



Council of the
European Union

Brussels, 2 March 2020
(OR. en)

6189/20
ADD 1
LIMITE
PV CONS 10
EDUC 41
JEUN 7
CULT 14
AUDIO 6
SPORT 6

DRAFT MINUTES

COUNCIL OF THE EUROPEAN UNION
(Education, Youth, Culture and Sport)

20 February 2020

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Non-legislative activities

3. **Resolution on education and training in the European Semester** 5536/20
 Adoption

The Council adopted the Resolution as contained in 5537/20 and agreed that it be published in the Official Journal.

Any other business

5. **The post-2020 strategic framework for European cooperation in education and training** 5533/20
 Information from the Presidency

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

Statements to the non-legislative "A" items set out in 5928/20

- Ad "A" item 2:** **Regulation on the allocation of fishing opportunities under the Protocol on the implementation of the Fisheries Partnership Agreement with the Seychelles**
Adoption
- Ad "A" item 3:** **Council Decision on the signing and provisional application of the Protocol on the implementation of the Fisheries Partnership Agreement with the Seychelles and its Implementing Protocol**
Adoption
- Ad "A" item 4:** **Council Decision on the conclusion of the Protocol on the implementation of the Fisheries Partnership Agreement with the Seychelles and its Implementing Protocol**
Agreement in principle
Request for the consent of the European Parliament

STATEMENT BY THE COMMISSION

"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 decisions on the signing and provisional application as well as on the conclusion of the Sustainable Fisheries Partnership Agreement and its Implementing Protocol between the European Union and the Republic of Seychelles, the Commission regrets the Council's amendment replacing the substantive legal basis of Article 43(2) TFEU with Article 43 (without mentioning the paragraph), and therefore maintains its initial proposal."