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NOTE

Subject: MONTHLY SUMMARY OF COUNCIL ACTS - JUNE 2017

This document lists the acts adopted by the Council in June 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 JUNE 2017

3546th meeting of the Council of the European Union (JUSTICE AND HOME AFFAIRS) held in Luxembourg on 8 and 9 June 2017

LEGISLATIVE ACTS

ACT	DOCUMENT	VOTING RULE	VOTES
Regulation (EU) 2017/1128 of the European Parliament and of the Council of 14 June 2017 on cross-border portability of online content services in the internal market Text with EEA relevance. OJ L 168, 30.6.2017, p. 1–11	9/17	Qualified majority	All Member States in favour
Council Decision of 8 June 2017 adopting the Council's position on draft amending budget No 2 of the European Union for the financial year 2017 OJ C 186, 10.6.2017, p. 2–2	9436/17	Qualified majority	All Member States in favour

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
Council Conclusions on European Court of Auditors Special Report No 33/2016 - "Union Civil Protection Mechanism: the coordination of responses to disasters outside the EU has been broadly effective"	10132/17
Council Conclusions on the creation of an informal network of experts competent in the field of Disaster Victim Identification	10159/17
Council Implementing Decision (EU) 2017/1020 of 8 June 2017 on the launch of automated data exchange with regard to vehicle registration data in Croatia OJ L 155, 17.6.2017, p. 21–22	5318/17
Council Conclusions on the way forward to improve information exchange and ensure the interoperability of EU information systems	10151/17

Council Conclusions recommending security checks in case of irregular migration	10152/17
Council Conclusions on the Eurojust Annual Report 2016	10139/17
Council Conclusions on enhancing return and readmission of illegally staying third country nationals	10112/17
Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2015 evaluation on the application of the Schengen acquis in the field of data protection by Liechtenstein	10160/17
Council Decision (CFSP) 2017/972 of 8 June 2017 updating and amending the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP on the application of specific measures to combat terrorism, and amending Decision (CFSP) 2017/154 OJ L 146, 9.6.2017, p. 139–140	8118/17
Council Implementing Regulation (EU) 2017/965 of 8 June 2017 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and amending Implementing Regulation (EU) 2017/150 OJ L 146, 9.6.2017, p. 6–7	8119/17
Council Decision (CFSP) 2017/973 of 8 June 2017 amending Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo (This designation is without prejudice to positions on status, and is in line with UNSCR 1244 (1999) and the ICJ Opinion on the Kosovo declaration of independence.) (EULEX KOSOVO) OJ L 146, 9.6.2017, p. 141–142	8926/17

<p>Council Decision (EU) 2017/971 of 8 June 2017 determining the planning and conduct arrangements for EU non-executive military CSDP missions and amending Decisions 2010/96/CFSP on a European Union military mission to contribute to the training of Somali security forces, 2013/34/CFSP on a European Union military mission to contribute to the training of the Malian armed forces (EUTM Mali) and (CFSP) 2016/610 on a European Union CSDP military training mission in the Central African Republic (EUTM RCA) OJ L 146, 9.6.2017, p. 133–138</p>	7592/17
<p>Council Decision (CFSP) 2017/974 of 8 June 2017 amending Decision 2010/413/CFSP concerning restrictive measures against Iran OJ L 146, 9.6.2017, p. 143–144</p>	9117/17
<p>Council Regulation (EU) 2017/964 of 8 June 2017 amending Regulation (EU) No 267/2012 concerning restrictive measures against Iran OJ L 146, 9.6.2017, p. 1–5</p>	9154/17
<p>Conclusions of the Council of the European Union and the representatives of the governments of the Member States on the protection of children in migration</p>	10085/17

3545th meeting of the Council of the European Union (TRANSPORT, TELECOMMUNICATIONS and ENERGY) held in Luxembourg on 8 and 9 June 2017

NON-LEGISLATIVE ACTS

ACT

DOCUMENT / STATEMENTS

Council Regulation (EU) 2017/997 of 8 June 2017 amending Annex III to Directive 2008/98/EC of the European Parliament and of the Council as regards the hazardous property HP 14 ‘Ecotoxic’ (Text with EEA relevance.)
OJ L 150, 14.6.2017, p. 1–4

8430/17

Joint statement by Austria and the Czech Republic

Austria and the Czech Republic remain concerned about the present Council proposal amending Annex III to Directive 2008/98/EC as regards the hazardous property HP 14 ‘Ecotoxic’.

Austria and the Czech Republic hold the view that the proposed calculation formulae do not lead to accurate results in the classification of wastes. Certain waste streams which have not rendered hazardous yet would need to be classified as hazardous based on the results of the calculation formulae of this regulation. Yet still, as “the results of the test are to prevail” according to recital (8) substantial testing costs without significant benefits for the environment are caused to prove the opposite.

In our understanding an opportunity of establishing harmonised test methods for wastes with regard to the hazardous property HP 14 ‘Ecotoxic’ has been missed. This regulation allows Member States to apply their own relevant test methods to assess waste for the hazardous property HP 14 ‘Ecotoxic’. Hence, the assessment of ecotoxicity of wastes will remain fragmented across the European Union instead of a harmonization of test methods. The addition to recital (8) and exchange of best practices is a good starting point, but does not lead to a harmonisation of test methods.

In the light of the newly defined hazardous property HP 14 ‘Ecotoxic’, Austria and the Czech Republic think that a review and adjustment of the European List of Waste seems even more indispensable.

Statement by Belgium

Belgium opposes the Council Regulation (doc. 8430/17) for the following reasons:

1. First, the proposed formulas are too generic

Belgium prefers a method that represents the real toxicity: a low (severe) limit value for the most toxic substances and a higher (mild) limit value for the less toxic substances. As the present proposal uses the same limit value for a very diverse subset of ecotoxic substances, it is likely to classify too much "little toxic" waste as hazardous, and too much very toxic waste as non-hazardous.

Recital (7) states that the Commission has the possibility to reconsider the calculation method of HP14 in view of the possible inclusion of multiplying factors in that method. Belgium regrets that this wording contains no obligation or deadline for the Commission and urges the Commission to start this process without delay.

2. Secondly, Belgium considers the proposal as too indistinct as regards "testing"

Recital (8) refers to two methods to define 'ecotoxicity': biotests and a calculation method. The contrast between the legal framework for both methods is striking:

- The calculation method is described in great detail. However: this method works well only for well-known waste.
- Biotesting is by far the best option for waste of unknown composition or origin. However: it is nowhere defined which, and how many biotests should be used. This implies the users have the freedom to choose a test organism that is not sensitive for a particular substance present in the waste. Neither is it defined how the result of the biotest should be interpreted. This implies that it is up to the user to decide which percentage of mortality is to be interpreted as "hazardous".

Recital (8) states that it is appropriate to promote the exchange of best practices with regard to test methods. This statement holds no obligation and no deadline for this exchange to take place. An informal, non-binding "exchange" of information does not suffice. Belgium pleads for the development of a harmonized test battery.

3. Thirdly, Belgium is concerned about the reference in recital 8 to art. 12(b) of Regulation (EC) No 1272/2008, which allows bioavailability of substances and mixtures to be taken into account

Including the evaluation of bioavailability is in strict contrast with the evaluation of the intrinsic properties of waste, which is the basis of Annex III of the Waste Framework Directive.

CLP takes the bioavailability of chemicals and substances into account. This is justified, as the life cycle of chemical substances and mixtures is well known. This is however not the case for waste. The label “hazardous” should not, and cannot depend on the varying conditions wherein waste is to be found.

Statement by Poland

Poland opposes the Council Regulation (doc. 8430/17) for the following reasons:

Assessment of HP 14 based on calculation method is not appropriate as it may lead to either overestimation or underestimation of hazardous waste stream. Consequently, it could negatively influence the transition to circular economy, as well as the achievement of targets in waste management as regards application of waste hierarchy and cause problems with availability of facilities for hazardous waste treatment (insufficient capacity).

Thus, Poland is of the opinion that this issue should be addressed by an expert group and a new proposal for assessing HP 14 property should be developed. The method should be cost-effective, practical and not lead to overestimation of some waste stream.

Council Decision (EU) 2017/1107 of 8 June 2017 as regards the extension of the period of entitlement to audiovisual co-productions as provided for in Article 5 of the Protocol on Cultural Cooperation to the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part
OJ L 160, 22.6.2017, p. 33–34

9505/17

Statement by the Commission

The Commission considers that the change in the legal basis of the Council decision constitutes a violation of EU law.

Council Decision on the signing, on behalf of the Union and of the Member States, and provisional application of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, to take account of the accession of the Republic of Croatia to the European Union	9016/17
Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, to take account of the accession of the Republic of Croatia to the European Union	9079/17
Council Decision approving the conclusion, by the European Commission, on behalf of the European Atomic Energy Community, of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, to take account of the accession of the Republic of Croatia to the European Union	9191/17
Council Conclusions on "Road safety endorsing the Valletta Declaration" (Valletta, 28 – 29 March 2017)	9994/17
<p>Statement by Germany</p> <p>The present Valletta Declaration of March 2017, to which the Council refers in its conclusions on road safety, uses the terms 'Schwerverletzte' or 'schwere Verletzungen' (serious injuries) several times in the German version.</p> <p>For reasons of clarification, Germany would like to point out that these terms, on the basis of the spirit and purpose of this declaration as well as the Council conclusions, are always to be interpreted in connection with the definition based on the MAIS3+ abbreviated injury scale. Only then is it possible to guarantee the differentiation of persons who exhibit a lower degree of injury, but in Germany, for instance, are considered to have 'serious injuries' within the meaning of the official road accident statistics because they were hospitalised for 24 hours. For this reason, all comments in the Valletta Declaration referring to 'serious injuries' must be interpreted based on the common European MAIS3+ definition.</p>	

Council Conclusions on "Priorities for the EU's maritime transport policy until 2020: Competitiveness, Decarbonisation, Digitalisation to ensure global connectivity, an efficient internal market and a world-class maritime cluster"	9976/17
Written procedure completed on 8 June 2017	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Implementing Decision (CFSP) 2017/975 of 8 June 2017 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea OJ L 146, 9.6.2017, p. 145–149	9938/17
3547th meeting of the Council of the European Union (AGRICULTURE AND FISHERIES) held in Luxembourg on 12 June 2017	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision establishing the position to be adopted, on behalf of the European Union, in the annual Conference of the Parties to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea, and repealing the Council Decision of 10 July 2012 on establishing the position to be adopted on behalf of the European Union in the framework of the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea	9782/17
Statement by the Commission	
<p>The Commission considers the precise material legal basis of Article 43(2) TFEU as it had proposed in conjunction with the procedural legal basis of Article 218(9) of the TFEU to be the only appropriate one as Article 43(2) TFEU is also the material legal basis in conjunction with the procedural legal basis of Article 218(6)a TFEU for the Council's decisions on the conclusion of the international agreements setting up the respective RFMOs, in the context of which Article 218(9) TFEU may become relevant.</p> <p>The Commission therefore maintains its proposal and cannot support the Council's amendment replacing the legal basis of Article 43(2) in conjunction with Article 218 (9) with Article 43 (without mentioning the paragraph) in conjunction with Article 218(9).</p>	

<p>Council Decision establishing the position to be adopted, on behalf of the European Union, in the Meeting of the parties to the Southern Indian Ocean Fisheries Agreement (SIOFA) and repealing the Council Decision of 25 October 2012 on the establishment of the Union position to be adopted in the framework of the Southern Indian Ocean Fisheries Agreement (SIOFA)</p>	<p>9767/17</p>
<p>Statement by the Commission</p> <p>The Commission considers the precise material legal basis of Article 43(2) TFEU as it had proposed in conjunction with the procedural legal basis of Article 218(9) of the TFEU to be the only appropriate one as Article 43(2) TFEU is also the material legal basis in conjunction with the procedural legal basis of Article 218(6)a TFEU for the Council's decisions on the conclusion of the international agreements setting up the respective RFMOs, in the context of which Article 218(9) TFEU may become relevant.</p> <p>The Commission therefore maintains its proposal and cannot support the Council's amendment replacing the legal basis of Article 43(2) in conjunction with Article 218 (9) with Article 43 (without mentioning the paragraph) in conjunction with Article 218(9).</p>	
<p>Council Decision establishing the position to be adopted, on behalf of the European Union, in the South Pacific Regional Fisheries Management Organisation (SPRFMO) and repealing the Council Decision of 25 October 2012 on the establishment of the Union position to be adopted in the South Pacific Regional Fisheries Management Organisation</p>	<p>9784/17</p>
<p>Statement by the Commission</p> <p>The Commission considers the precise material legal basis of Article 43(2) TFEU as it had proposed in conjunction with the procedural legal basis of Article 218(9) of the TFEU to be the only appropriate one as Article 43(2) TFEU is also the material legal basis in conjunction with the procedural legal basis of Article 218(6)a TFEU for the Council's decisions on the conclusion of the international agreements setting up the respective RFMOs, in the context of which Article 218(9) TFEU may become relevant.</p> <p>The Commission therefore maintains its proposal and cannot support the Council's amendment replacing the legal basis of Article 43(2) in conjunction with Article 218 (9) with Article 43 (without mentioning the paragraph) in conjunction with Article 218(9).</p>	

<p>Council Decision establishing the position to be adopted on behalf of the European Union in the relevant Committees of the United Nations Economic Commission for Europe as regards the proposals for amendments to UN Regulations Nos 4, 6, 7, 14, 16, 19, 23, 30, 38, 48, 50, 51, 54, 55, 77, 80, 83, 87, 91, 98, 106, 112, 113, 119, 123, 129 and 143, two proposals for amendments to UN Global Technical Regulations 1 and 15, a proposal for a new UN Global Technical Regulation on the evaporative emission test procedure, the reaffirmation of three listings in the Compendium of Candidate UN Global Technical Regulations, and one consensus decision on the use of the term ‘UN GTR’</p>	<p>9798/17</p>
<p>Council Decision (EU) 2017/1190 of 12 June 2017 on the position to be taken on behalf of the European Union within the European Union/Switzerland GNSS Committee established by the Cooperation Agreement between the European Union and its Member States, of the one part, and the Swiss Confederation, of the other, on the European Satellite Navigation Programmes regarding the adoption of its Rules of Procedure OJ L 172, 5.7.2017, p. 1–7</p>	<p>5448/17</p>
<p>Council Decision on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and Iceland on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund, for the period 2014 to 2020</p>	<p>9227/17</p>
<p>Agreement between the European Union and Iceland on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund, for the period 2014 to 2020</p>	<p>9253/17</p>

Council Decision authorising the opening of negotiations with the Republic of Mali in order to conclude an Agreement on the status of the European Union CSDP Mission in Mali (EUCAP Sahel Mali) replacing the Agreement in the form of an Exchange of Letters between the European Union and the Republic of Mali regarding the status of EUCAP Sahel Mali	9153/17
Council Decision (CFSP) 2017/994 of 12 June 2017 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea OJ L 149, 13.6.2017, p. 75–84	7577/17
3548th meeting of the Council of the European Union (EMPLOYMENT, SOCIAL POLICY, HEALTH and CONSUMER AFFAIRS) held in Luxembourg on 15 and 16 June 2017	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Conclusions on "Towards Making-Work-Pay Strategies"	10452/17
Council Conclusions on European Court of Auditors' Special Report No 5/2017 "Youth unemployment - have EU policies made a difference? An assessment of the Youth Guarantee and the Youth Employment Initiative"	10379/17
Council Conclusions to contribute towards halting the rise in Childhood Overweight and Obesity	10380/17
Council Conclusions on Encouraging Member States-driven Voluntary Cooperation between Health Systems	10381/17

Statement by Germany

Germany expressly welcomes the voluntary cooperation of Member States, also in the field of health, to resolve problems to which they cannot find solutions on their own or for which cooperation may lead to better solutions. Germany is open to such cooperation.

Germany considers the Council conclusions to be a document that fully respects the Member States' competences and, in particular, that safeguards their right to organise their health services pursuant to Article 168(7) TFEU ('Union action shall respect the responsibilities of the Member States for the definition of their health policy and medical care.'). The cooperation between Member States in the field of health addressed in the Council conclusions is exclusively on a voluntary basis.

Germany considers the Council conclusions to be a call to those Member States that would like to cooperate more closely with other Member States at intergovernmental level, and to do so on their own initiative. The arrangements for each phase of voluntary cooperation will be the sole responsibility of the Member States voluntarily organising themselves to that end. This means that in both structural and substantive terms, the organisation, coordination and implementation will remain within the remit of the respective partners in the cooperation. There will be no coordination of the activities at a higher level, in particular by the Commission. Any agreements made within the framework of this cooperation and any outcome of discussions will have effect solely within the Member States that have voluntarily joined forces for this purpose. There will be no involvement of European structures going beyond the competences provided for in the European Treaties.

With regard to a target-oriented exchange of experience, the relevant health fora enabling a purposeful exchange for Member States within the scope of voluntary cooperation should be composed of experts of the relevant disciplines.

Having submitted the clarifying comments above, Germany supports the draft Council conclusions.

3549th meeting of the Council of the European Union (ECONOMIC AND FINANCIAL AFFAIRS) held in Luxembourg on 16 June 2017	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Conclusions on the Code of Conduct (Business Taxation)	10392/17
Council Decision (EU) 2017/1249 of 16 June 2017 on the conclusion on behalf of the Union of the Agreement between the European Union and the Kingdom of Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020 OJ L 179, 12.7.2017, p. 1–2	13710/16
Council Decision (EU) 2017/1191 of 16 June 2017 abrogating Decision 2014/56/EU on the existence of an excessive deficit in Croatia OJ L 172, 5.7.2017, p. 8–9	10000/17
Council Decision (EU) 2017/1225 of 16 June 2017 abrogating Decision 2010/288/EU on the existence of an excessive deficit in Portugal OJ L 174, 7.7.2017, p. 19–21	10001/17
Council Recommendation with a view to correcting the significant observed deviation from the adjustment path toward the medium-term budgetary objective in Romania	9999/17

3550th meeting of the Council of the European Union (ENVIRONMENT) held in Luxembourg on 19 June 2017

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
Council Decision (EU) 2017/1138 of 19 June 2017 on the position to be taken on behalf of the European Union at the first meeting of the Conference of the Parties of the Minamata Convention on Mercury as regards the adoption of the required content of the certification referred to in Article 3(12) of the Convention and of the guidance referred to in Article 8(8) and (9) of the Convention OJ L 164, 27.6.2017, p. 56–58	9666/17
Council Conclusions on the implementation of the general provisions on data protection of Chapter 6 of Council Decision 2008/615/JHA	10473/17
Council Conclusions on EU Action Plan for nature, people and the economy	10500/17

3551st meeting of the Council of the European Union (FOREIGN AFFAIRS) held in Luxembourg on 19 June 2017

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
Council Conclusions on EU engagement with civil society in external relations	10279/17
Council Conclusions on the EU Strategy for Central Asia	10387/17
Council Conclusions on the Court of Auditors' Special Report on "EU Assistance to Tunisia"	10189/17
Council Conclusions on climate change following the United States Administration's decision to withdraw from the Paris Agreement	10456/17
Council Conclusions on a Framework for a Joint EU Diplomatic Response to Malicious Cyber Activities ("Cyber Diplomacy Toolbox")	10474/17
Council Decision (CFSP) 2017/1087 of 19 June 2017 amending Decision 2014/386/CFSP concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol OJ L 156, 20.6.2017, p. 24–24	9631/17
Council Conclusions on "Renewed Impetus for the Africa-EU Partnership"	10454/17
Council Conclusions on Mali and the Sahel	10137/17
Council Conclusions on Global Maritime Security	10238/17
Council Conclusions on Progress report on the implementation of the common set of proposals endorsed by EU and NATO Ministers on 6 December 2016	10236/17
Council Conclusions on EU External Action on Counter-terrorism	10384/17
Council Conclusions on Iraq	10197/17

3552nd meeting of the Council of the European Union (GENERAL AFFAIRS) held in Luxembourg on 20 June 2017

LEGISLATIVE ACTS

ACT	DOCUMENT	VOTING RULE	VOTES
Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1683/95 laying down a uniform format for visas	20/17	Qualified majority	All Member States in favour, except for: Not participating: IE, UK
Statement by the United Kingdom <p>The United Kingdom notes the adoption of the Draft Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1683/1995 laying down a uniform format for visas. The United Kingdom considers that this Regulation does not constitute a measure that builds on the Schengen acquis for the UK, as it amends a measure that was adopted prior to the incorporation of the Schengen acquis into Union law and that was not listed as part of the Schengen acquis. The United Kingdom considers that as the Regulation falls within the scope of Title V of Part Three of the Treaty on the Functioning of the European Union, 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 should have applied to this Regulation.</p>			
Council Regulation (EU, Euratom) 2017/1123 of 20 June 2017 amending Regulation (EU, Euratom) No 1311/2013 laying down the multiannual financial framework for the years 2014-2020 OJ L 163, 24.6.2017, p. 1–3	14942/16	Qualified majority	All Member States in favour, except for: Abstention: IT, UK

Statement of the European Parliament and the Council on reinforcements (top-ups) for the remaining period of the MFF

In the context of the MFF mid-term review/revision, the European Parliament and the Council have agreed on the top-ups as proposed by the Commission for the amounts indicated in the table below, to be implemented in the years 2017 to 2020 ⁽²⁾ in the framework of the annual budgetary procedure, without prejudice to the prerogatives of the budgetary authority:

	Commitment appropriations, mil. EUR
Heading 1a	
Horizon 2020	200
CEF Transport	300
Erasmus+	100
COSME	100
Wifi4EU*	25
EFSI*	150
Total Heading 1a	875
Heading 1b (YEI)	1200**
Heading 3	2549
Heading 4*	1385
Total H1a, 1b, 3, 4	6009

* This does not prejudice the outcome of ongoing discussions on draft legislative proposals within H1a and 4H4H4.

** Spread over four years (2017-2020).

Redeployments of an overall amount of EUR 945 million will be identified in the annual budget procedure, out of which EUR 875 million in H1a and EUR 70 million in H4.

(2) A part of the overall top-ups have already been agreed in the context of the 2017 budgetary procedure. The 2017 budget thus includes EUR 200 million in Heading 1a and EUR 725 million in Heading 4. Moreover, the European Parliament and the Council agreed to provide EUR 500 million in Heading 1b for the Youth Employment Initiative in 2017 to be financed by the Global margin for commitments and which will be implemented via an amending budget in 2017. Finally, the European Parliament and the Council also invited the Commission to request the necessary appropriations in an amending budget in 2017 in order to provide the financing of the EFSD from the EU budget as soon as the legal base is adopted.

Statement of the European Parliament and the Council on avoiding accumulation of an excessive amount of unpaid bills

The European Parliament and the Council call on the Commission to continue closely scrutinising the implementation of the 2014-2020 programmes in order to ensure an orderly progression of payment appropriations consistent with the authorised commitment appropriations. To that end, they invite the Commission to present in a timely manner, throughout the remaining period of the current MFF, updated figures concerning the state of affairs and estimates regarding payment appropriations. The European Parliament and the Council will take any necessary decisions in due time for duly justified needs to prevent the accumulation of an excessive amount of unpaid bills and to ensure that payment claims are duly reimbursed.

Statement of the European Parliament and the Council on payments for Special Instruments

The European Parliament and the Council agreed to adapt the proposal for amending Decision (EU) 2015/435 so as not to prejudice in any way the nature of payments for other special instruments in a general way.

Statement of the European Parliament and the Council concerning an independent evaluation of the results of the target of progressive reduction of staff by 5% between 2013 and 2017

The European Parliament and the Council propose that an independent evaluation of the results of the target of progressive reduction of staff by 5% between 2013 and 2017 is undertaken, covering all institutions, bodies and agencies as agreed in the IIA of 2013 on budgetary discipline, on cooperation in budgetary matters and on sound financial management. Based on the conclusion of the evaluation, the European Parliament and the Council invite the Commission to present an appropriate follow-up proposal.

Statement of the Council on payments for Special Instruments

The Council proposes to maintain the status quo and not establish, in the context of this review/revision, a general and over-arching rule as regards the treatment of payments for other special instruments. The opinion of the Council Legal Service stated that it will remain open for the Budgetary Authority to decide on a case-by-case basis, in respect of a specific mobilisation in question, whether or not some or all of the corresponding payments are to be counted above the MFF ceilings.

Statement of the Commission on reinforcing the Youth Employment Initiative and additional measures to help tackling the migration crisis and security issues

Should the downwards trend in youth unemployment observed since 2013 reverse again, consideration should be given to increase the funding for the Youth Employment Initiative beyond the amount of EUR 1.2 billion agreed in the framework of the mid-term review/revision of the multiannual financial framework (MFF) 2014-2020 by using margins available under the Global Margin for Commitments in accordance with Article 14 of the MFF Regulation. For that purpose, the Commission will report regularly on the observed statistical trends and submit a Draft Amending Budget if appropriate.

Without prejudice to the above, additional margins available should be considered, as a matter of priority, for investing in young people across Europe and for measures helping to address the internal and external dimension of the migration crisis and security issues should new needs arise which are not covered by the existing or agreed funding. The Commission will make proposals to that end if appropriate while keeping in mind the need to maintain sufficient margins for unexpected events and the smooth implementation of already agreed programmes.

Statement by the United Kingdom

The United Kingdom notes the agreement reached by the European Council on the Mid-Term Review of the Multiannual Financial Framework, and the recent adoption by the EU acting at 27 of Negotiating Guidelines, Directives for the UK's withdrawal, and position paper on principles on the financial settlement, which assert that the UK should be held liable for a wide-ranging set of EU obligations.

Following the UK General Election and the end of the 'purdah' period, the UK lifts its reservation on the adoption by the Council of the agreement on the Mid-Term Review. This is in order to support the good governance of the budget while the UK remains a member of the EU, recognising that the Mid-Term Review will have an effect primarily on the budget after the UK has left the EU. This is without prejudice to the UK's position on asserted financial liabilities in the forthcoming withdrawal negotiations, and conditioned on the clear understanding that the EU acting at 27 will not use the UK's constructive position on the Mid-Term Review to add to its asserted claims regarding UK liabilities.

The UK is confident that other Member States and the institutions will reciprocate the UK's act of good faith in facilitating Union business primarily applicable after its withdrawal in the approach they take to the withdrawal negotiations, and in ongoing relations to UK businesses and recipients of EU funds. We expect that they will apply a similar sense of fairness, and work cooperatively on an orderly withdrawal.

Statement by the Commission

The Commission welcomes the adoption by the Council of the Mid-Term Review of the Multiannual Financial Framework following the lifting of the UK's reservation on the adoption of the agreement by the Council.

This is without prejudice to ongoing negotiations on the withdrawal of the United Kingdom from the Union under Article 50 of the Treaty on European Union. As stated in the Essential Principles on Financial Settlement presented on 12 June 2017, the Union and the United Kingdom should both respect in full the financial obligations resulting from the whole period of the United Kingdom membership in the Union.

NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Decision (EU) 2017/1331 of the European Parliament and of the Council of 4 July 2017 amending Decision (EU) 2015/435 on the mobilisation of the Contingency Margin OJ L 185, 18.7.2017, p. 35–36	7958/17
Council Conclusions on Special Report No 25/2016 from the European Court of Auditors entitled: "The Land Parcel Identification System: a useful tool to determine the eligibility of agricultural land - but its management could be further improved"	10466/17
Council Conclusions on Special Report No 26/2016 from the European Court of Auditors entitled: "Making cross-compliance more effective and achieving simplification remains challenging"	10467/17
Council Decision (EU) 2017/1163 of 20 June 2017 on the conclusion, on behalf of the Union and its Member States, of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, to take account of the accession of the Republic of Croatia to the European Union OJ L 170, 1.7.2017, p. 1–2	13824/16

Council Conclusions on "A sustainable European Future: The EU response to the 2030 Agenda for Sustainable Development"	10370/17
<p>Statement by France</p> <p>France endorses the conclusions of the Council of the European Union "A sustainable European future: the European response to the 2030 Agenda for sustainable development".</p> <p>Referring to the declaration it made at the time of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples on 13 September 2007, France would recall that, in accordance with the constitutional principles of the indivisibility of the Republic and the unity of the people of France, the French people is composed of all French citizens without distinction based on origin, race or religion. Under those principles and the principle of equality of citizens before the law, only the French people as a whole can be granted rights, and France grants no collective right to any group whatsoever, defined by a community of origin, culture, language or belief.</p> <p>France remains committed to ensuring that the achievement of the sustainable development goals will benefit all people, including those belonging to indigenous peoples, without discrimination.</p>	
<p>Statement by Luxembourg supported by Sweden</p> <p>Luxembourg regrets that the Council conclusions on the implementation of the 2030 Agenda, which will define the European Union's response to the United Nations 2030 Agenda, do not take sufficient account of the external component of the 2030 Agenda in the field of development cooperation, particularly in relation to our long-standing commitment to devote 0.7 % of gross national income to official development assistance (ODA), and our commitment to grant particular importance to the least developed countries (LDCs), by allocating between 0.15 and 0.20 % of ODA to this group of countries most in need.</p> <p>Luxembourg recognises that there are many financial and non-financial means of implementation of the 2030 Agenda and the Addis Ababa Action Agenda, but takes the view that ODA will continue to play an important role, especially for the LDCs.</p> <p>Luxembourg therefore regrets that the Council conclusions do not refer specifically to the financial commitments of the European Union and its Member States in relation to ODA in general (0.7 % of GNI) and the priority to be given to LDCs (0.15 - 0.20 of GNI), as specified in the 2030 Agenda - and particularly sustainable development goals 1 and 17 - and in the Addis Ababa Action Agenda, which is an integral part of the 2030 Agenda.</p>	

Council Regulation (EU) 2017/1133 of 20 June 2017 amending Regulation (EU) No 1388/2013 opening and providing for the management of autonomous tariff quotas of the Union for certain agricultural and industrial products OJ L 164, 27.6.2017, p. 1–5	9766/17
Council Regulation (EU) 2017/1134 of 20 June 2017 amending Regulation (EU) No 1387/2013 suspending the autonomous Common Customs Tariff duties on certain agricultural and industrial products OJ L 164, 27.6.2017, p. 6–27	9794/17
Written procedure completed on 23 June 2017	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Implementing Decision (CFSP) 2017/1127 of 23 June 2017 implementing Decision 2010/413/CFSP concerning restrictive measures against Iran OJ L 163, 24.6.2017, p. 16–20	10265/17
Council Implementing Regulation (EU) 2017/1124 of 23 June 2017 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran OJ L 163, 24.6.2017, p. 4–9	10267/17

3554th meeting of the Council of the European Union (TRANSPORT, TELECOMMUNICATIONS and ENERGY) held in Luxembourg on 26 June 2017

LEGISLATIVE ACTS

ACT	DOCUMENT	VOTING RULE	VOTES
Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU (Text with EEA relevance.) OJ L 198, 28.7.2017, p. 1–23	19/17	Qualified majority	All Member States in favour

Statement by the European Parliament, the Council and the Commission on Articles 290 and 291 TFEU

Recalling the Interinstitutional Agreement of 16 April 2016 on Better Law-Making, in particular, its paragraph 26, the European Parliament, the Council and the Commission declare that the provisions of this Regulation shall be without prejudice to any future position of the institutions as regards the application of Articles 290 and 291 TFEU in other legislative files.

Commission statement on financial compensation for consumers

In view of its ongoing efforts to strengthen the enforcement of Union harmonisation legislation for products, the Commission - in order to address potential financial loss by consumers due to wrongly labelled products or inferior energy and environmental performance than labelled - should investigate whether compensation for consumers in case of non-compliance with regard to energy class displayed on the label can be addressed.

Statement by Bulgaria

Bulgaria considers that the adoption of the Regulation of the European Parliament and of the Council setting a framework for energy efficiency labelling and repealing Directive 2010/30/EU will not be used as a precedent for ensuring conformity with the New Legislative Framework (NLF) when redrafting any other legislation in the field of products, in particular Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products.

<p>Decision (EU) 2017/1324 of the European Parliament and of the Council of 4 July 2017 on the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) jointly undertaken by several Member States OJ L 185, 18.7.2017, p. 1–15</p>	<p>18/17</p>	<p>Qualified majority</p>	<p>All Member States in favour, except: Abstention: UK</p>
<p>Statement by the Commission</p> <p>on financial guarantees for the PRIMA Implementation Structure</p> <p>1. In relation to the PRIMA initiative, the EU Financial Regulation in its Article 58(1)(c)(vi) stipulates that the Commission may entrust implementation of the Union budget to a body governed by private law with a public service mission (Implementation Structure – IS). Such a body must provide adequate financial guarantees.</p> <p>2. In order to respect sound financial management of EU funds, these guarantees should cover, without limitation of scope or amounts, any debt of the IS towards the Union related to all implementation tasks as foreseen in the Delegation Agreement. The Commission normally expects the guarantors to accept the joint and several liability for debts of the IS.</p> <p>3. However, on the basis of a detailed risk assessment, in particular if the outcome of the ex-ante pillar assessment carried out to the IS in line with Article 61 of the Financial Regulation is deemed to be adequate, the Commission Authorising Officer in charge of PRIMA will envisage that:</p> <ul style="list-style-type: none"> • Taking into account the principle of proportionality, the financial guarantees requested from the IS may be limited to the maximum amount of the Union contribution. • In accordance, the liability of each guarantor may be proportionate to the share of their contribution to PRIMA. <p>The guarantors may agree on the modalities in which they will cover this liability in their respective letters of declaration on liabilities.</p>			

Statement by the United Kingdom

The United Kingdom acknowledges the importance of the PRIMA initiative to the Euro-Mediterranean region and that the topic of food security, which is the current focus of PRIMA, is pertinent both to the Euro-Mediterranean region itself and to the wider world.

We acknowledge the opportunity for developing better research and innovation links with the participating countries in the Euro-Mediterranean region and in particular with Southern Neighbourhood countries.

However the UK is concerned about the potential for the PRIMA initiative to set a precedent for the allocation of EU research and innovation funding on the basis of geography rather than excellence. We believe that excellence should be the main criterion for the allocation of Horizon 2020 funding. The UK has therefore abstained from this decision.

Regulation (EU) 2017/1199 of the European Parliament and of the Council of 4 July 2017 amending Regulation (EU) No 1303/2013 as regards specific measures to provide additional assistance to Member States affected by natural disasters OJ L 176, 7.7.2017, p. 1–2	21/17	Qualified majority	All Member States in favour
NON-LEGISLATIVE ACTS			
ACT	DOCUMENT / STATEMENTS		
Council Decision (EU) 2017/1192 of 26 June 2017 on the position to be taken on behalf of the European Union within the European Committee for drawing up standards in the field of inland navigation (CESNI) and at the plenary session of the Central Commission for the Navigation of the Rhine (CCNR) on the adoption of standards concerning technical requirements for inland waterways vessels OJ L 172, 5.7.2017, p. 10–11	9750/17		
Council Conclusions on Blue Growth	10662/17		

Council Conclusions on European Court of Auditors' Special Report No 02/2017 "The Commission's negotiation of 2014-2020 Partnership Agreements and programmes in Cohesion: spending more targeted on Europe 2020 priorities, but increasingly complex arrangements to measure performance"	10614/17
Council Decision (EU) 2017/1173 of 26 June 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 04 03 01 03) OJ L 170, 1.7.2017, p. 89–91	10310/17
Council Conclusions on the Second Progress Report on the Action Plan on Nutrition	10679/17
Written procedure completed on 28 June 2017	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision (CFSP) 2017/1148 of 28 June 2017 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine OJ L 166, 29.6.2017, p. 35–35	10436/17
Written procedures completed on 30 June 2017	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
European Union's position for the Association Council's twelfth meeting	10594/17
Council Implementing Decision (EU) 2017/1226 of 30 June 2017 amending Implementing Decision (EU) 2016/544 approving the macroeconomic adjustment programme of Greece (2015/1411) OJ L 174, 7.7.2017, p. 22–26	10074/17