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NOTE

Subject: MONTHLY SUMMARY OF COUNCIL ACTS - JUNE 2016

This document lists the acts adopted by the Council in June 2016.^{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.

This document also contains information on the adoption of non-legislative acts that the Council has decided to make public.

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.

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INFORMATION ON THE ACTS ADOPTED BY THE COUNCIL IN JUNE 2016

Written procedure completed on 1st June 2016

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
Council Decision (EU) 2016/1623 of 1 June 2016 on the signing, on behalf of the European Union and provisional application of the Economic Partnership Agreement between the European Union and its Member States, of the one part, and the SADC EPA States, of the other part OJ L 250, 16.9.2016, p. 1–2	5729/16
Economic Partnership Agreement between the European Union and its Member States, of the one part, and the SADC EPA States, of the other part OJ L 250, 16.9.2016	5730/2/16 REV 2 + ADD 1-10
<p>Joint Declaration by the European Union and Mozambique regarding the Portuguese language version of the Economic Partnership Agreement between the European Union and its Member States, of one part, and the SADC EPA States, of the other part</p> <p>In December 1990 the Portuguese Language Spelling Agreement was signed by all members of the Community of the Portuguese-speaking Countries (CPLP) -- Angola, Brazil, Cabo Verde, Guiné-Bissau, Mozambique, Portugal, São Tomé and Príncipe and Timor-Leste.</p> <p>In Mozambique the Agreement was approved by the Government in June 2012 and is awaiting ratification by the Parliament.</p> <p>We share the following understanding:</p> <ol style="list-style-type: none"> 1. If, after the date of signature of the Economic Partnership Agreement between the EU and the SADC EPA States ("EU-SADC EPA"), the Portuguese Language Spelling Agreement has not been ratified by Mozambique, the EU and Mozambique will work together to produce a Portuguese version of the SADC EPA in line with the version of Portuguese current in Mozambique today. 2. The relevant services of the Council of the European Union and of the Government of Mozambique will endeavour to certify that this version may be considered Portuguese pursuant to Article 120 of the EU-SADC EPA. 	

Declaration of the Council regarding Article 74(1) of the Economic Partnership Agreement between the European Union and its Member States, of one part, and the SADC EPA States, of the other part

The Council considers that the wording of Article 74(1) of the SADC EPA does not and cannot derogate from the division of competences between the Union and its Member States under the Treaties, including for investment.

Commission Declaration

1. The Commission will, throughout ongoing or future negotiations on geographical indications (GIs), maintain close contact with each interested Member State through the available consultative structures and will welcome ad hoc requests for further consultations.
2. The Commission is committed to achieving the best possible level of protection of Union registered Geographical Indications under ongoing or future negotiations of Trade Agreements in light of the market situation in each trading partner and the interests of the Member States.
3. The Commission confirms its intention, in view of Article 4 of the EU-SADC Agreement, to ensure strict implementation of the GI protection foreseen in Protocol 3 and will analyse the outcome of the Agreement particularly with regard to the level of GI protection.
4. The Commission takes note of Greece's concerns on the results regarding the protection of GI names under the SADC EPA in particular in respect of PDO Feta.
5. The European Commission, within five (5) years from the entry into force of the EU-SADC Agreement, commits to start a process of revision of Protocol 3, with a view to achieving for all EU GI's therein, including Feta, the same level of protection.
6. In the running of the institutional committees established under the Agreement, the Commission will find pragmatic ways to involve interested Member States in the work of these committees in line with the respective competences of the EU and the Member States.
7. In view of offering Member States as well as GI producers and exporters, especially the most vulnerable among them, support to promote GIs, the Commission will examine the possibilities offered under Regulation (EU) No 1144/2014 of the European Parliament and of the Council of 22 October 2014 on information provision and promotion measures concerning agricultural products implemented in the internal market and in third countries.

Statement by Greece regarding the provisional application of the Economic Partnership Agreement between the European Union and its Member States, of one part, and the SADC EPA States, of the other part

Greece notes that the results achieved on the protection of PDO "Feta" under the Economic Partnership Agreement between the European Union and its Member States, of one part, and the SADC EPA States, of the other part (the Agreement), provide a minimum level of protection and as such do not create a precedent for future Trade Agreements.

Greece recalls that "Feta" cheese is a registered Protected Designation of Origin (PDO), with specific standards requiring to be produced under a certain traditional way within a clearly defined production area. Greece also recalls that Feta cheese is the only product elaborated pursuant to the specification enshrined at Union level under Regulation (EC) 1829/2002 made exclusively from ewe's milk with a possible addition of goat's milk up to 30%. The results achieved on the protection of PDO "Feta" under the Agreement do not take into account the above elements and thus do not ensure its' full protection.

In this framework, Greece takes full note of the Commission's commitment to achieve the best possible level of protection of PDO "Feta" under ongoing or future negotiations of Trade Agreements taking into account the above elements and to take all measures necessary to protect the PDO "Feta" within the EU but also in third-countries' markets, notably as regards the use of unfair practices.

Greece concurs with the Commission's statement, i.e. (1) the Commission's commitment to maintain close contact with the interested Member State throughout ongoing or future negotiations on geographical indications (GIs), (2) its commitment to achieve the best possible level of protection for geographical indications under ongoing or future negotiations, (3) its intention to ensure strict implementation of the protection foreseen in Protocol 3, (4) its commitment to, within five (5) years from the entry into force of the EU-SADC Agreement, start a process of revision of Protocol 3, with a view to achieving for all EU GI's therein, including Feta, the same level of protection, (5) to seek pragmatic ways to involve interested Member States in the work of the institutional committees established under the said Agreement and (6) support Greece in its efforts to promote GIs by exploiting the possibilities offered under Regulation (EU) No 1144/2014.

Greece intends to follow up on the above points and considers them as part of the good faith in the implementation of the Economic Partnership Agreement.

In tabling this statement, Greece has taken fully into consideration the development dimension of the Agreement and its political and economic significance for the countries of SADC, particularly for the least developed ones.

Statement by Hungary regarding the provisional application of the Economic Partnership Agreement between the European Union and its Member States, of one part, and the SADC EPA States, of the other part

Hungary notes that, should it be necessary to amend its domestic legislation for the provisional application by the European Union of those parts of the Economic Partnership Agreement between the European Union and its Member States, of one part, and the SADC EPA States, of the other part, covered by shared competence, such amendments shall be made, because of the nature of its legal order, in conjunction with the national ratification process, which Hungary plans to initiate expediently.

Hungary recalls that according to Article 218 paragraph 5 of the Treaty on the Functioning of the European Union "The Council, on a proposal by the negotiator, shall adopt a decision authorising the signing of the agreement and, if necessary, its provisional application before entry into force." It is, therefore, up to the Council to decide if provisional application is necessary and what its specific scope should be. Hungary notes that Article 113 paragraph 3 of the SADC EPA, as negotiated by the Commission, not only contains a commitment for provisional application by the EU but also a definition of its scope, pre-empting the Council's opinion on these matters. Deciding on the necessity for provisional application through the text of agreements and defining its specific scope in the absence of explicit a priori guidance by the Council may lead to problems particularly in Member States, like Hungary, whose legal order does not allow provisional application before ratification. Hungary is of the view that the Commission should refrain from using the approach reflected in Article 113 paragraph 3 of the SADC EPA in future trade negotiations, unless the directives approved for the negotiations by the Council specifically invite the Commission to do so.

Statement by Portugal and Slovenia regarding the provisional application of the Economic Partnership Agreement between the European Union and its Member States, of the one part, and the SADC EPA States, of the other part

On the basis of the respect of the competences allocated between the European Union and its Member States, as defined by the Treaties, the Decision of the Council that authorises the provisional application of the Economic Partnership Agreement between the European Union and its Member States, of the one part, and the SADC EPA States, of the other part, shall not affect the autonomy of decision of Portugal and Slovenia on the issues of its national competence, whose decision to be bound by the Agreement depends on the conclusion of the internal ratification procedures, in accordance with the Constitutional principles and rules.

Adoption of legislative acts following the European Parliament's Second Reading (Strasbourg, 6 to 9 June 2016)			
LEGISLATIVE ACTS			
ACT	DOCUMENT	VOTING RULE	VOTES
Regulation (EU) 2016/1191 of the European Parliament and of the Council of 6 July 2016 on promoting the free movement of citizens by simplifying the requirements for presenting certain public documents in the European Union and amending Regulation (EU) No 1024/2012 OJ L 200, 26.7.2016, p. 1–136	PE-CONS 20/16	Not applicable	Not applicable
3472nd meeting of the Council of the European Union (TRANSPORTS, TELECOMMUNICATIONS AND ENERGY) held in Luxembourg on 6 and 7 June 2016			
NON-LEGISLATIVE ACTS			
ACT	DOCUMENT / STATEMENTS		
Council Decision authorising the opening of negotiations on an agreement between the European Union and the United States of America laying down the terms and conditions of the detailed rules for access by the United States of America to the Public Regulated Service provided by the global navigation satellite system established under the Galileo programme	8285/16		
Council Decision (EU) 2016/944 of 6 June 2016 on the conclusion of the Cooperation Agreement on a Civil Global Navigation Satellite System (GNSS) between the European Community and its Member States of the one part, and the Republic of Korea, of the other part OJ L 157, 15.6.2016, p. 19–20	5977/16		
Council Decision authorising the opening of negotiations on an agreement between the European Union and the Kingdom of Norway laying down the terms and conditions of the detailed rules for access by the Kingdom of Norway to the Public Regulated Service provided by the global navigation satellite system established under the Galileo programme	8287/16		

Council Regulation (EU) 2016/891 of 6 June 2016 amending Regulation (EU) 2016/72 as regards certain fishing opportunities OJ L 151, 8.6.2016, p. 1–3	9044/16
Decision (EU) 2016/989 of the European Parliament and of the Council of 8 June 2016 on the mobilisation of the European Globalisation Adjustment Fund (application from France - EGF/2015/010 FR/MoryGlobal) OJ L 162, 21.6.2016, p. 10–11	8317/16
Decision (EU) 2016/990 of the European Parliament and of the Council of 8 June 2016 on the mobilisation of the European Globalisation Adjustment Fund (application from Greece - EGF/2015/011 GR/Supermarket Larissa) OJ L 162, 21.6.2016, p. 12–13	8318/16
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 Schengen Information System by Belgium	6200/16
Council Regulation (EU) 2016/888 of 6 June 2016 amending Regulation (EU) 2015/323 on the financial regulation applicable to the 11th European Development Fund as regards payment of the instalments OJ L 149, 7.6.2016, p. 1–3	9209/16
Council Decision (EU) 2016/968 of 6 June 2016 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 (ISA2 programme) OJ L 160, 17.6.2016, p. 90–93	8155/16

Council Decision (EU) 2016/916 of 6 June 2016 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) OJ L 153, 10.6.2016, p. 35–37	8163/16
Council Decision (EU) 2016/949 of 6 June 2016 on the signing, on behalf of the Union and its Member States, of the Protocol to the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part, to take account of the accession of the Republic of Croatia to the European Union OJ L 159, 16.6.2016, p. 1–2	8938/16
Protocol to the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part, to take account of the accession of the Republic of Croatia to the European Union	8940/16
Council Decision (CFSP) 2016/890 of 6 June 2016 amending Decision 2014/219/CFSP on the European Union CSDP Mission in Mali (EUCAP Sahel Mali) OJ L 149, 7.6.2016, p. 6–7	8483/16
Council Decision authorising the Commission to open negotiations on a comprehensive air transport agreement between the European Union and its Member States and the Association of Southeast Asian Nations (ASEAN) Member States as regards matters falling within the exclusive Union competence	8904/1/16 REV 1
Council Decision authorising the Commission to open negotiations on a comprehensive air transport agreement between the European Union and its Member States and the State of Qatar as regards matters falling within the exclusive Union competence	8905/1/16 REV 1
Council Decision authorising the Commission to open negotiations on a comprehensive air transport agreement between the European Union and its Member States and the United Arab Emirates as regards matters falling within the exclusive Union competence	9081/1/16 REV 1
Council Decision authorising the Commission to open negotiations on a comprehensive air transport agreement between the European Union and its Member States and the Republic of Turkey as regards matters falling within the exclusive Union competence	8914/1/16 REV 1

3473rd meeting of the Council of the European Union (JUSTICE AND HOME AFFAIRS) held in Luxembourg on 9 and 10 June 2016	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Conclusions on the administrative approach to prevent and fight serious and organised crime	9061/16
Council Conclusions on establishing a European Network on Victims' Rights	8960/16
Council Conclusions on addressing trafficking in human beings (THB) for labour exploitation	9373/16
Council Conclusions on the return and readmission of illegally staying third-country nationals	9459/16
Statement by the United Kingdom and Ireland The Returns Directive and EU travel document for returns do not apply to Ireland & the UK in accordance with Protocols No 19 and No 21 to the EU Treaties. The UK also wishes to note that we do not support strengthening the link between visa facilitation and readmission as set out in these Conclusions.	
Council Conclusions on the way forward with regard to financial investigation	8777/16
Council Conclusions on the way forward in view of the creation of an European Forensic Science Area	8770/16
Council Decision (EU) 2016/946 of 9 June 2016 establishing provisional measures in the area of international protection for the benefit of Sweden in accordance with Article 9 of Decision (EU) 2015/1523 and Article 9 of Decision (EU) 2015/1601 establishing provisional measures in the area of international protection for the benefit of Italy and Greece OJ L 157, 15.6.2016, p. 23–25	5626/16

Council Conclusions on the Eurojust Annual Report 2015	9037/16
Council Decision authorising the negotiations for the conclusion of agreements between the European Union, on the one part, and the Swiss Confederation and the Principality of Liechtenstein, on the other part, on the application of certain provisions of Council Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime, of Council Decision 2008/616/JHA on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime, and the Annex thereto, and of Council Framework Decision 2009/905/JHA on accreditation of forensic service providers carrying out laboratory activities	5988/16
<p>Statement by the United Kingdom</p> <p>The UK supports the substance of this proposal. We think an agreement should be negotiated, if possible, with Switzerland and Liechtenstein to allow them to take part in Prüm. We also welcome the addition of Articles 81(2)(d) and 87(2)(a) as legal bases.</p> <p>However, in our view Recital (3) of the draft Council Decision is incorrect. It indicates that, because we take part in Decisions 2008/615/JHA, 2008/616/JHA and 2009/915/JHA we are therefore taking part in the measure under consideration here. As this draft Council Decision is pursuant to Title V of the Treaty on the Functioning of the European Union (TFEU) Protocol 21 of the TFEU applies and the Decision will not bind the UK unless we opt in to it. Protocol 21 contains no provision disapplying the opt-in in cases where the EU has exclusive competence to negotiate the proposed agreement and the UK participates in the underlying measure giving rise to that competence.</p> <p>The UK opted in to this measure on by letter to the President of the Council on 19 January 2016. In our view, Recital (3) should have been amended to state that the UK is participating because of that opt-in decision, and not as an automatic result of our participation in the underlying measures governing Prüm.</p>	
Council Conclusions on the application of the Charter of Fundamental Rights in 2015	8946/16
Amending Budget No. 1 for SISNET (VISION) for the year 2016	9282/16

Council Decision (EU) 2016/954 of 9 June 2016 authorising enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions on the property regimes of international couples, covering both matters of matrimonial property regimes and the property consequences of registered partnerships OJ L 159, 16.6.2016, p. 16–18	8112/16
Council Decision (CFSP) 2016/917 of 9 June 2016 repealing Decision 2010/656/CFSP renewing the restrictive measures against Côte d'Ivoire OJ L 153, 10.6.2016, p. 38–38	9312/16
Council Regulation (EU) 2016/907 of 9 June 2016 repealing Regulation (EC) No 174/2005 imposing restrictions on the supply of assistance related to military activities to Côte d'Ivoire and Regulation (EC) No 560/2005 imposing certain specific restrictive measures directed against certain persons and entities in view of the situation in Côte d'Ivoire OJ L 153, 10.6.2016, p. 1–2	9384/16
Council Conclusions on improving criminal justice in cyberspace	9579/16
Written procedure completed on 14 June 2016	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision (CFSP) 2016/947 of 14 June 2016 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 157, 15.6.2016, p. 26–27	8457/16

3474th meeting of the Council of the European Union (EMPLOYMENT, SOCIAL POLICY, HEALTH AND CONSUMER AFFAIRS) held in Luxembourg on 16 and 17 June 2016

LEGISLATIVE ACTS

ACT	DOCUMENT	VOTING RULE	VOTES
Position (EU) No 12/2016 of the Council at first reading with a view to the adoption of a Directive of the European Parliament and of the Council laying down technical requirements for inland waterway vessels, amending Directive 2009/100/EC and repealing Directive 2006/87/EC Adopted by the Council on 16 June 2016 OJ C 267, 22.7.2016, p. 1–55	7532/16	Qualified majority	All Member States in favour, except: Abstention: UK
<p>Statement by the United Kingdom</p> <p>The United Kingdom fully supports the aims and objectives of the proposal for a Directive laying down technical requirements for inland waterway vessels, and believes that the proposal will lead to significant improvements in safety.</p> <p>However, the United Kingdom believes that the final adoption of a delegated act is disproportionate and that an implementing act would be more appropriate given that the issue at stake is the implementation of international standards, and not the supplementation or amendment of a non-essential part of the legislation. Consequently, the United Kingdom is abstaining against the Directive laying down technical requirements for inland waterway vessels.</p>			
Position (EU) No 11/2016 of the Council at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council amending Regulation (EC) No 471/2009 on Community statistics relating to external trade with non-member countries as regards the conferral of delegated and implementing powers on the Commission for the adoption of certain measures. Adopted by the Council on 16 June 2016. Text with EEA relevance OJ C 253, 12.7.2016, p. 1–6	8536/16	Qualified majority	All Member States in favour

NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Implementing Decision (EU) 2016/992 of 16 June 2016 amending Implementing Decision 2014/170/EU establishing a list of non-cooperating third countries in fighting IUU fishing pursuant to Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing as regards Sri Lanka OJ L 162, 21.6.2016, p. 15–17	8560/16
Council Decision (EU) 2016/1039 of 16 June 2016 establishing the position to be taken on behalf of the European Union within the General Council of the World Trade Organization on the European Union request for an extension of the WTO waiver relating to the autonomous preferential regime for the Western Balkans OJ L 169, 28.6.2016, p. 4–5	8683/16
Council Conclusions: A new start for a strong Social Dialogue	10449/16
Council Conclusions on: Response to the Commission's strategic engagement for gender equality	10416/16
Council Conclusions on: Response to the Commission's list of actions to advance LGBTI equality	10417/16

Statement by Hungary

Hungary remains dedicated to ensure human rights to everyone without discrimination on the basis of the Fundamental Law. In this context Hungary states that the Commission's List of Actions to advance LGBTI Equality cannot be interpreted as imposing on Member States any obligation to introduce into their national legal systems institutions that are not in conformity with their constitutional order or to extend the scope of provisions peculiar to marriage.

Hungary invokes the Fundamental Law of Hungary under which marriage is the union of a man and a woman established by voluntary decision. For this reason we state that the understanding of marriage exclusively as a union between a man and a woman and its preferential treatment as opposed to other forms of partnership may not be considered discriminatory.

The Hungarian national legal system ensures wide-ranging rights for LGBTI persons in accordance with basic human rights and the framework of the most fundamental values and principles of the European Union, as confirmed by the latest report of the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) from May 2016.

Statement by Poland

Poland ensures the enjoyment of human rights by LGBTI people within the framework of the Polish national legal system in accordance with internationally binding human rights instruments and within the framework of fundamental values and principles of the European Union. We remain dedicated to ensure the fundamental human rights to everyone without discrimination on the basis of the fundamental law. In this context Poland states that the term "LGBTI people and their families" is not justified under the EU law, as the family law falls within the exclusive competences of the Member States, thus cannot be interpreted as imposing on Member States an obligation to introduce into their national legal systems institutions that are not in conformity with their constitutional order. Poland invokes Article 18 of the Constitution of the Republic of Poland under which marriage is the conjugal union of a man and a woman on their voluntary and mutual consent, within the framework of the Polish legal system. For these reasons Poland states that the understanding of the marriage exclusively as a union between a man and a woman and its preferential treatment as opposed to other forms of living together (de facto couples including the same-sex couples) may not be considered discriminatory. As family law belongs to the exclusive competences of the Member States, and in accordance with the principle of conferral and subsidiarity – as well as the constitutional traditions common to Member States – no activities of the European Union may impose on countries protecting the understanding of marriage as a union between a man and a woman, any obligations that would force the countries either to extend the scope of provisions peculiar to marriage to same-sex couples, also if they were registered in another Member State or that would force the countries to introduce their recognition in accordance with the rights existing in their country of origin.

Statement by Sweden, Denmark, Austria and Belgium joined by Luxembourg, Malta, Ireland, Greece and Portugal

We welcome the fact that the Council has for the first time adopted Conclusions concerning equal rights for LGBTI persons within the EU. However, we would have preferred a more ambitious and stronger message concerning the enjoyment of human rights by LGBTI-persons.

Therefore, on the basis of these Conclusions, it is even more important than before to continue to work within and outside the EU for equal rights and opportunities for everyone, regardless of sexual orientation or gender identity, and to ensure that cultural, traditional or religious values cannot be invoked to justify any form of discrimination, including discrimination against LGBTI persons.

We hope to continue this struggle together with other member states.

Council Conclusions on combating poverty and social exclusion: An integrated approach	10434/16
Council Conclusions on food product improvement	10277/16
Council Conclusions on the next steps under a One Health approach to combat antimicrobial resistance	10278/16
Council Conclusions on strengthening the balance in the pharmaceutical systems in the European Union and its Member States	10315/16

3475th meeting of the Council of the European Union (ECONOMIC AND FINANCIAL AFFAIRS) held in Luxembourg on 17 June 2016**LEGISLATIVE ACTS**

ACT	DOCUMENT	VOTING RULE	VOTES
Directive (EU) 2016/1034 of the European Parliament and of the Council of 23 June 2016 amending Directive 2014/65/EU on markets in financial instruments (Text with EEA relevance) OJ L 175, 30.6.2016, p. 8–11	PE-CONS 23/16	Qualified majority	All Member States in favour

Regulation (EU) 2016/1033 of the European Parliament and of the Council of 23 June 2016 amending Regulation (EU) No 600/2014 on markets in financial instruments, Regulation (EU) No 596/2014 on market abuse and Regulation (EU) No 909/2014 on improving securities settlement in the European Union and on central securities depositories (Text with EEA relevance) OJ L 175, 30.6.2016, p. 1–7	PE-CONS 24/16	Qualified majority	All Member States in favour
Council's position on draft amending budget No 2 to the general budget for 2016: Entering the surplus of the financial year 2015	9585/16	Qualified majority	All Member States in favour, except: UK: abstaining
NON-LEGISLATIVE ACTS			
ACT		DOCUMENT / STATEMENTS	
Council Conclusions on Special Report No 12/2015 from the European Court of Auditors entitled: "The EU priority of promoting knowledge-based rural economy has been affected by poor management of knowledge-transfer and advisory measures"		9169/16	
Council Conclusions on Special Report No 20/2015 from the European Court of Auditors entitled: "The cost-effectiveness of EU Rural Development support for non-productive investments in agriculture"		9170/16	
Council Conclusions on Special Report No 25/2015 from the European Court of Auditors entitled: "EU support for rural infrastructure: potential to achieve significantly greater value for money"		9171/16	
Council Conclusions on European Court of Auditors' Special Report No 10/2016: "Further improvements needed to ensure effective implementation of the excessive deficit procedure"		10054/16	
Council Conclusions on Code of Conduct (Business Taxation) - Report to the Council		9913/16	

Statement by Spain

Spain agrees with the Group in considering part of Gibraltar's regime as harmful according to the criteria laid down by the Code of Conduct on Business Taxation. Furthermore, Spain contends that the assessment made by the Group is still meagre as important issues of this regime – especially those related to lack of transparency and tax information – have been outside this work, which has significantly limited the analysis made. Gibraltar has not furnished information on how many of its more than ten thousand assets holding companies are owned by non-Gibraltarian residents, neither on the income derived by these companies nor its source; therefore it was not possible to determine whether this regime is specially favouring these taxpayers.

Definitively, the selective modifications introduced in this regime are paltry, while in the opinion of Spain the key harmful issues that attract non-Gibraltarian activities remain fully operational, which besides sets a highly negative precedent concerning the work of this Group in assessing similar tax regimes of other territories and third States.

Council Decision (EU) 2016/971 of 17 June 2016 on the conclusion, on behalf of the European Union, of an agreement in the form of the Declaration on the Expansion of Trade in Information Technology Products (ITA)
OJ L 161, 18.6.2016, p. 2–3

6925/16

Council Decision (CFSP) 2016/982 of 17 June 2016 amending Decision 2014/386/CFSP concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol
OJ L 161, 18.6.2016, p. 40–40

8980/16

Council Decision (EU) 2016/1123 of 17 June 2016 establishing the position to be adopted on behalf of the European Union within the relevant Committees of the United Nations Economic Commission for Europe as regards the proposals for amendments to UN Regulations Nos 9, 11, 13, 13-H, 14, 16, 30, 41, 44, 49, 54, 55, 60, 64, 75, 78, 79, 83, 90, 106, 113, 115, 117, 129 and 134, the proposals for amendments to UN Global Technical Regulations Nos 15 and 16, the proposals for new UN Regulations on Brake Assist Systems (BAS), on Electronic Stability Control (ESC), on Tyre Pressure Monitoring Systems (TPMS) and on Tyre Installation, the proposal for a new UN Global Technical Regulation on the measurement procedure for emissions of two- or three-wheeled motor vehicles and the proposal for a new Special Resolution No 2 (S.R.2) for improving the implementation of the 1998 Global Agreement
OJ L 187, 12.7.2016, p. 9–12

9703/16

Council Decision (EU) 2016/1790 of 12 February 2016 on the conclusion of Revision 3 of the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted and/or used on wheeled vehicles and the conditions for the reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement') OJ L 274, 11.10.2016, p. 2–3	13954/15
Council Decision (EU) 2016/1749 of 17 June 2016 on the conclusion, on behalf of the European Union, of the Protocol to Eliminate Illicit Trade in Tobacco Products to the World Health Organisation's Framework Convention on Tobacco Control, with the exception of its provisions falling within the scope of Title V of Part Three of the Treaty on the Functioning of the European Union OJ L 268, 1.10.2016, p. 1–5	14384/15
Statement by the United Kingdom The United Kingdom welcomes the adoption of the two Council Decisions concerning the framework Convention on Tobacco Control Protocol and looks forward to timely ratification of the instrument. In particular, the UK supports the approach adopted by the Council and the European Commission in this case concerning the application of Protocol (No. 21) to the Treaties. The United Kingdom considers that the Union does not enjoy exclusive external competence in relation to any of the Justice & Home Affairs provisions of the Tobacco Control Protocol.	

Statement by Denmark

Denmark holds a strong tradition involving and engaging in close dialogue with the business community in relation to creation, drafting and execution of National legislation as well as EU legislation.

It is the perception of Denmark that such a dialogue is an essential instrument in the democratic process to ensure that decisions are made on a solid foundation.

It is thus a fundamental and a democratic issue, that outcomes originating from the WHO's Protocol to Eliminate Illicit Trade in Tobacco Products, are developed without the involvement of the affected parties of the business community. The criticality of the democratic issue is seen especially in relation to the development and implementation of the so-called 'Track & Trace'-system and by introduction of unique and validating product identifiers. These solutions will be managed, implemented and executed in practice by the affected business communities, and due to their key role, the business communities must be actively involved in the decision making processes.

Denmark is generally positive towards initiatives aimed at elimination of illicit trade of tobacco products, but must stress that a close and democratic dialogue with the affected parties of the business communities is a paramount pre-requisite for affective solutions.

Council Decision (EU) 2016/1750 of 17 June 2016 on the conclusion, on behalf of the European Union, of the Protocol to Eliminate Illicit Trade in Tobacco Products to the World Health Organisation's Framework Convention on Tobacco Control, as regards its provisions on obligations related to judicial cooperation in criminal matters and the definition of criminal offences
OJ L 268, 1.10.2016, p. 6–9

14387/15

Statement by the United Kingdom

The United Kingdom welcomes the adoption of the two Council Decisions concerning the framework Convention on Tobacco Control Protocol and looks forward to timely ratification of the instrument. In particular, the UK supports the approach adopted by the Council and the European Commission in this case concerning the application of Protocol (No. 21) to the Treaties. The United Kingdom considers that the Union does not enjoy exclusive external competence in relation to any of the Justice & Home Affairs provisions of the Tobacco Control Protocol.

Statement by Denmark

Denmark holds a strong tradition involving and engaging in close dialogue with the business community in relation to creation, drafting and execution of National legislation as well as EU legislation.

It is the perception of Denmark that such a dialogue is an essential instrument in the democratic process to ensure that decisions are made on a solid foundation.

It is thus a fundamental and a democratic issue, that outcomes originating from the WHO's Protocol to Eliminate Illicit Trade in Tobacco Products, are developed without the involvement of the affected parties of the business community. The criticality of the democratic issue is seen especially in relation to the development and implementation of the so-called 'Track & Trace'-system and by introduction of unique and validating product identifiers. These solutions will be managed, implemented and executed in practice by the affected business communities, and due to their key role, the business communities must be actively involved in the decision making processes.

Denmark is generally positive towards initiatives aimed at elimination of illicit trade of tobacco products, but must stress that a close and democratic dialogue with the affected parties of the business communities is a paramount pre-requisite for affective solutions.

Protocol to Eliminate Illicit Trade in Tobacco Products OJ L 268, 1.10.2016, p. 10–37	15044/13
Council Conclusions on the Follow up of the Union Customs Code	10111/16
Council Conclusions on the Roadmap to complete the Banking Union	10460/16
Council Decision (EU) 2016/1022 of 17 June 2016 abrogating Decision 2010/401/EU on the existence of an excessive deficit in Cyprus OJ L 166, 24.6.2016, p. 14–16	9325/16
Council Decision (EU) 2016/1023 of 17 June 2016 abrogating Decision 2010/289/EU on the existence of an excessive deficit in Slovenia OJ L 166, 24.6.2016, p. 17–19	9328/16
Council Decision (EU) 2016/1000 of 17 June 2016 abrogating Decision 2009/416/EC on the existence of an excessive deficit in Ireland OJ L 164, 22.6.2016, p. 12–14	9329/16

3476th meeting of the Council of the European Union (ENVIRONMENT) held in Luxembourg on 20 June 2016	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Conclusions on the European Court of Auditors' Special Report No 12/2016: Agencies' use of grants: not always appropriate or demonstrably effective	10017/16
Decision (EU) 2016/1145 of the European Parliament and of the Council of 6 July 2016 on the mobilisation of the European Globalisation Adjustment Fund (application from Belgium — EGF/2015/012 BE/Hainaut Machinery) OJ L 189, 14.7.2016, p. 46–47	9537/16
Council Statement on the ratification of the Paris Agreement	9855/16
Council Conclusion on Closing the loop - An EU action plan for the Circular Economy	10151/16
Council Conclusions EU Action Plan against Wildlife Trafficking	9721/1/16 REV 1
3477th meeting of the Council of the European Union (FOREIGN AFFAIRS) held in Luxembourg on 20 June 2016	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Conclusions on Child Labour	9813/16
Council Conclusions on EU strategy with Myanmar/Burma	10134/16
Council Conclusions on Business and Human Rights	10136/16
Council Decision (EU) 2016/1001 of 20 June 2016 on the position to be adopted on behalf of the European Union within the EU-Central America Association Council regarding Explanatory Notes to Article 15 of Annex II to the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other OJ L 164, 22.6.2016, p. 15–21	9100/16

Council Decision on the signing, on behalf of the European Union, and provisional application of the Economic Partnership Agreement between the East African Community Partner States, of the one part, and the European Union and its Member States, of the other part	6296/16
<p>Statement by Hungary</p> <p>Hungary notes that, should it be necessary to amend its domestic legislation for the provisional application by the European Union of those parts of the Economic Partnership Agreement between the European Union and its Member States, of one part, and the EAC EPA States, of the other part, covered by shared competence, such amendments shall be made, because of the nature of its legal order, in conjunction with the national ratification process, which Hungary plans to initiate expediently.</p> <p>Hungary recalls that according to Article 218 paragraph 5 of the Treaty on the Functioning of the European Union “<i>The Council, on a proposal by the negotiator, shall adopt a decision authorising the signing of the agreement and, if necessary, its provisional application before entry into force.</i>” It is, therefore, up to the Council to decide if provisional application is necessary and what its specific scope should be. Hungary notes that Article 139 paragraph 4 of the EAC EPA, as negotiated by the Commission, not only contains a commitment for provisional application by the EU but also a definition of its scope, pre-empting the Council’s opinion on these matters. Deciding on the necessity for provisional application through the text of agreements and defining its specific scope in the absence of explicit a priori guidance by the Council may lead to problems particularly in Member States, like Hungary, whose legal order does not allow provisional application before ratification. Hungary is of the view that the Commission should refrain from using the approach reflected in Article 139 paragraph 4 of the EAC EPA in future trade negotiations, unless the directives approved for the negotiations by the Council specifically invite the Commission to do so.</p>	
<p>Statement by Portugal</p> <p>Bearing in mind the compliance with the principle of competence sharing between the European Union and its Member States, as has been defined by the Treaties, the Decision of the Council authorizing the signature and provisional application of the Economic Partnership Agreement (EPA) between the East African Community Partner States (EAC), on one part, and the European Union and its Member States, on the other part, shall not affect the autonomy of Portugal’s decisions regarding issues within its reserved national competence, whose decision to be bound by the Agreement, pursuant to the Constitutional principles and rules, depends on the conclusion of the internal ratification procedures and the entry into force of the agreement in the international legal system.</p>	

Economic Partnership Agreement between the East African Community Partner States, of the one part, and the European Union and its Member States of the other part	6298/16
Council Decision (CFSP) 2016/994 of 20 June 2016 repealing Common Position 2008/109/CFSP concerning restrictive measures imposed against Liberia OJ L 162, 21.6.2016, p. 21–21	9723/16
Council Regulation (EU) 2016/983 of 20 June 2016 repealing Regulation (EC) No 234/2004 concerning certain restrictive measures in respect of Liberia OJ L 162, 21.6.2016, p. 1–2	9888/16
Council Conclusions on Food and Nutrition Security	10339/16
Council Decision (CFSP) 2016/993 of 20 June 2016 amending Decision (CFSP) 2015/778 on a European Union military operation in the Southern Central Mediterranean (EUNAVFOR MED operation SOPHIA) OJ L 162, 21.6.2016, p. 18–20	9296/16
Statement by Cyprus The Republic of Cyprus has given its consent to this Council Decision with the understanding that the arrangements for the release and exchange of classified information will respect the principles of inclusiveness and reciprocity and that classified information will be available to staff of EUNAVFOR MED operation SOPHIA from all EU Member States without distinction. Furthermore, the Republic of Cyprus' consent in this Council Decision does not set a precedent nor prejudices the position of Cyprus with respect to the release and exchange of classified information to/with third parties in future CSDP missions.	
Council Conclusions on the Arctic	10172/16
Council Conclusions on Sahel	9807/16
Council Conclusions on the Middle East Peace Process	10348/16

3478th meeting of the Council of the European Union (GENERAL AFFAIRS) held in Luxembourg on 24 June 2016**LEGISLATIVE ACTS**

ACT	DOCUMENT	VOTING RULE	VOTES
Regulation (EU, Euratom) 2016/1192 of the European Parliament and of the Council of 6 July 2016 on the transfer to the General Court of jurisdiction at first instance in disputes between the European Union and its servants OJ L 200, 26.7.2016, p. 137–139	PE-CONS 22/16	Qualified majority	All Member States in favour, except: Abstention: UK
Decision (EU) 2016/1112 of the European Parliament and of the Council of 6 July 2016 providing further macro-financial assistance to Tunisia OJ L 186, 9.7.2016, p. 1–8	PE-CONS 9/16	Qualified majority	All Member States in favour.
Statement by the European Parliament and the Council This Decision is adopted without prejudice to the Joint Declaration adopted together with Decision 778/2013/EU of the European Parliament and of the Council providing further macro-financial assistance to Georgia, which is to continue to be regarded as the basis for all decisions of the European Parliament and Council providing macro-financial assistance to third countries and territories.			
Council Regulation (EU) 2016/1103 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes OJ L 183, 8.7.2016, p. 1–29	8115/16	Unanimity (enhanced cooperation)	All Member States in favour; Not participating: DK, EE, HU, EI, LV, LT, PL, RO, SK and UK
Council Regulation (EU) 2016/1104 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnerships OJ L 183, 8.7.2016, p. 30–56	8118/16	Unanimity with (enhanced cooperation)	All Member States in favour; Not participating: DK, EE, HU, EI, LV, LT, PL, RO, SK and UK

NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Conclusions on an Urban Agenda for the EU	9869/16
Council Conclusions on "A more R&I friendly, smart and simple Cohesion Policy and the European Structural and Investment Funds more generally	9863/16
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 Belgium	9905/16
Council Decision (EU) 2016/1342 of 24 June 2016 on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and Tuvalu on the short-stay visa waiver OJ L 213, 6.8.2016, p. 1–2	9751/16
Agreement between the European Union and Tuvalu on the short-stay visa waiver OJ L 213, 6.8.2016, p. 3–9	9760/16
Council Decision (EU) 2016/1363 of 24 June 2016 on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Republic of the Marshall Islands on the short-stay visa waiver OJ L 216, 11.8.2016, p. 1–2	9771/16
Agreement between the European Union and the Republic of the Marshall Islands on the short-stay visa waiver OJ L 216, 11.8.2016, p. 3–9	9774/16
Council Decision (EU) 2016/1879 of 24 June 2016 on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Federated States of Micronesia on the short-stay visa waiver OJ L 289, 25.10.2016, p. 2–3	9777/16

Agreement between the European Union and the Federated States of Micronesia on the short-stay visa waiver OJ L 289, 25.10.2016, p. 4–12	9779/16
Council Decision (EU) 2016/1888 of 24 June 2016 on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and Solomon Islands on the short-stay visa waiver OJ L 292, 27.10.2016, p. 1–2	9782/16
Agreement between the European Union and Solomon Islands on the short-stay visa waiver OJ L 292, 27.10.2016, p. 3–9	9783/16
Council Regulation (EU) 2016/1042 of 24 June 2016 amending Regulation (EU) No 1370/2013 determining measures on fixing certain aids and refunds related to the common organisation of the markets in agricultural products, as regards the applicable quantitative limitation for the buying-in of skimmed milk powder OJ L 170, 29.6.2016, p. 1–2	10166/16
<p>Statement by Italy</p> <p>According to the serious situation of the milk crisis and in the spirit of cooperation, Italy does not oppose the decision regarding the increase in the applicable quantitative limitation for buying in skimmed milk powder.</p> <p>However, Italy deems that this is not the right solution to be followed for solving the crisis in the milk sector.</p> <p>Since September 2015, the implemented measures, in particular those aimed at the public intervention, have not been effective.</p> <p>Indeed, the increasing in the quantitative limitation for buying in skimmed milk powder has been very expensive, moreover it has increased the quantities under storage and has reached no results in terms of increasing in the milk prices.</p> <p>The real problem remains the imbalance between demand and offer of milk within the Union.</p> <p>Therefore, it is important to activate, immediately, proper voluntary measures aimed at supporting the reduction of milk production; moreover, the financial resources of the EU Budget should be dedicated to this priority</p>	

Council Conclusions on the Special Report No. 4/2016 by the European Court of Auditors: “The European Institute of Innovation and Technology must modify its delivery mechanisms and elements of its design to achieve the expected impact	9959/16		
Council Decision (EU) 2016/1124 of 24 June 2016 on the position to be taken by the Member States on behalf of the European Union within the Permanent Commission of Eurocontrol as regards the decisions to be adopted on centralised services OJ L 187, 12.7.2016, p. 13–14	9694/2/16 REV 2		
Council Regulation (EU) 2016/1051 of 24 June 2016 amending Regulation (EU) No 1387/2013 suspending the autonomous Common Customs Tariff duties on certain agricultural and industrial products OJ L 173, 30.6.2016, p. 5–33	9708/16		
Council Regulation (EU) 2016/1050 of 24 June 2016 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 173, 30.6.2016, p. 1–4	9707/16		
3479th meeting of the Council of the European Union (AGRICULTURE AND FISHERIES) held in Luxembourg on 27 and 28 June 2016			
LEGISLATIVE ACTS			
ACT	DOCUMENT	VOTING RULE	VOTES
Council Directive (EU) 2016/1065 of 27 June 2016 amending Directive 2006/112/EC as regards the treatment of vouchers OJ L 177, 1.7.2016, p. 9–12	8741/16	Unanimity	All Member States in favour.

NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision (EU) 2016/1146 of 27 June 2016 on the position to be adopted, on behalf of the European Union, within the Joint Committee established under the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement), as regards draft Decision No 1/2016 of that Committee (Text with EEA relevance) OJ L 189, 14.7.2016, p. 48–57	10167/16
Council Decision (EU) 2016/1080 of 27 June 2016 establishing the position to be taken on behalf of the Union with regard to certain decisions to be adopted in the framework of the International Olive Council (IOC) OJ L 179, 5.7.2016, p. 33–35	10013/16
Council Conclusions on: European Court of Auditors' Special Report No 7/2016: The European External Action Service's management of its buildings around the world	10016/16
Council Implementing Decision (EU) 2016/1070 of 27 June 2016 on subjecting 1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one (α -pyrrolidinovalerophenone, α -PVP) to control measures OJ L 178, 2.7.2016, p. 18–20	5550/16
Council Conclusions on the European Court of Auditors' special report 'EU external migration spending in Southern Mediterranean and Eastern Neighbourhood countries until 2014	10021/16
Council Decision on the conclusion, on behalf of the European Union and its Member States, of the Additional Protocol to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of the Republic of Croatia to the European Union	12594/14 and 12595/14

Council Decision (EU) 2016/968 of 6 June 2016 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 (ISA2 programme) OJ L 160, 17.6.2016, p. 90–93	10428/16
Council Conclusions on food losses and food waste	10730/16
Council Conclusions Forest Law Enforcement, Governance and Trade	10320/1/16 REV 1