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NOTE

Subject: MONTHLY SUMMARY OF COUNCIL ACTS - OCTOBER 2015

This document lists the acts adopted by the Council in October 2015.^{1 2}

It provides information on the adoption of legislative acts, including:

- the date of adoption,
- the relevant Council session,
- the number of the document adopted,
- the Official Journal reference,
- applicable voting rules, voting results and, where appropriate, explanations of vote and statements published in the minutes of the Council.

¹ With the exception of certain acts of limited scope such as procedural decisions, appointments, decisions of bodies set up by international agreements, specific budgetary decisions, etc.

² In the case of legislative acts adopted in the ordinary legislative procedure, there may be a difference between the date of the Council's meeting where the legislative act is adopted and the actual date of the act in question, since legislative acts adopted in the ordinary legislative procedure are only considered to have been adopted after signature by both the President of the Council and the President of the European Parliament and the Secretaries-General of the two institutions.

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

This document is also available on the Council's website at:

[Monthly summaries of Council acts \(acts\) - Consilium](#)

Documents listed in the summary may be obtained from the public register of Council documents at: [Documents and publications - Consilium](#)

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INFORMATION ON THE ACTS ADOPTED BY THE COUNCIL IN OCTOBER 2015

3410th meeting of the Council of the European Union (COMPETITIVENESS (INTERNAL MARKET, INDUSTRY, RESEARCH AND SPACE)) held in Luxembourg on 1 October 2015

LEGISLATIVE ACTS

ACT	DOCUMENT	VOTING RULE	VOTES
Position (EU) No 14/2015 of the Council at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council laying down measures concerning open internet access and amending Directive 2002/22/EC of the European Parliament and of the Council on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 of the European Parliament and of the Council on roaming on public mobile communications networks within the Union Adopted by the Council on 1 October 2015 (Text with EEA relevance) OJ C 365, 4.11.2015, p. 1–19	10788/15	Qualified majority	All Member States in favour, except: Against: NL, SI Abstention: EL, HR

Statement by of Slovenia

Slovenia commends the last few Council presidencies on the work accomplished on the TSM Regulation.

While Slovenia supports the compromise solution on roaming, it cannot support the final text on the protection of Internet neutrality. The Internet is the core of the modern digital society, a facilitator of globalisation, innovation, and the development of entrepreneurship, and a basin for the free flow of information and democracy. In order to maintain its positive role, it must remain free and open. Slovenia emphasises the importance of the neutral character of the Internet and is committed to its strong and clear protection.

Although the final compromise text of the TSM regulation on Internet neutrality contains certain improvements, it fails to eliminate our concerns. Slovenia fears that the new arrangements will result in a two-layer Internet: a slow "best effort" service model and a high-speed Internet with guaranteed quality for an additional charge. Slovenia believes that this is the wrong response to the competitive challenges facing the European industry in the global digital market.

Also, given the current legal protection of Internet neutrality in Slovenia, we cannot support the final TSM regulation.

Statement by the Netherlands

The Netherlands wishes to thank the presidencies involved for all their efforts to reach a final compromise on the proposal for a Regulation laying down measures concerning the European single market for electronic communications and to achieve a connected continent.

More than two years ago the Netherlands was the first member state to set national rules to protect the open internet. We have since pleaded for European net neutrality rules that effectively safeguard the internet as an open platform for communication and internet services. An open platform that respects the freedom of choice for end-users as a fundamental right and creates a level playing field for providers of services and applications.

The Regulation provides the EU with a harmonised set of net neutrality rules. It contains positive elements like a clear rule against discriminatory traffic management. However effective net neutrality rules also require discriminatory pricing practices to be clearly prohibited. Such a clear ban on price discrimination is unfortunately not included in the final compromise. The Netherlands will therefore be obliged to withdraw this ban from its national net neutrality rules, even though it was applied effectively.

The lack of a clear ban on price discrimination has been a fundamental concern for the Netherlands throughout the negotiations. This fundamental concern is expressed by a vote against the Regulation.

Statement by Finland

Finland welcomes the agreement reached between the Council and the Parliament on the Telecom Single Market Regulation. The Regulation is a step to the right direction as it reduces roaming charges and thus contributes to the overall target of providing well-functioning, reliable and affordable mobile connections to all end-users. However, Finland finds it problematic that the final outcome of this Regulation and benefits achieved are highly dependent on the implementing acts to be prepared by the Commission and the forthcoming legislative proposal for wholesale price regulation.

For the reasons of legal certainty for economic actors and consumers it is very important to prepare following elements as soon as possible: 1) new wholesale price regulation significantly reducing the current level of wholesale charges, 2) implementing acts of the Telecom Single Market Regulation further defining the fair use policy and, 3) the mechanism for roaming providers to recover costs due to the abolitions of roaming charges.

Implementation of these instruments in an appropriate manner has a significant impact on the functioning of the whole Telecoms Single Market Regulation.

For Finland, the issue of unlimited subscription packages is also of utmost importance. In Finland, unlimited subscription packages are widely used, prices are low and data usage is high by European standards. The implementing acts should therefore ensure the costs are to be covered in this type of subscriptions without raising domestic price level.

Moreover, Finland emphasizes that in order to avoid administrative burden and uncertainty encumbering consumers, the notification and assessment procedures regarding the coverage of the costs should be as clear and simple as possible.

Statement by the Portuguese Republic, the Republic of Bulgaria, the Republic of Croatia and the Hellenic Republic

The Portuguese Republic, the Republic of Bulgaria, the Republic of Croatia and the Hellenic Republic welcome the agreement reached on the Regulation laying down harmonised rules for an open Internet and for the reduction of roaming costs for users of mobile communications networks.

The legal framework regarding roaming services on public mobile communications networks within the Union will be completed when the European Commission adopts detailed rules by means of implementing acts; those acts will implement a fair use policy and the methodology for assessing the sustainability of the abolition of retail roaming surcharges. A further step will be the approval of the new legislative proposal to amend the wholesale charges for regulated roaming services or to provide for another solution to address the issues identified at wholesale level. The complete legal framework should fully protect the users of mobile communications services from a possible increase in domestic prices if operators are unable to recover the costs associated with the provision of roaming services.

In this context, the Portuguese Republic, the Republic of Bulgaria, the Republic of Croatia and the Hellenic Republic underline that the rules to be approved must ensure that both visited and home network operators recover all the costs associated with the provision of both retail and wholesale services, including direct, joint and common costs and a reasonable rate of return on investment.

In addition, the review of the wholesale roaming market should take into account the impact of seasonality on the cost structure of the service providers operating in tourist areas, as well as all the situations where there are significant traffic imbalances related to seasonality issues or resulting from different travel patterns across Member States, which is likely to be accentuated by the expected surge in demand resulting from the elimination of the surcharges.

Regulation (EU) 2015/1775 of the European Parliament and of the Council of 6 October 2015 amending Regulation (EC) No 1007/2009 on trade in seal products and repealing Commission Regulation (EU) No 737/2010 (Text with EEA relevance) OJ L 262, 7.10.2015, p. 1–6	44/15	Qualified majority	All Member States in favour, except: Against: SE Abstention: DK, EE, FR, FI
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Statement by Sweden

With regard to the Proposal for a Regulation of the European Parliament and of the Council amending Regulation No 1007/2009 on trade in seal products (6015/15), Sweden wishes to draw the attention to the following concerns.

Sweden considers the dispute settlement system of the WTO as a central element in providing security, credibility and predictability to the multilateral trading system, and fully agrees that the WTO ruling in Seal Products case (DS 400/401) shall be respected. While Sweden support the ban on import of seal products and the goal of the proposal, we regret that various suggestions for reaching a WTO compatible solution were not considered as viable alternatives.

Very limited seal hunting occurs in Sweden and it is controlled protective hunting in order to protect the small scale fisheries. Sweden is of the view that the outcome of the negotiations could have been more balanced. A balanced solution would allow to take into account ethical and environmental aspects of not taking care of the shot animal or its parts. Sweden has emphasized the need for trade possibilities in the interest of fisheries and small scale artisanal production in accordance with long standing traditions.

Sweden will therefore vote against the Proposal for a Regulation of the European Parliament and of the Council amending Regulation No 1007/2009 on trade in seal products.

Statement by Denmark

Denmark wishes to thank the Presidency, the Commission, Members States and the European Parliament for the good dialogue and joint efforts to reach a common understanding on this very important issue.

Denmark is pleased to see proven beyond any doubt that the EU acknowledges that hunting and trading in seal products is of fundamental socio-economic and cultural importance to Greenland and other Inuit communities.

Denmark further wishes to thank EU partners for acknowledging the need to raise awareness and improve information to European citizens on seal hunt and the legality of trade in seal products of Inuit and other indigenous communities. Denmark sees a strong need to restore consumer confidence in seal products from Greenland by countering widespread misinformation.

Denmark welcomes the Council's commitment to assess the effectiveness of the regulation in meeting its objective, and the impact it has had on the development, culture and identity on Inuit and other indigenous communities.

Denmark welcomes the reaffirmed EU commitment to respecting and promoting indigenous peoples' rights as stated in the UN Declaration of Indigenous Peoples' Rights and other relevant international instruments, including the right to development and to engage freely in all their economic activities.

Denmark respects the WTO dispute settlement body findings. Denmark remains committed to promoting EU interests as a strong partner in the Arctic. Denmark continues to believe that trade in seal products is an activity that should not be hampered or stigmatized. Denmark wishes to underline that the hunt of seals in Greenland is a legitimate and sustainable activity and that animal welfare is a concern to Inuit and other indigenous communities as it is to European citizens.

Denmark is seriously concerned about the severe negative consequences to Greenland caused by the EU seal regime, contrary to its clear objective of avoiding adverse effect on Inuit and other indigenous communities. Denmark is equally concerned that the proposed amendments to the regulation could have further negative consequences, including by increasing costs and administrative burdens on Inuit communities.

Denmark continues to doubt the marked rationale and justification behind the seal regime, noting that sustainable seal hunting with full respect for legitimate animal welfare concerns is possible. Denmark is concerned that no prior assessment was carried out, including on the perceived concerns of today's European citizens as the basic justification for the regulation and on possible alternative less trade restrictive ways of addressing concerns.

For those reasons Denmark cannot support the proposed amendments to regulation (EC) 1007/2009 and will abstain.

Denmark will remain committed to working with European partners to address the important issue raised above and working towards a common understanding on trade in seal products to the benefit of both the EU and the Arctic communities.

Statement by Finland and Estonia

With regard to the Proposal for a Regulation of the European Parliament and of the Council amending Regulation No 1007/2009 on trade in seal products (6015/15), Finland and Estonia wish to draw the attention to the following.

Finland and Estonia consider the dispute settlement system of the WTO as a central element in providing security, credibility and predictability to the multilateral trading system, and fully agree that the WTO ruling in Seal Products case (DS 400/401) shall be respected. The purpose of the Commission's proposal for amending Regulation No 1007/2009 on trade in seal products is to bring the EU legislation into compliance with the WTO rules. While Finland and Estonia support the goal of the proposal, we regret that various suggestions for reaching a WTO compatible solution on the basis of conservation of exhaustible natural resources were not considered as viable alternatives.

While welcoming the continuation of the trade possibilities in seal products for Inuit and other indigenous communities, Finland and Estonia emphasize the need of such possibilities for the interest of fisheries and small scale artisanal production in accordance with long standing traditions and cultural heritage. In 2008, the European Commission recognized in its impact assessment the negative consequences a ban on trade in seal products may have to Member States where hunting of seals takes place and products are offered to a limited extent on the local market.

Furthermore, it is imperative that EU legislation is, in accordance with the commitments of the EU institutions, actively managed and reviewed if implementing of such legislation leads to disappointing and unintended consequences whether economic, social or environmental.

Finland and Estonia are of the view that the outcome of the negotiations could have been more balanced. Such a balanced solution would have improved the international animal welfare standards, taken into account the needs of small communities and small scale coastal fisheries and the sustainable use of exhaustible marine resources in preserving the ecosystem balance.

For these reasons, Finland and Estonia abstain from voting on the Proposal for a Regulation of the European Parliament and of the Council amending Regulation No 1007/2009 on trade in seal products.

Statement by France

France abstained in the vote on the adoption of the Regulation amending Regulation 1007/2009/EC prohibiting trade in seal products. France wishes to clarify the following points with regard to recital 2 and Article 2 of the above-mentioned Regulation.

France, with its commitment to the principle of equality between all individuals, supports any step to guarantee indigenous people full enjoyment of fundamental rights. Referring to the interpretative declaration made at the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, France would note, however, that under the constitutional principles of the indivisibility of the Republic and the unity of the people of France, France grants no collective right to any group whatsoever, defined by a community of origin, culture, language or belief.

Human rights are universal rights which are intended to apply to all persons, without distinction. France remains committed to ensuring that each individual can fully and effectively enjoy these fundamental rights, without any discrimination.

NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision (EU) 2015/1796 of 1 October 2015 on the conclusion of the Agreement for scientific and technological cooperation between the European Union and European Atomic Energy Community and the Swiss Confederation associating the Swiss Confederation to Horizon 2020 — the Framework Programme for Research and Innovation and the Research and Training Programme of the European Atomic Energy Community complementing Horizon 2020, and regulating the Swiss Confederation's participation in the ITER activities carried out by Fusion for Energy OJ L 263, 8.10.2015, p. 8–9	5662/15
Council Decision (EU) 2015/1795 of 1 October 2015 on the conclusion of the Agreement for scientific and technological cooperation between the European Union and the Faroe Islands associating the Faroe Islands to Horizon 2020 — the Framework Programme for Research and Innovation (2014-2020) OJ L 263, 8.10.2015, p. 6–7	5660/15
Council Decision (EU) 2015/1788 of 1 October 2015 concerning the renewal of the Agreement for scientific and technological cooperation between the European Community and the Government of the Republic of India OJ L 260, 7.10.2015, p. 18–19	5872/15
Council Conclusions on the Commission initiative relating to a particular status for the European Union within the OIV	12434/15
Council Decision on the position to be taken on behalf of the European Union within the EU-EFTA Joint Committee on common transit as regards the adoption of a Decision amending the Convention on a common transit procedure	11875/15 Abstention: UK

Council Decision on the position to be taken on behalf of the European Union within the EU-EFTA Joint Committee on the simplification of formalities in trade in goods and the EU-EFTA Joint Committee on common transit concerning decisions as regards invitations to the Republic of Serbia to accede to the Convention on the simplification of formalities in trade in goods and the Convention on a common transit procedure	11882/15 Abstention: UK
Council Decision authorising the Commission to open negotiations under Article XXIV:6 of the General Agreement on Tariffs and Trade ('GATT') 1994 with the Kyrgyz Republic and other WTO members which are relevant for the purposes of the WTO submission made by the Kyrgyz Republic on 1 April 2015	11332/15
Council Decision (EU) 2015/1947 of 1 October 2015 on the conclusion, on behalf of the European Union, of the Protocol Amending the Marrakesh Agreement establishing the World Trade Organisation OJ L 284, 30.10.2015, p. 1–2	6040/15
<p>Joint Council and Commission statement on article 11(3) of the Agreement on Trade Facilitation</p> <p>The Council and the Commission recall that article 11(3) simply confirms the balance of rights and obligations with regard to WTO rules applicable to traffic in transit and related existing national transport regulations and bilateral and multilateral arrangements.</p> <p>The Council and the Commission consider that this article does not affect the situation with respect to existing or future national regulations or bilateral or multilateral transport arrangements including traffic permit requirement systems.</p>	
Council Decision (EU) 2015/2169 of 1 October 2015 on the conclusion of the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part OJ L 307, 25.11.2015, p. 2–4	8530/10
Council Decision (CFSP) 2015/1764 of 1 October 2015 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine OJ L 257, 2.10.2015, p. 42–43	11896/15

Council Decision (CFSP) 2015/1763 of 1 October 2015 concerning restrictive measures in view of the situation in Burundi OJ L 257, 2.10.2015, p. 37–41	11237/15
Council Regulation (EU) 2015/1755 of 1 October 2015 concerning restrictive measures in view of the situation in Burundi OJ L 257, 2.10.2015, p. 1–10	11281/15
Council Decision (EU) 2015/1773 of 1 October 2015 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Annex XXI (Statistics) to the EEA Agreement (Energy Statistics) OJ L 258, 3.10.2015, p. 7–9	10783/15
Council Decision (EU) 2015/1789 of 1 October 2015 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning amendments to Annex II (Technical regulations, standards, testing and certification) and Annex XX (Environment) to the EEA Agreement (Fuel Quality Directive) OJ L 260, 7.10.2015, p. 20–22	10841/15
Council Decision (EU) 2015/1891 of 1 October 2015 on the conclusion, on behalf of the European Union and its Member States, of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, to take account of the accession of the Republic of Croatia to the European Union OJ L 279, 23.10.2015, p. 1–2	5548/14

3412th meeting of the Council of the European Union (EMPLOYMENT, SOCIAL POLICY, HEALTH AND CONSUMER AFFAIRS) held in Luxembourg on 5 October 2015

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
<p>Council Decision (EU) 2015/1894 of 5 October 2015 on the conclusion of the Protocol between the European Union and the Republic of Cape Verde setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Republic of Cape Verde OJ L 277, 22.10.2015, p. 4–6</p>	<p>15848/14</p>
<p>Commission Statement</p> <p>By its judgement in joined cases C-103/12 and C-165/12 (European Parliament and the Commission v. Council) the Court of Justice clearly confirmed that decisions relating to the conclusion of external fisheries agreements fall fully within the scope of Article 43(2) TFEU (in conjunction with the applicable procedure of Article 218 TFEU, i.e. Article 218(6)a(v) for the decisions on the conclusion of the agreements) and rejected the position that such decisions could fall within the scope of Article 43(3) TFEU.</p> <p>In relation to the decision on the signature and conclusion of the new Protocol to the Sustainable Fisheries Partnership with the Republic of Cape Verde, the Commission regrets the Council's amendment replacing the legal basis of Article 43(2) in conjunction with Article 218(5), 218(6)a and Article 218(7) TFEU with Article 43 (without mentioning the paragraph) in conjunction with Article 218(5), 218(6)a and 218(7) TFEU, and therefore maintains its initial proposal.</p>	
<p>Council Decision (EU) 2015/1893 of 5 October 2015 on the conclusion, on behalf of the European Union, of the Protocol setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the Republic of Madagascar and the European Community OJ L 277, 22.10.2015, p. 1–3</p>	<p>15225/14</p>

Commission Statement

By its judgement in joined cases C-103/12 and C-165/12 (European Parliament and the Commission v. Council) the Court of Justice clearly confirmed that decisions relating to the conclusion of external fisheries agreements fall fully within the scope of Article 43(2) TFEU (in conjunction with the applicable procedure of Article 218 TFEU, i.e. Article 218(6)a(v) for the decisions on the conclusion of the agreements) and rejected the position that such decisions could fall within the scope of Article 43(3) TFEU.

In relation to the decision on the signature and conclusion of the new Protocol to the Sustainable Fisheries Partnership with the Republic of Madagascar, the Commission regrets the Council's amendment replacing the legal basis of Article 43(2) in conjunction with Article 218(5), 218(6)a and Article 218(7) TFEU with Article 43 (without mentioning the paragraph) in conjunction with Article 218(5), 218(6)a and 218(7) TFEU, and therefore maintains its initial proposal.

Council Decision (EU) 2015/1987 of 5 October 2015 on the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Republic of Guinea-Bissau
OJ L 290, 6.11.2015, p. 1–3

11667/12

Statement by the Danish delegation

Denmark emphasizes the importance of EU's contribution towards resource conservation and environmental sustainability through fishing only on surplus resources and preventing the overfishing of stocks within the Sustainable fisheries partnership agreements. In this respect Denmark recalls the Council Conclusions on the external dimension of the Common Fisheries Policy of 19 March 2012 and the general principles on Sustainable fisheries partnership agreements in the Regulation No 1380/2013 of the European Parliament and of the Council on the Common Fisheries Policy (The Basic Regulation).

Bearing in mind that the new protocol to the Fisheries Partnership Agreement between the EU and Guinea-Bissau contains stocks, that are important to the comprehensive local and sub-regional fisheries in the waters of Guinea-Bissau, Denmark finds that the lack of updated stock assessments on these stocks, especially demersal fish and cephalopods, does not give a sufficient basis to assess if there is a surplus of fish resources available to EU vessels in the waters of Guinea-Bissau.

Acknowledging that a Fisheries Partnership Agreement with a protocol in force can contribute substantially to the capacity of fisheries management in the waters of Guinea-Bissau, Denmark would however - bearing in mind the special circumstances within Guinea-Bissau – be able to support the signing of a one year protocol in order to obtain updated stock assessments on fish stocks within this year. However, this proposal has not been supported by the Commission and other Member States.

For these reasons Denmark votes against the proposals for signature, conclusion of the new Protocol and allocation of fishing opportunities.

Commission Statement

By its judgement in joined cases C-103/12 and C-165/12 (European Parliament and the Commission v. Council) the Court of Justice clearly confirmed that decisions relating to the conclusion of external fisheries agreements fall fully within the scope of Article 43(2) TFEU (in conjunction with the applicable procedure of Article 218 TFEU, i.e. Article 218(6)a(v) for the decisions on the conclusion of the agreements) and rejected the position that such decisions could fall within the scope of Article 43(3) TFEU.

However, to allow a swift signature and conclusion of the intended new Protocol to the Sustainable Fisheries Partnership with the Republic of Guinea-Bissau, in the now prevailing circumstances of urgency, the Commission would exceptionally not oppose a Presidency compromise, by way of which the initially proposed legal basis would be changed by qualified majority to Article 43 TFEU (without mentioning the paragraph) in conjunction with Article 218(5), 218(6)(a) and 218(7) TFEU, with the same consent procedure still to be applied for the conclusion of the agreements.

Decision (EU) 2015/1871 of the European Parliament and of the Council of 6 October 2015 on the mobilisation of the European Globalisation Adjustment Fund (application from Germany - EGF/2015/002 DE/Adam Opel)
OJ L 275, 20.10.2015, p. 28–29

12149/15

Decision (EU) 2015/1869 of the European Parliament and of the Council of 6 October 2015 on the mobilisation of the European Globalisation Adjustment Fund (application from Belgium - EGF/2015/003 BE/Ford Genk)
OJ L 275, 20.10.2015, p. 24–25

12163/15

Decision (EU) 2015/1870 of the European Parliament and of the Council of 6 October 2015 on the mobilisation of the European Globalisation Adjustment Fund (application from Italy - EGF/2015/004 IT/Alitalia)
OJ L 275, 20.10.2015, p. 26–27

12167/15

Council Decision (EU) 2015/1900 of 5 October 2015 establishing the position to be taken on behalf of the European Union within the Stabilisation and Association Council established by the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, concerning a Decision of the Stabilisation and Association Council adopting its rules of procedure
OJ L 277, 22.10.2015, p. 17–31

11659/15

Council Decision (CFSP) 2015/1781 of 5 October 2015 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine OJ L 259, 6.10.2015, p. 23–24	12308/15
Council Implementing Regulation (EU) 2015/1777 of 5 October 2015 implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine OJ L 259, 6.10.2015, p. 3–4	12309/15
Council Decision (CFSP) 2015/1780 of 5 October 2015 amending Decision 2012/392/CFSP on the European Union CSDP mission in Niger (EUCAP Sahel Niger) OJ L 259, 6.10.2015, p. 21–22	11723/15
Council Decision (CFSP) 2015/1782 of 5 October 2015 repealing Common Position 2004/487/CFSP concerning further restrictive measures in relation to Liberia and amending Common Position 2008/109/CFSP concerning restrictive measures imposed against Liberia OJ L 259, 6.10.2015, p. 25–26	11947/15
Council Regulation (EU) 2015/1776 of 5 October 2015 repealing Regulation (EC) No 872/2004 concerning further restrictive measures in relation to Liberia OJ L 259, 6.10.2015, p. 1–2	12138/15
Council Decision (EU) 2015/1848 of 5 October 2015 on guidelines for the employment policies of the Member States for 2015 OJ L 268, 15.10.2015, p. 28–32	11360/15
Council Conclusions on adequate retirement incomes in the context of ageing societies	12766/15
Council Conclusions on a new Agenda for Health and Safety at Work to foster better working conditions	12765/15

3413rd meeting of the Council of the European Union (ECONOMIC AND FINANCIAL AFFAIRS) held in Luxembourg on 6 October 2015	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision on the position to be taken on behalf of the European Union within the Export Credit Committees of the Organisation for Economic Cooperation and Development on modifications of the Arrangement on Officially Supported Export Credits (coal-fired power plants)	11907/15
Council Decision (EU) 2015/1817 of 6 October 2015 on the position to be adopted on behalf of the European Union in the 66th session of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees OJ L 264, 9.10.2015, p. 13–14	12538/15
Council Decision (CFSP) 2015/1793 of 6 October 2015 amending Decision 2012/389/CFSP on the European Union Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP NESTOR) OJ L 260, 7.10.2015, p. 30–30	11822/15
Written procedure completed on 7 October 2015	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Regulation (EU) 2015/1797 of 7 October 2015 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine OJ L 263, 8.10.2015, p. 10–11	12457/15

3415th meeting of the Council of the European Union (JUSTICE AND HOME AFFAIRS) held in Luxembourg on 8 and 9 October 2015

LEGISLATIVE ACTS

ACT	DOCUMENT	VOTING RULE	VOTES
Regulation (EU) 2015/1839 of the European Parliament and of the Council of 14 October 2015 amending Regulation (EU) No 1303/2013 as regards specific measures for Greece OJ L 270, 15.10.2015, p. 1–3	50/15	Qualified majority	All Member States in favour.
Council's position on draft amending budget No 7 of the European Union for the financial year 2015	12506/15	Qualified majority	All Member States in favour.

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
Council Decision (EU) 2015/1889 of 8 October 2015 on the dissolution of the Europol pension fund OJ L 276, 21.10.2015, p. 60–64	11717/15
Council Decision (EU) 2015/1878 of 8 October 2015 authorising the Kingdom of Belgium and the Republic of Poland, respectively, to ratify, and the Republic of Austria to accede to the Budapest Convention on the Contract for the Carriage of Goods by Inland Waterways (CMNI) OJ L 276, 21.10.2015, p. 1–2	8223/15

Statement by the United Kingdom

The United Kingdom supports the Council Decision authorising Austria, Belgium and Poland to ratify, or accede to, the Budapest Convention on the Contract for the Carriage of Goods by Inland Waterways (CMNI).

The Council Decision states that the Union has exclusive external competence in particular with regard to Article 29 of the Budapest Convention and, as such, the provisions of that Article affect the rules laid down in Council Regulation (EC) No. 593/2008 and is, therefore, binding on all Member States.

However, the United Kingdom wishes to draw attention to the fact that the legal base cited for the Council Decision to be adopted is pursuant to Title V Part III of the Treaty on the Functioning of the European Union. Consequently, the Council Decision will only bind the United Kingdom if it opts in to the Council Decision in accordance with Protocol 21 to the Treaties.

Accordingly, the United Kingdom has notified the President of the Council that it wishes to take part in the adoption and application of this Decision, in accordance with Article 3 of Protocol No.21 on the position of the United Kingdom and Ireland in respect of the area of Freedom, Security and Justice annexed to the Treaty on European Union and to the Treaty on the functioning of the European Union.

Council Implementing Decision (EU) 2015/1876 of 8 October 2015 on subjecting 5-(2-aminopropyl)indole to control measures OJ L 275, 20.10.2015, p. 43–45	10012/15
Council Implementing Decision (EU) 2015/1875 of 8 October 2015 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-methylenedioxypropylvalerone (MDPV) and 2-(3-methoxyphenyl)-2-(ethylamino)cyclohexanone (methoxetamine) to control measures OJ L 275, 20.10.2015, p. 38–42	10011/15
Council Implementing Decision (EU) 2015/1873 of 8 October 2015 on subjecting 4-methyl-5-(4-methylphenyl)-4,5-dihydrooxazol-2-amine (4,4'-DMAR) and 1-cyclohexyl-4-(1,2-diphenylethyl)piperazine (MT-45) to control measures OJ L 275, 20.10.2015, p. 32–34	10009/15

Council Implementing Decision (EU) 2015/1874 of 8 October 2015 on subjecting 4-methylamphetamine to control measures OJ L 275, 20.10.2015, p. 35–37	10010/15
Decision (EU) 2015/2248 of the European Parliament and of the Council of 28 October 2015 on the mobilisation of the Flexibility Instrument for immediate budgetary measures under the European Agenda on Migration OJ L 318, 4.12.2015, p. 36–37	12508/15
Council Conclusions on the future of the return policy	12420/15
Statement by Sweden	
In the context of EUs future return policy, in paragraph 12 of the Council Conclusions, Sweden strongly advocates that conditionality in development cooperation shall only be linked to country programming and countries' development plans. Guidance should be sought from the commitments in the Paris Declaration on Aid Effectiveness, endorsed in 2005, especially by paragraph 45 thereof.	
Council Conclusions on strengthening the use of means of fighting trafficking of firearms	12892/15
3416th meeting of the Council of the European Union (FOREIGN AFFAIRS) held in Luxembourg on 12 October 2015	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision on the position to be adopted on behalf of the European Union within the EU–Chile Association Committee regarding the replacement of Appendix II to Annex III to the Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part	10913/15

Council Decision on the position to be adopted on behalf of the European Union within the EU-Chile Association Committee regarding the replacement of Article 12 of Annex III to the Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part	10919/15
Council Decision authorising the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy to open negotiations on and negotiate, on behalf of the European Union and the European Atomic Energy Community, the provisions that fall within the competence of the Union and the European Atomic Energy Community of a Framework Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part	12072/15
Decision of the Representatives of the Governments of the Member States, meeting within the Council authorising the European Commission to open negotiations on and negotiate, on behalf of the Member States, the provisions that fall within the competence of the Member States of a Framework Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part	12075/15
Council Decision (CFSP) 2015/1838 of 12 October 2015 amending Decision 2013/391/CFSP in support of the practical implementation of United Nations Security Council Resolution 1540 (2004) on non-proliferation of weapons of mass destruction and their means of delivery OJ L 266, 13.10.2015, p. 96–96	12367/15
Council Decision (CFSP) 2015/1837 of 12 October 2015 on Union support for the activities of the Preparatory Commission of the Comprehensive Nuclear-Test-Ban Treaty Organisation (CTBTO) in order to strengthen its monitoring and verification capabilities and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction OJ L 266, 13.10.2015, p. 83–95	11128/15

Council Decision (CFSP) 2015/1836 of 12 October 2015 amending Decision 2013/255/CFSP concerning restrictive measures against Syria OJ L 266, 13.10.2015, p. 75–82	8846/15
Council Regulation (EU) 2015/1828 of 12 October 2015 amending Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria OJ L 266, 13.10.2015, p. 1–2	8844/15
Council Decision (CFSP) 2015/1835 of 12 October 2015 defining the statute, seat and operational rules of the European Defence Agency OJ L 266, 13.10.2015, p. 55–74	7544/15
Council Conclusions on South Sudan	12650/15
Council Conclusions on Bosnia and Herzegovina	12861/15
Council Conclusions on Libya	12898/15
Council Conclusions on Syria	12897/15
Council Conclusions on Migration	12880/15

3417th meeting of the Council of the European Union (GENERAL AFFAIRS) held in Luxembourg on 13 October 2015

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
Council Decision (EU) 2015/1860 of 13 October 2015 establishing the position to be adopted on behalf of the European Union within the Joint Committee set up under the Agreement between the European Union and the Republic of Armenia on the facilitation of the issuance of visas, with regard to the adoption of its rules of procedure OJ L 273, 17.10.2015, p. 9–14	11770/15
Council Decision (EU) 2015/1855 of 13 October 2015 establishing the position to be taken on behalf of the European Union within the Council for Trade-Related Aspects of Intellectual Property Rights and the General Council of the World Trade Organisation as regards the request from least-developed country Members for an extension of the transitional period under paragraph 1 of Article 66 of the Agreement on Trade-Related Aspects of Intellectual Property Rights concerning certain obligations related to pharmaceutical products, and for a waiver of the obligations under paragraphs 8 and 9 of Article 70 of that Agreement OJ L 271, 16.10.2015, p. 33–34	11916/15

Written procedure completed on 18 October 2015	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision (CFSP) 2015/1863 of 18 October 2015 amending Decision 2010/413/CFSP concerning restrictive measures against Iran OJ L 274, 18.10.2015, p. 174–197	11343/15
Council Regulation (EU) 2015/1861 of 18 October 2015 amending Regulation (EU) No 267/2012 concerning restrictive measures against Iran OJ L 274, 18.10.2015, p. 1–160	11871/15
<p>Statement by the Commission</p> <p>The Commission notes that with regard to Annexes VIII, IX, XIII and XIV the Council has reserved implementing powers for itself “in view of the specific threat to international peace and security posed by Iran's nuclear programme, and to ensure consistency with the process for amending and reviewing the Annexes I, II, III and IV to Decision 2010/413/CFSP”. With reference to Article 291(2) of the Treaty, the Commission maintains its view that it would have been more appropriate to confer implementing powers upon the Commission. The Commission considers that this case cannot be considered a precedent for future arrangements on implementing powers in respect of future Council regulations imposing restrictive measures.</p>	
Council Implementing Regulation (EU) 2015/1862 of 18 October 2015 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran OJ L 274, 18.10.2015, p. 161–173	12064/15

3418th meeting of the Council of the European Union (AGRICULTURE AND FISHERIES) held in Luxembourg on 22 October 2015			
LEGISLATIVE ACTS			
ACT	DOCUMENT	VOTING RULE	VOTES
Regulation (EU, Euratom) 2015/1929 of the European Parliament and of the Council of 28 October 2015 amending Regulation (EU, Euratom) No 966/2012 on the financial rules applicable to the general budget of the Union OJ L 286, 30.10.2015, p. 1–29	43/15	Qualified majority	All Member States in favour
NON-LEGISLATIVE ACTS			
ACT	DOCUMENT / STATEMENTS		
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 the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Gabonese Republic	12160/15		
<p>Statement 1 by the Commission</p> <p>The Commission does not consider it necessary that a Council Decision authorising the opening of negotiations indicates a substantive legal basis</p> <p>Statement 2 by the Commission</p> <p>Following article 31(2) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council on the Common Fisheries Policy, the Commission fully recognizes the importance of the sustainable exploitation of marine biological resources and the consequent need to ensure a proper implementation of the concept of surplus, as expressed in article 62(2) of the UNCLOS, particularly when Sustainable Fisheries Partnership Agreement and associated protocols rule the access of the EU external fleet to resources distributed in waters of the partner country.</p> <p>However, regarding article 64 of the UNCLOS and article 31(4) of Regulation (EU) No 1380/2013, the Commission considers that the concept of surplus applies to a lesser degree to fishing activities exploiting highly migratory species, where adequate management objectives and appropriate management measures – priority access rules, catch, capacity or effort limits, and sharing keys where relevant – have to be primarily fixed at regional or sub-regional levels by the Contracting Parties to competent Regional Fisheries Management Organisations, taking in due account the relevant scientific advice.</p>			

Council Decision (EU) 2015/1969 of 22 October 2015 establishing the position to be taken on behalf of the European Union within the Committee on Government Procurement on the accession of Ukraine to the Revised Agreement on Government Procurement OJ L 288, 4.11.2015, p. 14–15	11388/15
Council Decision (CFSP) 2015/1908 of 22 October 2015 in support of a global reporting mechanism on illicit small arms and light weapons and other illicit conventional weapons and ammunition to reduce the risk of their illicit trade ('iTrace II') OJ L 278, 23.10.2015, p. 15–25	11620/15
Council Decision (EU) 2015/1988 of 22 October 2015 on the signing, on behalf of the Union, of the Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community, of the one part, and Kosovo, of the other part OJ L 290, 6.11.2015, p. 4–6	10725/15
Council Decision (EU) 2015/1993 of 22 October 2015 approving the conclusion, by the European Commission, on behalf of the European Atomic Energy Community, of the Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community, of the one part, and of Kosovo, of the other part OJ L 290, 6.11.2015, p. 14–15	10726/15
Stabilisation and Association agreement between the European Union and the European Atomic Energy Community, of the one part, and Kosovo, of the other part	10728/15

3419th meeting of the Council of the European Union (ENVIRONMENT) held in Luxembourg on 26 October 2015

LEGISLATIVE ACTS

ACT	DOCUMENT	VOTING RULE	VOTES
Amendments of the European parliament to the Council's position on the draft EU budget for 2016	13043/15	Qualified majority	All Member States in favour

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
Council Conclusions on Special Report No 06/2015 from the European Court of Auditors entitled "The integrity and implementation of the EU ETS"	12767/15
Council Regulation (EU) 2015/1961 of 26 October 2015 amending Regulation (EU) 2015/104 as regards certain fishing opportunities OJ L 287, 31.10.2015, p. 1–5	12878/15
Council Conclusions on the World Radiocommunication Conference 2015 (WRC-15) of the International Telecommunication Union (ITU)	13042/15

Statement by the Commission

The Commission regrets the fact that the Council has adopted conclusions in preparation for the World Radiocommunication Conference 2015, rather than a decision as foreseen by Article 218(9) TFEU. In the view of the Commission, this position is contrary to the Treaty and case law of the Court of Justice. The Commission reserves all its rights in that regard.

<p>Council Decision (EU) 2015/2020 of 26 October 2015 delegating to the Secretary-General of the Council the power to issue laissez-passer to members, officials and other servants of the European Council and of the Council, as well as to special applicants provided for in Annex II to Regulation (EU) No 1417/2013, and repealing Decision 2005/682/EC, Euratom OJ L 295, 12.11.2015, p. 42–43</p>	12321/15
<p>Council Decision (EU) 2015/1994 of 26 October 2015 on the signing, on behalf of the European Union, of the Amending Protocol to the Agreement between the European Community and the Principality of Liechtenstein providing for measures equivalent to those laid down in Council Directive 2003/48/EC on taxation of savings income in the form of interest payments OJ L 290, 6.11.2015, p. 16–17</p>	11796/15
<p>Statement by the Member States</p> <p>The Member States:</p> <ul style="list-style-type: none"> - welcome the signature of the protocol for an agreement with Liechtenstein providing for transparency and exchange of information measures equivalent to those applicable in the EU and recognise its importance at international level; - commit to implement swiftly this agreement in an efficient and reciprocal manner; - commit to analyse the situation of Liechtenstein in the light of the measures provided for in this agreement and to take into account this agreement in their bilateral relations with Liechtenstein. 	
<p>Council Decision (EU) 2015/2377 of 26 October 2015 on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Republic of Palau on the short-stay visa waiver OJ L 332, 18.12.2015, p. 11–12</p>	12076/15

Council Decision (EU) 2015/2226 of 26 October 2015 on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Kingdom of Tonga on the short-stay visa waiver OJ L 317, 3.12.2015, p. 1–2	12084/15
Council Decision on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Republic of Kiribati on the short-stay visa waiver	12090/15
Council Decision on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Republic of Colombia on the short-stay visa waiver	12093/15
Council Implementing Decision (EU) 2015/1956 of 26 October 2015 fixing the date of effect of Decision 2008/633/JHA concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences OJ L 284, 30.10.2015, p. 146–148	10506/15
Council Decision (EU) 2015/1942 of 26 October 2015 establishing the position to be taken on behalf of the European Union within the General Council of the World Trade Organisation on the United States' request for a WTO waiver to extend the AGOA programme OJ L 283, 29.10.2015, p. 9–10	12319/15

Written procedure completed on 29 October 2015	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision (CFSP) 2015/1957 of 29 October 2015 amending Decision 2012/642/CFSP concerning restrictive measures against Belarus OJ L 284, 30.10.2015, p. 149–180	13025/15
Council Implementing Regulation (EU) 2015/1949 of 29 October 2015 implementing Article 8a(1) of Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus OJ L 284, 30.10.2015, p. 71–95	13027/15
Council Regulation (EU) 2015/1948 of 29 October 2015 amending Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus OJ L 284, 30.10.2015, p. 62–70	13032/15