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## OUTCOME OF THE COUNCIL MEETING

3407th Council meeting

### General Affairs

Brussels, 14 September 2015

President **Jean Asselborn**  
Minister for Foreign and European Affairs of  
Luxembourg

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<sup>1</sup>

- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

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## **ITEMS DEBATED**

### **Presentation of the presidency work programme**

The Luxembourg presidency presented, in public session, its [work programme](#) for the duration of its term of office (July to December 2015) and informed the Council about the state of play of some of the pending files.

### **Preparation for the October European Council**

The Council discussed an [annotated draft agenda](#), drawn up by the President of the European Council in cooperation with the presidency and the Commission, for the European Council meeting to be held on 15 and 16 October 2015.

The European Council will focus on:

- migration; it will also take stock of the preparations for the Valletta summit and the follow-up to the high level conference on the Western Balkans route
- other items: the European Council will take stock of the discussion on the report on the Economic and Monetary Union and will be briefed by the President of the European Council on the technical analysis of the UK's demands in preparation for a referendum; it may also address specific foreign policy issues in the light of events

The annotated draft agenda will serve as the basis for draft conclusions, to be prepared in the run-up to the meeting.

### **Commission work programme for 2016**

The Council took note of a [Commission letter](#) outlining its intentions for the Commission work programme for 2016. This is part of the preparatory process leading up to the adoption by the Commission of its work programme for the coming year on 27 October.

## **OTHER ITEMS APPROVED**

### **FOREIGN AFFAIRS**

#### **EUNAVFOR Med**

The Council adopted a positive assessment that the conditions to move to the first step of phase two on the high seas of EUNAVFOR MED have been met. The naval operation has fulfilled all the military objectives related to phase one, which focused on the collection and analysis of information and intelligence.

See [press release](#)

#### **Libya**

The Council repealed [decision 2013/320/CFSP](#) aimed at supporting Libyan state institutions in securing and managing weapons arsenals to reduce the risk of illicit trade in small arms and light weapons (SALW). This decision takes account of the deterioration of the political and security situation in Libya, as it is unclear when the situation in Libya will improve to such an extent that international staff can once again safely operate there. The EU remains strongly committed to supporting the responsible Libyan authorities in reducing the risks posed by the illicit spread and excessive accumulation of SALW and their ammunition, as soon as conditions in Libya allow.

#### **Restrictive measures over actions against Ukraine's territorial integrity**

The Council prolonged by six months the EU sanctions over actions against Ukraine's territorial integrity, sovereignty and independence. The asset freeze and travel bans against 149 persons and 37 entities were extended until 15 March 2016.

See [press release](#)

## **COMMON SECURITY AND DEFENCE POLICY**

### **Agreement with Morocco on crisis management operations**

The Council adopted a decision to sign an agreement to enable Morocco's participation in EU crisis management operations.

### **EU Institute for Security Studies**

The Council gave its assent to the financial regulations applicable to the general budget of the EU Institute for Security Studies as drawn up by the Board.

## **JUSTICE AND HOME AFFAIRS**

### **Eurojust Annual Report**

The Council adopted conclusions ([10862/15](#)) on the 2014 Eurojust Annual Report ([8607/15](#)).

Eurojust is a judicial coordination unit composed of national prosecutors, magistrates or police officers of equivalent competence, detached from each member state according to its own legal system. Eurojust's mission is to prevent and fight serious cross-border and organised crime, as well as terrorism.

### **Drug demand reduction in the EU**

The Council adopted conclusions on the implementation of the EU action plan on drugs 2013-2016 regarding minimum quality standards in drug demand reduction in the European Union ([10371/1/15 REV 1](#)).

The action plan ([9963/13](#)) provides for 54 specific, evidence-based initiatives in the areas of drug demand reduction, drug supply reduction, coordination, international cooperation, information, research, monitoring and evaluation.

## **Assessment of a new psychoactive substance**

The Council requested that the risks of 1-phenyl-2-(1-pyrrolidinyl)-1-pentanone ( $\alpha$ -PVP) be assessed, in accordance with [Council decision 2005/387/JHA](#)<sup>1</sup> on the information exchange, risk assessment and control of new psychoactive substances ([11558/15](#)).

The risks to be assessed include the health and social risks caused by the use of, the manufacture of, and the traffic in 1-phenyl-2-(1-pyrrolidinyl)-1-pentanone ( $\alpha$ -PVP), the involvement of organised crime and the possible consequences of control measures.

The Council's request was made on the basis of a joint report from Europol and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA).

## **Short-stay visa waiver**

The Council adopted a decision authorising the Commission to open negotiations, on behalf of the European Union, with the People's Republic of China for a short-stay visa-waiver agreement for holders of diplomatic passports ([11600/15](#)).

## **ECONOMIC AND FINANCIAL AFFAIRS**

### **Excessive deficit procedure - United Kingdom**

The Council agreed to notify the European Council that the United Kingdom has failed to take effective action in response to a 2009 recommendation under the excessive deficit procedure.

On 19 June 2015, it found the UK to have missed a deadline for reducing its deficit below 3% of GDP, the EU's reference value for government deficits. It issued a new recommendation on corrective measures to be taken.

Article 4(2) of [regulation 1177/2011](#) specifies that where the Council finds that a member state has failed to take effective action, it shall report this to the European Council.

[Council June 2015 press release on the UK excessive deficit procedure](#)

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<sup>1</sup> OJ L 127, 20.5.2005.

## **BUDGETS**

### **Mobilisation of the EU solidarity fund for Bulgaria and Greece**

The Council adopted a decision mobilising €16.3 million in commitments and payments from the EU solidarity fund to provide financial assistance to disaster-stricken Bulgaria (€6.38 million) and Greece (€9.90 million).

Bulgaria was hit by severe winter conditions in January and February 2015, and Greece suffered two flooding disasters in February 2015.

The EU solidarity fund can be mobilised in the case of a major natural disaster with serious repercussions on living conditions, the natural environment or the economy in a member state. Major disaster means that the estimated damage must exceed either €3 billion in 2011 prices, 0.6% of the country's GNI, or 1.5% of the GNI of the region concerned.

The aim of the financial assistance is to contribute to a rapid return to normal living conditions in the disaster-stricken regions. The EU aid is complementary to the efforts of the country concerned and is used to cover a share of the public expenditure committed to dealing with the damage caused by a major disaster. It is meant to help the beneficiary country to restore infrastructure, provide temporary accommodation, secure preventive infrastructure and clean up disaster-stricken areas.

## **TAXATION**

### **Export credit: Smart grids**

The Council adopted a decision setting out the EU's position within the OECD export credit committees with regard to climate change and export credits.

The decision supports smart grids and adopts the working proposal on the terms for including smart grids in the climate change sector understanding of the arrangement on officially supported export credits.



## **TRADE POLICY**

### **WTO government procurement: Moldova**

The Council adopted a decision setting out the EU's position within the WTO committee on government procurement, which approves the accession of Moldova to the WTO's revised agreement on government procurement.

Moldova applied for accession on 7 January 2002. It laid down its commitments on coverage in its final offer on 27 May 2015.

## **COHESION POLICY**

### **European Social Fund - Simplification of the financial management**

The Council decided not to object to a Commission regulation establishing the standard scales of unit costs and lump sums that may be used by the Commission for reimbursing expenditure to member states under the European Social Fund ([10769/15](#)).

This 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 decided not to object to it, the act can enter into force, unless the European Parliament objects to it.

## **TRANSPORT**

### **Maritime transport agreement with China - steps following Croatia's accession**

The Council revoked, for procedural reasons, its decision approving the conclusion of a protocol amending the maritime transport agreement with China. It also agreed in principle on a new decision approving the conclusion of the same protocol. The new decision is identical in wording to the old one and will replace it.

[Council decision on revoking the decision on the conclusion of the protocol amending maritime transport agreement with China](#)

[Council decision on conclusion of the protocol amending maritime transport agreement with China](#)

## **FOOD LAW**

### **Food additives**

The Council decided not to oppose the adoption of the following two Commission regulations:

- a regulation authorising the use of iron tartrate as an anti-caking agent in salt and its substitutes and assigning E 534 as E-number to that food additive ([10950/15](#))
- a regulation amending the specifications concerning the food additive ethyl lauroyl arginate (E 243) ([10951/15](#))

These Commission regulations are subject to the regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt them, unless the European Parliament objects.

## **AGRICULTURE**

### **Animal health measures - Political agreement**

The Council confirmed the political agreement reached with the European Parliament on 1 June on the proposal for a regulation on animal health law. The regulation is expected to be formally adopted before the end of 2015, after the final procedures, including the legal-linguistic revision of the text, are completed. It will become applicable five years after its entry into force.

The animal health law is aimed at ensuring high standards of animal and public health in the EU. It will provide a single overarching legal framework with harmonised principles across the sector, which is currently regulated by a series of linked and interrelated regulations and directives.

## **FISHERIES**

### **Access by Venezuelan fishing vessels to French Guiana**

The Council adopted a decision approving, on behalf of the EU, the declaration on the granting of fishing opportunities in EU waters to fishing vessels flying the flag of the Bolivarian Republic of Venezuela in the exclusive economic zone off the coast of French Guiana ([5420/15](#)).

Fishing vessels from Venezuela have been authorised to operate in the exclusive economic zone (EEZ) of the French overseas department of Guiana for several decades. In addition, the processing industry based in French Guiana depends on the landings from those fishing vessels.

In the absence of an international fisheries agreement with Venezuela and given the limited scope of the fishery in question, a unilateral declaration by the Council was adopted to serve a purpose similar to that of a fisheries agreement by consenting to the granting of fishing authorisations to Venezuelan vessels.

However, the judgment of the Court of Justice of 26 November 2014 annulled this decision, considering that the legal basis was incorrect. The new text implements this judgment.

## **DECISION TAKEN BY WRITTEN PROCEDURE**

### **European fund for strategic investments**

On 7 September 2015, the Council agreed not to object to a Commission regulation supplementing regulation 2015/1017 on the European fund for strategic investments (EFSI) ([11498/15 + ADD1](#)).

The text establishes a "scoreboard" of indicators to ensure an independent and transparent assessment by the EFSI investment committee in the event of an EU guarantee being invoked.

This 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.

[Council press release of 25 June 2015 on adoption of the EFSI regulation](#)