12593/18	Qualified majority	All Member States in favour
NON-LEGISLATIVE ACTS			
ACT	DOCUMENT / STATEMENTS		
<p><i>Regulation on fixing certain aids and refunds as regards the quantitative limitation for buying-in skimmed milk powder</i></p> <p>Council Regulation (EU) 2018/1554 of 15 October 2018 amending Regulation (EU) No 1370/2013 as regards the quantitative limitation for buying-in skimmed milk powder</p> <p>OJ L 261, 18.10.2018, p. 1–2</p>	12219/18		
<p><i>Council Decision on the application of UNECE Regulations 9, 63 and 92</i></p> <p>Council Decision (EU) 2018/1572 of 15 October 2018 on the application by the Union of Regulations Nos 9, 63 and 92 of the United Nations Economic Commission for Europe on uniform provisions concerning the approval of three-wheeled vehicles, mopeds and of the replacement exhaust silencing systems for L-category vehicles with regard to sound emission</p> <p>OJ L 262, 19.10.2018, p. 55–56</p>	11900/18		

<p><i>Council Decision on the conclusion of an Agreement EU-Norway in the form of exchange of letters on cumulation of origin</i>  Council Decision (EU) 2019/116 of 15 October 2018 on the conclusion of an Agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Norway on the cumulation of origin between the European Union, the Swiss Confederation, the Kingdom of Norway and the Republic of Turkey in the framework of the Generalised System of Preferences  OJ L 24, 28.1.2019, p. 1–2</p>	5883/17
<p><i>Council Decision on the conclusion of an Agreement EU-Norway in the form of exchange of letters on cumulation of origin</i>  Agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Norway on the cumulation of origin between the European Union, the Swiss Confederation, the Kingdom of Norway and the Republic of Turkey in the framework of the Generalised System of Preferences  OJ L 24, 28.1.2019, p. 3–11</p>	5814/17
<p><i>Council Decision on the conclusion of an Agreement EU-Switzerland in the form of exchange of letters on cumulation of origin</i>  Council Decision (EU) 2019/131 of 15 October 2018 on the conclusion of an Agreement in the form of an Exchange of Letters between the European Union and the Swiss Confederation on the cumulation of origin between the European Union, the Swiss Confederation, the Kingdom of Norway and the Republic of Turkey in the framework of the Generalised System of Preferences  OJ L 25, 29.1.2019, p. 1–2</p>	5882/17
<p><i>Council Decision on the conclusion of an Agreement EU-Switzerland in the form of exchange of letters on cumulation of origin</i>  Agreement in the form of an Exchange of Letters between the European Union and the Swiss Confederation on the cumulation of origin between the European Union, the Swiss Confederation, the Kingdom of Norway and the Republic of Turkey in the framework of the Generalised System of Preferences  OJ L 25, 29.1.2019, p. 3–11</p>	5803/17



<p><i>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</i></p> <p>Council Decision (EU) 2018/1601 of 15 October 2018 on the position to be taken on behalf of the European Union at the International Maritime Organization during the 73rd session of the Marine Environment Protection Committee and the 100th session of the Maritime Safety Committee, on the adoption of amendments to regulation 14 of Annex VI to the International Convention for the Prevention of Pollution from Ships and to the International Code on the Enhanced Programme of Inspections During Surveys of Bulk Carriers and Oil Tankers, 2011 OJ L 267, 25.10.2018, p. 6–7</p>	12495/18
<p><i>Decision on the mobilisation of the European Globalisation Adjustment Fund (EGF/2018/002 PT/Norde-Centro-Lisboa wearing apparel</i></p> <p>Decision (EU) 2018/1720 of the European Parliament and of the Council of 23 October 2018 on the mobilisation of the European Globalisation Adjustment Fund following an application from Portugal — EGF/2018/002 PT/Norte — Centro — Lisboa wearing apparel OJ L 291, 16.11.2018, p. 8–9</p>	12511/18
<p><i>Decision on the mobilisation of the EU Solidarity Fund for Latvia</i></p> <p>Decision (EU) 2018/1859 of the European Parliament and of the Council of 14 November 2018 on the mobilisation of the European Union Solidarity Fund to provide assistance to Latvia OJ L 302I, 28.11.2018, p. 1–2</p>	12515/18
<p><i>Council Decision on the signing of the Investment Protection Agreement between the European Union and its Member States and the Republic of Singapore</i></p> <p>Council Decision (EU) 2018/1676 of 15 October 2018 on the signing, on behalf of the European Union, 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 OJ L 279, 9.11.2018, p. 1–2</p>	7977/18

### 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.

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

7970/18

Council Decision (EU) 2018/1599 of 15 October 2018 on the signing, on behalf of the European Union, of the Free Trade Agreement between the European Union and the Republic of Singapore  
OJ L 267, 25.10.2018, p. 1–2

## **Statement by Greece**

### **on the protection of Geographical Indications**

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**

### **on the protection of geographical indications**

Italy recognises the importance of the EU-Singapore Free Trade Agreement in the context of strategic, trade and investment relations between the European Union and ASEAN. Free trade agreements are an important instrument for ensuring reciprocal and mutually beneficial market access and improving global governance when it comes to issues such as working conditions, food security, public health and environmental protection. Free trade agreements are also a vital legal instrument for the international protection of geographical indications, which is covered by multilateral (the Lisbon Agreement and the Geneva Act) and bilateral agreements.

In this connection, Italy considers that the EU-Singapore Free Trade Agreement is of crucial importance for protecting geographical indications, both as intellectual property rights and as part of the cultural heritage of Italy and of the EU.

Italy accordingly wishes to point out that the Free Trade Agreement with Singapore does not offer direct protection for the 196 EU geographical indications listed in the Annex to the Chapter on Intellectual Property and that, in order to be protected, the geographical indications of the EU will have to be scrutinised and subject to opposition proceedings during the registration procedure in Singapore. It will only be possible to apply this registration procedure once the implementing legislation on geographical indications has been adopted and once Singapore's register for geographical indications has been established, after the European Parliament has given its consent to the conclusion of the Free Trade Agreement. The Singapore authorities will only be able to confirm the final list once this whole process has been concluded, with no guarantees as to whether each GI in the list will be registered or rejected.

Italy wishes to point out that the Singapore authorities have undertaken to ensure that the administrative proceedings will be expedited and to establish the generic nature of a GI where this is asserted during the opposition proceedings. It has also made other commitments in order to reassure the EU side. Following an informal public consultation by Singapore, a list of names that are likely to be subject to opposition proceedings, including Fontina PDO, has already been communicated.

In this context, Italy wishes to stress that proper protection for all EU geographical indications in Singapore must be achieved before the conclusion and entry into force of the agreement, if that agreement is to be mutually beneficial.

Italy therefore calls on the Commission to continue intensive discussions with the Singapore authorities with a view to ensuring that all EU geographical indications are protected in line with the protection clauses laid down in the Free Trade Agreement.

Taking account of the above comments, Italy hereby gives its consent with regard to the Council Decision on the signing, on behalf of the EU, of the Free Trade Agreement between the EU and the Republic of Singapore, and reiterates its expectation that all the GIs will be registered in Singapore as indications with exclusive rights, with no exceptions or limitations (including the footnote annexes), in order to provide protection for the legitimate producers of GIs and also for consumers.

Italy reserves its position on the adoption of the Council Decision on the conclusion of the EU-Singapore Free Trade Agreement; this position will depend on whether the Italian GIs on the list are successfully registered and given total protection in the territory of Singapore under that Free Trade Agreement.

### Unilateral 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.

### 3643rd meeting of the Council of the European Union (Foreign Affairs) held in Luxembourg on 15 October 2018

#### NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
<p><i>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></p> <p>Council Decision (EU) 2018/1582 of 15 October 2018 on the position to be taken on behalf of the Union within the Joint Committee established by the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Viet Nam, of the other part, as regards the adoption of the rules of procedure of the Joint Committee, and the establishment of subcommittees and specialised working groups and the adoption of their terms of reference</p> <p>OJ L 263, 22.10.2018, p. 61–70</p>	<p>11867/18</p>

<p><i>Conclusions on Connecting Europe and Asia</i> Council Conclusions on connecting Europe and Asia – Building blocks for an EU strategy</p>	13097/18
<p><i>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</i> Council Decision on the signing, on behalf of the European Union and its Member States, and provisional application of a Protocol to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part, to take account of the accession of the Republic of Croatia to the European Union</p>	12292/18
<p><i>Chemical weapons restrictive measures: Decision and Regulation</i> Council Decision (CFSP) 2018/1544 of 15 October 2018 concerning restrictive measures against the proliferation and use of chemical weapons OJ L 259, 16.10.2018, p. 25–30</p>	11936/18
<p><i>Chemical weapons restrictive measures: Decision and Regulation</i> Council Regulation (EU) 2018/1542 of 15 October 2018 concerning restrictive measures against the proliferation and use of chemical weapons OJ L 259, 16.10.2018, p. 12–21</p>	11938/18
<p><i>EU action in Mopti and Segou - extension - Decision</i> Council Decision (CFSP) 2018/1546 of 15 October 2018 amending Decision (CFSP) 2017/1425 on a European Union stabilisation action in Mopti and Segou OJ L 259, 16.10.2018, p. 34–34</p>	12333/18

<p><i>EUAM Iraq - extension - Decision</i>  Council Decision (CFSP) 2018/1545 of 15 October 2018 amending Decision (CFSP) 2017/1869 on the European Union Advisory Mission in support of Security Sector Reform in Iraq (EUAM Iraq)  OJ L 259, 16.10.2018, p. 31–33</p>	11990/18
<p><i>ISIL (Da'esh)/Al-Qaeda restrictive measures: prolongation and new listing - Council Decision and Implementing Regulation</i>  Council Decision (CFSP) 2018/1540 of 15 October 2018 amending Decision (CFSP) 2016/1693 concerning restrictive measures against ISIL (Da'esh) and Al-Qaeda and persons, groups, undertakings and entities associated with them  OJ L 257I, 15.10.2018, p. 3–4</p>	12370/18
<p><i>ISIL (Da'esh)/Al-Qaeda restrictive measures: prolongation and new listing - Council Decision and Implementing Regulation</i>  Council Implementing Regulation (EU) 2018/1539 of 15 October 2018 implementing Regulation (EU) 2016/1686 imposing additional restrictive measures directed against ISIL (Da'esh) and Al-Qaeda and natural and legal persons, entities or bodies associated with them  OJ L 257I, 15.10.2018, p. 1–2</p>	12372/18
<p><i>EUTM Somalia - amendment and extension - Decision</i>  Council Decision (CFSP) 2018/1787 of 19 November 2018 amending and extending Decision 2010/96/CFSP on a European Union military mission to contribute to the training of Somali security forces  OJ L 293, 20.11.2018, p. 9–10</p>	12148/18
<p><i>Permanent Structured Cooperation (PESCO) - sequencing - recommendation</i>  Council Recommendation of 15 October 2018 concerning the sequencing of the fulfilment of the more binding commitments undertaken in the framework of permanent structured cooperation (PESCO) and specifying more precise objectives  OJ C 374, 16.10.2018, p. 1–7</p>	11001/18

*Regulation on the Research and Training Programme of the European Atomic Energy Community (2019-2020) complementing the Horizon 2020 Framework Programme for Research and Innovation*  
Council Regulation (Euratom) 2018/1563 of 15 October 2018 on the Research and Training Programme of the European Atomic Energy Community (2019–2020) complementing the Horizon 2020 Framework Programme for Research and Innovation, and repealing Regulation (Euratom) No 1314/2013  
OJ L 262, 19.10.2018, p. 1–19

12431/18

#### **Statement by Luxembourg**

Luxembourg recognizes the importance of the research and training program of the European Atomic Energy Community (2019-2020) complementing the 'Horizon 2020' Framework Program for Research and Innovation and the need to put in place more emphasis on nuclear safety contributing to a reorientation of nuclear research.

Thus, Luxembourg welcomes the compromise while maintaining its critical attitude towards nuclear research. Luxembourg, however, insists that future European funds for research and training activities should be geared more towards renewable energies.

Since the research and training program of the European Atomic Energy Community (2019-2020) does not initiate such a reorientation towards renewable energies, Luxembourg cannot subscribe to it in its entirety and will therefore abstain from the vote.

#### **Statement by Austria**

Austria followed a constructive approach during the negotiations on the Euratom Research and Training Programme 2019/20, with a view to enabling a continuation of the measures for increasing the safety and security of European citizens and their environment.

The content of the General Approach is identical in substance with the currently running programme (2014-2018). Therefore the Austrian position also remains the same. Austria welcomes the emphasis on safety and security aspects throughout the text. However, Austria still remains highly critical regarding EU funding or any supportive framework for nuclear power plants. Austria therefore abstains.



<i>Conclusions on Bosnia and Herzegovina/Operation EUFOR Althea</i> Council Conclusions on Bosnia and Herzegovina/Operation EUFOR Althea	12991/18
<i>Council Decision on EU position in the Ghana EPA Committee concerning accession of Croatia</i> Council Decision (EU) 2018/1573 of 15 October 2018 establishing the position to be taken on behalf of the European Union within the EPA Committee set up by the stepping stone Economic Partnership Agreement between Ghana, of the one part, and the European Community and its Member States, of the other part, as regards the adoption of a Decision of the EPA Committee concerning the accession of the Republic of Croatia to the European Union OJ L 262, 19.10.2018, p. 57–59	12541/18
<i>Council Decision on EU position in Côte d'Ivoire EPA Committee concerning accession of Croatia</i> Council Decision (EU) 2018/1560 of 15 October 2018 establishing the position to be taken on behalf of the European Union within the EPA Committee set up by the stepping stone Economic Partnership Agreement between Côte d'Ivoire, of the one part, and the European Community and its Member States, of the other part, as regards the adoption of a Decision of the EPA Committee concerning the accession of the Republic of Croatia to the European Union OJ L 261, 18.10.2018, p. 19–22	12544/18
<i>Council Decision on EU position in the Central Africa EPA Committee concerning accession of Croatia</i> Council Decision (EU) 2018/1561 of 15 October 2018 establishing the position to be taken on behalf of the European Union within the EPA Committee set up by the interim Agreement with a view to an Economic Partnership Agreement between the European Community and its Member States, of the one part, and the Central Africa Party, of the other part, as regards the adoption of a Decision of the EPA Committee concerning the accession of the Republic of Croatia to the European Union OJ L 261, 18.10.2018, p. 23–25	12546/18
<i>CAR - Exchange of views - Conclusions</i> Council Conclusions on the Central African Republic	12735/18

**3644th meeting of the Council of the European Union (General Affairs) held in Luxembourg on 16 October 2018**

## NON-LEGISLATIVE ACTS

ACT

DOCUMENT / STATEMENTS

*Conclusions on CoA SR No 11/2018 - Rural Development financing*

12273/18

Council Conclusions on Special Report No 11/2018 from the European Court of Auditors entitled:  
"New options for financing rural development projects: simpler but not focused on results"**Written procedures completed on 19 October 2018**

## NON-LEGISLATIVE ACTS

ACT

DOCUMENT / STATEMENTS

Council Decision authorising the opening of negotiations on an agreement with the United States of America regarding the importation of high quality beef from animals not treated with certain growth-promoting hormones

11803/18

**Written procedures completed on 25 October 2018**

## NON-LEGISLATIVE ACTS

ACT

DOCUMENT / STATEMENTS

Council Decision (CFSP) 2018/1612 of 25 October 2018 amending Decision (CFSP) 2015/1763 concerning restrictive measures in view of the situation in Burundi  
OJ L 268, 26.10.2018, p. 49–50

12723/18

Council Implementing Regulation (EU) 2018/1605 of 25 October 2018 implementing Regulation (EU) 2015/1755 concerning restrictive measures in view of the situation in Burundi  
OJ L 268, 26.10.2018, p. 18–19

12725/18

Council Decision (CFSP) 2018/1610 of 25 October 2018 amending Decision 2010/573/CFSP concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova OJ L 268, 26.10.2018, p. 46–46	12639/18
Council Decision (CFSP) 2018/1611 of 25 October 2018 amending Decision 2010/638/CFSP concerning restrictive measures against the Republic of Guinea OJ L 268, 26.10.2018, p. 47–48	12713/18
Council Implementing Regulation (EU) 2018/1604 of 25 October 2018 implementing Regulation (EU) No 1284/2009 imposing certain specific restrictive measures in respect of the Republic of Guinea OJ L 268, 26.10.2018, p. 16–17	12715/18
Council Implementing Decision (CFSP) 2018/1613 of 25 October 2018 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea OJ L 268, 26.10.2018, p. 51–52	13290/18
Council Implementing Regulation (EU) 2018/1606 of 25 October 2018 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea OJ L 268, 26.10.2018, p. 20–21	13292/18

**Written procedures completed on 30 October 2018**

## NON-LEGISLATIVE ACTS

ACT

DOCUMENT / STATEMENTS

Council Regulation (EU) 2018/1628 of 30 October 2018 fixing for 2019 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea and amending Regulation (EU) 2018/120 as regards certain fishing opportunities in other waters  
OJ L 272, 31.10.2018, p. 1–10

13230/18

**Joint Statement by Germany, Finland, Lithuania, Latvia, Poland, Estonia, Sweden, Denmark and the Commission on salmon fishing**

Germany, Finland, Lithuania, Latvia, Poland, Estonia, Sweden, Denmark and the Commission will take all necessary measures to ensure that misreporting of salmon catches and any illegal salmon fishing is eliminated from the beginning of 2019.

**Joint Statement by the Commission and Germany on the option of support for the temporary cessation of fishing activities by the European Maritime and Fisheries Fund (EMFF)**

1. Point (b) of Article 5(4) of Regulation (EU) 2016/1139 of the European Parliament and of the Council of 6 July 2016 establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks allows the Member States to adopt emergency measures in accordance with Article 13 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy.
2. Given the assessment of the International Council for the Exploration of the Sea (ICES) on cod and herring in Subdivisions 22-24 Germany therefore deems it necessary to adopt emergency measures in accordance with Article 13(1) of Regulation 1380/2013. The emergency measures consist of a limitation of fishing activities in Subdivisions 22-24 by 20 days for German fishing vessels fishing for cod and 30 days for vessels fishing for herring.
3. Germany and the Commission consider that emergency measures under point (a) of Article 33(1) of Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 2328/2003 are eligible for funding from the EMFF.

**Joint Statement by the Commission and Lithuania on the option of support for the temporary cessation of fishing activities by the European Maritime and Fisheries Fund (EMFF)**

1. Point (b) of Article 5(4) of Regulation (EU) 2016/1139 of the European Parliament and of the Council of 6 July 2016 establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks allows the Member States to adopt emergency measures in accordance with Article 13 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy.
2. Given the assessment of the International Council for the Exploration of the Sea (ICES) on the effectiveness of current conservation measures in place for the Baltic cod, in particular for Eastern Baltic cod, Lithuania deems it necessary to adopt emergency measures in accordance with Article 13(1) of Regulation 1380/2013. The emergency measures consist of closing fishing activities in Subdivisions 25-32 by two additional months in June and August 2019 for Lithuanian fishing vessels fishing for cod.
3. Lithuania and the Commission consider that this emergency measure is eligible for funding from the EMFF under point (a) of Article 33(1) of Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 2328/2003.

**Written procedures completed on 31 October 2018**

NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision (EU) 2018/1651 of 31 October 2018 on the financial contributions to be paid by Member States to finance the European Development Fund, including the third instalment for 2018 OJ L 275, 6.11.2018, p. 14–16	12951/18

### **Statement by the United Kingdom**

The UK is still waiting for a response to the concerns raised at a political level in August, including via Secretary of State for International Development's letter to the Commission of 23 August 2018, on the treatment of UK entities in the tendering process of EU programmes. This issue is of critical importance and is having unnecessary negative consequences for ongoing and planned development programming. The Commission's actions risk denying the beneficiaries of EU development assistance access to the best available expertise through open and fair competition, by discouraging UK organisations from bidding to implement programmes. We have an obligation to account to the UK Parliament that UK Overseas Development Assistance is spent effectively and delivers value for money, which extends to the partners delivering UK ODA. Whilst we await the assurances sought from the Commission, the UK government feels unable to vote in favour of the Council Decision on the EDF Contributions: 3rd instalment 2018.

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