



Brussels, 3 October 2017
(OR. en)

12817/17

CRS CRP 35

SUMMARY RECORD

Subject: 2641st meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 20 and 22 September 2017

I. Adoption of the agenda

12243/17 OJ CRP1 31

12298/1/17 REV 1 OJ CRP2 31

The Committee adopted the agenda.

II. Approval of the "I" items

The Committee approved the "I" items as set out in the Annex.

III. Discussion items

COREPER (PART 1)

WEDNESDAY 20 SEPTEMBER 2017

2. **Setting** of the provisional **agenda** for the Council meeting (**Agriculture and Fisheries**) on 9 October 2017 (For the items in the remit of the Permanent Representatives Committee).

The Committee agreed on the provisional agenda for the forthcoming Council meeting.

3. **Waste package (First reading) (Legislative deliberation)**

- a) Proposal for a Directive of the European Parliament and of the Council amending Directives 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment
 - b) Proposal for a Directive of the European Parliament and of the Council amending Directive 1999/31/EC on the landfill of waste
 - c) Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/98/EC on waste
 - d) Proposal for a Directive of the European Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste
- = Preparation for the trilogue
12164/17 ENV 750 COMPET 605 MI 624 AGRI 473 IND 210 CONSOM 302
ENT 188 CODEC 1395

The Committee agreed on a slightly revised mandate for the forthcoming trilogue.

4. **Setting** of the provisional **agenda** for the Council meeting (**Environment**) on 13 October 2017

The Committee agreed on the provisional agenda for the forthcoming Council meeting.

5. Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/87/EC to enhance **cost-effective emission reductions** and low-carbon investments
(First reading) (Legislative deliberation)
= Presidency debriefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 13 September 2017.

6. Proposal for a Regulation of the European Parliament and of the Council amending Directive 2003/87/EC to continue current **limitations of scope for aviation activities** and to prepare to implement a global market-based measure from 2021 **(First reading) (Legislative deliberation)**
= Preparation for the trilogue
12082/17 CLIMA 237 ENV 743 AVIATION 112 MI 620 IND 208 ENER 358
CODEC 1378

The Committee agreed on the mandate for the forthcoming trilogue.

FRIDAY 22 SEPTEMBER 2017

7. Proposal for a Regulation of the European Parliament and of the Council on common rules in the field of civil aviation and establishing a **European Union Aviation Safety Agency**, and repealing Regulation (EC) No 216/2008 of the European Parliament and of the Council
(First reading) (Legislative deliberation)

= Preparation for the trilogue

12094/17 AVIATION 114 CODEC 1382 RELEX 747

+ ADD 1

The Committee agreed on a slightly revised mandate for the forthcoming trilogue.

8. Work programme of the **High Level Working Group on Competitiveness and Growth**

= Approval

12123/17 COMPET 599 POLGEN 118

The Committee approved the work programme.

COREPER (PART 2)

38. **Follow-up** to the Council meeting (**Justice and Home Affairs**) on 14 September 2017

The Committee took note of the main outcomes of the Council meeting.

39. **Presentation of the agenda** of the Council meeting (**Justice and Home Affairs**) on 12/13 October 2017

The Presidency presented the main points on the agenda.

40. **Presentation of the agenda** of the Council meeting (**Economic and Financial Affairs**) on 10 October 2017

The Presidency presented the main points on the agenda.

78. Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EU) No 1316/2013 and (EU) 2015/1017 as regards the extension of the duration of the **European Fund for Strategic Investments** as well as the introduction of technical enhancements for that Fund and the European Investment Advisory Hub 2016/0276 (COD)
= Presidency debriefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue held on 12 September 2017.

41. **Preparation** of the Council meeting (**General Affairs**) on 25 September 2017

- **Presentation of the Priorities of the Estonian Presidency**

The Presidency informed the Committee of its intended handling of this item at the Council.

- Preparation of the **European Council on 19-20 October 2017**
 - = Annotated Draft Agenda
11567/17 CO EUR-PREP 37

The Committee took note of the annotated draft agenda submitted by the President of the European Council, setting out the main items that the European Council is expected to address at its meeting on 19-20 October 2017.

- **European Council follow-up**

The Committee was provided with an overview of the state of play in the implementation of the June EC conclusions.

- **Legislative programming** - Letter of Intent
 - = Presentation by the Commission
 - = Exchange of views
- 12103/17 CODEC 1384 INST 340 POLGEN 117 PE 66

The Presidency informed the Committee how it intends to structure the exchange of views at the Council on the Commission's Letter of Intent.

- Other items in connection with the Council meeting

No new items were raised under this heading.

42. (poss.) **Relations with the European Parliament** after the European Parliament session on 11-14 September 2017 in Strasbourg

The above-mentioned item was withdrawn.

IV. Any other business

COREPER (PART 1)

- Digital Single Market (**DSM**)
 - = Information from the Presidency on the state of play
 - 12034/17 TELECOM 201 COMPET 595 AUDIO 97 DIGIT 186 RECH 304
 - MI 616 PI 101 IND 205 ECOFIN 711 ENER 353
 - DATAPROTECT 138 CYBER 125 JUSTCIV 203 EJUSTICE 101
 - CULT 102 EDUC 333 CONSOM 300

The Committee took note of the information provided by the Presidency.

COREPER (PART 2)

None.

"I" items approved**COREPER (PART 1)****WEDNESDAY 20 SEPTEMBER 2017**

9. Replies to written questions put to the Council by Members of the European Parliament
= Adoption by silence procedure
- a) E-002619/2017 - Judith Sargentini (Verts/ALE)
Maltreatment of asylum seekers by European border guards
11281/17 PE-QE 169
 - b) P-002893/2017 - José Inácio Faria (PPE)
Drug-related deaths in Europe
11385/17 PE-QE 170
 - c) E-003342/2017 - Mark Demesmaeker (ECR) and Helga Stevens (ECR)
Turkish referendum on the reintroduction of the death penalty
10825/17 PE-QE 155
 - d) E-003495/2017 - Rachida Dati (PPE)
Use of armed drones
10949/17 PE-QE 158
 - e) E-003502/2017 - Inmaculada Rodríguez-Piñero Fernández (S&D)
Conducting studies of the implementation of EU trade agreements at national level
10769/17 PE-QE 153
 - f) E-003503/2017 - Inmaculada Rodríguez-Piñero Fernández (S&D)
Translation of public documents relating to EU trade negotiations
10773/17 PE-QE 154
 - g) E-003555/2017 - Philippe Juvin (PPE)
Use of the French language by the Council in social media communication
11109/17 PE-QE 163
 - h) E-003567/2017 - Joëlle Mélin (ENF) and Sylvie Goddyn (ENF)
Consequences of the EU-Chile agreement for organic agriculture in Europe
11181/17 PE-QE 166
 - i) E-003580/2017 - Barbara Kappel (ENF)
Council cooperation and transparency in PANA
11112/17 PE-QE 164
 - j) E-003582/2017 - Barbara Kappel (ENF)
Payback of earnings from Greek bonds to Greek treasury
11459/17 PE-QE 171
 - k) E-003956/2017 - Udo Voigt (NI)
The 'Chancellor Act' and doubts about the sovereignty of the Federal Republic of Germany
10951/17 PE-QE 159
 - l) E-004023/2017 - Jordi Solé (Verts/ALE) and Josep-Maria Terricabras (Verts/ALE)
Unfair treatment of the Catalan police force
11461/17 PE-QE 172

- m) E-004045/2017 - Beatriz Becerra Basterrechea (ALDE)
Council's position on a possible unilateral declaration of independence in Catalonia
11462/17 PE-QE 173
 - n) E-004072/2017 - Ulrike Lunacek (Verts/ALE)
Breakdown of documents by security classification levels
11464/17 PE-QE 174
 - o) E-004130/2017 - Liadh Ní Riada (GUE/NGL)
24-hour cardiac care hospital cover for the South-East of Ireland
11564/17 PE-QE 175
 - p) P-004815/2017 - Janusz Korwin-Mikke (NI)
Glorification of the perpetrators of ethnic cleansing in Ukraine
11570/17 PE-QE 177
10. Governing Board of the European Foundation for the Improvement of Living and Working Conditions
Appointment of Ms Cara MAGUIRE, member for United Kingdom, in place of Ms Ciara LENOACH, who has resigned
= Adoption
12122/17 SOC 571 EMPL 438
 11. Governing Board of the European Foundation for the Improvement of Living and Working Conditions
Appointment of Mr Stefan GRAN member for Germany, in place of Mr Thomas FISCHER, who has resigned
= Adoption
12156/17 SOC 575 EMPL 442
 12. Governing Board of the European Foundation for the Improvement of Living and Working Conditions
Appointment of Ms Susanne WIXFORTH, alternate member for Germany, in place of Mr Stefan GRAN, who has resigned
= Adoption
12158/17 SOC 576 EMPL 443
 13. Governing Board of the European Foundation for the Improvement of Living and Working Conditions
Appointment of Mr Thomas HOELGAARD, member for Denmark, in place of Ms Simone HEINECKE, who has resigned
= Adoption
12159/17 SOC 577 EMPL 444
 14. Advisory Committee on Safety and Health at Work
Appointment of Ms Nina HEDEGAARD, alternate member for Denmark, in place of Mr Jan KAHR FREDERIKSEN, who has resigned
= Adoption
12160/17 SOC 578 EMPL 445

15. Advisory Committee on Safety and Health at Work
Appointment of Ms Christina SODE HASLUND, alternate member for Denmark, in place of Mr Henrik BACH MORTENSEN, who has resigned
= Adoption
12162/17 SOC 579 EMPL 446
16. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 1295/2013 establishing the Creative Europe programme (2014 to 2020) **(First reading) (Legislative deliberation)**
= Optional consultation of the European Economic and Social Committee
11923/17 AUDIO 96 CULT 100 CADREFIN 91 RELEX 724 CODEC 1342
17. Commission Regulation (EU) .../... of XXX amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards octamethylcyclotetrasiloxane ('D4') and decamethylcyclopentasiloxane ('D5')
= Decision not to oppose adoption
11148/17 COMPET 540 ENV 677 CHIMIE 68 MI 556 ENT 170 SAN 294
CONSOM 282
+ COR 1
+ ADD 1
11064/17 COMPET 535 ENV 672 CHIMIE 67 MI 550 ENT 168 SAN 288
CONSOM 278
+ ADD 1

Statement by Germany

"Germany assumes that the recitals in the German language version will be amended as follows:

In recital 3 'im Folgenden' (hereinafter) will be added in the first parentheses before the acronym 'RAC'.

In the case of entry 70 in Annex XVII, Germany assumes that the EC number of the substance decamethylcyclopentasiloxane will be corrected to read '208-764-9'.

Lastly, Germany assumes that entry 70 in the German language version will be amended as follows:

Under 1. the wording '0,1% des Gewichts' (0,1% by weight) will be replaced by '0,1 Gewichtsprozent' (0,1% by weight percent)."

18. Commission Regulation (EU) .../... of XXX amending Annex III to Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products
= Decision not to oppose adoption
11722/17 MI 588 ENT 182 CONSOM 291 SAN 313 ECO 50 ENV 716
CHIMIE 75
11415/17 MI 567 ENT 173 CONSOM 285 SAN 302 ECO 47 ENV 694
CHIMIE 70
+ ADD 1

19. Commission Regulation (EU) .../... of XXX amending, for the purposes of its adaptation to technical and scientific progress, Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures ("complete Annex VI")
= Decision not to oppose adoption
11751/17 COMPET 576 ENV 717 CHIMIE 76 MI 592 ENT 183
11526/17 COMPET 561 ENV 700 CHIMIE 71 MI 573 ENT 176
+ ADD 1 - 4
20. Commission Directive (EU) .../... of XXX amending Directive 2009/43/EC of the European Parliament and of the Council as regards the list of defence-related products
= Decision not to oppose adoption
11260/17 MI 559 COMPET 545 POLARM 10 CFSP/PESC 684 COARM 199
11193/17 MI 557 COMPET 541 POLARM 9 CFSP/PESC 677 COARM 197
+ ADD 1
21. Commission Regulation (EU) .../... of XXX amending Regulation (EU) No 1031/2010 to align the auctioning of allowances with Decision (EU) 2015/1814 and to list an auction platform to be appointed by the United Kingdom
= Decision not to oppose adoption
11821/17 CLIMA 224 ENV 720 ENER 343 TRANS 344 IND 198 COMPET 583
MI 597 ECOFIN 694
11042/17 CLIMA 210 ENV 669 ENER 319 TRANS 314 IND 184 COMPET 534
MI 548 ECOFIN 629
+ ADD 1
+ ADD 1 REV 1 (de, sk)
22. Commission Decision of xxx amending Commission Decision 2010/670/EU as regards the deployment of non-disbursed revenues from the first round of calls for proposals
= Decision not to oppose adoption
11823/17 CLIMA 225 ENV 721 ENER 344 TRANS 345 IND 199 COMPET 584
MI 598 ECOFIN 695
11093/17 CLIMA 211 ENV 674 ENER 323 TRANS 315 IND 185 COMPET 538
MI 554 ECOFIN 630
23. Commission Regulation (EU) .../... of XXX amending Annex II to Regulation (EC) No 66/2010 of the European Parliament and of the Council on the EU Ecolabel
= Decision not to oppose adoption
11825/17 ENV 722
11200/17 ENV 684
+ ADD 1
24. Commission Decision of XXX amending Decision 2009/607/EC as regards the period of validity of the ecological criteria for the award of the EU Ecolabel to hard coverings
= Decision not to oppose adoption
11827/17 ENV 723
11475/17 ENV 696

25. Draft Council Decision on the signing, on behalf of the Union, and provisional application of the Agreement for scientific and technological cooperation between the European Union and the People's Democratic Republic of Algeria setting out the terms and conditions for participation of the People's Democratic Republic of Algeria in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)
= Adoption
11989/17 RECH 300 MED 74 AGRI 460 MIGR 172 RELEX 737 AL 13
11897/17 RECH 285 MED 62 AGRI 444 MIGR 156 RELEX 719 AL 10
11924/17 RECH 289 MED 66 AGRI 448 MIGR 162 RELEX 725 AL 11
26. Proposal for a Council Decision on the conclusion of the Agreement for scientific and technological cooperation between the European Union and the People's Democratic Republic of Algeria setting out the terms and conditions for participation of the People's Democratic Republic of Algeria in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)
= Request for the consent of the European Parliament
11989/17 RECH 300 MED 74 AGRI 460 MIGR 172 RELEX 737 AL 13
11964/17 RECH 296 MED 70 AGRI 455 MIGR 168 RELEX 733 AL 12
27. Draft Council Decision on the signing, on behalf of the Union, and provisional application of the Agreement for scientific and technological cooperation between the European Union and the Arab Republic of Egypt setting out the terms and conditions for participation of the Arab Republic of Egypt in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)
= Adoption
11990/17 RECH 301 MED 75 AGRI 461 MIGR 173 RELEX 738 EG 14
11915/17 RECH 286 MED 63 AGRI 445 MIGR 159 RELEX 721 EG 11
11926/17 RECH 290 MED 67 AGRI 449 MIGR 163 RELEX 726 EG 12
28. Proposal for a Council Decision on the conclusion of the Agreement for scientific and technological cooperation between the European Union and the Arab Republic of Egypt setting out the terms and conditions for participation of the Arab Republic of Egypt in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)
= Request for the consent of the European Parliament
11990/17 RECH 301 MED 75 AGRI 461 MIGR 173 RELEX 738 EG 14
11965/17 RECH 297 MED 71 AGRI 456 MIGR 169 RELEX 734 EG 13
29. Draft Council Decision on the signing, on behalf of the Union, of the Agreement for scientific and technological cooperation between the European Union and the Hashemite Kingdom of Jordan setting out the terms and conditions for participation of the Hashemite Kingdom of Jordan in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)
= Adoption
11991/17 RECH 302 MED 76 AGRI 462 MIGR 174 RELEX 739 RHJ 10
11916/17 RECH 287 MED 64 AGRI 446 MIGR 160 RELEX 722 RHJ 7
11927/17 RECH 291 MED 68 AGRI 450 MIGR 164 RELEX 727 RHJ 8

30. Proposal for a Council Decision on the conclusion of the Agreement for scientific and technological cooperation between the European Union and the Hashemite Kingdom of Jordan setting out the terms and conditions for participation of the Hashemite Kingdom of Jordan in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)
= Request for the consent of the European Parliament
11991/17 RECH 302 MED 76 AGRI 462 MIGR 174 RELEX 739 RHJ 10
11966/17 RECH 298 MED 72 AGRI 457 MIGR 170 RELEX 735 RHJ 9
31. Draft Council Decision on the signing, on behalf of the Union, and provisional application of the Agreement for scientific and technological cooperation between Republic of Lebanon setting out the terms and conditions for participation of the Republic of Lebanon in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)
= Adoption
11992/17 RECH 303 MED 77 AGRI 463 MIGR 175 RELEX 740 RL 12
11918/17 RECH 288 MED 65 AGRI 447 MIGR 161 RELEX 723 RL 9
11928/17 RECH 292 MED 69 AGRI 451 MIGR 165 RELEX 728 RL 10
32. Proposal for a Council Decision on the conclusion of the Agreement for scientific and technological cooperation between the European Union and the Republic of Lebanon setting out the terms and conditions for participation of the Republic of Lebanon in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)
= Request for the consent of the European Parliament
11992/17 RECH 303 MED 77 AGRI 463 MIGR 175 RELEX 740 RL 12
11967/17 RECH 299 MED 73 AGRI 458 MIGR 171 RELEX 736 RL 11
33. Draft Council Decision on the position to be adopted on behalf of the European Union within the Administrative Committee for the TIR Convention as regards the proposal to amend the Customs Convention on the international transport of goods under cover of TIR Carnets
= Adoption
11949/17 UD 196 CID 3 TRANS 350
11946/17 UD 195 CID 2 TRANS 349
34. Draft Council Decision on the signing, on behalf of the European Union, and provisional application of the Treaty establishing the Transport Community
= Adoption of other language versions
12124/17 TRANS 364 COWEB 105 ELARG 66
10301/17 TRANS 279 COWEB 73
10303/17 TRANS 280 COWEB 74
10099/17 TRANS 255 COWEB 71
+ ADD 1
35. Proposal for a Regulation of the European Parliament and of the Council on veterinary medicinal products **(First reading) (Legislative deliberation)**
Technical annexes
= Confirmation of the way forward
11895/17 AGRILEG 165 VETER 79 PHARM 36 MI 608 IA 130 CODEC 1340

36. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 1380/2013 on the Common Fisheries Policy **(First reading)**
(Legislative deliberation)
= Approval of the Commission proposal text
12097/17 PECHE 327 CODEC 1383
+ ADD 1
37. Proposal for a Regulation of the European Parliament and of the Council on the sustainable management of external fishing fleets, repealing Council Regulation (EC) No 1006/2008 **(First reading)** **(Legislative deliberation)**
= Political agreement
11583/17 PECHE 306 CODEC 1298

COREPER (PART 2)

43. Draft Council Decision appointing a member, proposed by the Italian Republic, of the European Economic and Social Committee
= Adoption
11865/17 CES 23
+ COR 1
11864/17 CES 22
44. Draft Council Decision appointing an alternate member, proposed by the Republic of Austria, of the Committee of the Regions
= Adoption
11921/17 CDR 130
11920/17 CDR 129
45. Draft Council Decision appointing a member and an alternate member, proposed by the Republic of Lithuania, of the Committee of the Regions
= Adoption
11911/17 CDR 127
11893/17 CDR 126
46. Draft Council Decision appointing two members and two alternate members, proposed by the Kingdom of the Netherlands, of the Committee of the Regions
= Adoption
12011/17 CDR 135
12010/17 CDR 134
47. Draft Council Decision appointing two members, proposed by Romania, of the Committee of the Regions
= Adoption
11879/17 CDR 123
11878/17 CDR 122
48. Draft EU position on the list of commitments proposed for presentation by the EU on the occasion of the "Our Ocean Conference" (Malta, 5-6 October 2017)
= Approval
12086/17 POLGEN 115 POLMAR 27 COMAR 30 AGRI 468 CLIMA 239
ENV 744 PECHE 325 RELEX 745 TRANS 361
12088/17 POLGEN 116 POLMAR 28 COMAR 31 AGRI 469 CLIMA 238
ENV 745 PECHE 326 RELEX 746 TRANS 363
49. Resolutions and Decisions adopted by the European Parliament at its part-session in Strasbourg from 11 to 14 September 2017
9598/17 PE-RE 7

50. Recommendation to the Council concerning the approval of a second-party evaluated cryptographic product
11943/17 CSCI 31 CSC 197
51. Recommendation to the Council concerning the approval of a second-party evaluated cryptographic product
11941/17 CSCI 30 CSC 196
52. Draft Council Decision on the position to be adopted, on behalf of the European Union, in the International Sugar Council as regards the extension of the International Sugar Agreement 1992
= Adoption
11874/17 AGRI 442 PROBA 20
11873/17 AGRI 441 PROBA 19
53. Draft Council Decision on the open data policy of the Council and the reuse of Council documents
= Adoption
12143/17 API 108 INF 154 JUR 422
11563/17 API 95 INF 139 JUR 376
54. Submission for approval of a new draft design of the Italian 2 euro commemorative coin
11976/17 ECOFIN 704 UEM 253
55. Submission for approval of a new draft design of the Luxembourg 2 euro commemorative coin
11476/17 ECOFIN 662 UEM 239
56. Submission for approval of a new draft design of the Slovenian 2 euro commemorative coin
11769/17 ECOFIN 688 UEM 246
57. Submission for approval of a new draft design of the Spanish 2 euro commemorative coin
11478/17 ECOFIN 663 UEM 240
58. Draft Council Decision abrogating Decision 2009/415/EC on the existence of an excessive deficit in Greece
= Adoption
11241/17 ECOFIN 648 UEM 232
11240/17 ECOFIN 647 UEM 231
59. European Court of Auditors' Special Report No 4/2017: Protecting the EU budget from irregular spending: The Commission made increasing use of preventive measures and financial corrections in Cohesion during the 2007-2013 period
= Adoption
11929/1/17 REV 1 FIN 520 FSTR 61 FC 69 REGIO 87 SOC 564 CADREFIN 92
+ COR 1

60. Commission Delegated Regulation (EU) .../... of 22.8.2017 amending Delegated Regulation (EU) No 522/2014 supplementing Regulation (EU) No 1301/2013 of the European Parliament and of the Council with regard to the detailed rules concerning the principles for the selection and management of innovative actions in the area of sustainable urban development to be supported by the European Regional Development Fund
 = Intention not to raise objections to a delegated act
 11881/17 FSTR 59 FC 67 REGIO 85 DELACT 148
 11713/17 FSTR 56 FC 64 REGIO 82 DELACT 144
61. Commission Delegated Regulation (EU) .../... of 29.8.2017 amending Commission Delegated Regulation (EU) 2015/2195 on supplementing Regulation (EU) No 1304/2013 of the European Parliament and of the Council on the European Social Fund, regarding the definition of standard scales of unit costs and lump sums for reimbursement of expenditure by the Commission to Member States
 = Intention not to raise objections to a delegated act
 11902/17 FSTR 60 FC 68 REGIO 86 SOC 563 EMPL 432 AGRISTR 73
 PECHE 317 CADREFIN 90 DELACT 150
 11774/17 FSTR 57 FC 65 REGIO 83 SOC 554 EMPL 426 AGRISTR 72
 PECHE 312 CADREFIN 89 DELACT 146
 + ADD 1
62. Commission Delegated Regulation (EU) No .../.. of 4.9.2017 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for disclosure of encumbered and unencumbered assets
 = Intention not to raise objections to a delegated act
 12095/17 EF 192 ECOFIN 719 DELACT 155
 11912/17 EF 182 ECOFIN 699 DELACT 151
 + ADD 1
63. Commission Delegated Regulation (EU) .../... of 28.8.2017 amending Delegated Regulation (EU) 2017/565 as regards the specification of the definition of systematic internalisers for the purposes of Directive 2014/65/EU
 = Intention not to raise objections to a delegated act
 12092/17 EF 191 ECOFIN 718 DELACT 154
 11771/17 EF 179 ECOFIN 689 DELACT 145
 + REV 1 (mt)
64. Draft Regulation of the European Parliament and of the Council establishing the European Fund for Sustainable Development (EFSD), the EFSD Guarantee and the EFSD Guarantee Fund **(First reading)**
 = Adoption of the legislative act
 11654/17 CODEC 1308 DEVGEN 187 ACP 91 RELEX 694 ECOFIN 678
 CADREFIN 87 ASIM 91 MAMA 158 COEST 216 COAFR 227
 PE-CONS 43/17 DEVGEN 157 ACP 74 RELEX 599 ECOFIN 614
 CADREFIN 82 ASIM 83 MAMA 122 COEST 166 COAFR 196
 CODEC 1194

65. Draft Directive of the European Parliament and of the Council amending Council Framework Decision 2004/757/JHA in order to include new psychoactive substances in the definition of 'drug' and repealing Council Decision 2005/387/JHA **(First reading)**
= Adoption of the Council's position at first reading and of the statement of the Council's reasons
11655/17 CODEC 1309 CORDROGUE 106 DROIPEN 110 JAI 737 SAN 309
+ ADD 1
10537/17 CORDROGUE 86 DROIPEN 91 JAI 624 SAN 265 CODEC 1103
+ COR 1
+ ADD 1

Statement by the United Kingdom

"The United Kingdom considers that both Protocol (No. 19) and Protocol (No. 21) to the Treaties apply to the Directive amending Council Framework Decision 2004/757/JHA laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of illicit drug trafficking, as regards the definition of drug.

In accordance with Article 7 of Protocol (No. 21), Protocol (No. 21) is without prejudice to the Protocol (No. 19) on the Schengen acquis integrated into the framework of the European Union. Therefore in accordance with Article 5(2) of Protocol (No 19) to the Treaties on the Schengen Acquis, the United Kingdom has indicated that it does not wish to take part in the Directive.

For the avoidance of doubt, the United Kingdom is not exercising its right, in accordance with Article 3(1) of the 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, to take part in the adoption and application of the Directive.

Accordingly, the United Kingdom is not taking part in the adoption and application of this Directive."

66. Draft Council implementing decision on subjecting *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylacrylamide (acryloylfentanyl) to control measures
= Adoption
11896/17 CORDROGUE 112 SAN 320
8858/17 CORDROGUE 56 SAN 181 ENFOPOL 212
67. Proposal for a Council Decision on the position to be adopted, on behalf of the European Union, in the Executive Committee of the Programme of the United Nations High Commissioner for Refugees
= Adoption
12306/17 JAI 800 ASIM 102
12163/17 JAI 782 ASIM 100
+ ADD 1

Statement by the United Kingdom

"The United Kingdom and Ireland have a special position under Protocol 21 to the Treaty on the Functioning of the European Union. Article 3 of Protocol 21 provides the United Kingdom and Ireland with a period of 3 months to consider whether to take part in a measure. That Protocol applies to the proposed Council Decision on the position to be adopted, on behalf of the European Union, in the Executive Committee of the Programme of the United Nations High Commissioner for Refugees.

The United Kingdom regrets that it has not been given the full three months, in accordance with the Treaties, to take a decision on whether to participate in this measure.

The United Kingdom is therefore not taking part in the adoption of the Council Decision, and will not be bound by it."

Statement by Ireland

"The Irish delegation notes that it is intended that the Council will make a decision on the Proposal for a Council Decision on the position to be adopted, on behalf of the European Union, in the Executive Committee of the Programme of the United Nations High Commissioner for Refugees less than 3 months after the presentation of this proposal to the Council.

In these exceptional circumstances, mindful of the fact that the Conclusions are to be adopted by the UNHCR Executive Committee at its 68th Session on 2-6 October, the Irish delegation will not insist, in this instance, upon its right to have 3 months within which to exercise Ireland's option to notify the President of the Council of its wish to participate in the adoption and application of the proposed Council Decision in accordance with the provisions of Article 3 of Protocol 21 on the Position of the United Kingdom and Ireland in respect of the area of Freedom, Security and Justice annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union."

Statement by Hungary

"Hungary reiterates its support for EU participation in the private preparatory meetings of the UNHCR Executive Committee. Nevertheless, it wishes to emphasize that as membership is limited to States and only they have the right to vote, it is even more important to take into account national competences when establishing the position to be adopted on behalf of the Union.

The envisaged adoption of a conclusion on machine-readable documents for refugees and stateless persons in the Executive Committee of the Programme of the United Nations High Commissioner for Refugees contains references to legislative areas that remain in national competence, such as the application of complementary pathways to refugees and stateless persons and admitting third-country national through legal channels of migration. As such issues belong to the field of legal migration, we are of the opinion that stating only Article 78(2) TFEU as the substantive legal basis of the proposed decision is not appropriate. In this regard, it should be noted that Article 79(5) TFEU shall also apply in case of admitting refugees and stateless persons via legal migration channels and therefore the competence of Member States need to be respected even when external competence of the EU is practiced. Hungary regrets that the Member States have not been given the chance to discuss EU position from the beginning of the negotiations and instead only written comments could be provided. Hungary is of the view that waiving the right of Member States to discuss their positions, while only providing minimum time to react to the proposal for a council decision on the position to be adopted, is contrary to the procedure provided for by Article 218 (9) which aims at reflecting the position of the Council and its power in the institutional structure of the EU.

Consequently, Hungary does not support the adoption of the council decision."

68. Draft Council Decision authorising the Commission to negotiate instruments on the enforcement of international commercial settlement agreements resulting from conciliation in the framework of the United Nations Commission on International Trade Law (UNCITRAL)
 = Adoption
 12228/17 JUSTCIV 209
 12176/17 JUSTCIV 205
 + ADD 1 **EU RESTRICTED**
- The above-mentioned item was withdrawn.
69. Draft EU - Bangladesh Standard Operating Procedures for the Identification and Return of Persons without an Authorisation to Stay
 = Approval
 11951/17 MIGR 167 COASI 128
70. Draft Council Decision establishing a European Union Position in view of the adoption of a decision of the EPA Committee set up by the Interim agreement establishing a framework for an Economic Partnership Agreement between the Eastern and Southern Africa States, on the one part, and the European Community and its Member States, on the other part, regarding the accession of the Republic of Croatia to the European Union and changes in the list of countries and territories associated with the European Union
 = Adoption
 12120/17 ACP 100 WTO 185 RELEX 755 COAFR 243
 12109/17 ACP 99 WTO 184 RELEX 750 COAFR 242
71. Draft Council Decision on the conclusion of the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Republic of the Philippines, of the other part
 = Adoption
 11647/17 COASI 107 ASIE 30 PESC 10 COHOM 94 COTER 83 JAI 736
 WTO 178 AGRI 416 ENER 337 TRANS 336 TELECOM 191
 ENV 705 EDUC 320 CONOP 70
 15616/10 ASIE 69 RELEX 906 COMER 188 PVD 38 COASI 185 POLGEN 169
 + COR 1
 5431/15 COASI 5 ASIE 3 PESC 55 COHOM 7 CONOP 9 COTER 12 JAI 33
 WTO 8 AGRI 27 ENER 15 TRANS 26 TELECOM 15 ENV 21
 EDUC 10

Statement by Germany

"It is our understanding that Article 8(3)(a) of the Framework Agreement on partnership and cooperation between the European Union and its member states, of the one part, and the Republic of the Philippines, of the other part does only apply to agreements concerning non-proliferation of weapons of mass destruction and their means of delivery."

72. Proposal for a Council Decision on the conclusion on behalf of the Union of the Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part
= Request for the consent of the European Parliament
11657/17 COASI 109 ASIE 32 AUS 1 POLGEN 112
15467/16 COASI 230 ASIE 93 AUS 7 WTO 361 COCON 32
73. Relations with the Republic of Armenia: draft Council Decision on the position to be taken, on behalf of the European Union, within the Cooperation Council established by the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Armenia, of the other part, with regard to the adoption of the EU-Armenia Partnership Priorities
= Adoption
12233/17 COEST 225
11258/17 COEST 187
12190/1/17 REV 1 COEST 224
74. Draft Council Decision concerning restrictive measures in view of the situation in Mali and
Draft Council Regulation concerning restrictive measures in view of the situation in Mali
- Transposition of UNSCR 2374 (2017)
12274/1/17 REV 1 CORLX 420 CFSP/PESC 794 RELEX 772 COAFR 249
CONUN 214 FIN 555
12100/17 CORLX 396 CFSP/PESC 765 COAFR 241 CONUN 202 FIN 530
12130/17 CORLX 404 CFSP/PESC 774 RELEX 757 COAFR 245 CONUN 208
FIN 538
75. Draft Council implementing Decision implementing Decision 2013/255/CFSP concerning restrictive measures against Syria
and
Draft Council Implementing Regulation implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria
= Adoption
12296/17 CORLX 421 CFSP/PESC 797 RELEX 776 COARM 235 MAMA 168
FIN 556
12099/17 CORLX 395 CFSP/PESC 764 COARM 221 MAMA 161 FIN 529
12102/17 CORLX 398 CFSP/PESC 767 RELEX 749 COARM 223 MAMA 163
FIN 532
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