



Brussels, 22 December 2014
(OR. en)

17135/14

PUBLIC 182
INF 354

NOTE

Subject: MONTHLY SUMMARY OF COUNCIL ACTS SEPTEMBER 2014

This document lists the acts adopted by the Council in September 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 SEPTEMBER 2014

Written procedure completed on 2 September 2014

LEGISLATIVE ACTS

ACT	DOCUMENT	VOTING RULE	VOTES
Council Decision of 2 September 2014 adopting the Council's position on the draft general budget of the European Union for the financial year 2015 OJ C 295, 3.9.2014, p. 1–1	11778/14	Qualified majority	All member states in favour, except: Abstention: UK

Council Statement on payment appropriations

The Council asks the Commission to submit as early as possible the letter of amendment for agriculture (including information about the possible carry-over of assigned revenue) in order to appropriately calibrate the level of resources in heading 2 (Sustainable growth: natural resources) in the 2015 budget.

Furthermore, the Council asks the Commission to submit a draft amending budget if the payment appropriations entered in the 2015 budget are insufficient to cover expenditure under sub heading 1a (Competitiveness for growth and jobs), sub heading 1b (Economic, social and territorial cohesion), heading 2 and heading 4 (Global Europe) of the multiannual financial framework.

It urges the Commission to present as early as possible updated figures concerning the state of affairs and estimates regarding payment appropriations under sub heading 1b and, if necessary, to present a draft amending budget for this sole purpose. The Council will take position on the draft amending budget as quickly as possible in order to avoid any shortfall in payment appropriations.

Council statement on 5 % staff reduction

The Council recalls the agreement reached between the European Parliament, the Council and the Commission to progressively render 5 % of the staff as in the establishment plan on 1 January 2013, to be effected between 2013 and 2017, as inscribed in Point 27 of the Interinstitutional Agreement of 2 December 2013 on budgetary discipline, on cooperation in budgetary matters and on sound financial management.

The Council takes note of the Commission's monitoring of the progress towards the 5 % staff reduction target already achieved to date by a number of institutions, bodies and agencies. It calls on all institutions and bodies to continue implementing the remaining staff reduction until the end of the five year period 2013 2017, as presented in the table in the Annex.

The Council also underlines the importance of monitoring closely the appropriations for all categories of external staff, against the backdrop of the additional capacity built up by the increase of working time to 40 hours per week. In line with Article 38(3)(b) of the Financial Regulation, it invites the Commission to present an overview of consolidated data on all external staff employed by the Union, displayed by type of contract and comparable between institutions and bodies and between years.

Joint statement of Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia and Slovenia

Bulgaria, Croatia, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia and Slovenia support the Council's position on the draft budget of the European Union for 2015 in order to reach a compromise, however these Member States are convinced that the agreed level of payment appropriations may not be sufficient and could lead to great pressures on the timely fulfilment of Union's legal obligations and meeting the commitments already made in the previous and present multiannual financial frameworks .

With this in mind, the above delegations are of the view that the budget for 2015 will only be executable and manageable if additional payment appropriations in Draft Amending Budget 3/2014, especially for cohesion policy, are entered into this year's budget. The mobilization of the contingency margin can address the growing level of unpaid payment claims (in the cohesion policy).

Therefore, in line with the joint statement on payment appropriations, these delegations urge the Council to adopt its position on the Draft Amending Budget 3/2014 including the mobilization of the Contingency Margin according to Article 13 of the MFF Regulation, as quickly as possible in order to avoid further shortfall in payment appropriations.

Joint statement of Austria, Denmark, Finland, France, Germany, the Netherlands, Sweden and the United Kingdom

In light of the negotiations on the draft budget 2015, Austria, Denmark, Finland, France, Germany, Sweden, the United Kingdom and the Netherlands underline the need to strictly respect the ceilings agreed in the multiannual financial framework (MFF) for 2014-2020.

The undersigned countries recall the importance of a sound financial management of the European Union's budget, in accordance with budgetary principles set out in the financial regulation. This implies, among other things, that the Commission shall manage the appropriations within the limits of the voted budget. In case of unforeseen needs, the Commission shall thoroughly examine the scope for reallocation, with particular reference to any possible under-implementation of appropriations. To this extent, the undersigned countries recall the necessity to actively monitor the state of implementation of the annual budget in accordance with point 36 in the Annex of the IIA.

In light of these principles, the undersigned countries have been concerned about the level of payment appropriations proposed by the Commission in its 2015 draft budget, which was above the payment ceiling. The undersigned countries consider that the level of payments for 2015 the Council agreed on is more than sufficient to fulfil all European Union's obligations.

Therefore, Austria, Denmark, Finland, France, Germany, Sweden, the United Kingdom and the Netherlands underline that, for the forthcoming negotiations with the European Parliament on the draft budget 2015, a substantial margin under the ceilings has to be maintained in order to be able to face any unforeseen expenditures during the year. The margin should in particular be sufficient to finance the special instruments within the limits of the payment ceiling.

For this reason, we believe that any future mobilization of the contingency margin in 2015 should be unnecessary. Moreover, this margin is to be mobilized for unforeseen circumstances and at last resort.

We believe special instruments should not be used to exceed the annual payments ceiling and should therefore not be "off budget".

The mobilization of special instruments above the payment ceiling is legally questionable as the MFF regulation as well as preparatory work of the MFF only mention the possibility for the mobilization of special instruments above the ceilings for commitments, but not above the payment ceilings.

Written procedure completed on 5 September 2014	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
2014/648/EU, Euratom: Council Decision, taken by common accord with the President-elect of the Commission, of 5 September 2014 adopting the list of the other persons whom the Council proposes for appointment as Members of the Commission OJ L 268, 9.9.2014, p. 5–6	12777/14
Written procedures completed on 8 September 2014	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision 2014/659/CFSP of 8 September 2014 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine OJ L 271, 12.9.2014, p. 54–57	12817/14
Council Regulation (EU) No 960/2014 of 8 September 2014 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine OJ L 271, 12.9.2014, p. 3–7	12818/14

Council Decision 2014/658/CFSP of 8 September 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 271, 12.9.2014, p. 47–53	12813/14
Council Regulation (EU) No 959/2014 of 8 September 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 271, 12.9.2014, p. 1–2	12814/14
Council Implementing Regulation (EU) No 961/2014 of 8 September 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 271, 12.9.2014, p. 8–13	12815/14
Written procedure completed on 15 September 2014	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
2014/664/EU: Council Decision of 15 September 2014 on the position to be adopted on behalf of the European Union within the Council of Members of the International Olive Council concerning the prolongation of the 2005 International Agreement on olive oil and table olives OJ L 275, 17.9.2014, p. 6–6	11912/14

Written procedure completed on 26 September 2014	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Implementing Decision 2014/678/CFSP of 26 September 2014 implementing Decision 2013/255/CFSP concerning restrictive measures against Syria OJ L 283, 27.9.2014, p. 59–60	13191/14
Council Implementing Regulation (EU) No 1013/2014 of 26 September 2014 implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria OJ L 283, 27.9.2014, p. 9–10	13192/14
3333rd meeting of the Council of the European Union (COMPETITIVENESS (Internal Market, Industry, Research and Space)) held in Brussels on 25 and 26 September 2014	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Conclusions on the mainstreaming of industrial competitiveness	13617/14

<p>Recommendation for a Council Decision authorising the Commission to open negotiations on behalf of the European Union for the renewal of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community, on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand</p>	<p>12892/14</p>
<p>Statement by the Commission The Commission does not consider it necessary that a Council Decision authorising the opening of negotiations indicates a substantive legal basis.</p>	
<p>2014/697/EU: Decision of the European Parliament and of the Council of 25 September 2014 on the mobilisation of the European Globalisation Adjustment Fund, in accordance with point 13 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management (EGF/2014/000 TA 2014 — Technical assistance at the initiative of the Commission) OJ L 292, 8.10.2014, p. 14–15</p>	<p>13042/14</p>
<p>2014/698/EU: Decision of the European Parliament and of the Council of 25 September 2014 on the mobilisation of the European Globalisation Adjustment Fund, in accordance with Point 13 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management (application EGF/2014/001 EL/Nutriart from Greece) OJ L 292, 8.10.2014, p. 16–17</p>	<p>13044/14</p>

<p>2014/696/EU: Decision of the European Parliament and of the Council of 25 September 2014 on the mobilisation of the European Globalisation Adjustment Fund, in accordance with Point 13 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management (application EGF/2012/010 RO/Mechel from Romania) OJ L 292, 8.10.2014, p. 12–13</p>	13017/14
<p>2014/688/EU: Council Implementing Decision of 25 September 2014 on subjecting 4-iodo-2,5-dimethoxy-N-(2-methoxybenzyl) phenethylamine (25I-NBOMe), 3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921), 3,4-methylenedioxypropylamphetamine (MDPV) and 2-(3-methoxyphenyl)-2-(ethylamino)cyclohexanone (methoxetamine) to control measures OJ L 287, 1.10.2014, p. 22–26</p>	12272/14
<p>Council Regulation (EU) No 1012/2014 of 25 September 2014 adapting Regulation (EC) No 1340/2008 on trade in certain steel products between the European Community and the Republic of Kazakhstan, by reason of the accession of Croatia to the European Union OJ L 283, 27.9.2014, p. 2–8</p>	11999/14
<p>2014/675/EU: Council Decision of 25 September 2014 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Annex II of the EEA Agreement OJ L 283, 27.9.2014, p. 47–55</p>	10987/14

Council Decision 2014/673/CFSP of 25 September 2014 amending Decision 2013/527/CFSP amending and extending the mandate of the European Union Special Representative for the Horn of Africa OJ L 282, 26.9.2014, p. 22–23	11086/14
Council Decision 2014/674/CFSP of 25 September 2014 amending and extending Decision 2010/565/CFSP on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (EUSEC RD Congo) OJ L 282, 26.9.2014, p. 24–26	12625/14
Council Conclusions on Internet Governance	15748/14

3334th meeting of the Council of the European Union (GENERAL AFFAIRS) held in Brussels on 29 September 2014**LEGISLATIVE ACTS**

ACT	DOCUMENT	VOTING RULE	VOTES
Regulation (EU, Euratom) No 1141/2014 of the European Parliament and of the Council of 22 October 2014 on the statute and funding of European political parties and European political foundations OJ L 317, 4.11.2014, p. 1–27	62/14	Qualified majority	All member states in favour, except: Against: NL, UK Abstention: BE

Statement by the Netherlands

The Netherlands considers the current proposal as a significant improvement compared to the original proposal of September 2012.

Despite this, the Netherlands has strong fundamental objections against the assessment of the EU's values in the process of registration and verification of the European political parties. The Netherlands attaches great value to the independent position of political parties. The Netherlands is of the opinion that it is primarily up to the voters and secondarily to the judiciary to assess the programme and activities of political parties. Such an assessment should not be part of the registration and verification process.

Therefore, the Netherlands will vote against the proposals concerned.

Statement by Belgium

While in favour of developing a European political area and strengthening European political parties, Belgium cannot support the draft Regulation submitted for adoption to the Council by the Presidency.

Belgium deplores the uncertainty which is still present, under Articles 17 and 18, in relation to the possible repercussions of European political parties' campaigns in the context of European elections on the application of national legislation on election expenses. We would point out that under the terms of the Act of 20 September 1976 concerning the election of the members of the European Parliament by direct universal suffrage, national provisions continue to govern the electoral procedure in each Member State.

Furthermore, Belgium cannot agree with raising the ceiling for donations to EUR 18 000.

Statement by Italy, Portugal and Slovakia

While acknowledging the importance of adopting the proposal for a regulation of the European Parliament and of the Council on the statute and funding of European Political Parties and European Political Foundations within the current legislature, Italy, Portugal and Slovakia would like to express their concerns over the composition of the “Authority” foreseen in Article 6 which as it stands is placed in the hands of one single person.

Italy, Portugal and Slovakia believe that such a composition is not consistent with the highly sensitive decisions the Authority is going to be entrusted with, which include: a) registration/de-registration of European political parties and European Political Foundations as foreseen by Articles 6, 7, 9, 10, 27(1); b) imposing financial sanctions on European political parties and European Political Foundations in the cases foreseen by Article 27 (2). Italy, Portugal and Slovakia observe that such a solution represents a major shift with respect to the current discipline of Regulation 2004/2003 where such responsibilities, far from being conferred upon a single person, are entrusted to the European Parliament.

In particular, Italy, Portugal and Slovakia would like to express their deep concern over the lack of adequate checks and balances for the hypothesis that the “Authority” - contrary to the opinion of the Committee of independent eminent Persons foreseen in article 11 - decides not to de-register a EPP/EPF which would have been found in breach of the values on which the European Union is founded as referred in articles 3(1)(c) and 3(2)(c).

Statement by the United Kingdom

While this regulation brings some improvements in terms of the capacity for European Political Parties to be funded through voluntary contributions rather than public money, and introduces some safeguards for political plurality, it does not go far enough. The introduction of a completely unnecessary so-called “European legal personality” for European Political Parties will do nothing to address the EU’s democratic deficit. Enhancing the role of national parliaments in a European context will remain the most effective way to address this issue.

Statement by France

France welcomes the agreement reached on the Regulation on the statute and funding of European political parties and European political foundations. France recalls the importance it attaches to the principle set out in Article 21 of the Regulation whereby the rules on the funding and limitation of election expenses for national political parties and candidates continue to be governed by applicable national law. It wishes to point out, in particular, that the applicable rules of its national law prohibit the funding of political parties and candidates by legal persons. France also wishes to see strict application of the provisions of Article 22 stipulating that European political parties may not provide direct or indirect funding for national political parties or candidates. Lastly, France wishes to stress that the right to object, conferred on the European Parliament in the context of the procedure for registering and controlling European political parties, is aimed at fulfilling the specific requirements of this Regulation. It should not therefore be regarded as granting the European Parliament implementing powers within the meaning of Article 291 TFEU.

Regulation (EU, Euratom) No 1142/2014 of the European Parliament and of the Council of 22 October 2014 amending Regulation (EU, Euratom) No 966/2012 as regards the financing of European political parties
OJ L 317, 4.11.2014, p. 28–34

68/14

Qualified majority

All member states in favour, except:
Against: NL, UK

Statement by the Netherlands

The Netherlands considers the current proposal as a significant improvement compared to the original proposal of September 2012.

Despite this, the Netherlands has strong fundamental objections against the assessment of the EU's values in the process of registration and verification of the European political parties. The Netherlands attaches great value to the independent position of political parties. The Netherlands is of the opinion that it is primarily up to the voters and secondarily to the judiciary to assess the programme and activities of political parties. Such an assessment should not be part of the registration and verification process.

Therefore, the Netherlands will vote against the proposals concerned.

Directive 2014/95/EU of the European Parliament and of the Council of 22 October 2014 amending Directive 2013/34/EU as regards disclosure of non-financial and diversity information by certain large undertakings and groups OJ L 330, 15.11.2014, p. 1–9	47/14	Qualified majority	All member states in favour, except: Against: ET
<p>Statement by the European Commission</p> <p>The Commission notes that the co-legislators have included in the final compromise text a provision according to which the Commission would be required to produce guidelines after consultation of stakeholders, within 24 months of the entry into force of the Directive.</p> <p>While recognising the usefulness of such guidance, the Commission is of the view that the adoption of non-binding guidelines by the Commission should not be subject to procedural obligations laid down in the legislative act since the Commission has its own autonomous right under the Treaty to issue such guidance. Thus, the Commission considers that the obligation to consult stakeholders laid down in Article 2 cannot affect this right.</p> <p>For these reasons, the Commission notes that this wording is without prejudice to the position the Commission may take on similar matters in the future.</p>			

Joint statement by Belgium, Denmark, France and Slovenia

The delegations of Belgium, Denmark, France and Slovenia welcome the compromise found by the Council and the European Parliament in the trilogue on the Non-Financial Reporting Directive, and we thank the Lithuanian and Greek Presidencies for their efforts in achieving this. The compromise paves the way to the final adoption of the text which will represent an important first step towards more transparency from European companies on non-financial information in the transition to a sustainable global economy.

Contrary to the initial proposal of the Commission, the text does not include in its scope large unlisted companies although their activities may have a substantial impact in the social and environmental field or in the field of human rights. A scope encompassing large listed and unlisted companies is also essential to ensure a level playing field between companies and to avoid creating wrong incentives with regards to the access to financial markets while helping promote best practices.

Furthermore, the text does not provide for a requirement imposing a country-by-country reporting for large European companies and groups, despite the clear political mandate given by the European Council in its conclusions of 22 May 2013.

We regret that it was not possible to achieve this under the current negotiations, but welcome the possibility of addressing these issues when the directive will be reviewed. We consider that the compromise should be regarded as a first step to a fully achieved text which would strengthen transparency and ensure an efficient reporting for all large European companies, which is essential for ensuring the trust of EU citizens in European corporates as well as contributing to sustainable growth and a competitive EU. Belgium, Denmark, France and Slovenia will continue to support this objective in the future.

Statement by the Netherlands

The Netherlands votes in favour of the adoption of the Directive because it creates a desirable level playing field regarding the disclosure of non-financial information by large undertakings which are public-interest entities.

The Netherlands however is of the opinion that the part of the Directive that requires large listed undertakings to disclose their diversity policy for their administrative, management and supervisory bodies or explain why no such policy is applied, is not in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. The Netherlands is of the opinion that it should be left to the Member States to decide whether, and if so how, they want to take measures to make the board of undertakings more diverse.

<p>Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species OJ L 317, 4.11.2014, p. 35–55</p>	70/14	Qualified majority	All member states in favour, except: Against: HU Abstention: BG, DE, RO
<p>Statement by Hungary</p> <p>The list of species of Union concern also determines the fundamental obligations linked to their management, so it is crucial that the list be transparent and predictable, and established through a procedure which fully complies with all the requirements laid down in the Regulation.</p> <p>In accordance with article 4 (6) and the related recital 12, Hungary highlights that due consideration must be given to the social and economic aspects, and to the implementation costs for the Member States. In this regard special attention should be given to species – such as false acacia (<i>Robinia pseudoacacia</i>) - that are widely used and provide significant socio-economic benefits for a Member State.</p> <p>Based on the above, Hungary’s position regarding false acacia is that this species is not to be included in the Union list and its management should be maintained under the scope of national legislation.</p>			
<p>Statement by Romania</p> <p>Romania considers that the final text of the regulation <i>on the prevention and management of the introduction and spread of invasive alien species</i> is not fully in line with the principles of subsidiarity and proportionality, in particular as regards the invasive alien species of regional concern.</p> <p>Romania supports the role of the European Commission as facilitator for cooperation and coordination. It considers nevertheless that the adoption of an implementing act in this context is conflicting with the subsidiarity principle and the voluntary nature of the cooperation among Member States.</p> <p>Moreover, Romania considers that taking measures to avoid the spread of native species is disproportionate, in particular where these species are not problematic for the country of origin, being naturally integrated and controlled within the ecosystems.</p> <p>Therefore, Romania cannot support the final text of the regulation and abstains from its adoption.</p>			

Statement by Denmark and Finland

Denmark and Finland welcome the regulation on the prevention and management of the introduction and spread of invasive alien species.

In relation to the list of invasive alien species of Union concern to be adopted by the Commission in accordance with Article 4, Denmark and Finland note that socio-economic impacts will be an integral part of the analysis and procedure on the basis of which species will be listed and that according to Article 4(6) and related recital 12 due consideration should be given to the implementation cost for the Member States and that special attention in this regard should be given to species - such as the American Mink - that are widely used and provides significant socio-economic benefits in a Member State.

In this context and in light of the assurances given during the negotiations of the regulation, Denmark and Finland are confident that the American Mink will not be included in the list.

Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure
OJ L 307, 28.10.2014, p. 1–20

79/14

Qualified majority

All member states in favour

Statement by the Commission regarding the deadlines for the deployment of LNG

The Commission very much regrets that the legislator could not agree on the date of 31 December 2020 for deploying LNG infrastructure in maritime ports. This date is critical to help industry to meet the requirements set by Directive 2012/33/EU as regards the sulphur content of marine fuels in SOx Emission Control Areas as of 1 January 2015 and outside SOx Emission Control Areas as of 1 January 2020. Regarding inland waterway ports, the Commission believes that technology is already available now to equip inland waterway vessels with engines fuelled by LNG at reasonable cost. This technology plays an important role in rendering the inland waterway sector more environmental friendly and less dependent on oil. The Commission has therefore called for the deployment of LNG infrastructure in inland ports by 31 December 2025 the very latest.

Statement of the Commission regarding the information of the European Parliament on the preparation and the implementation of delegated acts

With regard to the possibility of the European Parliament to be invited to meetings, the Commission will implement this recital (61) 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.

Statement by the Commission on the non-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.

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
2014/692/EU, Euratom: Council Decision of 29 September 2014 amending the Council's Rules of Procedure OJ L 289, 3.10.2014, p. 18–20	12173/14
2014/695/EU: Council Implementing Decision of 29 September 2014 authorising Italy to apply, in determined geographical areas, reduced rates of taxation on gas oil and LPG used for heating purposes in accordance with Article 19 of Directive 2003/96/EC OJ L 291, 7.10.2014, p. 16–18	12313/14

<p>Council Decision authorising the opening of negotiations on bilateral agreements between the European Union and Australia, Brazil, Canada, Hong Kong, India, Japan, Korea, Mexico, Saudi Arabia, Singapore, South Africa and the United States on mutual access to, and exchange of information on, derivative contracts held in trade repositories</p>	<p>12835/14</p>
<p>Council Conclusions on the European Union's Key Objectives and Priorities for the 2nd United Nations Conference on Landlocked Developing Countries (Vienna, Austria, 3-5 November 2014)</p>	<p>13709/14</p>
<p>2014/691/EU: Council Decision of 29 September 2014 amending Decision 2014/668/EU on the signing, on behalf of the European Union, and provisional application of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part, as regards Title III (with the exception of the provisions relating to the treatment of third-country nationals legally employed as workers in the territory of the other Party) and Titles IV, V, VI and VII thereof, as well as the related Annexes and Protocols OJ L 289, 3.10.2014, p. 1–2</p>	<p>13536/14</p>

JOINT STATEMENT BY THE COUNCIL AND THE COMMISSION

The Council and the Commission

1. Welcome the ratification of the EU-Ukraine Association Agreement, which constitutes a single instrument, by the Ukrainian Parliament and the consent given by the European Parliament on 16 September 2014, and look forward to a swift completion of the ratification by all Member States.
2. Refer to the Joint Ministerial Statement of 12 September on the implementation of the EU-Ukraine Association Agreement/DCFTA, and underline the importance for all parties to strictly abide by their commitments therein. This statement is part and parcel of a comprehensive peace process in Ukraine, respecting Ukraine's territorial integrity and the right of Ukraine to decide on its destiny.
3. Recall that the Association Agreement is a bilateral agreement and any adaptations to it can only be made at the request of one of the parties and with the agreement of the other, according to the mechanisms foreseen in the text and in compliance with international law and with the respective internal procedures of the parties.
4. Encourage Ukraine, following the start of provisional application of the relevant provisions of Titles I-III and V-VII, to continue the process of envisaged reforms and economic modernisation, in accordance with its international commitments and with EU support and monitoring.
5. Reaffirm the importance of adequate preparation for the implementation of Title IV of the Association Agreement, in line with the timeframe specified in the Council Decision, and taking into account Ukraine's international commitments.

Council Decision 2014/685/CFSP of 29 September 2014 amending Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo, EULEX KOSOVO OJ L 284, 30.9.2014, p. 51–52	12374/14
Council Decision on the position to be adopted, on behalf of the European Union, within the Administrative Committee for the TIR Convention, as regards the proposal to amend the Customs Convention on the International Transport of goods under cover of TIR carnets (TIR Convention 1975)	13015/14
Council Conclusions on the European union Strategy for the Adriatic and Ionian Region	13503/14
