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NOTE

Subject: MONTHLY SUMMARY OF COUNCIL ACTS - JULY / AUGUST 2014

This document lists the acts adopted by the Council in July/August 2014.^{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:

<http://consilium.europa.eu/documents/legislative-transparency/monthly-summaries-of-council-acts>.

Documents listed in the summary may be obtained from the public register of Council documents at: <http://consilium.europa.eu/documents/access-to-council-documents-public-register>.

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:

<http://consilium.europa.eu/documents/legislative-transparency/council-minutes>.

INFORMATION ON THE ACTS ADOPTED BY THE COUNCIL IN JULY/AUGUST 2014

Written procedures completed on 3 July 2014

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
<p>Council Decision 2014/537/CFSP of 3 July 2014 on the signing and conclusion, on behalf of the European Union, of the Agreement between the European Union and the Central African Republic concerning the detailed arrangements for the transfer to the Central African Republic of persons detained by the European Union military operation (EUFOR RCA) in the course of carrying out its mandate, and concerning the guarantees applicable to such persons OJ L 251, 23.8.2014, p. 1–2</p>	<p>9774/14</p>
<p>Agreement between the European Union and the Central African Republic concerning detailed arrangements for the transfer to the Central African Republic of persons detained by the European Union military operation (EUFOR RCA) in the course of carrying out its mandate, and concerning the guarantees applicable to such persons OJ L 251, 23.8.2014, p. 3–6</p>	<p>9775/14</p>
<p>Council Decision 2014/430/CFSP of 3 July 2014 amending Joint Action 2005/889/CFSP on establishing a European Union Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah) OJ L 197, 4.7.2014, p. 75–76</p>	<p>9681/14</p>
<p>Council Regulation (EU) No 732/2014 of 3 July 2014 amending Regulations (EC) No 754/2009 and (EU) No 43/2014 as regards certain fishing opportunities OJ L 197, 4.7.2014, p. 1–9</p>	<p>11215/14</p>

3327th meeting of the Council of the European Union (ECONOMIC AND FINANCIAL AFFAIRS) held in Brussels on 8 July 2014

LEGISLATIVE ACTS

ACT	DOCUMENT	VOTING RULE	VOTES
Council Directive 2014/86/EU of 8 July 2014 amending Directive 2011/96/EU on the common system of taxation applicable in the case of parent companies and subsidiaries of different Member States OJ L 219, 25.7.2014, p. 40–41	10996/14	Unanimity	All Member States in favour

Statement by the Council

The Council:

- recalls its willingness to fight aggressive tax planning and Base erosion and profit shifting (BEPS) at EU and international level and stresses that this work should consider the compatibility of ongoing OECD work with the EU legal framework;
- stresses the urgent need to close tax loopholes in the Parent-Subsidiaries Directive generated by exploiting the differences in national tax systems, in order to prevent Member States from losing significant revenues and to ensure fair competition between businesses in the Single Market;
- takes notes that, while direct taxation falls within the competence of Member States, all Member States agree that the tax loophole generated by Hybrid loans arrangements resulting in a double non-taxation should be addressed by the amending Directive;
- acknowledges that a splitting of the amending Proposal is necessary in order to allow for early progress in the field of hybrid loans, while noting that the other proposed part of the amending Directive requires further discussion since so far different views have been expressed by Member States and several Member States have raised concerns on this part of the proposal;
- underlines the need to continue to work on the remaining part of the amending Proposal and notes the intention of the incoming Italian presidency to allow for in depth discussion of further cases of double non taxation in the Council.

Statement by the Commission

The Commission:

- Stresses that the proposed amendments to Article 4.1 (a) of the Parent subsidiary directive are applicable in situations of double non-taxation deriving from mismatches in the tax treatment of profit distributions between Member States which generate unintended tax benefits;
- Confirms that the proposed amendments to Article 4.1 (a) of the Parent Subsidiary directive are not intended to be applicable if there is no double non-taxation or if their application would lead to double taxation of the profit distributions between parent and subsidiary companies;
- and, in the light of the above, confirms that the adoption of this proposal does not oblige Member States to subscribe to any future legislative proposals in the field of direct taxation.

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Belgium and delivering a Council opinion on the Stability Programme of Belgium, 2014 OJ C 247, 29.7.2014, p. 1–6	10772/14
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Bulgaria and delivering a Council opinion on the Convergence Programme of Bulgaria, 2014 OJ C 247, 29.7.2014, p. 7–11	10773/14
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of the Czech Republic and delivering a Council opinion on the Convergence Programme of the Czech Republic, 2014 OJ C 247, 29.7.2014, p. 12–16	10775/14

Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Denmark and delivering a Council opinion on the Convergence Programme of Denmark, 2014 OJ C 247, 29.7.2014, p. 17–19	10777/14
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Germany and delivering a Council opinion on the Stability Programme of Germany, 2014 OJ C 247, 29.7.2014, p. 20–24	10783/14
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Estonia and delivering a Council opinion on the Stability Programme of Estonia, 2014 OJ C 247, 29.7.2014, p. 25–28	10784/14
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Ireland and delivering a Council opinion on the Stability Programme of Ireland, 2014 OJ C 247, 29.7.2014, p. 29–34	10785/14
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Spain and delivering a Council opinion on the Stability Programme of Spain, 2014 OJ C 247, 29.7.2014, p. 35–41	10786/14
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of France and delivering a Council opinion on the Stability Programme of France, 2014 OJ C 247, 29.7.2014, p. 42–49	10788/14
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Croatia and delivering a Council opinion on the Convergence Programme of Croatia, 2014 OJ C 247, 29.7.2014, p. 50–56	10789/14

Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Italy and delivering a Council opinion on the Stability Programme of Italy, 2014 OJ C 247, 29.7.2014, p. 57–62	10791/14
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Latvia and delivering a Council opinion on the Stability Programme of Latvia, 2014 OJ C 247, 29.7.2014, p. 63–66	10793/14
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Lithuania and delivering a Council opinion on the Convergence Programme of Lithuania, 2014 OJ C 247, 29.7.2014, p. 67–71	10794/14
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Luxembourg and delivering a Council opinion on the Stability Programme of Luxembourg, 2014 OJ C 247, 29.7.2014, p. 72–76	10795/14
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Hungary and delivering a Council opinion on the Convergence Programme of Hungary, 2014 OJ C 247, 29.7.2014, p. 77–82	10796/14
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Malta and delivering a Council opinion on the Stability Programme of Malta, 2014 OJ C 247, 29.7.2014, p. 83–87	10797/14
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of the Netherlands and delivering a Council opinion on the Stability Programme of the Netherlands, 2014 OJ C 247, 29.7.2014, p. 88–91	10798/14

Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Austria and delivering a Council opinion on the Stability Programme of Austria, 2014 OJ C 247, 29.7.2014, p. 92–96	10799/14
Council Recommendation of 8 July 2014 on National Reform Programme 2014 of Poland and delivering a Council opinion on the Convergence Programme of Poland, 2014 OJ C 247, 29.7.2014, p. 97–101	10800/14
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Portugal and delivering a Council opinion on the Stability Programme of Portugal, 2014 OJ C 247, 29.7.2014, p. 102–108	10801/14
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Romania and delivering a Council opinion on the Convergence Programme of Romania, 2014 OJ C 247, 29.7.2014, p. 109–114	10802/14
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Slovenia and delivering a Council opinion on the Stability Programme of Slovenia, 2014 OJ C 247, 29.7.2014, p. 115–121	10803/14
Council Recommendation of 8 July 2014 on Slovakia's 2014 national reform programme and delivering a Council opinion on the Stability Programme of Slovakia, 2014 OJ C 247, 29.7.2014, p. 122–126	10804/14
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Finland and delivering a Council opinion on the Stability Programme of Finland, 2014 OJ C 247, 29.7.2014, p. 127–131	10805/14

Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Sweden and delivering a Council opinion on the Convergence Programme of Sweden, 2014 OJ C 247, 29.7.2014, p. 132–135	10806/14
Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of the United Kingdom and delivering a Council opinion on the Convergence Programme of the United Kingdom, 2014 OJ C 247, 29.7.2014, p. 136–140	10807/14
Council Recommendation of 8 July 2014 on the implementation of the broad guidelines for the economic policies of the Member States whose currency is the euro OJ C 247, 29.7.2014, p. 141–143	10808/14
Council Conclusions on ECA Special Report No 1/2014 "Effectiveness of EU-supported public urban transport projects"	11254/14
Council Directive 2014/87/Euratom of 8 July 2014 amending Directive 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations OJ L 219, 25.7.2014, p. 42–52	10562/14
Council Decision of 8 July 2014 on a position to be taken, on behalf of the European Union, within the Sub-committee on Sanitary and Phytosanitary Measures set up by the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, as regards the adoption of its Rules of Procedure OJ L 201, 10.7.2014, p. 18–23	10534/14

2014/452/EU: Council Decision of 8 July 2014 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 (Rights, Equality and Citizenship) OJ L 205, 12.7.2014, p. 15–17	10361/14
2014/453/EU: Council Decision of 8 July 2014 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 (Connecting Europe) OJ L 205, 12.7.2014, p. 18–19	10364/14
2014/454/EU: Council Decision of 8 July 2014 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Annex XX (Environment) to the EEA Agreement OJ L 205, 12.7.2014, p. 20–21	10368/14
Council Decision 2014/538/CFSP of 8 July 2014 on the signing and conclusion of the Agreement between the European Union and the Republic of Colombia establishing a framework for the participation of the Republic of Colombia in European Union crisis management operations OJ L 251, 23.8.2014, p. 7–7	10787/14
Agreement between the European Union and the Republic of Colombia establishing a framework for the participation of the Republic of Colombia in European Union crisis management operations OJ L 251, 23.8.2014, p. 8-15	10792/14
Council Decision 2014/438/CFSP of 8 July 2014 amending and extending the mandate of the European Union Special Representative for the South Caucasus and the crisis in Georgia OJ L 200, 9.7.2014, p. 11–12	6938/14

<p>Council Implementing Decision 2014/439/CFSP of 8 July 2014 implementing Decision 2012/642/CFSP concerning restrictive measures against Belarus OJ L 200, 9.7.2014, p. 13–14</p>	<p>10919/14</p>
<p>Council Implementing Regulation (EU) No 740/2014 of 8 July 2014 implementing Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus OJ L 200, 9.7.2014, p. 1–2</p>	<p>10927/14</p>
<p>Council Decision on the position to be adopted, on behalf of the European Union, in the International Commission for the Conservation of Atlantic Tunas (ICCAT)</p>	<p>10974/14</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>	

Written procedure completed on 9 July 2014	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision 2014/447/CFSP of 9 July 2014 amending Decision 2013/354/CFSP on the European Union Police Mission for the Palestinian Territories (EUPOL COPPS) OJ L 201, 10.7.2014, p. 28–30	9685/14
Written procedures completed on 10 July 2014	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision 2014/449/CFSP of 10 July 2014 concerning restrictive measures in view of the situation in South Sudan OJ L 203, 11.7.2014, p. 100–105	10378/14
Council Regulation (EU) No 748/2014 of 10 July 2014 concerning restrictive measures in respect of the situation in South Sudan OJ L 203, 11.7.2014, p. 13–22	11374/14
Council Decision 2014/450/CFSP of 10 July 2014 concerning restrictive measures in view of the situation in Sudan and repealing Decision 2011/423/CFSP OJ L 203, 11.7.2014, p. 106–112	10379/14

Council Regulation (EU) No 747/2014 of 10 July 2014 concerning restrictive measures in view of the situation in Sudan and repealing Regulations (EC) No 131/2004 and (EC) No 1184/2005 OJ L 203, 11.7.2014, p. 1–12		11373/14	
Written procedures completed on 11 July 2014			
NON-LEGISLATIVE ACTS			
ACT		DOCUMENT / STATEMENTS	
Council Decision 2014/455/CFSP of 11 July 2014 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine OJ L 205, 12.7.2014, p. 22–24		11701/14	
Council Implementing Regulation (EU) No 753/2014 of 11 July 2014 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine OJ L 205, 12.7.2014, p. 7–9		11702/14	
3328th meeting of the Council of the European Union (AGRICULTURE AND FISHERIES) held in Brussels on 14 July 2014			
LEGISLATIVE ACTS			
ACT	DOCUMENT	VOTING RULE	VOTES
Council Decision of 14 July 2014 adopting the Council's position on draft amending budget No 2 of the European Union for the financial year 2014 OJ C 227, 17.7.2014, p. 3–3	11323/14	Qualified majority	All Member states in favour

Regulation (EU) No 806/2014 of the European Parliament and of the Council of 15 July 2014 establishing uniform rules and a uniform procedure for the resolution of credit institutions and certain investment firms in the framework of a Single Resolution Mechanism and a Single Resolution Fund and amending Regulation (EU) No 1093/2010 OJ L 225, 30.7.2014, p. 1–90	88/14	Qualified majority	All Member states in favour
NON-LEGISLATIVE ACTS			
ACT		DOCUMENT / STATEMENTS	
2014/479/EU: Council Decision of 14 July 2014 adjusting the allowances provided for in Decision 2007/829/EC concerning the rules applicable to national experts and military staff on secondment to the General Secretariat of the Council OJ L 215, 21.7.2014, p. 2–3		10964/14	
2014/467/EU: Council Decision of 14 July 2014 extending the validity of Decision 2011/492/EU and suspending the application of its appropriate measures OJ L 212, 18.7.2014, p. 12–14		11290/14	
2014/481/EU: Council Decision of 14 July 2014 on the position to be taken on behalf of the European Union with regard to the participation in the CARIFORUM-EU Consultative Committee provided for by the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part OJ L 216, 22.7.2014, p. 1–4		11292/14	
Council Decision 2014/460/CFSP of 14 July 2014 amending Decision 2010/656/CFSP renewing the restrictive measures against Côte d'Ivoire OJ L 207, 15.7.2014, p. 17–19		10209/14	

Written procedure completed on 17 July 2014	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Regulation (EU) No 779/2014 of 17 July 2014 fixing the fishing opportunities for anchovy in the Bay of Biscay for the 2014/15 fishing season OJ L 212, 18.7.2014, p. 1–3	11586/14
Written procedures completed on 18 July 2014	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision 2014/475/CFSP of 18 July 2014 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine OJ L 214, 19.7.2014, p. 28–28	11979/14
Council Regulation (EU) No 783/2014 of 18 July 2014 amending Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine OJ L 214, 19.7.2014, p. 2–3	11981/14

Written procedure completed on 21 July 2014	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision 2014/480/CFSP of 21 July 2014 amending Decision 2010/413/CFSP concerning restrictive measures against Iran OJ L 215, 21.7.2014, p. 4–5	11983/14
3330th meeting of the Council of the European Union (FOREIGN AFFAIRS) held in Brussels on 22 July 2014	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision 2014/483/CFSP of 22 July 2014 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 repealing Decision 2014/72/CFSP OJ L 217, 23.7.2014, p. 35–37	11080/14
Council Implementing Regulation (EU) No 790/2014 of 22 July 2014 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combatting terrorism, and repealing Implementing Regulation (EU) No 125/2014 OJ L 217, 23.7.2014, p. 1–4	11082/14

Council Decision 2014/485/CFSP of 22 July 2014 amending Decision 2012/389/CFSP on the European Union Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP NESTOR) OJ L 217, 23.7.2014, p. 39–41	11311/14
Council Decision 2014/484/CFSP of 22 July 2014 amending Common Position 2003/495/CFSP on Iraq OJ L 217, 23.7.2014, p. 38–38	11220/14
Council Regulation (EU) No 791/2014 of 22 July 2014 amending Regulation (EC) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq OJ L 217, 23.7.2014, p. 5–8	11344/14
Council Implementing Decision 2014/487/CFSP of 22 July 2014 implementing Decision 2011/137/CFSP concerning restrictive measures in view of the situation in Libya OJ L 217, 23.7.2014, p. 48–48	11587/14
Council Implementing Regulation (EU) No 792/2014 of 22 July 2014 implementing Article 16(2) of Regulation (EU) No 204/2011 concerning restrictive measures in view of the situation in Libya OJ L 217, 23.7.2014, p. 9–9	11588/14
Council Decision 2014/482/CFSP of 22 July 2014 amending Decision 2012/392/CFSP on the European Union CSDP mission in Niger (EUCAP Sahel Niger) OJ L 217, 23.7.2014, p. 31–34	10950/14

Council Decision 2014/496/CFSP of 22 July 2014 on aspects of the deployment, operation and use of the European Global Navigation Satellite System affecting the security of the European Union and repealing Joint Action 2004/552/CFSP OJ L 219, 25.7.2014, p. 53–55	8404/14
Council Decision 2014/491/CFSP of 22 July 2014 amending Decision 2013/189/CFSP establishing a European Security and Defence College (ESDC) OJ L 218, 24.7.2014, p. 6–7	10533/14
Council Decision 2014/486/CFSP of 22 July 2014 on the European Union Advisory Mission for Civilian Security Sector Reform Ukraine (EUAM Ukraine) OJ L 217, 23.7.2014, p. 42–47	11585/14
Council Decision authorising the opening of negotiations with Ukraine in order to conclude an Agreement between the European Union and Ukraine on the status of the European Union CSDP mission in Ukraine	11691/14
Council Conclusions on the Great Lakes Region	11858/14
Council Conclusions on the Central African Republic	11856/14
Council Implementing Decision 2014/488/CFSP of 22 July 2014 implementing Decision 2013/255/CFSP concerning restrictive measures against Syria OJ L 217, 23.7.2014, p. 49–51	11875/14
Council Implementing Regulation (EU) No 793/2014 of 22 July 2014 implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria OJ L 217, 23.7.2014, p. 10–12	11877/14

Council Conclusions on Ukraine		12121/14	
Council Conclusions on the Middle East Peace Process		11954/14	
3331st meeting of the Council of the European Union (GENERAL AFFAIRS) held in Brussels on 23 July 2014			
LEGISLATIVE ACTS			
ACT	DOCUMENT	VOTING RULE	VOTES
Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012 (Text with EEA relevance) OJ L 257, 28.8.2014, p. 1–72	49/14	Qualified majority	All Member States in favour, except: Abstention: FI
<p>Joint statement by the Kingdom of Belgium, the Federal Republic of Germany and the Grand Duchy of Luxembourg</p> <p>Belgium, Germany and Luxembourg welcome the adoption of the Regulation on improving securities settlement in the EU and on centralized securities depositories. This regulation is an important step in the achievement of a European regulatory framework in the field of financial market infrastructures, in line with internationally agreed standards.</p> <p>As part of the legislative process, Belgium, Germany and Luxembourg would like to recall the importance of the work performed by the lawyers-linguists in the legislative procedure in order to ensure the quality of legislation and the translation of EU legislative acts in all official languages.</p> <p>At that stage of the legislative procedure, any modification to the text agreed between the European Parliament and the Council, be it a modification on the form or on the substance, requires unanimous agreement of the Member States and the European Parliament.</p> <p>In the absence of unanimous agreement, the text of the political agreement between the European Parliament and the Council must remain unchanged.</p> <p>Belgium, Germany and Luxembourg regret that this principle has not been complied with regard to this regulation and expect that it is strictly adhered to in future cases.</p>			

Statement by Finland

Openness and transparency is a crucial objective for financial markets. Finland wants to retain its current 100% transparency regarding domestic ownerships in Finnish listed companies and cannot therefore support the regulation which may endanger this transparency. Finland emphasizes the need to improve the level of available shareholder information across EU and urges including this in the preparation of EU securities law legislation (SLL) and amendment of the shareholders' rights directive (SHRD).

Directive 2014/91/EU of the European Parliament and of the Council of 23 July 2014 amending Directive 2009/65/EC on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS) as regards depositary functions, remuneration policies and sanctions Text with EEA relevance
OJ L 257, 28.8.2014, p. 186–213

75/14

Qualified majority

All Member States in favour

Statement by Spain

Spain welcomes the agreement on UCITS V.

Spain notes that the sanctions regime is highly sensitive. Member States operate under very different legal and institutional frameworks and these national frameworks need to remain coherent as harmonisation of the sanctions regime is pursued at European level. The difficulties of these discussions are well known and most Member States specificities have been addressed, in particular when they are grounded on constitutional concerns.

Spain will strive to implement the permanent ban on the exercise of management functions in investment firms in conformity with national law.

Statement by Sweden

Access to data traffic records held by providers of public electronic communications networks by public authorities amounts to a serious interference with the right to respect of private and family life and the right to protection of personal data. Issues of privacy and surveillance are highly sensitive topics that need to be dealt with in a consistent manner across all EU policy areas. Such powers should be restricted to investigations of crimes.

Sweden is worried that this power is spreading to financial market files which do not deal with such matters. The judgment of the European Court of Justice on the 8th of April in which the ECJ declares the Data Retention Directive (2006/24/EC) to be invalid further reinforces this view (see Cases C-293/12 and C-594/12).

<p>Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features (Text with EEA relevance) OJ L 257, 28.8.2014, p. 214–246</p>	89/14	Qualified majority	All Member States in favour
<p>Statements by the Commission</p> <p><u>On the recourse to EBA regulatory technical standards for the adoption of the EU standardised terminology</u></p> <p>The Commission considers that the recourse to EBA regulatory technical standards for the adoption of the EU standardised terminology is inconsistent with Article 10 of Regulation (EU) No 1093/2010 (OJ L 331/12 of 15.12.2010) since determining the list of the most representative services at EU level, together with corresponding common terms and definitions, cannot be regarded as a purely technical matter but entails strategic decisions or policy choices.</p> <p><u>On the transposition of the provisions on access to a payment account with basic features</u></p> <p>The Commission considers that the reference to a "binding" framework in Article 16 (10) of the Directive should be interpreted in compliance with the Court's case-law on the transposition of directives in the legal order of Member States, according to which the provisions of directives must be implemented with unquestionable binding force.</p> <p><u>On the longer implementation period for Member States where the equivalents of a fee information document and statement of fees already exist at national level</u></p> <p>The Commission considers that the introduction of a longer implementation period for Member States to adopt the common format and symbol of the fee information document and statement of fees where the equivalents of these documents already exist at national level, introduces an unjustified difference in the treatment between Member States. The Commission also notes that the Directive does not contain any explanation on the objective reasons identified for such a difference in treatment.</p>			

Statement by the Czech Republic

The Czech Republic considers that the inclusion of comparison websites in the Directive represents a significant intervention in a market that seems to work efficiently. Moreover, the obligation of the Member States to ensure the operation of comparison websites, even through public authorities, is likely to expose the Member States to unnecessary public expenses and legal risks.

Regulation (EU) No 912/2014 of the European Parliament and of the Council of 23 July 2014 establishing a framework for managing financial responsibility linked to investor-to-state dispute settlement tribunals established by international agreements to which the European Union is party
OJ L 257, 28.8.2014, p. 121–134

92/14

Qualified
majority

All Member States in
favour

Joint declaration by the European Parliament, the Council and the Commission

The adoption and application of this Regulation are without prejudice to the division of competences established by the Treaties and shall not be interpreted as an exercise of shared competence by the Union in areas where the Union's competence has not been exercised.

Statement by the Czech Republic, Lithuania, Poland and Slovakia

The Czech Republic, Lithuania, Poland and Slovakia wish to state that the adoption and application of this Regulation is without prejudice to the division of competence established by the Treaties and shall not be interpreted as an exercise of shared competence by the Union in areas where the Union's competence has not been exercised before the entry into force of this Regulation.

The Czech Republic, Lithuania, Poland and Slovakia underline that the Union's exclusive competence in the area of common commercial policy relating to international investment agreements or free trade agreements containing investment protection provisions is limited to foreign direct investment according to Article 207 TFEU, which is the legal basis of this Regulation.

The Czech Republic, Lithuania, Poland and Slovakia attach utmost importance to the fact that the adoption of this Regulation does not constitute any reasons or legal basis to claim an exclusive external competence of the Union pursuant to Article 3 para. 2 TFEU for the conclusion of international investment agreements or free trade agreements containing investment protection provisions not explicitly covered by Article 207 para. 1 TFEU, in particular provisions on portfolio investment and other provisions on investment protection that are not covered by the Union's exclusive competence on common commercial policy.

The Czech Republic, Lithuania, Poland and Slovakia accept the definition "required by Union law" based on understanding that the definition "required by Union law" includes treatment when the Member State applied any of the means stated in the Directive to achieve the result of the Directive.

The Czech Republic, Lithuania, Poland and Slovakia accept Article 14(5) based on understanding that Article 19 does not apply to Article 14(5). While maintaining the opinion on elements outlined above, the Czech Republic, Lithuania, Poland and Slovakia can support the adoption of this Regulation.

Statement by Germany, Finland and the Netherlands

Germany, Finland and the Netherlands wish to state that the adoption and application of this Regulation is without prejudice to the division of competence established by the Treaties and shall not be interpreted as an exercise of shared competence by the Union in areas where the Union's competence has not been exercised before the entry into force of this Regulation.

Germany, Finland and the Netherlands underline that the Union's exclusive competence in the area of common commercial policy relating to international investment agreements or free trade agreements containing investment protection provisions is limited to foreign direct investment according to Article 207 TFEU, which is the legal basis of this Regulation.

Germany, Finland and the Netherlands attach utmost importance to the fact that the adoption of this Regulation does not constitute any reasons or legal basis to claim an exclusive external competence of the Union pursuant to Article 3 para. 2 TFEU for the conclusion of international investment agreements or free trade agreements containing provisions not explicitly covered by Article 207 para. 1 TFEU, in particular provisions on portfolio investment and other provisions on investment protection that are not covered by the Union's exclusive competence on common commercial policy.

Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 establishing a framework for maritime spatial planning OJ L 257, 28.8.2014, p. 135–145	72/14	Qualified majority	All Member States in favour, except: Abstention: SI
Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC OJ L 257, 28.8.2014, p. 73–114	60/14	Qualified majority	All Member States in favour

Statement by the Netherlands

The Netherlands thanks the Greek presidency and preceding presidencies for the final result that was achieved on the regulation for electronic identification and trust services for electronic transactions in the internal market (e-IDAS). The Netherlands is especially pleased with the opportunities offered to private suppliers of electronic identities and with the inclusion of website authentication within the scope of the regulation. The latter will allow supervisory bodies to intervene in case of security incidents such as the one that occurred at a Dutch supplier of website certificates (Diginotar) in 2011. Member states now face the challenge of making the regulation practicable for all parties that will need to work with it. In facing this challenge, however, there lies a concern for the Netherlands. Practice has shown that citizens, enterprises and implementing organizations may have difficulty distinguishing between different security levels of electronic identities and trust services. Member states will have to cooperate intensively and give practical guidance to users in the implementation phase of the regulation. Only then will mutual acceptance of electronic identities and trust services become a reality and will the regulation contribute to the completion of the internal market.

Regulation (EU) No 911/2014 of the European Parliament and of the Council of 23 July 2014 on multiannual funding for the action of the European Maritime Safety Agency in the field of response to marine pollution caused by ships and oil and gas installations (Text with EEA relevance) OJ L 257, 28.8.2014, p. 115–120	66/14	Qualified majority	All Member States in favour
Directive 2014/90/EU of the European Parliament and of the Council of 23 July 2014 on marine equipment and repealing Council Directive 96/98/EC (Text with EEA relevance) OJ L 257, 28.8.2014, p. 146–185	42/14	Qualified majority	All Member States in favour

Commission statements:

On the Competence of the Committee

The Commission regrets the inclusion of Recital 24 that has the potential to create confusion and legal uncertainty. The role of the Committees which ensure control by Member States on the Commission's exercise of implementing powers is defined only by Regulation No (EU) 182/2011, adopted on the basis of Article 291, third paragraph, TFEU. Therefore, no other secondary legislative act can alter or would need to specify further this role. In particular, the rules of procedures of committees are adopted by the committees on the basis of Regulation No (EU) 182/2011. As such they are to be applied when the Committee exercise its role defined by Regulation No (EU) 182/2011. Any reference to rules of procedures outside this context is superfluous and inappropriate. It also risks complicating the functioning of the committee.

With regard to the possibility of the European Parliament to be invited to meetings, the Commission will implement this recital in accordance with its practice in the implementation of point 15 of the Framework agreement on relations between the European Parliament and the European Commission.

On the 'no-opinion' clause

The Commission underlines that it is contrary to the letter and to the spirit of Regulation 182/2011 to invoke Article 5 § 4, subparagraph 2, point b) in a systematic manner. Recourse to this provision must respond to a specific need to depart from the rule of principle which is that the Commission may adopt a draft implementing act when no opinion is delivered. Given that it is an exception to the general rule established by Article 5 § 4 recourse to subparagraph 2, point b), cannot be simply seen as a "discretionary power" of the legislator, but must be interpreted in a restrictive manner and thus must be justified.

While the Commission notes the agreement reached by the European Parliament and the Council on the recourse to this provision it regrets that such justification is not reflected in a recital.

On the consultation of experts in the context of preparation of Delegated acts

The Commission regrets the inclusion in Articles 8(2), 8(3), 11(3) & 27(6) of a provision stressing the importance for the Commission to 'carry out consultations with experts, including Member States' experts, during the preparation of such delegated acts' The Commission recalls that the Commission is autonomous in the preparation and adoption of delegated acts. Moreover, Article 290 TFEU contains an exhaustive list of the procedural conditions which a delegation may be made subject to. The standard recital on expert advice contained in the Common Understanding agreed between the three institutions is a reflection of that interpretation.

Position (EU) No 9/2014 of the Council at first reading with a view to the adoption of a Directive of the European Parliament and of the Council amending Directive 2001/18/EC as regards the possibility for the Member States to restrict or prohibit the cultivation of genetically modified organisms (GMOs) in their territory Adopted by the Council on 23 July 2014 (Text with EEA relevance)	10972/14 10972/14 ADD 1	Qualified majority	All Member States in favour, except: Abstention: BE, LU
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Statement by Luxembourg

The Luxembourg delegation wishes to thank the Hellenic Presidency for re-launching the negotiations on amending Directive 2001/18/EC allowing Member States to restrict or prohibit the cultivation of GMOs in their territory.

Our government recognises that the proposed amendments are aimed at improving the above-mentioned Directive. It particularly appreciates the fact that a new recital has been introduced which refers to the Commission's recommendations of 13 July 2010 on the development by the Member States of coexistence measures, including in border areas. Luxembourg particularly welcomes the fact that the grounds for prohibiting cultivation appear in the body of the proposed text and that the Member States may invoke reasons of public policy as such grounds. It also welcomes the strengthening of the EFSA risk assessment guidance.

However, our government is concerned about the involvement of GMO businesses in the proposed authorisation process. It wonders about the balance of power between the Member States, those with smaller administrations, and GMO businesses. Our government also wonders whether the proposal might not lead to a spate of authorisations for GMO cultivation.

A large majority of the population in the Grand Duchy is opposed to the cultivation of GMOs. Moreover, the current government programme stipulates that Luxembourg will continue to apply the precautionary principle in respect of GMOs, promote sustainable "GMO-free" agriculture and defend its anti-GMO position both domestically and at EU and international level.

The Luxembourg government wishes to draw attention, in this context, to the Commission communication of 2 February 2000 [COM(2000)1] on the precautionary principle; the latter is also mentioned in Article 191 TFEU, which aims to ensure a high level of environmental protection. The current state of research does not allow us to rule out entirely the possibility of long-term risks associated with the cultivation of GMOs, including repercussions for fauna and flora and for public health, particularly since no long-term studies exist on this subject.

For these reasons, the Luxembourg government is unable to give its full support to the compromise proposal and must therefore abstain from the vote.

NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision on the signing, on behalf of the European Union and its 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 Russian Federation, of the other part, to take account of the accession of the Republic of Croatia to the European Union	11440/14
Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part, to take account of the accession of the Republic of Croatia to the European Union	11513/14
Council Decision on the termination of the legal proceedings with the Faroe Islands concerning Atlanto-Scandian herring	11848/14
2014/505/EU: Council Decision of 23 July 2014 on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Kingdom of Norway on reciprocal access to fishing in the Skagerrak for vessels flying the flag of Denmark, Norway and Sweden OJ L 224, 30.7.2014, p. 1–2	11643/14
Agreement between the European Union and the Kingdom of Norway on reciprocal access to fishing in the Skagerrak for vessels flying the flag of Denmark, Norway and Sweden OJ L 224, 30.7.2014, p. 3–4	11692/14

Statement by the United Kingdom

The UK notes that the proposed Agreement contains unclear provisions, particularly concerning the EU's functions. Noting the EU would be a Party, Articles 2 and 5 contain references to the EU's "fisheries jurisdiction" and the EU "area of fisheries jurisdiction". These concepts are not defined, and they suggest that the EU exercises sovereignty or jurisdiction over certain areas. However it is EU Member States which do so under UNCLOS. This is reflected in the CFP Basic Regulation (1380/2013) which makes clear that 'Union waters' are those "under the sovereignty or jurisdiction of the Member States" [Article 4.1(1)]. Further, Article 5 refers to fishing by vessels of [the EU], without a related definition. We note that the EU does not have vessels. Rather, it is EU Member States which flag vessels, and exercise jurisdiction and control over them. This is reflected, for example, in the CFP Basic Regulation, which defines 'Union fishing vessel' as "a fishing vessel flying the flag of a Member State and registered in the Union" [Art 4.1(5)]. Proposed fisheries agreements between the EU and third countries should be clear about the scope of the EU's functions under EU and international law.

2014/509/EU: Council Decision of 23 July 2014 on the adoption by Lithuania of the euro on 1 January 2015
OJ L 228, 31.7.2014, p. 29–32

10925/14

Council Regulation (EU) No 827/2014 of 23 July 2014 amending Regulation (EC) No 974/98 as regards the introduction of the euro in Lithuania
OJ L 228, 31.7.2014, p. 3–4

10932/14

Council Regulation (EU) No 851/2014 of 23 July 2014 amending Regulation (EC) No 2866/98 as regards the conversion rate to the euro for Lithuania
OJ L 233, 6.8.2014, p. 21–21

11524/14

Written procedures completed on 25 July 2014	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision 2014/499/CFSP of 25 July 2014 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine OJ L 221, 25.7.2014, p. 15–25	12125/14
Council Regulation (EU) No 811/2014 of 25 July 2014 amending Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine OJ L 221, 25.7.2014, p. 11–12	12128/14
Council Implementing Regulation (EU) No 810/2014 of 25 July 2014 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine OJ L 221, 25.7.2014, p. 1–10	12126/14
Written procedures completed on 30 July 2014	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision on establishing the European Union position within the Ministerial Council of the Energy Community (Kiev, 23 September 2014)	11913/14

Council Conclusions on EU Strategy on Citizen Security in Central America and the Caribbean	12231/14
Council Decision 2014/507/CFSP of 30 July 2014 amending Decision 2014/386/CFSP concerning restrictions on goods originating in Crimea or Sevastopol, in response to the illegal annexation of Crimea and Sevastopol OJ L 226, 30.7.2014, p. 20–22	12205/14
Council Regulation (EU) No 825/2014 of 30 July 2014 amending Regulation (EU) No 692/2014 concerning restrictions on the import into the Union of goods originating in Crimea or Sevastopol, in response to the illegal annexation of Crimea and Sevastopol OJ L 226, 30.7.2014, p. 2–15	12207/14
Council Decision 2014/508/CFSP of 30 July 2014 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine OJ L 226, 30.7.2014, p. 23–26	12247/14
Council Implementing Regulation (EU) No 826/2014 of 30 July 2014 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine OJ L 226, 30.7.2014, p. 16–19	12248/14

Written procedures completed on 31 July 2014

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
Council Decision 2014/512/CFSP of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine OJ L 229, 31.7.2014, p. 13–17	12245/14
Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine OJ L 229, 31.7.2014, p. 1–11	12246/14

**Joint Council and Commission Declaration
on a mechanism to optimize consistency in the application and monitoring of EU restrictive measures**

The Council and the Commission, together with the EEAS, are engaged in exploring the viability of a mechanism, within the framework of RELEX, in order to:

- optimize consistency and ensure legal certainty in the application and enforcement of EU restrictive measures;
- promote the monitoring of their effects;
- advise on possible improvements, remedies to loopholes and adaptations, addressing in particular the risk of circumvention;
- advise on possible action in order to improve their impact, also in the light of the actions taken or not taken by third States, with a view to minimizing the substitution effect (backfilling).

3332nd meeting of the Council of the European Union (FOREIGN AFFAIRS) held in Brussels on 15 August 2014

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
Council Conclusions on Iraq	12506/14
Council Conclusions on MEPP/Gaza	12510/14
Council Conclusions on Libya	12507/14
Council Conclusions on Ukraine	12511/14
Council Conclusions on the Ebola Crisis in West Africa	12509/14