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NOTE

Subject: MONTHLY SUMMARY OF COUNCIL ACTS - MAY 2017

This document lists the acts adopted by the Council in May 2017.^{1 2}

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.

¹ 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.

² 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](#)

It should be noted that this document is exclusively for information purposes - only Council minutes are authentic. These are available on the Council's website at: [Council Minutes - Consilium](#)

INFORMATION ON THE ACTS ADOPTED BY THE COUNCIL IN MAY 2017

3533rd meeting of the Council of the European Union (AGRICULTUE AND FISHERIES) held in Brussels on 11 May 2017

LEGISLATIVE ACTS

ACT	DOCUMENT	VOTING RULE	VOTES
Regulation (EU) 2017/827 of the European Parliament and of the Council of 17 May 2017 amending Regulation (EU) No 258/2014 establishing a Union Programme to support specific activities in the field of financial reporting and auditing for the period of 2014-20 (Text with EEA relevance.) OJ L 129, 19.5.2017, p. 24–26	17/17	Qualified majority	All Member States in favour
Decision (EU) 2017/864 of the European Parliament and of the Council of 17 May 2017 on a European Year of Cultural Heritage (2018) OJ L 131, 20.5.2017, p. 1–9	10/1/17	Qualified majority	All Member States in favour

Joint statement by the European Parliament and the Council

In accordance with Article 9 of the Decision, the financial envelope for the implementation of the European Year of Cultural Heritage (2018) is set at EUR 8 million. In order to fund the preparation of the European Year of Cultural Heritage, EUR 1 million will be financed from existing resources in the 2017 budget. For the 2018 budget, EUR 7 million will be reserved for the European Year of Cultural Heritage and be made visible in a budget line. Of that amount, EUR 3 million will come from the resources currently provided for in the Creative Europe Programme and EUR 4 million will be reallocated from other existing resources, without using the existing margins and without prejudice to the powers of the budgetary authority.

Statement by the Commission

The Commission takes note of the agreement of the co-legislators to introduce a financial envelope of EUR 8 million in Article 9 of the Decision of the European Parliament and of the Council on a European Year of Cultural Heritage (2018). The Commission recalls that it is the prerogative of the budgetary authority to authorise the amount of appropriations in the annual budget, in accordance with Article 314 TFEU.

Regulation (EU) 2017/850 of the European Parliament and of the Council of 17 May 2017 amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (Ukraine) OJ L 133, 22.5.2017, p. 1–3	13/17	Qualified majority	All Member States in favour, except: Not participating: IE, UK
Regulation (EU) 2017/825 of the European Parliament and of the Council of 17 May 2017 on the establishment of the Structural Reform Support Programme for the period 2017 to 2020 and amending Regulations (EU) No 1303/2013 and (EU) No 1305/2013 OJ L 129, 19.5.2017, p. 1–16	8/17	Qualified majority	All Member States in favour, except: Abstention: HU
Regulation (EU) 2017/826 of the European Parliament and of the Council of 17 May 2017 on establishing a Union programme to support specific activities enhancing the involvement of consumers and other financial services end-users in Union policy-making in the area of financial services for the period of 2017-2020 (Text with EEA relevance) OJ L 129, 19.5.2017, p. 17–23	16/17	Qualified majority	All Member States in favour
<p>Statement by the Commission</p> <p>As regards the sharing of information with the European Parliament and the Council in Article 9, the Commission notes that rules on access by the European Parliament to information held by the Commission are already defined in the Framework Agreement agreed by the European Parliament and the Commission. The Commission will therefore apply Article 9 in a way that is consistent with the Framework Agreement and without prejudice to any future general rules on access by the European Parliament and the Council to information held by the Commission.</p>			

NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision (EU) 2017/939 of 11 May 2017 on the conclusion on behalf of the European Union of the Minamata Convention on Mercury OJ L 142, 2.6.2017, p. 4–39	5925/17
<p>Joint Statement by Denmark and the United Kingdom</p> <p>Denmark and the United Kingdom recognise the need for a declaration of competence by the European Union pursuant to Paragraph 3 of Article 30 of the Minamata Convention on Mercury (the Convention).</p> <p>Denmark and the United Kingdom are, however, of the opinion that the declaration exceeds the requirement laid down in Paragraph 3 of Article 30 of the Convention by attempting to define the nature of the competence of the European Union.</p> <p>Denmark and the United Kingdom consider that the European Union's declaration pursuant to Paragraph 3 of Article 30 of the Convention does not alter the distribution of competences between the European Union and its Member States as set out in the Treaty on the Functioning of the European Union. The declaration cannot, therefore, be read as implying exclusive European Union competence in relation to any matter under the Convention where competence is shared between the European Union and its Member States.</p>	

Statement by Poland

The Republic of Poland is aware of the need for ratification of the Minamata Convention on Mercury ('the Convention') by the European Union. However, the Republic of Poland:

- recognises that the agreement in the Council on the ratification, on behalf of the EU, of the Convention does not in any way pre-empt or prejudice the role of national parliaments in the respective national ratification processes in the Member States in accordance with their national constitutional provisions;
- underlines that the process of ratification of the Convention by the Union and its participation at the Conference of the Parties may not affect the division of competences between the Union and the Member States;
- emphasises that during the Conference of the Parties the Member States and the Commission should cooperate closely during the negotiation process, ensuring unity in the external representation of the European Union;
- notes that the positions to be adopted by the EU and its Member States at the Conference of the Parties will be determined in the usual manner, in accordance with the existing Union rules and working arrangements.

The Republic of Poland recognises the need for a declaration of competence by the European Union pursuant to paragraph 3 of Article 30 of the Convention. However, Poland is of the opinion that the declaration exceeds the requirement laid down in paragraph 3 of Article 30 of the Convention by attempting to define the nature of the competence of the European Union.

The Republic of Poland considers that the European Union's declaration pursuant to paragraph 3 of Article 30 of the Convention does not alter the distribution of competences between the European Union and its Member States as set out in the Treaty on the Functioning of the European Union. The declaration cannot, therefore, be read as implying exclusive European Union competence in relation to any matter under the Convention where competence is shared between the European Union and its Member States.

Council Decision on the position to be taken on behalf of the European Union within the Joint Committee of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin as regards the amendment of Appendix II to that Convention	8133/17
Council Decision on the position to be adopted, on behalf of the European Union, within the Joint Committee established by the Regional Convention on pan-Euro-Mediterranean preferential rules of origin as regards the request of Ukraine to become a Contracting Party to that Convention	8243/17

Council Decision authorising the opening of negotiations with the United States of America for an agreement between the European Union and the United States of America on wet-lease arrangements	8156/17
Council Conclusions on the European Court of Auditors' Special Report No 27/2016 "Governance at the European Commission – best practice?"	8096/17
Council Decision (EU) 2017/865 of 11 May 2017 on the signing, on behalf of the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence with regard to matters related to judicial cooperation in criminal matters OJ L 131, 20.5.2017, p. 11–12	14868/16
Council Decision (EU) 2017/866 of 11 May 2017 on the signing, on behalf of the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence with regard to asylum and non-refoulement OJ L 131, 20.5.2017, p. 13–14	14869/16
<p>Statement by the Commission</p> <p>Whilst not opposing the final agreement to enable the European Union's signature of the Council of Europe Convention on preventing and combating violence against women and domestic violence, the Commission regrets that the Council departed from the Commission's proposal for a broad-based signature and limits the signing of a holistic, human-rights based instrument to single aspects of the Convention.</p> <p>The Commission considers that this approach encounters political and legal concerns.</p> <p>From a political point of view, the Commission regrets that the EU is not able, in the light of the existing comprehensive body of relevant legislation, its actions to combat violence against women and its leading role on gender equality in general, to send a stronger signal on the coherence of its external and internal policy by ensuring the widest-possible incorporation of the Convention in the Union acquis.</p> <p>A reduced scope is also a missed opportunity to harness the EU's already existing legislative framework of action against violence and to provide a stable and sustainable foundation for activating Union resources for specific areas of the Convention.</p>	

From a legal perspective, the Commission maintains its view that the Council Decision on signing should have taken the form of a single text, comprising both exclusive and shared competences and using the legal basis of Article 82(2) TFE: the support to and the protection of the victims' of offences criminalised by the Convention is the centre of gravity of the Convention.

With regard to the extent of the exclusive external competence of the European Union pursuant Article 3(2) TFEU, the Commission maintains its views that exclusive external competence of the Union is established, in relation to Chapter VII of the Convention, not only with regard to asylum and non-refoulement matters (Articles 60 and 61 of the Convention) but also with regard to matters of residence status of victims and their protection from expulsion in accordance with Article 59 of the Convention. The Commission furthermore upholds its view that exclusive external competence is also established against the background of existing *acquis* covering the areas of the Convention to a considerable extent, notably Directive 2012/29/EU on minimum standards on the rights, support and protection of victims of crime, for matters of the Convention under its Chapters IV and VI on protection of and support to all women victims and therefore also concerning other female victims of gender-based offences besides female victims of crimes covered by Directives 2011/36/EU and 2011/93/EU.

The Commission therefore takes the view that the reference in Recital 10 of the Council Decision on the signing of the Convention with regards to matters related to judicial cooperation in criminal matters to Directives 2011/36/EU and 2011/93/EU cannot be understood as an exhaustive list of acts by which UK and Ireland are bound in matters related to judicial cooperation in criminal matters under the Convention.

With regard to the splitting of the decision in two separate decisions, the Commission

recalls that, as regards matters of asylum, Ireland is bound by Directives 2004/83/EC and 2005/85/EC. The Commission therefore takes the view that Ireland is bound by the Decision on signing of the Convention with regard to Articles 60 and 61 with the exception of Article 60(3) of the Convention regarding gender-sensitive reception procedures.

recalls that the United Kingdom continues to be bound by the following directives in the area of asylum: Directive 2004/83/EC, 2003/9/EC, 2005/85/EC. The Commission therefore takes the view that the United Kingdom is bound by the Decision on signing of the Convention with regard to Articles 60 and 61 of the Convention.

The Commission reserves its right to seek clarification of these issues in the Court of Justice.

Statement by the United Kingdom

The United Kingdom wishes to record its support for the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention), and to place on record its intention to ratify the Convention. The UK is committed to working both nationally and internationally to tackle violence against women and girls in all its forms, ensuring that victims are supported, perpetrators are brought to justice, and that we do all we can to prevent these crimes happening in the first place.

The United Kingdom however wishes to record its view that there is no exclusive external competence for the Union arising from the Convention in respect of the subject matter referred to in the Council Decision on the signing, on behalf of the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence with regard to matters related to judicial cooperation in criminal matters. Accordingly, it should be for the Council to determine freely the matters in respect of which the European Union should sign the Convention.

Further, the United Kingdom considers that the Council Decision, being a measure proposed pursuant to Title V of Part Three of the Treaty on the Functioning of the European Union, is subject to Protocol (No. 21) to the Treaties on the position of the United Kingdom and Ireland in Respect of the Area of Freedom, Security and Justice.

Accordingly, the United Kingdom does not consider that it is automatically bound, as suggested by Recital (10), to participate in the Council Decision simply on account of its participation in Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, and Directive 2011/93/EU on combating sexual exploitation of children, and child pornography.

Council Conclusions on the EU Citizenship Report 2017	9080/17
Council Decision (EU) 2017/860 of 11 May 2017 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Budget Line 33.02.03.01) OJ L 128, 19.5.2017, p. 23–24	7808/17
Decision (EU) 2017/883 of 11 May 2017 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Budget Line 12.02.01) OJ L 135, 24.5.2017, p. 18–20	7811/17

Decision (EU) 2017/859 of 11 May 2017 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Budget Line 02.03.01 Internal Market and Budget line 02.03.04 Internal Market Governance Tools) OJ L 128, 19.5.2017, p. 20–22	7814/17
Council Decision (EU) 2017/861 of 11 May 2017 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Protocol 3 to the EEA Agreement, concerning products referred to in Article 8(3)(b) of the Agreement OJ L 128, 19.5.2017, p. 25–54	7817/17
3534th meeting of the Council of the European Union (FOREIGN AFFAIRS/TRADE) held in Brussels on 11 May 2017	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision (EU) 2017/817 of 11 May 2017 establishing the position to be taken on behalf of the European Union within the World Trade Organisation on the modification of paragraph C(ii) of Annex 3 to the WTO Agreement as regards the frequency of WTO Trade Policy Reviews and of the rules of procedure of the Trade Policy Review Body OJ L 122, 13.5.2017, p. 71–72	7671/17
Council Decision (EU) 2017/1368 of 11 May 2017 on the signing, on behalf of the European Union and its Member States, and provisional application of the Third Additional Protocol to the Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part, to take account of the accession of the Republic of Croatia to the European Union OJ L 196, 27.7.2017, p. 1–2	6746/17
Third Additional Protocol to the Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part, to take account of the accession of the Republic of Croatia to the European Union OJ L 196, 27.7.2017, p. 3–261	6905/17

Council Decision (CFSP) 2017/809 of 11 May 2017 in support of the implementation of United Nations Security Council Resolution 1540 (2004) on the non-proliferation of weapons of mass destruction and their means of delivery OJ L 121, 12.5.2017, p. 39–44	8124/17
Council Implementing Decision setting out a Recommendation on addressing the deficiencies identified in the 2016 evaluation of Greece on the application of the Schengen acquis in the field of police cooperation	9086/17
Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2016 evaluation of Malta on the application of the Schengen acquis in the field of the Schengen Information System	9084/17
Council Implementing Decision setting out a Recommendation for prolonging temporary internal border control in exceptional circumstances putting the overall functioning of the Schengen area at risk	9040/17

Statement by Greece

Greece regrets that the adoption of the Commission's proposal for a Council Implementing Decision setting out a recommendation for prolonging temporary internal border controls in exceptional circumstances, for a temporary period of six months, is based, inter alia, on the assumption that there is a serious threat to public policy and internal security in other Member States due to deficiencies in external border control in Greece and to secondary flows of illegal immigrants entering via Greece and travelling to other Schengen States [recital (2) of the proposed Recommendation].

Greece underlines that there is no concrete evidence that secondary movements from its territory to other EU Member States could pose a serious threat to public policy and internal security in the States concerned.

Since the unannounced Schengen evaluation visit in November 2015, all border controls and patrols at all of Greece's BCPs have been further tightened. Among other things, in the framework of the National Operation 'SARISA', Greece has taken all necessary measures in close cooperation with FRONTEX to prevent and deter all attempts to abscond from the mainland to the north, including to the former Yugoslav Republic of Macedonia. The situation is constantly monitored and is assessed as sustainable.

Furthermore, Greece has implemented all the recommendations made by the Commission⁽²⁾ and the Council⁽³⁾ after the unannounced on-site evaluation visit in 2015 fully, effectively and in time.

For this reason the Commission announced at the meeting of the Working Party for Schengen Matters (Evaluation) on 8 March 2017 that Greece was not required to submit further reports and that long-term actions would be monitored under the 2016 evaluation procedure. No comment was made or objection raised by any Member State during that meeting.

In the light of the above, Greece recalls that Article 29 of the Schengen Borders Code may be triggered as a last resort and only when the conditions of Article 21(3) are met and the Commission finds that the overall functioning of the Schengen area is put at risk as a result of persistent serious deficiencies relating to external border controls.

Moreover, regarding the implementation to date of internal border controls in the Schengen States concerned, Greece considers that there is no evidence that the prolongation of internal border controls is justified on the basis of serious threats identified to public order or internal security.

Greece considers that the recommendation for the prolongation of the internal border controls within the Schengen area cannot be based on Article 29 of the SBC for reasons of legal justification and proportionality.

As a result, Greece cannot agree to this proposal for a Council Implementing Decision.

- (2) Commission Implementing Decision of 24 February 2016 setting out a recommendation on specific measures to be taken by the Hellenic Republic following the evaluation report of 2 February 2016.
- (3) Council Implementing Decision setting out a Recommendation on addressing the serious deficiencies identified in the 2015 evaluation on the application of the Schengen acquis in the field of management of the external borders, 12 February 2016 (5809/16 SCH-EVAL 17 FRONT 51 COMIX 81)

Statement by Slovenia

The Republic of Slovenia strongly opposes the Commission's proposal to prolong controls at the internal land border between the Republic of Slovenia and the Republic of Austria.

The prolongation of controls on the Austrian-Slovenian border is unjustified. The official statistical data on illegal border crossings at the aforementioned internal border do not provide grounds for such controls. In 2016, the Austrian law enforcement authorities returned 76 foreign nationals who had illegally entered Austrian territory from Slovenia, with only 12 so far in 2017 (3 of them Slovenian citizens).

The controls on the Austrian-Slovenian border are hindering the free movement of persons and resulting in constant traffic congestion, economic loss and a negative impact on cooperation in the border regions. Moreover, the reintroduction of internal border controls on the border with Austria has not revealed any substantial security risks. In addition, the obligatory systematic checks on all passengers on the external borders, which Slovenia is implementing thoroughly, are another important factor in reducing the need for controls on internal borders.

Furthermore, the Republic of Slovenia insists on the transparency of the process of preparing this proposal in line with the last Council Implementing Decision from February 2017⁽⁴⁾. In particular, despite repeated requests from a number of Member States, the competent Council Working Party has not yet had the opportunity to review and discuss all the relevant aspects of this measure, including the security risk assessments, which are the basis for justifying controls at internal borders.

On the other hand, the Republic of Slovenia welcomes the Commission's recommendation for more effective use to be made of alternative measures as they achieve similar effects in a less intrusive way, which makes it very clear that border controls should only be introduced as a measure of last resort.

Slovenia takes note of the announcement made by the Commission that this is the last proposal for the prolongation of controls at certain internal borders and invites the Commission to update its plan for a return to normal functioning of the Schengen area ⁽⁵⁾.

(4) Council Implementing Decision (EU) 2017/246 of 7 February 2017 setting out a recommendation for prolonging temporary internal border control in exceptional circumstances putting the overall functioning of the Schengen area at risk (OJ L 36, 11.2.2017).

(5) Communication from the Commission to the European Parliament, the European Council and the Council, "Back to Schengen – A Roadmap", COM(2016) 120 final of 4 March 2016.

Statement by Hungary

Hungary is of the view that the Council Implementing Decision setting out a Recommendation for prolonging temporary internal border control in exceptional circumstances putting the overall functioning of the Schengen area at risk envisages measures that relate to the practically closed Western Balkan route.

The Commission's plan cannot be substantiated by any data that would justify temporary controls at the Austrian-Hungarian border, considering that secondary illegal migratory movements from Hungary to Austria are at a lower level than before the migration crisis.

The Commission also acknowledges that the migratory pressure at the internal borders of the 5 countries concerned is continuously decreasing. Hungary is of the view that the prolongation of border control for a further six months is not objectively justifiable.

In addition, the prolongation of temporary border controls at the internal border between Hungary and Austria creates unnecessary difficulties and imposes significant economic burden and costs on EU citizens and the region's economic operators.

In view of the above, the prolongation of border controls cannot be justified with the argument that the European Border Guard has not reached its full operational potential yet. The European Border Guard does not replace, but only complements the responsibility of the Member States, and Hungarian and Austrian statistics prove that the protection of external borders in Hungary is effective and contributes significantly to the security of the Schengen area by preventing secondary flows of irregular migrants.

The prolongation of border controls at certain border sections cannot be regarded as either temporary or exceptional, nor as a proportionate measure, nor indeed as necessary, and it may lead to the disintegration of the Schengen area. In Hungary's view, the proposal is neither legitimate nor legally justified. It merely hampers the free movement of EU citizens and places a severe added burden on the economy in the Schengen area.

Hungary therefore opposes the adoption of the proposal.

3535th meeting of the Council of the European Union (FOREIGN AFFAIRS) held in Brussels on 15 May 2017

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
Council Conclusions on Indigenous Peoples	8814/17
Council Decision (CFSP) 2017/824 of 15 May 2017 concerning the Staff Regulations of the European Union Satellite Centre OJ L 123, 16.5.2017, p. 7–49	8872/16
Decision (EU) 2017/951 of the European Parliament and of the Council of 17 May 2017 on the mobilisation of the European Globalisation Adjustment Fund following an application from Finland - EGF/2016/008 FI/Nokia Network Systems OJ L 143, 3.6.2017, p. 9–10	8390/17
Council Conclusions on Venezuela	9181/17

3536th meeting of the Council of the European Union (GENERAL AFFAIRS) held in Brussels on 16 May 2017

LEGISLATIVE ACTS

ACT	DOCUMENT	VOTING RULE	VOTES
Regulation (EU) 2017/1131 of the European Parliament and of the Council of 14 June 2017 on money market funds (Text with EEA relevance.) OJ L 169, 30.6.2017, p. 8–45	59/16	Qualified majority	All Member States in favour, except: Against: LU

Statement by Luxembourg

Luxembourg supports the overall objective of the money market funds regulation to make all categories of MMFs safer and more robust, given the key role MMFs play in the financing of the real economy.

The situation of MMFs that are exclusively distributed to investors outside of the EU and of MMFs that are structured as master-feeders is not properly addressed by the regulation.

A quota of EU-debt for public debt CNAV MMFs as referred to in the review clause is legally disputable, sets a questionable precedent and will ultimately hinder the development of this new category of MMFs. Such an EU-centered approach ignores that the success story of the EU asset management industry is largely due to its global perspective.

The regulation is likely to jeopardize the viability of some categories of MMFs in the long run, and hence bears the risk of making valuable market-based sources of financing disappear. This runs counter the objectives of the Capital Markets Union.

In light of the above, Luxembourg votes against the regulation on money market funds.

Regulation (EU) 2017/1129 of the European Parliament and of the Council of 14 June 2017 on the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market, and repealing Directive 2003/71/EC Text with EEA relevance. OJ L 168, 30.6.2017, p. 12–82	63/16	Qualified majority	All Member States in favour
<p>Statement by the United Kingdom</p> <p>The United Kingdom wishes to record its support for the Draft Regulation of the European Parliament and of the Council on the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market, and repealing Directive 2003/71/EC.</p> <p>The United Kingdom considers that Article 33(1) of the Prospectus Regulation contains obligations relating to cross border (intra-EU) co-operation in relation to the prevention, detection and investigation of criminal offences which fall within the scope of Title V of Part Three of the Treaty on the Functioning of the European Union. Therefore, in relation to that provision, Article 3(1) of Protocol (No. 21) to the Treaties on the position of the United Kingdom and Ireland in Respect of the Area of Freedom, Security and Justice applies.</p>			
Regulation (EU) 2017/1130 of the European Parliament and of the Council of 14 June 2017 defining characteristics for fishing vessels OJ L 169, 30.6.2017, p. 1–7	11/17	Qualified majority	All Member States in favour
NON-LEGISLATIVE ACTS			
ACT		DOCUMENT / STATEMENTS	
Council Decision on the opening of negotiations with the United States of America to modify the scope of the Memorandum of Cooperation on civil aviation research and development to cover all phases of air traffic management modernisation and of global interoperability		8615/17	

3538th meeting of the Council of the European Union (FOREIGN AFFAIRS/DEFENCE) held in Brussels on 18 May 2017	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Conclusions on Security and Defence in the context of the EU Global Strategy	9178/17
3539th meeting of the Council of the European Union (JUSTICE AND HOME AFFAIRS) held in Brussels on 18 May 2017	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Implementing Decision (EU) 2017/945 of 18 May 2017 on the automated data exchange with regard to DNA data in Slovakia, Portugal, Latvia, Lithuania, Czech Republic, Estonia, Hungary, Cyprus, Poland, Sweden, Malta and Belgium and replacing Decisions 2010/689/EU, 2011/472/EU, 2011/715/EU, 2011/887/EU, 2012/58/EU, 2012/299/EU, 2012/445/EU, 2012/673/EU, 2013/3/EU, 2013/148/EU, 2013/152/EU and 2014/410/EU OJ L 142, 2.6.2017, p. 89–92	13525/16
Council Conclusions on the implementation of the general provisions on data protection of Chapter 6 of Council Decision 2008/615/JHA - Evaluation of the Czech Republic with regard to automated exchange of vehicle registration data (VRD)	9466/17
Council Conclusions on the implementation of the general provisions on data protection of Chapter 6 of Council Decision 2008/615/JHA - Evaluation of Portugal with regard to automated exchange of dactyloscopic data	9470/17
Council Implementing Decision (EU) 2017/943 of 18 May 2017 on the automated data exchange with regard to vehicle registration data in Malta, Cyprus and Estonia, and replacing Decisions 2014/731/EU, 2014/743/EU and 2014/744/EU OJ L 142, 2.6.2017, p. 84–86	13499/16

Council Implementing Decision (EU) 2017/947 of 18 May 2017 on the automated data exchange with regard to vehicle registration data in Finland, Slovenia, Romania, Poland, Sweden, Lithuania, Bulgaria, Slovakia and Hungary and replacing Decisions 2010/559/EU, 2011/387/EU, 2011/547/EU, 2012/236/EU, 2012/664/EU, 2012/713/EU, 2013/230/EU, 2013/692/EU and 2014/264/EU OJ L 142, 2.6.2017, p. 97–99	13529/16
Council Implementing Decision (EU) 2017/946 of 18 May 2017 on the automated data exchange with regard to dactyloscopic data in Slovakia, Bulgaria, France, Czech Republic, Lithuania, the Netherlands, Hungary, Cyprus, Estonia, Malta, Romania and Finland and replacing Decisions 2010/682/EU, 2010/758/EU, 2011/355/EU, 2011/434/EU, 2011/888/EU, 2012/46/EU, 2012/446/EU, 2012/672/EU, 2012/710/EU, 2013/153/EU, 2013/229/EU and 2013/792/EU OJ L 142, 2.6.2017, p. 93–96	13526/16
Council Implementing Decision (EU) 2017/944 of 18 May 2017 on the automated data exchange with regard to dactyloscopic data in Latvia, and replacing Decision 2014/911/EU OJ L 142, 2.6.2017, p. 87–88	13521/16
Council Decision (EU) 2017/876 of 18 May 2017 on the accession of the European Union to the International Cotton Advisory Committee (ICAC) OJ L 134, 23.5.2017, p. 23–37	15540/16
Council Conclusions on setting the EU's priorities for the fight against organised and serious international crime between 2018 and 2021	9450/17

3540th meeting of the Council of the European Union (FOREIGN AFFAIRS/DEVELOPMENT) held in Brussels on 19 May 2017

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
Council Conclusions on the European Year for Development 2015 Legacy: “Our World, Our Dignity, Our Future”	9376/17
Council Conclusions on 2016 Annual Report on the implementation of the European Union's instruments for financing external actions in 2015	9378/17
Council Conclusions on Annual Report 2017 to the European Council on EU Development Aid Targets	9266/17
Council Conclusions on Sustainable Garment Value Chains	9381/17
Council Conclusions on European Court of Auditors' Special Report No 35/2016 on 'The use of budget support to improve domestic revenue mobilisation in sub-Saharan Africa'	9265/17
Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2016 evaluation of France (Pas-de-Calais) on the application of the Schengen acquis in the field of return	9522/17
Council Conclusions on Operationalising the Humanitarian-Development Nexus	9383/17

3541st meeting of the Council of the European Union (EDUCATION, YOUTH, CULTURE AND SPORT) held in Brussels on 22 and 23 May 2017

LEGISLATIVE ACTS

ACT	DOCUMENT	VOTING RULE	VOTES
Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark (Text with EEA relevance.) OJ L 154, 16.6.2017, p. 1–99	12/17	Qualified majority	All Member States in favour

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
Council Decision authorising the Commission to propose, on behalf of the Union, an amendment of Appendix II to the Convention on the conservation of migratory species of wild animals with a view to the twelfth meeting of the Conference of the Parties	8856/17

Statement by Germany, Slovakia and Sweden

This Decision authorizes the Commission to submit the proposal to the Secretariat of the Convention on the conservation of migratory species of wild animals (CMS) on behalf of the Union. As a Decision of the Council, it does not deal with the competences of Member States involved in the listing proposal. This does not change the fact that the matter at hand is a matter of shared environmental competence under Article 4 (2) e) of the Treaty on the Functioning of the EU (TFEU). We thus accept the Decision with the understanding that the proposals will be dealt with in the same manner as the proposals of the EU and its 28 Member States for the last 11th Conference of the Parties of CMS. In particular, the listing proposal at the 11th COP for listing *Coracias garrulus*, a bird listed in Annex I of the Birds Directive (2009/147/EC), on the Appendix I of CMS was proposed by the European Union and its 28 Member States.

Council Decision establishing the position to be adopted on behalf of the European Union with regard to certain resolutions to be voted in the framework of the International Organisation for Vine and Wine (OIV)	8970/17
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Council Conclusions on the role of youth work in supporting young people's development of essential life skills that facilitate their successful transition to adulthood, active citizenship and working life OJ C 189, 15.6.2017, p. 30–34	9624/17
Council Conclusions on strategic perspectives for European cooperation in the youth field post-2018 OJ C 189, 15.6.2017, p. 35–37	9630/17
Council Resolution on the Structured Dialogue and the future development of the dialogue with young people in the context of policies for European cooperation in the youth field, post 2018 OJ C 189, 15.6.2017, p. 1–4	9632/17
Council recommendation of 22 May 2017 on the European Qualifications Framework for lifelong learning and repealing the recommendation of the European Parliament and of the Council of 23 April 2008 on the establishment of the European Qualifications Framework for lifelong learning OJ C 189, 15.6.2017, p. 15–28	9620/17
Council conclusions on an EU strategic approach to international cultural relations OJ C 189, 15.6.2017, p. 38–39	9635/17
Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on sport as a platform for social inclusion through volunteering OJ C 189, 15.6.2017, p. 40–44	9638/17
Resolution of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on the European Union Work Plan for Sport (1 July 2017-31 December 2020) OJ C 189, 15.6.2017, p. 5–14	9639/17
Council Conclusions on in-depth reviews and implementation of the 2016 Country Specific Recommendations	9032/17

3543rd meeting of the Council of the European Union (ECONOMIC AND FINANCIAL AFFAIRS) held in Brussels on 23 May 2017

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
Council Decision (EU) 2017/932 of 23 May 2017 amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditors of the Nationale Bank van België/Banque Nationale de Belgique OJ L 141, 1.6.2017, p. 12–13	8173/17
Council Decision on the position to be adopted, on behalf of the European Union, in the International Grains Council with respect to the extension of the Grains Trade Convention, 1995	8299/17
Council Conclusions on Customs Funding	7586/17
Statement by Austria, Denmark, Finland and Sweden Regarding the second bullet point under 'INVITES THE COMMISSION by the end of 2017', which reads 'consider and evaluate the possibility of funding technical equipment needs from future Commission financial programmes', Austria, Denmark, Finland, and Sweden emphasise that such consideration and evaluation cannot prejudge negotiations on the next Multiannual Financial Framework.	
Council Conclusions on Developing the EU Customs Union and its Governance	7585/17
Council Conclusions on the European Court of Auditors' Special Report No. 01/2017 entitled "More efforts needed to implement the Natura 2000 network to its full potential"	9645/17

Written procedure completed on 24 May 2017			
NON-LEGISLATIVE ACTS			
ACT	DOCUMENT / STATEMENTS		
Council Implementing Decision (CFSP) 2017/901 of 24 May 2017 implementing Decision 2013/798/CFSP concerning restrictive measures against the Central African Republic OJ L 138, 25.5.2017, p. 140–142	9516/17		
Council Implementing Regulation (EU) 2017/890 of 24 May 2017 implementing Article 17(1) of Regulation (EU) No 224/2014 concerning restrictive measures in view of the situation in the Central African Republic OJ L 138, 25.5.2017, p. 1–3	9518/17		
3544th meeting of the Council of the European Union (INTERNAL MARKET, INDUSTRY, RESEARCH AND SPACE) held in Brussels on 29 and 30 May 2017			
LEGISLATIVE ACTS			
ACT	DOCUMENT	VOTING RULE	VOTES
Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law (Text with EEA relevance.) OJ L 169, 30.6.2017, p. 46–127	57/16	Qualified majority	All Member States in favour, except: Abstaining: AT

Statement by Poland

1. The Polish delegation welcomes the adoption of the Proposal for a Directive of the European Parliament and of the Council relating to certain aspects of company law (PE-CONS 57/16 "Certain aspects of company law (codification)" (2015/0283 COD)2015/0283 (COD)), which codifies i.a. the provisions of Directive 2012/30/EU of the European Parliament and of the Council of 25 October 2012 on coordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 54 of the Treaty on the Functioning of the European Union, in respect of the formation of public limited liability companies and the maintenance and alteration of their capital, with a view to making such safeguards equivalent (OJ L 315, 14.11.2012, p. 74).
2. Directive 2012/30/EU of the European Parliament and of the Council of 25 October 2012 (recast) has repealed i.a. art. 6 (2) of the Second Company Law Directive 77/91/EEC which stated: "2. If the equivalent of the European unit of account in national currency is altered so that the value of the minimum capital in national currency remains less than 22 500 European units of account for a period of one year, the Commission shall inform the Member State concerned that it must amend its legislation to comply with paragraph 1 within 12 months following the expiry of that period. However, the Member State may provide that the amended legislation shall not apply to companies already in existence until 18 months after its entry into force".
3. For that reason, at the time of adoption of Directive 2012/30/EU, a joint statement by the Commission and the Council was made on 28 September 2012 (Council document No. 14263/12) and included in the minutes of the COREPER and the Council. That joint statement reads as follows: "Article 6(2) of Directive 77/91/EEC addressed i.a. the short-term volatility of national currencies against the ECU and the time necessary for legislative adaptation where needed. When compliance with Article 6(1) is examined due account will be taken of those conditions."
4. Considering that according to Interinstitutional Agreement of 20 December 1994 on an accelerated working method for official codification of legislative texts (96/C 102/02), in the codification procedure no substantive changes are introduced to the acts to be codified, the Polish delegation wishes to underline that the joint statement by the Commission and the Council made on 28 September 2012 is not affected by the codification and should therefore continue to guide the interpretation and application, in relation to the calculation of minimum capital requirements for companies in those Member States, whose currency is other than the euro, of Article 45(1) of Directive of the European Parliament and of the Council relating to certain aspects of company law (codification), which is to replace Article 6(1) of Directive 2012/30/EU.

Council Directive (EU) 2017/952 of 29 May 2017 amending Directive (EU) 2016/1164 as regards hybrid mismatches with third countries OJ L 144, 7.6.2017, p. 1–11	6661/17	Unanimity	All Member States in favour
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NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision (EU) 2017/1243 of 29 May 2017 on the position to be adopted on behalf of the European Union at the International Maritime Organization (IMO) during the 98th session of the Maritime Safety Committee and the 71st session of the Marine Environment Protection Committee, on the adoption of amendments to SOLAS Regulation II-1/23, SOLAS Regulation II-2/9.4.1.3, the 1994 and 2000 International High Speed Craft Codes, the International Life-saving Appliance Code and Appendix V to MARPOL Annex VI OJ L 178, 11.7.2017, p. 9–11	8696/17
Council Conclusions on customs cooperation with the People's Republic of China	9550/17
Council Decision authorising the opening of negotiations with the People's Democratic Republic of Algeria, the Arab Republic of Egypt, the Hashemite Kingdom of Jordan, the Republic of Lebanon and the Kingdom of Morocco for agreements setting out the terms and conditions for their participation in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA), jointly undertaken by several Member States	9111/17
Council Decision (Euratom) 2017/956 of 29 May 2017 on the adoption of the 2016-2019 high flux reactor supplementary research programme to be implemented by the Joint Research Centre for the European Atomic Energy Community OJ L 144, 7.6.2017, p. 23–26	8468/17
Council Decision (EU) 2017/955 of 29 May 2017 amending Decision 2008/376/EC on the adoption of the Research Programme of the Research Fund for Coal and Steel and on the multiannual technical guidelines for this programme OJ L 144, 7.6.2017, p. 17–22	8421/17

Council Decision on the signing, on behalf of the Union, and provisional application of the Bilateral Agreement between the European Union and the United States of America on prudential measures regarding insurance and reinsurance	8055/17
<p>Statement by the Commission</p> <p>As regards the change of the substantive legal basis for the Council Decisions on the EU-US Agreement on insurance and reinsurance, put forward by the Council, the Commission does not object to this change in order to allow for the swift signature, provisional application and conclusion of this Agreement.</p> <p>Nevertheless, the Commission considers that Article 207 TFEU only is the legally appropriate substantive legal basis for these Decisions and that therefore the Commission's non-objection in this particular case does not constitute a precedent for future international agreements.</p>	
Bilateral Agreement between the European Union and the United States of America on prudential measures regarding insurance and reinsurance	8065/17
Council Decision concerning the signing and conclusion of the Agreement between Canada and the European Union on security procedures for exchanging and protecting classified information	7982/17
Agreement between Canada and the European Union on security procedures for exchanging and protecting Classified Information	7984/17
Council Decision on the position to be taken on behalf of the European Union within the Association Council set up by the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, with regard to the adoption of a recommendation on the EU-Egypt Partnership Priorities	8488/17
Recommendation for a Council Decision authorising the opening of negotiations on the adaptation of protocols to the Agreement between the European Union and the Kingdom of Morocco	9093/17
Council Decision on Union outreach activities in support of the implementation of the Arms Trade Treaty	8977/17

Council Implementing Decision (CFSP) 2017/905 of 29 May 2017 implementing Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo OJ L 138I , 29.5.2017, p. 6–9	8690/17
Council Implementing Regulation (EU) 2017/904 of 29 May 2017 implementing Article 9(2) of Regulation (EC) No 1183/2005 imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo OJ L 138I , 29.5.2017, p. 1–5	8692/17
Council Conclusions on "A future EU industrial policy strategy"	9760/17
Council Conclusions on "A Space Strategy for Europe"	9817/17
Council Conclusions on "Streamlining the Research and innovation monitoring and reporting landscape"	9728/17