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## OUTCOME OF THE COUNCIL MEETING

3686th Council meeting

### Agriculture and Fisheries

Luxembourg, 15 April 2019

President **Petre Daea**  
Minister for Agriculture and Rural Development of  
Romania

# 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>).
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## **ITEMS DEBATED**

### **AGRICULTURE**

#### **Post-2020 Common Agricultural Policy (CAP) reform package**

In public session the Council exchanged views on the new ‘green architecture’ proposed by the Commission in the framework of the post-2020 CAP reform package.

The debate was based on a presidency background document setting out questions to ministers about: the higher environmental and climate ambition of the post-2020 CAP, enhanced conditionality, pillar I eco-schemes, and pillar II climate and environment management commitments.

Concerning the environmental ambition of the CAP, many delegations recognised the key role that the CAP and farmers can play with regard to environment and climate protection and supported an increase in the CAP’s environmental ambition. Many delegations considered that such higher ambition would only be feasible if it was matched by adequate financial resources and was not to prejudice the level playing field among member states.

Many delegations highlighted the need to ensure a flexible and simple enhanced conditionality, and called for some environmental and climate standards to be streamlined or even deleted. Several delegations called for farmers to be incentivised and adequately rewarded for the public goods they produce. Divergent views were expressed on the possible exemption of small farmers from penalties under the rules of conditionality.

Regarding eco-schemes, delegations were divided between those backing the Commission proposal to make such schemes mandatory for member states, and those calling for a voluntary approach.

The Commission proposal to allocate at least 30% of the European Agricultural Fund for Rural Development (EAFRD) for climate and environment measures was largely endorsed.

#### **Green architecture**

The post-2020 CAP reform package aims inter alia to address three specific environmental objectives of societal importance, such as climate change mitigation and adaptation, the efficient management of natural resources (e.g. water and soil), and the protection of biodiversity and landscapes, as well as other environmental issues.

To address these (and other) CAP objectives, each member state will draw up a ‘CAP strategic plan’ encompassing both pillars of the CAP. Member states will set objectives, quantified targets on which they will be called to deliver and report annually.

There are three components in the proposed green architecture:

- a new ‘enhanced conditionality’ - a system of linkage between area- and animal-based CAP payments (in both pillar I and pillar II) and a range of obligations (covering environment, public, plant and animal health and animal welfare) that must be complied with in order to access direct payments. The new conditionality replaces the current cross-compliance and greening payment requirements
- new eco-schemes - payment schemes for care for the environment and climate which will be funded from direct payment budgets (in CAP pillar I). Member states will have to make one or more eco-schemes available, but farmers will have the freedom to decide whether or not to participate
- voluntary agri-environment-climate measures (AECMs) - The CAP’s ‘second pillar’ – support for rural development – will continue to offer a wide range of tools which can benefit the environment and climate, such as per-hectare (occasionally per-animal) payments on farms, payments for environmental, climate and other management commitments, support for knowledge-building, investments, innovation, etc.

The January meeting had already provided an opportunity for ministers to be informed about the green architecture proposals.

### **Task Force Rural Africa (TFRA)**

The Commission and the chair of the TFRA, Mr Tom Arnold, presented to the Council the final report of the task force, released on 7 March 2019, and its recommendations. They also called on member states to follow up this report in the context of national development strategies, and underlined the importance of ensuring cross-policy coordination for the cooperation with Africa.

In the ensuing debate ministers exchanged views on the task force’s recommendations and the follow-up process.

Ministers generally welcomed the TFRA final report and agreed with its findings and recommendations. They acknowledged, in particular, the high potential of agriculture-related cooperation to strengthen the EU's partnership with Africa, even beyond agriculture. They also acknowledged the need to create the conditions for sustainable investments – both public and private – to boost Africa's agri-food sector and rural economy in order to generate employment and income for Africa's rapidly growing young workforce.

Among the main key areas of cooperation, ministers mentioned: promotion of family farming, empowerment of women and young people in rural areas, training, knowledge transfer and digitalisation, promotion of basic services, infrastructure and logistics, environment and climate action.

The outcome of the exchange of views will feed into the Council's preparations for the third EU-African Union Agriculture Ministerial Conference, scheduled for 21 June 2019 in Rome.

The task force was set up by the Commission in May 2018 with the aim of providing recommendations on how to strengthen the African rural sector and maximise the role of the EU in creating jobs and fostering economic development in African agriculture, agribusiness and agro-industries. The work of the task force is part of the wider set of actions launched by the Commission in the framework of the 'Africa-Europe Alliance for Sustainable Investment and Jobs'.

According to the final recommendations of the TFRA, Africa and the EU should develop a partnership operating at three levels: people to people, business to business, and government to government. It would institute a multi-stakeholder dialogue at all levels, starting locally, and enable a closer connection between African and European societies, business communities and governments.

### **Latest market situation in the main agricultural sectors**

The Commission informed the Council about the latest developments in the main agricultural markets. According to the Commission, the situation was stable in most markets but sugar prices remained unsustainably low, while there were particular challenges facing the poultry and beef sectors.

Ministers welcomed the Commission report and generally agreed with the Commission assessment. Several delegations shared concerns about the sugar sector and called for close monitoring of the situation. The uncertainties linked to the possible effects of Brexit were also mentioned by many.



In addition to the difficulties reported by individual delegations, other main shared comments included: the difficulties in the pigmeat sector in relation to African swine fever, the negative impact of trade with Ukraine on poultry, the difficult situation in the olive oil and table olive sectors, and citrus fruit.

In recent years agricultural markets had faced certain challenges, particularly following the Russian ban coupled with excess supply worldwide, increased price volatility in the wake of the end of dairy quotas and various outbreaks of diseases such as African swine fever. In response, several support packages were adopted and implemented between 2015 and 2016, focusing in particular on cash-flow measures, market stabilisation and production reduction, the functioning of the food supply chain and other measures such as promotion of European agriculture internally and at export.

## **ANY OTHER BUSINESS**

### **Deforestation and forest degradation**

As chair of the Amsterdam Declarations Partnership, the Dutch delegation informed the Council about its request to the European Commission to present an ambitious EU action plan to tackle deforestation and forest degradation. The Netherlands also highlighted a number of strategic points to step up EU action, and stressed the urgency of the matter.

Several delegations supported the Dutch position, calling for coordinated EU-wide action, and welcomed the work done by the Commission in this field.

The Commission will be publishing a communication later this year on stepping up EU action against deforestation and forest degradation.

### **Renewable energy directive post 2020 and biofuels**

The Council took note of information from the Slovak delegation on a joint declaration of the ministers of agriculture of the Czech Republic, Poland and Slovakia on the renewable energy directive post 2020. The declaration suggests that one of the most effective ways to reduce greenhouse gas emissions in transport is to use biofuels, especially when they are produced from domestic sources. This production is linked to primary agricultural production.

The Commission agreed that biofuels have a role to play in the decarbonisation of transport, and pointed out that the future CAP would specifically support the bio-economy, having a positive impact on the development of biofuels.

### **Research and agriculture**

The Presidency informed the Council about the high-level Conference on ‘Agricultural Research and Innovation – a basis for the development of European agriculture, rural areas and bio-economy’, which took place in Bucharest on 5 April. The main objectives of the conference included the identification and adaptation of agricultural research priorities in relation to the increased need for food and the development of the bio-economy. Another main item on the agenda was the debate on the challenges of and means for implementing the updated Bio-economy Strategy at European and national level.

The Commission reiterated the central role of research and innovation for agriculture, stressing that it was proposing that €10 billion be allocated to agriculture in the next Horizon Europe programme.

### **Lunch discussion - Impact of large carnivores and other species on agriculture**

Over lunch ministers held an exchange of views on the impact of large carnivores and other species on agriculture. Ministers were invited to give their opinion on possible measures to protect the interests of farmers and the agricultural sector while preserving biodiversity.

## **OTHER ITEMS APPROVED**

### **AGRICULTURE**

#### **Voluntary Partnership Agreement between the EU and Viet Nam on forest law enforcement, governance and trade**

The Council adopted a decision on the conclusion of the Voluntary Partnership Agreement between the European Union and the Socialist Republic of Viet Nam on forest law enforcement, governance and trade ([10877/18](#)).

The aim is to provide a legal framework aimed at ensuring that all imports into the Union from Viet Nam of timber and timber products covered by the agreement have been legally produced and, in doing so, to promote trade in timber products that are from sustainably managed forests and harvested in accordance with the domestic legislation in the country of harvest.

#### **G20 Agriculture Ministers' meeting: updated EU guidelines**

The Council endorsed updated EU guidelines setting out the priorities for the EU and its member states at the G20 Agriculture Ministers' meeting taking place in Niigata, Japan, on 10-12 May 2019 ([8001/1/19 REV 1](#)).

Japan holds the G20 Presidency in 2019 and has established three priority areas for the G20 agriculture work stream: (1) innovation for sustainability, (2) agro-food value chains, and (3) international collaboration to address global issues.

#### **Council conclusions on the mid-term review of the EU Forest Strategy**

The Council adopted conclusions on the progress achieved in the implementation of the EU Forest Strategy and on a new strategic framework for forests, following the publication of a Commission report reviewing the role played by the strategy in its first five years of life.

For more information, see the [press release](#).

## **TRANSPORT**

### **Satellite navigation and European neighbourhood policy**

The Council adopted a decision authorising the opening of negotiations on an agreement between the EU and each individual European neighbourhood policy south country for the purpose of agreeing the terms and conditions for extending the provision of the European Geostationary Navigation Overlay Service (EGNOS) over European neighbourhood policy.

### **Air transport agreement with Canada**

The Council adopted a decision on the conclusion, on behalf of the EU, of the air transport agreement between the European Community and its member states, of the one part, and Canada, of the other part ([6730/18](#) and [12965/18](#)).

The Council also adopted a decision on the conclusion, on behalf of the EU and its member states, of a protocol amending the agreement on air transport between Canada and the European Community and its member states to take account of Croatia's accession to the EU ([12255/14](#), [12256/14](#) and [8029/1/19 REV 1](#)).

### **Civil drones (unmanned aircraft systems)**

The Council decided not to object to a Commission regulation on civil drones ([8167/19](#) and [7586/19](#) + [ADD 1](#)). The delegated regulation also covers third-country operators of drones.

With the adoption of the new European Aviation Safety Agency regulation in June 2018, the EU is now competent to lay down rules for all unmanned aircraft, irrespective of their weight.

The Commission regulation sets out detailed rules to address the risks posed by drone operations, taking account of the type of aircraft and category of operations. It covers drone design, engines, propellers and parts, as well as equipment to control the aircraft remotely.

The regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU. This means that now that the Council has given its consent, the act can enter into force, unless the European Parliament objects to it.

[Drones: reform of EU aviation safety](#) (background information).

### **Air transport: compliance verification and environmental protection**

The Council decided not to object to a Commission regulation amending regulation 748/2012 laying down implementing rules for the airworthiness and environmental certification of aircraft as well as for the certification of design and production organisations ([8168/19](#) and [7814/19](#) + [ADD 1](#)). The amendment concerns the inclusion of risk-based compliance verification in Annex I and the implementation of requirements for environmental protection.

The regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU. This means that now that the Council has given its consent, the act can enter into force, unless the European Parliament objects to it.

## **ENERGY**

### **Revision of the gas directive**

The Council adopted a directive amending directive 2009/73/EC concerning common rules for the internal market in natural gas following a first-reading agreement with the European Parliament. The Bulgarian delegation abstained ([8089/19](#) and [PE-CONS 58/19](#)).

For more information, see the [press release](#).

### **Ecodesign requirements for household washing machines and household washer-dryers**

The Council decided not to oppose the adoption of a Commission regulation laying down ecodesign requirements for household washing machines and household washer-dryers pursuant to directive 2009/125/EC of the European Parliament and of the Council, amending Commission regulation (EC) No 1275/2008 and repealing Commission regulation (EU) No 1015/2010 ([7869/19](#)).

The regulation stipulates that as of 1 March 2021, washing machines and washer-dryers have to meet certain ecodesign requirements. These include the introduction of eco-friendly and energy-efficient cycles with a shorter duration and controlled amounts of water consumption, as well as requirements regarding the availability of information ([6848/19](#) + [ADD1](#)).

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

### **Ecodesign requirements for electric motors and variable speed drives**

The Council decided not to oppose the adoption of a Commission regulation laying down ecodesign requirements for electric motors and variable speed drives pursuant to directive [2009/125/EC](#) of the European Parliament and of the Council, amending regulation (EC) No [641/2009](#) with regard to ecodesign requirements for glandless standalone circulators and glandless circulators integrated in products and repealing Commission regulation (EC) No [640/2009](#) ([7867/19](#)).

The regulation sets out energy efficiency requirements and product information requirements for motors and variable speed drives. It will apply from 1 July 2021, but certain requirements will only have to be met at a later stage according to a timetable specified by the regulation ([6904/19](#) + [ADD1](#)).

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

## **INTERNAL MARKET AND INDUSTRY**

### **Directive on copyright in the digital single market\***

The Council approved the European Parliament's position at first reading on a draft directive aimed at modernising existing EU copyright law to make it fit for purpose in today's digital environment. The delegations of Italy, Finland, Luxembourg, the Netherlands, Poland and Sweden voted against, while the delegations of Belgium, Estonia and Slovenia abstained.

The directive is therefore adopted in the wording which corresponds to the position of the European Parliament.

For more information, see the [press release](#).

### **SatCab directive\***

The Council approved the European Parliament's position at first reading on a draft directive aimed at facilitating the licensing of copyright-protected material contained in online TV and radio programmes so that they can be made available throughout the EU. The Slovenian delegation abstained.

The directive is therefore adopted in the wording which corresponds to the position of the European Parliament.

For more information, see the [press release](#).

### **Commission delegated regulation on the sound level of motor vehicles**

The Council decided not to object to a Commission regulation concerning the sound level of hybrid electric and pure electric vehicles.

The draft regulation amends the requirements for the EU type-approval of new hybrid electric and pure electric vehicles with regard to their sound level and introduces the prohibition of the pause function of acoustic vehicle alerting systems.

The regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU. It can now enter into force, unless the European Parliament objects ([7343/19](#) and [ADD 1](#)).

## **RESEARCH**

### **Decision implementing Horizon Europe - specific programme\***

The Council adopted a partial general approach on the specific programme implementing Horizon Europe.

For more information, see the [press release](#).

## **HEALTH**

### **Council conclusions on the European Court of Auditors' Special Report No 2/2019: 'Chemical hazards in our food: EU food safety policy protects us but faces challenges'**

The Council adopted conclusions on the European Court of Auditors' Special Report No 2/2019: 'Chemical hazards in our food: EU food safety policy protects us but faces challenges' ([7704/19](#)).

In the conclusions the Council notes with satisfaction the finding that, as regards chemical hazards, the European model for food safety is soundly based and provides EU citizens with a high level of food safety. The Council acknowledges, however, the finding that there are signs of the system being over-stretched, especially as the Commission and member states do not have the capacity to fully implement it, and that a number of inconsistencies and challenges currently facing the EU food safety model have been identified.

## **ENVIRONMENT**

### **Stricter CO<sub>2</sub> emission standards for cars and vans**

The EU is making road transport cleaner by setting strict new carbon dioxide emissions standards for cars and light commercial vehicles. This will bring the EU closer to achieving its climate targets, and will make sure that car manufacturers contribute to the greenhouse gas emission reduction efforts.

For more information, see the [press release](#).



## **WLTP test procedure for measuring CO2 emissions and fuel consumption for light duty vehicles**

The Council decided not to object to a Commission regulation amending Annexes I and II to regulation No 510/2011 of the European Parliament and of the Council as regards the monitoring of CO2 emissions from new light commercial vehicles type-approved in a multi-stage process ([8105/19](#) and [7371/19 +ADD1](#)).

The regulation stipulates that a new regulatory test procedure for measuring CO2 emissions and fuel consumption from light duty vehicles, the World Harmonised Light Vehicle Test Procedure (WLTP), will replace the New European Test Cycle (NEDC) from 1 September 2019.

This regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU. It can enter into force on the twentieth day following that of its publication in the Official Journal of the European Union in accordance with Article 2 of the delegated regulation, unless the European Parliament objects.

## **ETS directive: republication of the Union Registry**

The Council decided not to object to a Commission delegated act establishing a new scheme for greenhouse gas emission allowances trading within the Community and amending Council directive 96/61/EC ([8107/19](#) and [7494/19 +ADD1](#)).

The Union Registry needs to be adapted to the new legal context set for the fourth trading period of the EU Emissions Trading System (EU ETS) (2021-2030). Regulation (EU) 2017/2392 and directive (EU) 2018/410 amended the ETS directive. These changes need to be reflected in the rules governing the Union Registry. The extent of the necessary changes to the current rules requires that the text be published in its entirety, meaning that the existing Commission regulation (EU) No 389/2013 must be repealed and a new registry regulation must be adopted.

This regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU. It can enter into force on the twentieth day following that of its publication in the Official Journal of the European Union in accordance with Article 89 of the delegated regulation, unless the European Parliament objects.

## **Amendments as regards the technical implementation of the second commitment period of the Kyoto Protocol**

The Council decided not to object to a Commission regulation amending regulation (EU) No 389/2013 as regards the technical implementation of the second commitment period of the Kyoto Protocol. The regulation is a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change and repealing decision No 280/2004/EC ([8108/19](#) and [7497/19](#)).

The fulfilment of requirements for the second commitment period of the Kyoto Protocol will still be governed by the provisions contained in regulation (EU) No 389/2013. These existing rules require further adjustment.

Commission delegated regulation (EU) 2015/1844 introduced rules into the registry regulation for the implementation of the second commitment period of the Kyoto Protocol. However, it did not contain rules on the clearing process provided for at the end of the second commitment period for countries not taking part in the joint fulfilment. These rules need to be included in regulation (EU) No 389/2013, with applicability linked to the entry into force of the Doha amendment.

This regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU. It can enter into force on the twentieth day following that of its publication in the Official Journal of the European Union in accordance with Article 2 of the delegated regulation, unless the European Parliament objects.

## **Registry regulation under the effort sharing regulation**

The Council decided not to object to a Commission regulation on a registry regulation for the effort sharing regulation ([8110/19](#) and [7498/19 +ADD1](#)).

The effort sharing regulation (ESR) was adopted on 30 May 2018. Article 12 of the ESR gives the Commission the right to adopt via delegated act a registry regulation in order to ensure the accurate accounting of transactions and the blocking of transactions in case of irregularities.

This regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU. It can enter into force on the twentieth day following that of its publication in the Official Journal of the European Union in accordance with Article 2 of the delegated regulation, unless the European Parliament objects.

## **EU ETS: Innovation Fund**

The Council decided not to object to a Commission regulation on the operation of the Innovation Fund, which is the successor to the NER 300 programme and supports innovation in low-carbon technologies and processes ([8117/19](#) and [7186/19](#)).

Support for low-carbon technology innovation is key for achieving the EU's climate and competitiveness objectives. The Innovation Fund will be the tool to demonstrate low- and zero-carbon technologies, which will enable the transition to a decarbonised economy.

This regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU. It can enter into force on the twentieth day following its publication in the Official Journal of the European Union in accordance with Article 28 of the delegated regulation, unless the European Parliament objects.

## **Regulation on measures adopted by the International Civil Aviation Organisation**

The Council decided not to object to a Commission regulation on measures adopted by the International Civil Aviation Organisation (ICAO) for the monitoring, reporting and verification of aviation emissions for the purpose of implementing a global market-based measure ([8244/19](#) and [7252/19](#)).

The regulation stipulates that legally binding legislative provisions are necessary for the purposes of implementing the ICAO scheme. The ICAO's intention is to put a global market-based measure for international aviation into effect to contribute to tackling climate change. The legislation will be implemented in two ways: by the use of implementing and delegated acts and by amendments to the EU ETS.

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

## **EU position at 9th COP to the Rotterdam Convention**

The Council adopted a decision on the position to be taken on behalf of the European Union at the ninth meeting of the Conference of the Parties as regards the listing of certain chemicals in Annex III to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade ([7949/19](#) and [7103/19](#)).

### **EU position at 14th COP to the Basel Convention**

The Council adopted a decision on the position to be taken on behalf of the European Union at the 14th meeting of the Conference of the Parties to the Basel Convention on the control of transboundary movements of hazardous wastes and their disposal with regard to certain amendments of Annexes II, VIII and IX ([7950/19](#) and [7863/19](#)).

### **EU position at 9th COP to the Stockholm Convention**

The Council adopted a decision on the position to be taken on behalf of the European Union at the 9th meeting of the Conference of the Parties to the Stockholm Convention on persistent organic pollutants as regards the proposal for amendments of Annexes A and B ([7951/19](#) and [7893/19](#)).

## **GENERAL AFFAIRS**

### **Dock dues in the French outermost regions**

The Council adopted a decision amending Council decision No 940/2014/EU concerning the dock dues in the French outermost regions ([5975/19](#)). The decision adapts the list of products eligible for a tax differential to reflect the economic changes in the French outermost regions which have occurred since the adoption of decision No 940/2014/EU.

### **Dates for the budgetary procedure in 2019**

The Council confirmed its agreement on the joint statement of the Council, the European Parliament and the Commission on the dates for the budgetary procedure and modalities for the functioning of the Conciliation Committee in 2019 ([8153/19](#)).

## **Model financial regulation for public-private partnership bodies**

The Council confirmed that it has no intention to object to Commission delegated regulation of 13 March 2019 on the model financial regulation for public-private partnership bodies referred to in Article 71 of regulation (EU, Euratom) 2018/1046 on the financial rules applicable to the general budget of the Union (financial regulation) ([8165/19](#)).

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

## **FOREIGN AFFAIRS**

### **Treaty on the Non-Proliferation of Nuclear Weapons**

The Council decided on support activities leading up to the 2020 review conference on the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

The EU is actively engaged in the NPT review process. The 2020 review conference will take place in New York from 27 April to 22 May 2020.

The Council adopted an EU strategy against the proliferation of weapons of mass destruction (WMD) on 9 December 2003, aimed in particular at strengthening the NPT.

[Treaty on the Non-Proliferation of Nuclear Weapons \(NPT\)](#)

## **DEVELOPMENT COOPERATION**

### **European Development Fund - African Peace Facility**

The Council allocated €445.86 million from funds de-committed from projects under the 10th European Development Fund to the African Peace Facility (APF) for the period 2019-2020.

The funds finance APF activities, including support for the operationalisation of the African Peace and Security Architecture, support for initiatives aimed at preventing and managing violent conflict in the event of urgent and unforeseen needs in crisis situations (Early Response Mechanism) and support for African-led Peace Support Operations, and should cover support expenditure incurred by the Commission up to €14.86 million.

[The African Peace Facility \(Commission website\)](#)

## **TRADE**

### **EU-US trade relations: negotiation mandates adopted**

The Council approved mandates for the Commission to open negotiations with the United States on two agreements on the elimination of tariffs for industrial goods and on conformity assessment.

For more information, see the [press release](#).

### **Energy Charter Treaty**

The Council approved a statement to be submitted to the Energy Charter Treaty (ECT) Secretariat by the European Union, the European Atomic Energy Community (Euratom) and those member states that are party to the ECT. The statement replaces the statement made on 17 November 1997 on behalf of the European Communities.

On 23 July 2014 the European Union adopted regulation (EU) No 912/2014 of the European Parliament and of the Council establishing a framework for managing financial responsibility linked to investor-to-state dispute settlement tribunals established by international agreements to which the European Union is party. As a result of the adoption of this regulation, the third paragraph of the statement made on 17 November 1997 needs to be amended.

For transparency reasons and in order to include technical adaptations following the entry into force of the Lisbon Treaty, it was agreed that the previous statement would be replaced by a new consolidated statement.

## **Market access regulation: inclusion of the Independent State of Samoa**

The Council decided not to object to the Commission regulation amending regulation 2016/1076 in order to include the Independent State of Samoa in Annex I (7487/19).

Regulation 2016/1076 (market access regulation) governs the EU duty-free quota-free import regime for members of the African, Caribbean and Pacific (ACP) group of states that have concluded negotiations on Economic Partnership Agreements (EPAs) with the EU. The regulation also lays down a procedure for the application by the European Union of safeguard measures in respect of products originating in such countries.

On 23 April 2018 Samoa and the European Commission concluded negotiations on Samoa's accession to the interim Economic Partnership Agreement (EPA) with the Pacific States.

Following the consent of the European Parliament on 29 November 2018, the Council approved the accession of Samoa on behalf of the EU on 6 December 2018. The interim EPA is provisionally applied between the EU and Samoa from 31 December 2018.

## **ECONOMIC AND FINANCIAL AFFAIRS**

### **Statute of the European Investment Bank**

The Council adopted a decision amending the protocol on the statute of the European Investment Bank (EIB).

The amendment has three main objectives:

- to reflect the withdrawal of the United Kingdom from the EU, which implies an end to UK membership of the European Investment Bank
- to strengthen the functioning of the EIB's board of directors by allowing the appointment of a larger number of alternate directors
- to extend the use of qualified majority voting to the decision on the corporate operational plan, the appointment of members of the management committee and the approval of the rules of procedure (6895/19 and 6518/19)

## **JUSTICE AND HOME AFFAIRS**

### **Directives on digital content and on contracts for the sales of goods**

The Council today adopted a package comprising a directive on contracts for the supply of digital content and services (digital content directive), and a directive on contracts for the sales of goods (sales of goods directive). The objective is to provide a high level of protection and legal certainty for European consumers, in particular when buying across borders, as well as to make it easier for businesses, especially SMEs, to sell EU-wide.

For more information, see the [press release](#).

### **Customs law enforcement cooperation**

The Council endorsed an updated strategy for future customs law enforcement cooperation, in order to adapt to the rapidly evolving environment for customs authorities ([7806/19](#)). The initial strategy was developed and endorsed in 2012, following the adoption of a Council resolution on the future of customs law enforcement cooperation in December 2012. It serves as an instrument to help set overall objectives for customs law enforcement purposes.

The updated strategy includes 3 main objectives:

- improving institutional cooperation with other law enforcement authorities, agencies and international organisations
- enhancing operational cooperation among customs and between customs and other law enforcement authorities
- ensuring effective information management and interoperability for the purposes of law enforcement

### **Schengen evaluation - Latvia**

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2018 evaluation of **Latvia** on the application of the Schengen acquis in the field of **return** ([8622/19](#)).



### **Schengen evaluation - Finland**

The Council adopted an implementing decision setting out a recommendation on addressing the serious deficiencies identified in the 2018 evaluation of **Finland** on the application of the Schengen acquis in the field of the common **visa policy** ([8623/19](#)).

### **Schengen evaluation - Finland**

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2018 evaluation of **Finland** on the application of the Schengen acquis in the field of management of **the external border** ([8624/19](#)).

### **TRANSPARENCY**

#### **Public access to documents**

On 15 April 2019, the Council approved the replies to confirmatory applications:

- No 07/c/01/19 ([7367/1/19 REV 1](#))
  - No 08/c/01/19 ([7394/19](#))
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