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## OUTCOME OF THE COUNCIL MEETING

3368th Council meeting

### General Affairs

Brussels, 10 February 2015

President **Edgars Rinkēvičs**  
Minister for Foreign Affairs of Latvia

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<sup>1</sup>

- 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>).
- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

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## **ITEMS DEBATED**

### **Multiannual financial framework 2014-2020**

The Council discussed a revision of the EU's multiannual financial framework (MFF) for 2014-2020 ([5467/15](#)) and took note of the state of play as outlined in a presidency note ([5941/15](#)). The Council mandated the Permanent Representatives Committee to continue work on this file with a view to reaching an agreement in the near future.

The aim of the revision is to allow the EU to transfer €21.1 billion of unused commitments for certain funds from 2014 to subsequent years.

These commitments remained unused in 2014 because of the late adoption of EU programmes jointly managed by the Commission and the member states. The programmes concerned are supported by the structural funds, the cohesion fund, the European agricultural fund for rural development, the European maritime and fisheries fund, the asylum, migration and integration fund, and the internal security fund. Commitments are legal promises to spend money on activities whose implementation extends over several financial years.

The MFF regulation adopted on 2 December 2013 obliges the EU to revise its multiannual financial framework in the case of late adoption of programmes under shared management. The MFF regulation also sets a deadline of 1 May 2015 for adopting the revision.

The Council must unanimously adopt the revised MFF regulation after having obtained the consent of the European Parliament.

### **Presidency programme**

The Latvian presidency presented, in public session, its [work programme](#) for the duration of its term of office (January to July 2015). The Council held an exchange of views.

### **Fight against terrorism**

Following the tragic events in Paris the Council discussed the fight against terrorism. It assessed the actions undertaken so far and looked at the way forward.

The discussion was based on a presidency note ([5860/15](#)) which outlined the actions taken to date and those planned in the immediate future. They include in particular the commitment of the Foreign Affairs Council and the ministers for Justice and Home Affairs to act against terrorist threats.

A trusted area of fundamental freedoms is one of the five priorities of the [Strategic Agenda for the Union in Times of Change](#) approved by the European Council in June 2014.

## **Preparation for the European Council**

The Council examined a draft annotated agenda ([5495/15](#)), drawn up by the President of the European Council in cooperation with the presidency and the Commission, for the European Council meeting to be held on 19 and 20 March 2015.

The European Council will focus on:

- the Energy Union, with a focus on security of supply and external relations
- external relations, and in particular on Russia and the situation in Ukraine as well as on the Eastern Partnership Summit to be held in Riga on 21-22 May 2015
- other items, comprising the first phase of the 2015 European Semester

The annotated draft agenda will serve as the basis for draft conclusions, to be prepared in the run-up to the meeting.

## **OTHER ITEMS APPROVED**

### **GENERAL AFFAIRS**

#### **Rules of procedure of the General Court of the EU**

The Council approved new rules of procedure of the General Court of the EU, as set out in [\(16724/14\)](#).

The new rules provide for procedural simplifications and allow the General Court to reduce the duration of proceedings.

#### **Commission 2015 work programme**

The Council adopted the following conclusions on the Commission's annual work programme 2015 [\(5955/15\)](#):

- "1. The Council welcomes the Commission's 2015 Work Programme and the dialogue with the Commission both in the run-up to its adoption and on the adopted programme. The Council looks forward to strengthening the process in view of the 2016 Work Programme, while respecting the Commission's right of initiative. In this context, the timely submission of a detailed Commission letter of intent will be a key step in a strengthened dialogue between the Council and the Commission on work ahead.
2. The Council welcomes the focus of the Commission's 2015 Work Programme on a set of well-targeted priority initiatives broadly reflecting the Strategic Agenda. It looks forward to the submission of concrete proposals in 2015, to which it will devote its full attention.
3. The Council takes note of the list of envisaged withdrawals and modifications, while recalling its role and the role of its Presidency in setting the agenda and organizing legislative work in the Council. The Commission's approach of thoroughly reviewing the relevance of pending proposals is in line with the general objective of better regulation, despite possible divergences of view on specific legislative files. The Council encourages the Commission to apply the same approach in future Annual Work Programmes and to engage in timely consultations with the co-legislators to that end, in order to ensure that strategic priorities are respected."

At a lunch discussion with Commission Vice-President Timmermans ministers expressed concerns about the intended withdrawal by the Commission of its proposals on waste and air quality. The presidency indicated its readiness to continue work on both of these proposals.

## **FOREIGN AFFAIRS**

### **Cyber diplomacy**

The Council adopted conclusions on cyber diplomacy as set out in [5610/15](#).

In the conclusions, the Council recognised that cyberspace issues offer significant opportunities, but also pose continuously evolving challenges for EU external policies. It stressed the importance for the EU and the member states of addressing these issues with a coherent international cyberspace policy. It also affirmed that the same norms and values that the EU upholds offline should apply and be protected in cyberspace.

The topics covered by the conclusions include: the promotion and protection of human rights in cyberspace; the application of international law, the rule of law and norms of behaviour in cyberspace; internet governance; enhancing the competitiveness and prosperity of the EU; cyber capacity building and development; strategic engagement with key partners and international organisations.

## **ECONOMIC AND FINANCIAL AFFAIRS**

### **Anti-money laundering**

The Council approved an agreement with the European Parliament on strengthened rules to prevent money laundering and terrorist financing.

For more details see the [press release](#).

### **Alternative investment fund managers**

The Council decided not to object to the Commission's adoption of a regulation supplementing directive 2011/61/EU on alternative investment fund managers (AIFMs) with regard to the information to be provided by national competent authorities to the European Securities and Markets Authority (ESMA).

Under article 67(3) of the AIFM directive, national competent authorities are required to report quarterly to ESMA on the AIFMs that are managing and/or marketing AIFs under their supervision.

The 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.

**JUSTICE AND HOME AFFAIRS****Europol's work programme 2015**

The Council endorsed Europol's work programme for 2015 ([5250/15](#)) and will forward it to the European Parliament for information.

The Work Programme is Europol's annual business plan. Its purposes are to translate the organisation's five-year Strategy into annual objectives and to provide the basis for budgetary planning. It is used to communicate the organisation's objectives to Europol's stakeholders in a transparent and structured manner. The Work Programme objectives are also the basis for setting individual objectives in Europol staff development plans.

This report is prepared each year by Europol's Management Board, as required by the Council decision establishing the European Police Office, taking into account member states' operational requirements and the budgetary and staffing implications for Europol.

**UK accession to SIS II**

The Council adopted an implementing decision on the putting into effect of the provisions of the Schengen acquis on data protection and on the provisional putting into effect of parts of the provisions of the Schengen acquis on the Schengen Information System (SIS) for the United Kingdom ([5481/15](#)).

According to the decision, as from 13 April 2015 the United Kingdom will enter data into the SIS and use SIS data.

Within six months from this date, evaluation visits should be carried out in the United Kingdom in order to verify whether the SIS functions properly. Upon the successful completion of the evaluations, the Council should, by the end of October 2015, examine the situation with a view to adopting the implementing decision setting the date for the final putting into effect.

## **INTERNAL MARKET**

### **Tractors - Type-approval requirements**

The Council decided not to oppose the entry into force of a Commission regulation supplementing regulation 167/2013 with regard to vehicle safety requirements for the approval of agricultural and forestry vehicles ([16758/14](#)).

The Commission regulation is a delegated act, which may now enter into force unless the European Parliament objects.

## **FISHERIES**

### **Agreement on access to Mayotte waters for fishing vessels from the Seychelles**

The Council adopted a decision on the conclusion, on behalf of the EU, of the agreement between the European Union and the Republic of the Seychelles on access for fishing vessels flying the flag of the Seychelles to waters and marine biological resources of Mayotte, under the jurisdiction of the EU ([7911/14](#)).

This agreement follows the status change of Mayotte, which became an outermost region of the EU on 1 January 2014. On that date the current exclusive economic zone (EEZ) of Mayotte became EU waters. This agreement will enable Seychelles-flagged vessels to have access to Mayotte from the date of its signature. The fees paid by the Seychelles operators to obtain fishing authorisations to exploit highly migratory species should be paid to Mayotte, following the previous practice. The fees are meant to enable Mayotte to develop its management and control system, as well as for fisheries governance and capacity building. The agreement was signed on 20 May 2014 and is provisionally applied. The European Parliament gave its consent to the conclusion of this protocol on 13 January 2015.

### **Partnership agreement between EU and São Tomé - Conclusion of the protocol**

The Council adopted a decision on the conclusion of the Protocol setting out the fishing opportunities and the financial contribution provided for by the fisheries partnership agreement (FPA) between the EU and the Democratic Republic of São Tomé and Príncipe ([8585/14](#)).

The FPA in the fisheries sector between the EU and São Tomé was concluded in 2007. Following the negotiations, a new protocol was signed by the Council and São Tomé on 23 May 2014. In order to allow EU vessels to carry out fishing activities, the new protocol applied on a provisional basis from that date, pending the completion of the procedures for its formal conclusion. The new protocol is established for a period of 4 years. The European Parliament gave its consent to the conclusion of this protocol on 13 January 2015.

## **TRANSPORT**

### **Satellite navigation: closer cooperation with Morocco**

The Council decided to allow the conclusion of a cooperation agreement on a civil global navigation system (GNSS) with Morocco. The agreement will enhance cooperation in a number of sectors related to the European satellite navigation programmes Galileo and EGNOS, such as scientific research, industrial manufacturing and market development.

[Council decision on the conclusion of the GNSS cooperation agreement with Morocco](#)

### **EU-wide real-time traffic information services**

The Council decided not to object to a Commission delegated regulation on EU-wide real-time traffic information services. The draft regulation supplements directive 2010/40/EU, which is aimed at speeding up the deployment of intelligent transport systems (ITS) across Europe.

The delegated regulation sets specifications for the cooperation of road authorities, road operators and real-time traffic information service providers. Its aim is to ensure that road and traffic data are accessible, up-to-date and re-usable for the provision of real-time traffic information services.

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.

[Draft Commission regulation on real-time traffic information services](#)

[Draft Commission regulation on real-time traffic information services - data categories](#)

## **Shift2Rail Master Plan - leading rail innovation in Europe**

The Council endorsed a strategic Master Plan for the Shift2Rail Undertaking. Shift2Rail is a public-private partnership that was set up in July 2014 to support the development of better rail services in the EU. The first version of its Master Plan is a high-level strategic document but a later version will include a list of key priorities and innovations required to achieve the Shift2Rail objectives. The Master Plan - and subsequent changes to it - is first approved by the Shift2Rail Governing Board, then endorsed by the Council and communicated to the European Parliament.

The Shift2Rail Undertaking is expected to become fully operational in the second half of 2015.

It will then manage all rail-focused research and innovation co-funded by the EU.

### **See also:**

[Council adopts Shift2Rail joint undertaking regulation to boost rail innovation](#) (16 June 2014)

[Shift2Rail website](#)

## **ENERGY**

### **Gas transmission networks**

The Council decided not to oppose the adoption of a Commission decision amending Annex I to regulation 715/2009 on conditions for access to the natural gas transmission networks ([16841/14](#)).

The Commission act is subject to what is known as the regulatory procedure with scrutiny<sup>1</sup>. This means that now that the Council has given its consent, the Commission may adopt it, unless the European Parliament objects.

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<sup>1</sup> Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission (*OJ L 184, 17.7.1999, p. 23*), as amended by Decision 2006/512/EC (*OJ L 200, 22.7.2006, p. 11*)

## **RESEARCH**

### **ITER experimental reactor: "Fusion for Energy" joint undertaking**

The Council amended the rules of the European joint undertaking for ITER (called "[Fusion for Energy](#)") to improve its functioning and to take account of the accession of Croatia to the EU on 1 July 2013 ([16871/14](#)).

Fusion for Energy is responsible for channelling Europe's contribution to ITER, the world's largest scientific partnership that aims to demonstrate fusion as a viable and sustainable source of energy.

The Council set up the financing of the activities of Fusion for Energy for the years 2014 to 2020 under decision 2013/791/Euratom (see press release [17758/13](#), page 13).

Europe is the main contributor to ITER, providing around 45% of the whole investment.

## **TRANSPARENCY**

### **Public access to documents**

The Council approved the reply to confirmatory application No 41/c/01/14 ([5103/1/15 REV 1](#)).

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