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## OUTCOME OF THE COUNCIL MEETING

3556th Council meeting

### Agriculture and Fisheries

Brussels, 17 and 18 July 2017

Presidents

**Tarmo Tamm**

Minister of Rural Affairs

**Siim Kiisler**

Minister of Environment

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- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's internet site (<http://www.consilium.europa.eu>).
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**ITEMS DEBATED**

**Work programme of the presidency**

The Estonian presidency presented its [work programme](#) and outlined its main priorities in the agriculture and fisheries sectors.

In the field of agriculture, the central topic of the presidency will be the future of the Common Agricultural Policy. This will also be the main theme of the informal meeting of the AgriFish ministers in Tallinn in September 2017. The Presidency will emphasise the simplification of the CAP, largely in the context of the Omnibus regulation.

Jointly with the Commission, the presidency will monitor the market situation in the main agricultural sectors with a view to finding feasible solutions in the case of difficulties. Moreover, the presidency will be devoted to strengthening the producers' position in the food supply chain.

Concerning legislative files, the presidency will continue examining the Commission proposal for the spirit drinks regulation with the aim of agreeing on the Council's general approach, and will continue work on the veterinary medicine and medicated feed regulations.

The sustainable use of agricultural soils, antimicrobial resistance, the implementation of digital solutions for effective control measures, and emergency preparedness will also be key topics in the work programme of the presidency.

In the field of fisheries, the presidency aims to adopt the Baltic Sea fishing opportunities and at the December meeting the Black Sea fishing opportunities and fishing opportunities in EU waters and beyond. The presidency will also continue working on co-decision files, such as the management plans (Baltic Sea salmon MAP included), trying to achieve the general approach where possible. The North Sea management plan and the technical measures framework regulation could reach the trilogue stage.

The Presidency also plans to start discussions on the future of the European Maritime and Fisheries Fund (EMFF) by organising, in cooperation with European Commission, the conference on the future of EMFF.

## **AGRICULTURE**

### **Trade-related agricultural issues**

On the basis of a Commission update, the Council discussed the latest developments in trade and the EU efforts to open up new world markets and promote EU agricultural products.

In its presentation the Commission emphasised the good state of EU agri-food exports and reported on the progress made on a number of free trade agreements.

Particular attention was given to the recent agreement in principle on a EU-Japan free trade deal, thanks to which the vast majority of EU agri-food products exported to Japan would become duty-free over time. The Commission also elaborated on the ongoing negotiations with Mexico and Mercosur, the opening of negotiations with Norway, Morocco, ASEAN (Association of Southeast Asian Nations), Australia and New Zealand, as well as on the implementation of EU-Canada Comprehensive Economic and Trade Agreement (CETA). Finally, the Commission also reminded delegations of the joint proposal drafted with Brazil on domestic support and public stockholding that will be the basis for negotiations at the 11th WTO ministerial conference in Buenos Aires in December 2017.

Ministers had the opportunity to share their views on the EU's ongoing and upcoming free trade negotiations and their potential impact on European agriculture.

They generally welcomed the agreement in principle with Japan, although some of them were still assessing the impact on agricultural products. Others, conversely, expressed misgivings about the Mercosur agreement, highlighting the importance of defending sensitive sectors like beef meat, ethanol and sugar. Reciprocity was also mentioned as one of the principles that should guide negotiations.

Various ministers were also concerned that negotiations within the WTO could touch on the blue box, i.e. subsidies that are tied to programmes that limit production, thereby prejudging negotiations on the future CAP post -2020.

Member states advocated even more transparency from the Commission during negotiations, and asked to be closely associated with negotiations before they reach a final stage.

This point was discussed jointly with an AoB item on trade practices applied by third countries vis-à-vis the EU and its member states

## **Wine grape varieties and their synonyms that may appear on wine labels**

The Slovenian delegation presented its substantive and legal concerns about a Commission delegated act granting wine producers from another member state an exception allowing them to use, in the labelling of their wine, the name of a grape variety, which is also a wine benefiting from a protected designation of origin in Slovenia. The delegated act relates in particular to the dispute between the Croatian "Hrvatska Istra" and the Slovenian "Teran" PDO wine.

Some member states expressed misgivings about the delegated act, set to enter into force on 19 June 2017, and spoke against introducing a precedent that could jeopardise the system of geographical indications in the future.

Ministers had already discussed the issue in January 2017.

## **Conference on public consultation on modernising and simplifying the CAP**

### **Simplification: implementation of the May 2015 Council conclusions**

The Commission presented the results of the conference "The CAP, have your say", which took place in Brussels on 7 July 2017. The conference was a chance to take stock of the outcome of the recent consultation on the future of the Common Agricultural Policy ([results here](#)) and to see how the outcome matched the scientific evidence gained on the ground.

The Commission considered the results of the consultation encouraging. They highlighted wide support for a strong and modern EU-wide CAP, for a fair standard of living for farmers and for agriculture to deliver public goods linked to the environment, climate change, and new societal demands (e.g. animal welfare, organic produces, etc.).

The Commission also reported to the Council on the progress made on the simplification of the CAP since the adoption of Council conclusions in May 2015.

In the ensuing debate, ministers welcomed the results of the consultation and underlined the fundamental role of agriculture in providing sustainable growth of food production, which is necessary to feed a growing world population. They agreed that the CAP should not be considered as an old policy, as it can actively contribute to the protection of the environment and the climate. However, ministers emphasised that to match these ambitions, the financing of the CAP should be stable and adequate, even in the context of a smaller EU post-Brexit budget. Some member states asked for a market -oriented policy and for a better position for farmers in the food supply chain.

Ministers also encouraged the Commission to make simplification and the reduction in the administrative burden a priority in the future overhaul of agricultural rules.

These points were discussed jointly with two AoB items on the meeting of the agriculture ministers of the extended Visegrad group and on the future CAP finances.

### Background

1) On 2 February 2017, the Commission launched a major consultation on the future of the CAP. The three-month consultation allowed participants to share their views on the challenges faced by the EU agricultural sector, its rural areas and society as a whole, and on how a simpler, more modern CAP could potentially be used to meet them.

The results of both the consultation and the on-the-ground analysis will feed into a Communication on modernising and simplifying the CAP to be published by the Commission later in 2017 which will assess the different options for possible policy developments.

2) [CAP simplification](#) is part of the EU's overall strategy to streamline and reduce EU legislation wherever possible. In this context, the EU institutions decided to look at what was agreed in the latest CAP reform and propose improvements achievable in the short and medium term.

The Council adopted conclusions on the issue in May 2015 emphasising that, in implementing the CAP, greater account should be taken of the subsidiarity and proportionality principles. It also recalled the main principles to be respected in this process:

- preserve the policy objectives and the main elements of the reformed CAP;
- ensure the sound financial management of EU funds;
- focus on areas where those implementing the CAP as well as its beneficiaries would benefit most;
- improve the clarity and consistency of legislation.

Conclusions pointed to a short-term focus on the review of delegated and implementing acts of the reformed CAP. In the longer term, efforts should also be made to simplify the basic acts.



## **FISHERIES**

### **Fishing opportunities for 2018**

The Council was briefed on a Commission communication on the state of play of the Common Fisheries Policy (CFP) and consultation on the fishing opportunities for 2018.

During the ministerial exchange of views member states generally welcomed the communication and the progress achieved on a number of stocks in various sea basins, renewing their commitment to the objectives of the CFP. Concerning the methodology put forward by the Commission to calculate TACs (total allowable catches) and quotas, they stressed the need to acknowledge the specificities of the different regions and fisheries. Several delegations also highlighted the problem of choke species in implementing the landing obligation.

The Commission communication is a first assessment of the current state of implementation of the reformed CFP since its introduction. It focuses in particular on the progress made in: achieving the MSY objective (maximum sustainable yield), rebuilding stocks, improving the profitability of the EU fleet while balancing it with the fishing capacity, the implementation of regionalisation and of the landing obligation.

Furthermore, the communication sets out the principles to be followed by the Commission in formulating its proposal for fishing opportunities for 2018, which is due for this autumn. As in the past, the Commission will follow the CFP objectives and be based on the best available scientific advice. In particular, the Commission will propose TACs in line with FMSY for stocks on which scientific advice or MSY proxies are available. For stocks that fall under the Baltic Multiannual Plan, TACs will reflect the ranges included in the plan. Finally, for other stocks not having analytical or biological advice, the Commission will follow the precautionary approach. The Commission is also considering TAC adjustments for stocks subject to the landing obligation as of 2018, as it did for 2017.

The public consultation linked to the communication will run until mid September. Member states, stakeholders and the public are invited to offer suggestions on these policy orientations.

**Any other business**

– *Trade practices applied by third countries vis-à-vis the EU and its member states*

The Czech delegation raised the issue of unjustified non-tariff barriers used by third-country partners vis-à-vis the EU and its member states with a discriminatory purpose. It referred in particular to burdensome practices such as: complicated certification systems, long procedures or import bans imposed for various reasons. The Czech Republic, supported by several delegations, also encouraged the Commission to make every effort to prevent the application of discriminatory trade policy measures and unjustified trade barriers.

This item was discussed jointly with the one on trade-related agricultural issues.

– *Drought in Portugal, Spain and Belgium*

The Spanish, Portuguese and Belgian delegations informed the Council about the drought situation in their countries and the impact this has had on agriculture, and in particular on the cereal and livestock sectors.

Spain and Portugal also asked for the authorisation to increase advanced direct payments at least up to 70%, and to enable farmers to temporarily use land laying fallow for grazing in the period when this practice would be prohibited. Belgium also asked that advanced payments be increased to 70% for direct payments and to 85% for the IACS rural development payments.

In the ensuing debate, several delegations expressed sympathy for the Belgian, Spanish and Portuguese requests. Some explained that they were also experiencing severe heat waves with consequent droughts affecting agriculture, and asked to have access to the same tools, namely higher advanced payments and the temporary exemption from some greening rules.

The Commission showed itself open to accommodating the requests of Portugal, Spain, Belgium and Luxembourg and to making the same instruments available to other member states on the basis of justified requests.

– ***Farmland trade in the EU***

On behalf of the Hungarian, Slovak, Lithuanian, Bulgarian and Romanian delegations, Poland drew the Council's attention to the issue of land availability for farmers in the European Union, arising from processes such as speculation and excessive concentration of farmland.

Poland in particular emphasised the need to consider access to land as an overriding public interest and to defend national legislation aimed at improving the operation of national agriculture land trade markets.

Some delegations shared the Polish concerns and requests, and the Commission was open to cooperating with member states to find solutions to the problem while fully observing internal market freedoms.

– ***One Health action plan against antimicrobial resistance***

The Commission presented its communication "One health action plan against antimicrobial resistance (AMR)". The plan provides an updated framework for future EU actions against AMR and is aimed at reducing the emergence and spread of AMR and at increasing the availability of new effective antimicrobials for human and veterinary medicine. The key objectives are making the EU a best practice region, boosting research and intensifying EU efforts worldwide to shape the global agenda on AMR.

The Commission invited the Council to endorse the new EU action plan, which was called for in the Council conclusions of June 2016, and called on member states to ensure cooperation in its implementation.

Ministers welcomed the plan and showed full support. They generally agreed that the EU should become a best practice region, and also encouraged the Commission to work at international level to promote good practices universally, thereby better addressing the global threat of AMR.

– ***African swine fever***

The Commission informed ministers of the state of play in the fight against African swine fever. In particular, it reported on new cases detected in wild boars in the Czech Republic, in which context human activity is suspected of playing a role - given the long distance between the new cases and the previously infected area -, and the predicted epidemic seasonal summer peak. It confirmed the continued Commission efforts to tackle the disease and asked member states to enhance cooperation and increase their alert level and preparedness.

In the ensuing debate, member states highlighted the actions they had already undertaken to prevent the spread of ASF and stressed the importance of a good cooperation between all actors. Some of them explained that these activities were burdensome from the point of view of finances and human resources and asked for financial support.

– ***Symposium on the future of food, Brussels 27 June 2017***

The Council was briefed on the outcome of the symposium on "The Future of Food in the EU", which was organised by the Joint Research Centre of the European Commission (JRC) and the tri-presidency of Malta, Slovakia and the Netherlands. The event was attended by 140 representatives of member states, the Commission, NGOs and the business community. Its main aim was to provide input to comprehensive and future-oriented policy development and implementation that reflects Europe's leading role in food safety and nutrition security.

Central to the symposium's programme was the presentation of the report entitled "Delivering on Food Safety and Nutrition in 2050 - Future challenges and policy preparedness", prepared by the JRC in collaboration with the Directorate -General for Health and Food Safety of the Commission.

– ***Consequences of mandatory food origin labelling for the internal market***

At the request of the Belgian delegation ministers discussed the impact on the internal market of national rules introducing mandatory labelling of the country of origin of food, and in particular for milk and foodstuffs containing milk or meat as an ingredient. The Belgian delegation took the opportunity to invite the Commission to assess the impact of the different national rules on the internal market one year after the implementation of the first national decree.

In the debate that followed some ministers warned against mandatory origin labelling which would, in their opinion, not only be costly and burdensome but also detrimental to the internal market and free movement of goods. Several supported the Belgian request to have an impact assessment on the national rules introducing mandatory labelling of the country of origin of food. Others laid emphasis on transparency, the right of the consumer to be correctly informed and the growing societal demand to know the origin of food, in order to support the idea of an EU-wide mandatory labelling of origin.

– ***Dual quality of foodstuffs: presentation of the latest study and meeting in Bratislava on 30 May 2017***

The Czech delegation presented to ministers the results of the latest scientific study carried out by the University of Chemistry and Technology of Prague and comparing identical foodstuffs sold in the Czech Republic, Hungary, Germany, Austria and Slovakia.

Furthermore, at the request of the Slovak delegation, the Council was briefed on the outcome of the Bratislava event, the objective of which was to support an effective exchange of information and to strengthen cooperation among the participating member states (Bulgaria, the Czech Republic, Hungary, Poland, Slovenia and Slovakia). The meeting also served as a platform for present results of recent comparative studies of quality of food products and to analyse the legal and ethical implications of the dual quality practice on the internal market and consumers.

The Commission shared delegations' assessment of the seriousness of the issue and restated its commitment to fight against unfair commercial practices. It said it would engage the consumer protection network and enhance synergies with the High Level Forum for a Better Functioning Food Supply, with the objective of comparing practices in relation to a wider scope of products and for the whole internal market. However, it considered that for the time being there was no need for further legislation.

The issue of dual quality of foodstuffs had already been discussed in Council in May 2016 and March 2017.

– ***Meeting of the agriculture ministers of the extended Visegrad group, Poland 2 June 2017***

The Polish delegation briefed the Council on the outcome of the above-mentioned meeting, which also included Bulgaria, Romania and Slovenia. The meeting was devoted to a discussion on the CAP after 2020 and produced a joint declaration on the same subject. The meeting was also an opportunity to discuss the issues of: trade in agricultural land, market mechanisms on the sugar and cereals markets, and unfair trading practices in the food supply chain.

This item was discussed jointly with those on modernising and simplifying the CAP, simplification, and the future CAP finances. During that debate, the Commission and some delegations considered that the Visegrad paper was very useful for fuelling the debate on the future CAP.

– ***The CAP in the Commission's reflection paper on the future of EU finances***

On the initiative of the Spanish delegation ministers had the opportunity to discuss the issue of the future finances of the CAP. Spain noted that in the Commission's reflection paper on the future of EU finances, four of the five scenarios would involve a serious reduction in CAP financing. It therefore sought further clarification of the matter from the Commission.

The Commission's reflection paper on the future of EU finances by 2025 sets out a series of options and scenarios regarding the future direction of the EU budget and how it could be used. It is intended as a further stimulus to a public debate about where the Union is going and what Europeans want to achieve together. This is the last of the 5 reflection papers following the White Paper on the Future of Europe.

This item was discussed jointly with those on modernising and simplifying the CAP, simplification, and the meeting of the agriculture ministers of the extended Visegrad group. During that debate, several delegations appreciated the Spanish request for more information and agreed on the need for an adequately financed CAP in the future.

– ***Ministerial conference on "GMO free agriculture: a chance for rural development in Central and South Eastern Europe", Vienna 9-10 May 2017***

Ministers were informed about the outcome of the above-mentioned conference, which was a joint Hungarian-Austrian initiative and was attended by ministers and other high-ranking representatives from Central and South Eastern European countries.

The event marked the 20th anniversary of the Austrian referendum on genetic engineering, which showed that Austrians firmly reject food produced using GMOs. The event was linked to the Danube Soya Initiative, which was launched by Austria and created a strategic partnership for the production of GMO-free and organic soya in the Danube region.

Austria and Hungary underlined the fact that, despite all efforts, the demand for GMO-free soya is far from being met in the EU. Even though GMO-free soya production has increased in Europe over the past few years, large amounts of soya meal still need to be imported.

The Commission welcomed the initiative but reminded the Council that the EU would continue to have a significant protein deficit, especially for proteins from soy beans and soy meals. It considered that full substitution of all imports by EU GMO-free production was not achievable in the short term, and that EU farmers would continue to largely rely on imports of GMO soya.

– *Conference on "Making sustainable agriculture a future for youth in Africa", Rome 2 July 2017*

The Commission informed the Council about the outcome of the conference that brought together agriculture ministers from the EU and the African Union and which took place at the FAO headquarters in Rome on 2 July.

The event was co-hosted by Commissioner Hogan, African Union Commissioner Sacko and the Estonian Minister for Rural Affairs Tarmo Tamm on behalf of the Estonian Presidency. It addressed important issues in relation to the sustainable development of the agri-food sector in Africa and the creation of sustainable employment opportunities for African youth, particularly in rural areas.

The aim of the conference was to build up political engagement and start a policy dialogue which may contribute to the preparation of the 5th EU-Africa summit that will take place in Abidjan on 28-29 November 2017, in particular by providing a list of tangible deliverables focusing on the promotion of responsible public/private investment in Africa. The latter theme is also one that will be addressed by the Italian and German presidencies of the G7 and G20 respectively.

**OTHER ITEMS APPROVED**

**AGRICULTURE**

**EU particular status in the International Organisation of Vine and Wines (OIV)**

The Council approved the letter requesting a particular status for the EU in the OIV, in accordance with Article 4 of the OIV's rules of procedure, subject to the Commission submitting to the Council, sufficiently in advance before the matter is included on the agenda of the OIV's General Assembly for decision, a proposal, based on Article 218(9) TFEU, for a Council Decision establishing the position to be adopted on the Union's behalf with regard to the decision of the General Assembly of the OIV to grant the European Union a particular status under the terms of a special arrangement between the OIV and the EU ([11007/17](#)).

Since the creation of the International Vine and Wine Office, replaced in 2001 by the International Organisation of Vine and Wine (OIV), several EU member states have participated in the activities of the OIV, notably drawing up recommendations on oenological practices, definitions and descriptions of products and methods for analysing and assessing vine products. A more active participation of the EU in the work of the OIV will facilitate the establishment of EU positions with regard to the OIV's draft recommendations and the future development of EU rules in line with OIV standards.

**FISHERIES**

**Rules on the functioning of the Advisory Councils under the Common Fisheries Policy**

The Council did not oppose the adoption of a Commission regulation amending regulation no 2015/242 laying down detailed rules on the functioning of the Advisory Councils under the Common Fisheries Policy ([10688/17](#)).

The Common Fisheries Policy (CFP) provides for the establishment of stakeholders' organisations, the Advisory Councils, the main role of which is to provide advice to the Commission and member states concerned on matters relating to the management of fisheries and the socio-economic and conservation aspects of fisheries and aquaculture in their respective area or field of competence.

Commission delegated regulation 2015/242 of 9 October 2014 lays down detailed rules on the functioning of these bodies in general and on their structure and organisation in particular.

The above-mentioned delegated act modifies the provision on the definitions of the two main categories of stakeholders represented in the Advisory Council.



**ENVIRONMENT**

**CO2 emissions: light commercial and duty vehicles**

The Council decided not to object to two Commission delegated regulations concerning light commercial ([10022/17](#) + [ADD 1](#)) and light duty vehicles ([10024/17](#) + [ADD 1](#)). These delegated regulations amend both annexes I and II to regulations [510/2011](#) and [443/2009](#) in order to adapt them to the change in the regulatory test procedure for the measurement of CO2 emissions from these types of vehicles.

The new regulatory text procedure - World Harmonised Light Vehicles Test Procedure (WLTP) - will provide values of CO2 emissions and fuel consumption that resemble more accurately real driving conditions. It replaces the existing and outdated New European Test Cycle (the NEDC).

The WLTP- based specific emission target will apply as of 2021. Until then, methodologies, set out in both regulations, will be used to take into consideration the difference between the level of CO2 emissions measured with the NEDC and the WLTP procedures.

The Commission regulations are delegated acts pursuant to article 290 of the Treaty on the Functioning of the EU. They can now enter into force, unless the European Parliament objects.

**Kigali Amendment to the Montreal Protocol**

The Council adopted a decision to conclude on behalf of the European Union the Kigali Amendment to the Montreal Protocol, paving the way to its formal ratification. The amendment aims to reduce globally the consumption and production of hydrofluorocarbons, which are potent greenhouse gases contributing to global warming and climate change ([7725/17](#) + [ADD1](#) + [ADD2](#)).

The EU is determined to lead global efforts to tackle climate change. It is a committed party to the Montreal Protocol, the four amendments to the Protocol and now, its fifth – the Kigali Amendment.

The EU has now to formally deposit the declaration of competence together with the instrument of ratification of the Kigali Amendment with the United Nations.

Read full [press release](#)

## **Amendment to the Gothenburg Protocol**

The Council adopted a decision<sup>1</sup> accepting on behalf of the European Union an amendment to the 1999 Gothenburg Protocol to reduce emissions of air pollutants globally ([7524/17](#) + [ADD1](#)). The amendment aims to enhance the protection of human health and the environment from transboundary air pollution and to that end, it strengthens the rules laid down in the original protocol.

The EU, fully committed to improving air quality, has already aligned its legislation with the amended protocol in the revised National Emission Ceilings directive adopted in 2016.

The EU now needs to officially deposit the instrument of acceptance of the amendment with the United Nations.

Read full [press release](#)

## **Aarhus Convention**

The Council adopted a decision on the position of the European Union at the 6th session of the Meeting of the Parties to the Aarhus Convention (MoP-6) regarding a case brought before the Convention's Compliance Committee against the EU ([11150/17](#) & [11194/17 ADD1 REV1](#)).

In the Council decision, the EU - with all member states in unanimity - accepts the draft Aarhus decision, subject to some amendments in order to clarify inter alia that the Meeting of the Parties does not intend to require the EU to interfere with the independence of its judiciary.

The Council will now communicate this decision to the Aarhus Convention Secretariat in the context of the ongoing MoP-6 preparations. The MoP-6 will be held in Budva (Montenegro) on 11-15 September 2017.

Read full [press release](#)

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<sup>1</sup> Denmark voted against this Council decision. However, it will accept the protocol on behalf of the country to maintain the EU's overall air-quality objectives. See [statement](#)

**INTERNAL MARKET**

**Motor vehicles - Acoustic alerting system - Type-approval**

The Council decided not to object to the adoption by the Commission of a regulation laying down requirements for the installation of acoustic alerting systems in new cars, vans and lorries for the purpose of EU-type approval ([10784/17](#) and [10784/17 ADD1](#)).

The new Commission regulation, which will amend [regulation 540/2014 on the sound level of motor vehicles](#), also takes into account international standards for type-approval.

Hybrid electric and pure electric vehicles emit sound of very low intensity as compared to vehicles with an internal combustion engine, thus resulting in environmental benefits. However, that reduction has removed an important source of audible signal that warns vulnerable road users, typically visually impaired persons or cyclists, of a vehicle's approach, presence or departure.

The new rules are therefore aimed at alerting vulnerable road users, for their safety, to the presence of such vehicles.

The Commission regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU. It can now enter into force unless the European Parliament objects.

**HEALTH**

**Good manufacturing practice for medicinal products**

The Council decided not to object to the two following Commission acts:

- a Commission regulation specifying the principles and guidelines of good manufacturing practice to ensure that investigational medicinal products used for clinical trials are of required quality ([10015/17](#))
- a Commission directive supplementing directive 2001/83/EC as regards the principles and guidelines of good manufacturing practice for medicinal products for human use ([9047/17](#))

The two acts are delegated acts pursuant to article 290 of the Treaty on the Functioning of the EU. They now can enter into force, unless the European Parliament objects.

**FOOD LAW**

**Diet replacement for weight control**

The Council decided not to object to a Commission regulation laying down specific compositional and information requirements for total diet replacement for weight control ([10021/17](#) + ADD1). The regulation updates the existing rules regarding total diet replacement for weight control with an energy content of between 3 360 kJ (800kcal) and 5 040kJ (1200kcal) and lays down specific rules on total diet replacement with an energy content fewer than 3 360kJ (800kcal).

The regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU. It now can enter into force, unless the European Parliament objects.

**CULTURE**

**European Capitals of Culture**

The Council adopted a decision amending Decision 445/2014/EU establishing a Union action for the European Capitals of Culture for the years 2020 to 2033 ([PE-CONS 25/17](#)).

Decision 445/2014/EU sets out the framework for selection, designation and monitoring of the cities to be awarded the title of European Capitals of Culture from 2020. The aim of the current amendment is to allow access to the action to EFTA/EEA countries (Norway, Iceland and Lichtenstein) as well. Since the selection process starts about six years before a city hosts the European Capital of Culture, this could not be done under the current decision, which is valid only until 2019.

The European Capitals of Culture initiative was launched in 1985 and over 40 cities have been designated since then. Its aim is to promote greater mutual understanding between European citizens and strengthen a feeling of European citizenship, simultaneously highlighting the richness of European cultures and both their diversity and their shared features.

**TRANSPORT**

**Interoperability of EU railways - objectives for technical specifications**

The Council decided not to object to a Commission decision supplementing the directive on the interoperability of the EU rail system ([10205/17](#)). The draft decision sets out the specific objectives of all technical specifications for interoperability that are to be developed or amended following the adoption of the technical pillar of the fourth railway package.

The decision is a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU. This means that now that the Council has given its consent, the act can enter into force, unless the European Parliament objects to it.

**EU-wide multimodal travel information services**

The Council decided not to object to a Commission regulation setting out the necessary specifications to ensure that EU-wide multimodal travel information services are accurate and available across borders to users of intelligent transport systems ([10118/17](#) + ADD 1). The regulation supplements directive 2010/40/EU on the framework for the deployment of intelligent transport systems in the field of road transport and for interfaces with other modes of transport.

The regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU. This means that now that the Council has given its consent, the act can enter into force, unless the European Parliament objects to it.

**INTELLECTUAL PROPERTY**

**Marrakesh Treaty on access to published works for blind and visually impaired persons**

The Council adopted a regulation and a directive aimed at implementing in the EU the Marrakesh Treaty on access to published works for blind and visually impaired persons.

The adoption follows the [agreement reached on 10 May 2017](#), which was confirmed by a vote in the European Parliament on 6 July 2017.

The new legislation will introduce into EU law a new mandatory exception to copyright rules, in line with the [Marrakesh Treaty](#). This will allow beneficiary persons and organisations to make copies of works in accessible formats, and to disseminate them across the EU and in third countries which are party to the Treaty.

The [regulation](#) will implement the Union's obligations under the Marrakesh Treaty with respect to the exchange of accessible format copies for non-commercial purposes between the EU and third countries that are party to the Marrakesh Treaty.

The [directive](#) will incorporate the obligations under the Marrakesh Treaty into national domestic legislation. This will ensure an improvement in the availability of accessible format copies for beneficiary persons and their circulation within the internal market. The provisions of the directive will be enacted in each national legislation within a maximum period of 12 months.

The EU will be able to deposit the ratification instruments of the Marrakesh Treaty after the adoption of a Council decision authorising its conclusion.

Persons who are blind, visually impaired or otherwise print disabled continue to face many barriers in accessing books and other print material. The need to increase the number of works and other protected subject-matter available in accessible formats such as braille, audio-books and large print, has been recognised at international level.

## **FOREIGN AFFAIRS**

### **Modification of annex V to the EU-Ukraine association agreement**

The Council established the EU position to be taken within the sanitary and phytosanitary sub-committee under the EU-Ukraine association agreement as regards sub-committee's decision to modify annex V to the agreement (sanitary and phytosanitary measures) ([10304/17](#)).

By this modification a list of Union sanitary and phytosanitary *acquis* with which Ukraine intends to align its domestic legislation is to be added to annex V.

**Modification of annex XXVI to the EU-Moldova association agreement**

The Council established the EU position to be taken within the EU- Moldova Association Council in order to amend the annex XXVI to the EU- Moldova association agreement ([10547/17](#)).

The goal of annex XXVI has been to assure that the Customs Code of the Republic of Moldova is in line with prevailing rules in the EU. This goal can be achieved if the Republic of Moldova aligns its Customs Code with the Union Customs Code.

**ECONOMIC AND FINANCIAL AFFAIRS**

**Moldova - Financial assistance**

The Council adopted a decision on macro-financial assistance for the Republic of Moldova ([10981/17](#) + ADD 1 + [PE-CONS 27/17](#)).

Up to €100 million will be provided, the amount consisting of €60 million in loans and €40 million in the form of grants. EU assistance will supplement resources provided by the IMF and other multilateral institutions. It will be aimed at supporting the country's economic stabilisation and structural reform agenda, helping to cover its external financing needs over the 2017-18 period.

[June 2017 press release on financial assistance to Moldova](#)

**Insurance and reinsurance - Markets in financial instruments - Payment services - Derivatives**

The Council decided not to object to the following Commission regulations:

- amending regulation 2015/35 on insurance and reinsurance as concerns the calculation of regulatory capital requirements for certain categories of assets held by infrastructure corporates ([10096/1/17 REV 1](#) + REV 1 ADD 1 REV 1 + [10226/17](#));
- supplementing regulation 600/2014 on markets in financial instruments as regards the exemption of certain third- country central banks from pre- and post-trade transparency requirements ([10822/17](#) + [10273/17](#) + ADD 1);

- supplementing directive 2015/2366 on payment services with regard to regulatory technical standards for cooperation between competent authorities as concerns the right of establishment and the freedom to provide services ([10936/17](#) + [10731/17](#) + ADD 1);
- amending regulation 151/2013 supplementing regulation 648/2012 on over-the-counter derivatives, central counterparties and trade repositories ([10941/17](#) + [10906/17](#)).

The regulations are delegated acts pursuant to article 290 of the Treaty on the Functioning of the European Union. They can now enter into force, unless the European Parliament objects.

## **BUDGETS**

### **Mobilisation of the European Globalisation Adjustment Fund for Finland**

The Council adopted a decision mobilising €3.52 million under the European Globalisation Adjustment Fund (EGF) to provide support to 1 248 workers made redundant in an enterprise operating in the computer programming field and 11 suppliers and downstream producers. The redundancies are the result of the continued structural changes in world trade patterns due to globalisation.

The EGF helps workers to find new jobs and develop new skills when they have lost their jobs as a result of changing global trade patterns, e.g. when a large company shuts down or a factory is moved outside the EU, or as a result of the global financial and economic crisis. EGF support consists of co-financing measures such as job-search assistance, careers advice, tailor-made training and re-training, mentoring and promoting entrepreneurship. It also provides one-off, time-limited individual support, such as job-search allowances, mobility allowances and allowances for participating in lifelong learning and training activities.

## **TRADE**

### **Trade preferences for Ukraine**

The Council adopted a set of temporary autonomous trade measures in favour of Ukraine. These measures should enter into force by the end of September and will apply for a period of three years.

The regulations aims at improving access for Ukrainian exporters to the EU market, in view of the difficult economic situation and the economic reform efforts undertaken by Ukraine. ([10982/17](#))

[Press release, 17 July 2017: Council adopts temporary trade preferences](#)



## **Trade with New Zealand**

The Council adopted a decision on the conclusion of an agreement between the EU and New Zealand on the application of a number of provisions of the general agreement on tariffs and trade (GATT). The agreement modifies the concessions established between the two parties in order to take into account Croatia's accession to the EU. ([10672/17](#))

## **JUSTICE**

### **European Public Prosecutor's Office (EPPO)**

The 20 member states participating in the enhanced cooperation on the creation of the EPPO reached an agreement in principle on the regulation following the general approach reached in June and the subsequent revision by the lawyer linguists. They have also decided to forward the draft regulation to the European Parliament for its consent.

The aim of the regulation is to create a European Public Prosecutor's Office with the authority, under certain conditions, to investigate and prosecute EU fraud and other crimes affecting the Union's financial interests. It would bring together European and national law enforcement efforts to counter EU-fraud.

For more information, see [press release](#) published in June 2017

## **JUSTICE AND HOME AFFAIRS**

### **Schengen - Malta**

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2016 evaluation of Malta as regards the application of the Schengen acquis in the field of police cooperation.

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2016 evaluation of Malta as regards the application of the Schengen acquis in the field of return.

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2016 evaluation of Malta as regards the application of the Schengen acquis in the field of the common visa policy.

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2016 evaluation of Malta as regards the application of the Schengen acquis in the field of management of the external border.

**WESTERN BALKANS**

**Relations with Kosovo\***

The Council adopted a decision on the conclusion of the framework agreement between the EU and Kosovo. This agreement concerns the general principles for the participation of Kosovo in Union programmes.

\* 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

**TRANSPARENCY**

**Public access to documents**

On 30 June 2017, the Council adopted by written procedure the reply to confirmatory application No 12/c/01/17 ([8002/17](#)).