



Brussels, 2 March 2016
(OR. en)

6424/16

CRS/CRP 5

SUMMARY RECORD

Subject: 2573rd meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 10 and 15 February 2016

I. Adoption of the provisional agenda

5883/16 OJ/CRP1 5

5893/1/16 REV 1 OJ/CRP2 5 COMIX 91 + CM 1472/16

The Committee adopted the provisional agenda.

II. Approval of the "I" items

The Committee approved the "I" items as set out in the Annex.

III. Discussion items

COREPER (PART 1)

11. Preparation for the Council meeting (Agriculture and Fisheries) on 15 February 2016

- Animal welfare – next steps (*Non-legislative activity*)
 - Presentation of a position paper of the German, Swedish, Danish and the Netherlands delegations
 - Exchange of views

The Committee took note that the debate in Council on animal welfare will be held in public.

8. Setting of the provisional agenda for the Council meeting "Competitiveness" (Internal Market, Industry, Research and Space) on 29 February 2016

The Committee agreed on the provisional agenda for the forthcoming Council meeting.

9. Setting of the provisional agenda for the Council meeting (Environment) on 4 March 2016

The Committee agreed on the provisional agenda for the forthcoming Council meeting.

10. Preparation for the Council meeting (Education, Youth, Culture and Sport) on 24 February 2016

1. Draft Resolution of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on promoting socio-economic development and inclusiveness in the EU through education: the contribution of education and training to the European Semester 2016 (*Non-legislative activity*)
 - Adoption
5685/16 EDUC 15 SOC 44 EMPL 28 JEUN 12 ECOFIN 61

The Committee forwarded the text to the Council for adoption.

2. Connecting education, the labour market and society - Towards a New Skills Agenda for Europe (*Non-legislative activity*)
 - Policy debate
(Public debate in accordance with Article 8(2) of the Council's Rules of Procedure [proposed by the Presidency])
5745/16 EDUC 16 SOC 47 EMPL 29 JEUN 13 ECOFIN 63

The Committee forwarded the discussion paper to the Council as a basis for the policy debate.

3. Promoting citizenship and fundamental values through education - Follow-up to the Paris Declaration (*Non-legislative activity*)
 - Exchange of views
5545/16 EDUC 13 JEUN 10 SOC 37 CULT 5 COTER 8

The Committee forwarded the discussion paper to the Council as a basis for an exchange of views.

COREPER (PART 2)

41. Draft Regulation of the European Parliament and the of the Council amending Regulation (EC) No 562/2006 as regards the reinforcement of checks against relevant databases at external borders [**First reading**]

= General approach

5808/16 FRONT 50 CODEC 124 COMIX 80

+ **COR 1**

The Committee held an exchange of views on the file and tasked the JHA counsellors to take work forward. The Presidency concluded that the Committee will revert to this file at its next meeting.

Statement by Slovenia

"The Republic of Slovenia reaffirms its commitment to implement the provisions of the Schengen Border Code (hereinafter the Code) introducing strengthened checks on persons travelling beyond external borders of Member States, especially on those enjoying the right of free movement under Union law. While the purpose of exercising border checks in this manner is expected to deliver an improvement to control of external borders, to increase Member States' internal security and to prevent terrorism, this will also have other consequences.

By this declaration, Slovenia wishes to draw attention to the potential consequences that will follow from consistent implementation of Article 7(2) of the Code.

The Republic of Slovenia, as a country whose territory is one of the most heavily burdened entry and exit areas enabling access to Member States¹, is fully aware of its responsibility of carrying out border control in the interest of all Member States. In Slovenia's view, checks carried out systematically on all persons making their entry/exit at external borders, including those enjoying the right of free movement under Union Law, without taking into consideration – what we believe to be – justified exemptions, is a disproportionate measure in relation to the pursued objective of the change.

The implementation on the scale as specified in Article 7 (2) of the Code will have an adverse effect on passenger flows at external borders as it will also have financial implications for Member States. Slovenia cannot be held ultimately accountable for such outcomes.

¹ Relevant statistics:

- In 2014: 56.534.196 passengers crossed external Schengen border, of those 29.440.167 EU citizens;

- First half of 2015: 25.553.253 passengers, of those 13.264.351 EU citizens.

Moreover, Slovenia emphasizes sufficient time should be provided for the implementation of the amendments of the Code after its adoption and publication in the Official Journal. A new system will require adaptation both in terms of human resources and in terms of technical equipment at the external borders.

Slovenia also calls upon the European Commission to assess in two years' time of the implementation of the Code the impact and make proposals for amendments based on the results of such an assessment."

42. Schengen evaluation of Greece - Draft Council implementing Decision setting out a Recommendation on addressing the serious deficiencies identified in the 2015 evaluation on the application of the Schengen acquis in the field of management of the external borders
- Approval
- 5809/16 SCH-EVAL 17 FRONT 51 COMIX 81 **RESTREINT UE**

The Committee agreed to make one amendment to the text of the Recommendation and to forward it to the Council for adoption as an A item.

Statement by Greece

"Greece regrets not to be able to give its consent to the Commission proposal for the Council Recommendation on addressing the "serious" deficiencies identified in the 2015 evaluation on the application of the Schengen acquis in the field of management of the external borders by Greece, i.e. at the land and sea borders with Turkey.

Greece wishes to reiterate its position, that the findings of the unannounced evaluation visit carried out from 10 to 13 November 2015 do not constitute "serious deficiencies" and show no evidence that "Greece is seriously neglecting its obligations".

Greece further underlines that the massive mixed migration flow is of a nature that would put the external border control of any Member State under severe pressure and, moreover, that it has taken a number of measures to deal with the situation (as referred to recital (1a) of the Recommendation). Moreover, we have done so at a substantial national financial and social cost.

In the light of the above, Greece insists on the arguments and comments distributed during the Schengen Committee (room documents) and the arguments reiterated in the Schengen Matters-Schengen Evaluation W.P. and COREPER.

Finally, Greece will continue to work in close cooperation with EU institutions, agencies and other Member States to address the disproportionate migratory pressure, to mobilize resources and to put every effort primarily to protect refugees fleeing from war."

43. Preparation of the Council meeting (Justice and Home Affairs) on 25 February 2016

- a) Migration
 - i) Current situation and monitoring of the implementation of the measures taken
 - ii) Future action: (poss.) follow-up of European Council conclusions 18-19 February 2016
- = Exchange of views

The Committee took note of the outcome of discussions in the Mixed Committee, during which the Presidency provided information on how the Mixed Committee at ministerial level will deal with several migration items at its meeting on 25 February 2016.

- b) Other items in connection with the Council meeting

Upon a question from Croatia, the Presidency noted that the format and handling of the Western Balkans meeting in the margins of the Council will be determined in light of the outcome of the European Council of 18-19 February 2016.

44. Presentation of the agenda of the Council meeting (Justice and Home Affairs) on 10 and 11 March 2016

The Committee agreed on the provisional agenda for the forthcoming Council meeting.

45. Preparation of the Council meeting (Economic and Financial Affairs) on 12 February 2016

- a) Anti-Tax Avoidance Package (Commission Communication)
 - Proposal for a Council Directive laying down rules against tax avoidance practices that directly affect the functioning of the internal market
 - Proposal for a Council Directive amending Directive 2011/16/EU as regards mandatory automatic exchange of information in the field of taxation
- = Presentation by the Commission
- = Exchange of views
- 5827/16 FISC 14 ECOFIN 71
- 5639/16 FISC 10
- 5638/16 FISC 9
- + ADD 1
- 5636/16 FISC 7
- + ADD 1
- 5637/16 FISC 8
- + ADD 1
- 5640/16 FISC 11

The Commission will present the anti-tax avoidance package and the Council will have a first exchange of views on it.

The Presidency informed of its aim to reach political agreement on the two proposed Directives during its term.

- b) Fight against the financing of terrorism (Commission Action Plan)
 - = Presentation by the Commission and exchange of views
 - = Adoption of Council conclusions
 - 5782/16 EF 18 ECOFIN 68 JAI 73 COSI 13 COTER 11 RELEX 74
 - CULT 8 ENFOCUSTOM 16 ENV 46
 - + COR 1
 - + ADD 1
 - + ADD 1 COR 1
 - 5783/16 EF 19 ECOFIN 69 JAI 74 COSI 14 COTER 12 RELEX 75
 - CULT 7 ENFOCUSTOM 15 ENV 45

The Committee examined the draft Council conclusions. On the basis of this discussion, a revised agreed text will be submitted to the Council for adoption.

- c) Preparation of the G20 Meeting of Finance Ministers and Central Bank Governors on 25-27 February 2016 in Shanghai
 - = Terms of reference

The Committee took note of the Terms of reference and agreed to submit them to the Council for endorsement.

- d) Other items in connection with the Council meeting

No items were raised under this heading.

- 46. Presentation of the agenda of the Council meeting (Economic and Financial Affairs) on 8 March 2016

The Committee agreed on the provisional agenda for the forthcoming Council meeting.

- 47. Return and readmission - Country fiches
 - = Exchange of views

5897/16 MIGR 16 COASI 9	RESTREINT UE
5948/16 MIGR 17 AL 1	RESTREINT UE
5949/16 MIGR 18 MA 1	RESTREINT UE

The Committee held an exchange of views on 3 country fiches presented by the Commission and the EEAS.

48. Preparation of the Council meeting (General Affairs) on 16 February 2016

- a) Preparation of the European Council on 18-19 February 2016
 - = Draft conclusions
 - 5078/16 CO EUR-PREP 3

The Committee exchanged views on the draft conclusions for the European Council meeting of 18-19 February.

- b) Preparation of the European Council on 17-18 March 2016
 - = Annotated draft agenda
 - 5859/16 CO EUR-PREP 7

The Committee took note of the annotated draft agenda submitted by the President of the European Council, setting out the main items that the European Council is expected to address at its meeting on 17-18 March 2016.

- c) Interinstitutional Agreement on Better Law Making
 - = State of play

The Presidency announced its intention to update the Council on the next steps for the adoption and implementation of the IIA.

- d) Other items in connection with the Council meeting

Belgium announced its intention to intervene in the Council on the issue of Rule of law. Bulgaria will raise the blockade by farmers of the Greek/Bulgarian border.

49. Preparation of the Council meeting (Foreign Affairs) on 15 February 2016

- a) Republic of Moldova
- b) Belarus
- c) Climate diplomacy
 - European climate diplomacy after COP21: Elements for continued climate diplomacy in 2016
 - 5853/16 DEVGEN 16 CLIMA 5 COPS 43 CFSP/PESC 92 ENV 50 ONU 10
 - RELEX 88 CSDP/PSDC 71
- d) (poss.) Libya
- e) Other items in connection with the Council meeting

The Committee took note of the presentation by EEAS on the preparation of the Foreign Affairs Council meeting on 15 February 2016.

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

None.

"I" items approved**COREPER (PART 1)****2. Replies to written questions put to the Council by Members of the European Parliament (+)**

- a) E-013642/2015 - Sergio Gutiérrez Prieto (S&D)
Adopting the new European legislation on product safety and market surveillance
5770/16 PE-QE 45
- b) E-013680/2015 - Ana Gomes (S&D)
UK targeted killings
5245/16 PE-QE 10
- c) E-013829/2015 - Ramón Luis Valcárcel Siso (PPE) and Antonio Tajani (PPE)
ECJ ruling on EPSO competitions
5761/16 PE-QE 43
- d) E-014244/2015 - Hugues Bayet (S&D)
Support to help humanitarian organisations tackle the migration crisis
5244/16 PE-QE 9
- e) P-014256/2015 - Hans-Olaf Henkel (ECR)
EU-Turkey deal
5707/16 PE-QE 40
- f) E-014456/2015 - Andrej Plenković (PPE)
Referendum on the EU-Ukraine Association Agreement in the Kingdom of the Netherlands
5330/16 PE-QE 20
- g) E-014748/2015 - Antonio Tajani (PPE)
Wounding of a member of the Jewish community in Milan: risk of copycat "knife intifada"
5331/16 PE-QE 21
- h) P-014822/2015 - Hilde Vautmans (ALDE)
Terrorist attacks in Paris
5766/16 PE-QE 44
- i) E-014885/2015 - Marlene Mizzi (S&D)
European Central Intelligence Agency
5327/16 PE-QE 19
- j) E-015248/2015 - Lynn Boylan (GUE/NGL)
Follow-up question on the Council's lack of transparency
5313/16 PE-QE 17
- k) P-015511/2015 - Tanja Fajon (S&D) and Juan Fernando López Aguilar (S&D)
Alleged illegal issuing of Schengen visas in Belarus
5306/16 PE-QE 16
- l) P-015616/2015 - Stanisław Ożóg (ECR) and Zbigniew Kuźmiuk (ECR)
Threats to European unity from construction of the NordStream pipeline
5352/16 PE-QE 22

3. Commission Regulation (EU) .../... amending Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council as regards removal from the Union list of certain flavouring substances
 - Decision not to oppose adoption
5553/16 DENLEG 9 AGRI 25 SAN 29
5197/16 DENLEG 2 AGRI 8 SAN 5
+ ADD 1
4. Commission Directive (EU) .../... of XXX amending Directive 2009/43/EC of the European Parliament and of the Council as regards the list of defence-related products
 - Decision not to oppose adoption
5517/16 MI 32 COMPET 20 POLARM 1 CFSP/PESC 69 COARM 22
DELECT 5
15295/15 MI 796 COMPET 564 POLARM 11 CFSP/PESC 861 COARM 262
DELECT 171
+ ADD 1
5. Commission Directive .../.../EU of XXX amending Annex II to Directive 2000/53/EC of the European Parliament and of the Council on the end-of-life vehicles
 - Decision not to oppose adoption
5488/16 ENV 22 ENT 14
5120/16 ENV 2 ENT 1
+ ADD 1
6. Commission Delegated Regulation (EU) .../... of 17.12.2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards transitional rules for certain provisions of the Union Customs Code where the relevant electronic systems are not yet operational and amending Delegated Regulation (EU) 2015/...
 - Intention not to raise objections to a delegated act
5822/16 UD 18 DELECT 13
15515/15 UD 263 DELECT 178
+ ADD 1
7. Preparation of the 207th session of the ICAO Council (Montreal, 15 February - 11 March 2016)
 - European Union coordination of a common position
5784/16 AVIATION 18 RELEX 76 ENV 40

COREPER (PART 2)

12. Draft minutes of Council meetings
 - a) 3415th meeting of the Council of the European Union (Justice and Home Affairs), held in Luxembourg on 8 and 9 October 2015
12895/15 PV/CONS 52 JAI 737 COMIX 481
+ COR 1 (fi)
+ COR 2
+ ADD 1
+ ADD 1 COR 1 (It)
+ ADD 1 COR 2
+ ADD 1 COR 3 (de)
13. Resolutions, Decisions and Opinions adopted by the European Parliament at its part-sessions in Strasbourg from 18 to 21 January 2016 and from 1 to 4 February 2016
5563/16 PE-RE 1
14. Transparency - Public access to documents
 - a) Confirmatory application No 24/c/02/15
 - b) Confirmatory application No 01/c/01/16
5012/1/16 REV 1 INF 3 API 3
5046/16 INF 6 API 6
15. Draft Council Decision appointing a member, proposed by the Kingdom of Denmark, of the European Economic and Social Committee
 - Adoption
5534/16 CES 4
5532/16 CES 3
+ COR 1 (it)
16. Discharge to be given to the Commission in respect of the implementation of the general budget of the European Union for the financial year 2014
 - Draft Council recommendation
5583/16 FIN 57 PE-L 3
+ ADD 1
17. = Proposal for a Decision of the European Parliament and of the Council on the mobilisation of the European Globalisation Adjustment Fund, (application EGF/2015/007 BE/Hainaut-Namur Glass)
= Proposal for transfer of appropriations No DEC 01/2016 within Section III - Commission - of the general budget for 2016
5744/16 FIN 71 INST 26 PE-L 8

18. Budget guidelines for 2017
 - Draft Council conclusions
5588/16 FIN 61 INST 20 PE-L 7
19. Special Report No 23/2015 "Water quality in the Danube river basin: progress in implementing the water framework directive but still some way to go"
 - Designation of Working Party
5739/16 FIN 70 ENV 35 AGRI 35 IND 16 SAN 36
20. Commission's Performance - Based Budgeting initiative: a pragmatic approach
 - Draft reply letter
5846/16 FIN 74 INST 37 PE-L 9
21. Submission of two new draft designs of Italian commemorative euro coins
5190/1/16 REV 1 ECOFIN 22 UEM 13
22. New national sides - Portuguese commemorative coins 2016
5353/16 ECOFIN 32 UEM 19
23. Submission for approval of the new design of the Luxembourg 2 euro coin
5377/16 ECOFIN 33 UEM 21
24. Submission for approval of the new design of the Latvian 2 euro coin
5716/16 ECOFIN 62 UEM 33
25. Commonly agreed position on flexibility within the Stability and Growth Pact
5194/16 ECOFIN 25 UEM 15
5193/16 ECOFIN 24 UEM 14
14345/15 ECOFIN 888 UEM 422
+ COR 1
26. Council Decision of ...amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditors of Národná banka Slovenska
5660/16 UEM 32
5416/16 UEM 22
27. Draft Council Decision on the signing, on behalf of the European Union, of the Amending Protocol to the Agreement between the European Community and the Principality of Andorra 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
 - Adoption
5629/16 FISC 6 ECOFIN 56 AELE 3 AND 1
15508/15 FISC 194 ECOFIN 997 AELE 70 AND 12
15510/15 FISC 196 ECOFIN 999 AELE 72 AND 14
+ COR 1 (hu)

28. Commission Delegated Decision (EU) .../... of 26.11.2015 on the equivalence of the supervisory regime for insurance and reinsurance undertakings in force in Bermuda to the regime laid down in Directive 2009/138/EC of the European Parliament and of the Council and amending Delegated Decision (EU) [.../... [C(2015) 3740]]
 - Intention not to raise objections to a delegated act
5610/16 EF 11 ECOFIN 53 DELACT 6 SURE 2
14764/15 EF 218 ECOFIN 940 DELACT 162 SURE 44
29. Commission Delegated Decision (EU) .../... of 26.11.2015 on the equivalence of the solvency regime for insurance and reinsurance undertakings in force in Japan to the regime laid down in Directive 2009/138/EC of the European Parliament and of the Council
 - Intention not to raise objections to a delegated act
5617/16 EF 12 ECOFIN 54 DELACT 7 SURE 3
14766/15 EF 219 ECOFIN 941 DELACT 163 SURE 45
30. Commission Delegated Regulation (EU) .../... of 17.12.2015 supplementing Directive 2009/65/EC of the European Parliament and of the Council with regard to obligations of depositaries
 - Intention not to raise objections to a delegated act
5628/16 EF 13 ECOFIN 55 DELACT 8
15490/15 EF 233 ECOFIN 990 DELACT 176
31. Commission Delegated Regulation (EU) .../... of 16.12.2015 laying down general principles and criteria for the investment strategy and rules for the administration of the Single Resolution Fund
 - Intention not to raise objections to a delegated act
5645/16 EF 14 ECOFIN 58 DELACT 9
15414/15 EF 230 ECOFIN 984 DELACT 173
32. Enlargement
 - Accession negotiations with Serbia
 - = Outcome of screening on Chapter 22: Regional policy and coordination of structural instruments
5777/16 ELARG 1
33. Proposal for a Regulation of the European Parliament and of the Council applying the arrangements for products originating in certain states which are part of the African, Caribbean and Pacific (ACP) Group of States provided for in agreements establishing, or leading to the establishment of, Economic Partnership Agreements (recast) [**First reading**]
 - Confirmation of the final compromise text with a view to agreement
5718/16 ACP 17 WTO 16 UD 13 CODIF 4 CODEC 104

34. Relations with the ACP States and the OCT
 - Discharge to be given to the Commission in respect of the financial management of the 8th, 9th, 10th and 11th European Development Funds (financial year 2014)
 - 5225/16 ACP 11 PTOM 8 FIN 30
 - 5219/16 ACP 7 PTOM 4 FIN 26
 - 5220/16 ACP 8 PTOM 5 FIN 27
 - 5223/16 ACP 9 PTOM 6 FIN 28
 - 5224/16 ACP 10 PTOM 7 FIN 29
35. (poss.) Draft Council conclusions on European climate diplomacy after COP21
 - 5856/16 DEVG 17 CLIMA 6 COPS 44 CFSP/PESC 93 ENV 51 ONU 11
 - RELEX 89 CSDP/PSDC 72
36. Proposal for a Regulation of the European Parliament and of the Council on the introduction of emergency autonomous trade measures for the Republic of Tunisia [**First reading**]
 - Confirmation of the final compromise text with a view to agreement
 - 5719/16 WTO 17 AGRI 33 MAMA 19 TU 1 CODEC 105
37. Council Decision on the conclusion, 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
 - 5236/1/16 REV 1** COWEB 4
 - 10725/2/15 REV 2 COWEB 67
 - + REV 2 COR 1

Cyprus, Spain and Romania stated their intention to abstain in the vote on this item.

Statement by Cyprus

on the Conclusion 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

"The Republic of Cyprus reiterates its position that it does not recognize the 2008 Unilateral Declaration of Independence by Kosovo and considers that the designation "Kosovo" is without prejudice to positions on status, and is in line with UNSCR 1244(1999) and the ICJ Opinion on the Kosovo declaration of independence.

The Republic of Cyprus further declares that the signing and conclusion of the Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community of one part, and Kosovo, of the other part, does not prejudice the position of the Republic of Cyprus on the status of Kosovo, which will be decided in accordance with national practice and international law, and it does not establish any treaty relations or obligations on behalf of the Republic of Cyprus towards Kosovo.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

The use of the legal basis for the Stabilisation and Association Agreement with Kosovo, including article 37 of the Treaty on European Union, is without prejudice to the position of the Republic of Cyprus on the international status of Kosovo, and is in conformity with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence.

Furthermore, the signing and conclusion 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 does not, in any case create any precedent as to the future relations between the European Union and Kosovo."

Statement by Slovakia

with regard to the Council Decision on the conclusion, 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

"The Slovak Republic declares that its position concerning the Council decisions on the conclusion and signing of the Stabilisation and Association Agreement is without prejudice to its national position on the status of Kosovo and is in conformity with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence."

Statement by the Kingdom of Spain

with regard to the Council Decision on the conclusion, 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

"Spain's position concerning the Council adoption of the decisions on the signing and on the conclusion of the Stabilization and Association Agreement with Kosovo is without prejudice to the Spanish position on the international status of Kosovo and is in conformity with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence.

The use of the legal basis for the Stabilization and Association Agreement with Kosovo of article 37 of the Treaty of the European Union in relation with article 31 of the Treaty of the European Union, as well as of article 217 of the Treaty on the Functioning of the European Union in relation with article 218 of the Treaty on the Functioning of the European Union, is without prejudice to the Spanish position on the international status of Kosovo and is in conformity with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence.

Wording referring Kosovo's European perspective can only be understood as approximation to the EU, without the ultimate objective of EU accession, as the unilateral declaration of independence is not unanimously recognized."

^{*} This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

Statement by Romania

on the conclusion of the Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community of one part, and Kosovo^{*}, of the other part

"Romania shall take note of the conclusion of the Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community of one part, and Kosovo, of the other part.

Romania reiterates its national position of non-recognition of Kosovo as a State.

The conclusion of the Stabilization and Association Agreement with Kosovo by the European Union and the European Atomic Energy Community is done without prejudicing the position of Romania vis-à-vis the status of Kosovo and does not presume in anyway the recognition by Romania of the statehood of Kosovo."

Statement by the United Kingdom

with regard to the Council Decision on the conclusion, 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

"The United Kingdom welcomes the conclusion 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.

However, the United Kingdom considers that the Agreement contains provisions related to the temporary presence of natural persons for business and readmissions which are pursuant to Title V of Part III of the Treaty on the Functioning of the Union. The United Kingdom recalls that, in accordance with Article 2 of Protocol (No. 21) to the Treaties on the position of the United Kingdom and Ireland in Respect of the Area of Freedom, Security and Justice, no provision of any international agreement concluded by the Union pursuant to that Title shall be binding upon on or applicable in the United Kingdom unless, in accordance with Article 3 of the Protocol, it notifies its intention that it wishes to take part in the adoption and application of a proposed measure.

As a result, in accordance with Article 3 of Protocol (No. 21), the United Kingdom notified the President of the Council that, to the extent that the Decisions relate to the temporary presence of national persons for business, it intends to take part in the Council Decisions."

^{*} This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

Statement by the Commission

"The Commission restates once again that it disagrees with the addition of Article 37 TEU as a substantive legal base for the signature and conclusion 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. In accordance with case-law, Article 217 TFEU is an all-encompassing legal base, empowering the Union to undertake commitments towards non-member countries in all fields covered by the Treaties, which, following the entry into force of the Lisbon Treaty, also covers CFSP."

38. Draft Council conclusions on EU priorities at UN Human Rights Fora in 2016
5851/16 COPS 42 COHOM 11 CONUN 21 COASI 8 MAMA 25 COEST 15
COAFR 23 CFSP/PESC 91 GENDER 6
+ ADD 1
39. Council Decisions on the conclusion of the Agreements between the European Union and the United Arab Emirates, Saint Lucia, the Commonwealth of Dominica, Grenada, Saint Vincent and the Grenadines, the Republic of Vanuatu, the Democratic Republic of Timor-Leste, the Independent State of Samoa and the Republic of Trinidad and Tobago on the short-stay visa waiver
- Adoption
5631/16 VISA 26 MOG 21 COLAC 2 COASI 6
7185/15 VISA 104 COMEM 55
+ COR 1 (el)
7187/15 VISA 105 COLAC 30
7189/15 VISA 106 COLAC 31
7190/15 VISA 107 COLAC 32
7191/15 VISA 108 COLAC 33
7192/15 VISA 109 COASI 32
7194/15 VISA 110 COASI 33
7195/15 VISA 111 COASI 34
7196/15 VISA 112 COLAC 34
40. Schengen evaluation of AUSTRIA - Draft Council Recommendation on addressing the deficiencies identified in the 2015 evaluation of the application of the Schengen acquis in the field of the Schengen Information System
5865/16 SCH-EVAL 20 SIRIS 11 COMIX 88
5864/16 SCH-EVAL 19 SIRIS 10 COMIX 87
50. Draft European Union Programme of Exercises and Exercise-Related Activities under the CFSP 2016-2020
- Approval
5916/16 COPS 46 POLMIL 15 CFSP/PESC 103 CSDP/PSDC 77 CIVCOM 24
EUMC 17
5911/16 COPS 45 POLMIL 14 CFSP/PESC 102 CSDP/PSDC 74 CIVCOM 23
EUMC 16

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

51. Draft Council conclusions on Burundi
5879/16 COAFR 25 CFSP/PESC 97 ACP 23 RELEX 86 COHOM 12
52. Draft Council conclusions on Somalia
5880/16 COAFR 26 CFSP/PESC 98 COHAFA 5 COHOM 13 POLMIL 13
CSDP/PSDC 70 CIVCOM 22 MIGR 15 ATALANTA 2
+ COR 1
53. Draft Council conclusions on Belarus
5944/16 COEST 20 **RESTREINT UE**
54. Draft Council conclusions on the Republic of Moldova
5945/16 COEST 21
55. Case C -643/15 - (Slovak Republic against Council of the European Union)
= Request for an authorisation to produce documents
6022/1/16 REV 1 JUR 71 JAI 90 ASILE 8 MIGR 21
56. Case C -647/15 - (Hungary against Council of the European Union)
= Request for an authorisation to produce documents
6023/1/16 REV 1 JUR 72 JAI 91 ASILE 9 MIGR 22
-