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Transport, Telecommunications and Energy

Energy and Transport issues

Luxembourg, 6 and 7 June 2016

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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>).
- 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

ENERGY

Intergovernmental agreements in the field of energy

The Council agreed on a general approach on the proposal for a decision on establishing an information exchange mechanism with regard to **intergovernmental agreements (IGAs) and non-binding instruments** between member states and third countries in the field of energy ([8945/16](#)).

The aim of the proposed decision is to correct shortcomings of the current information exchange mechanism, thus enhancing the transparency and consistency of the EU's external energy relations and strengthening its negotiation stance vis-à-vis third countries. It will also contribute to the proper functioning of the internal energy market.

The Commission argued that if certain provisions of an IGA are found to be incompatible with Union law (such as the Third Energy Package, competition law, public procurement rules), it is very difficult or even impossible for a member state to renegotiate the IGA with a third country.

A compromise on the proposal was found on the following basis:

- member states shall keep the Commission informed before the start of negotiations of all IGAs as well as regularly during the negotiations
- the Commission's *ex-ante* assessment of the IGA text will apply only to gas related IGAs and will last a maximum of 6 + 6 weeks
- member states may request the *ex-ante* assessment for other non-gas related IGAs
- all non-gas related IGAs will be notified to the Commission *ex post* ('upon ratification')
The Commission will assess these within 9 months
- non-binding instruments will not have to be notified
- the Commission will develop model clauses and guidance.

The Commission stressed that the current decision will contribute to making the EU a stronger actor on the international scene, in line with the general goals of the EU energy strategy.

The agreement on the general approach will allow the Council to start negotiations with the European Parliament in the autumn with a view to the final adoption of the proposal.

Both this decision and the proposed regulation on security of gas supply are two major steps for strengthening the EU's energy security which is one of the building blocks of the European Union strategy ([Energy Union with a forward-looking climate policy](#)).

Security of gas supply

The Council discussed the proposal for a revised regulation concerning measures to safeguard the **security of gas supply** ([6225/16](#)).

The main purpose of the proposal is to minimise the impact of a potential gas disruption by improving the cooperation between member states and by building on the achievements of the internal energy market. It also aims to increase trust and solidarity at the regional and EU levels.

The main changes proposed in the revised regulation are the following:

- Enhanced **regional cooperation and coordination**
- **Mandatory regional preventive action plans and emergency plans**, as well as regional risk assessments, to be prepared jointly
- **New solidarity principle** which will have a mandatory application in extreme crisis scenarios
- Stricter obligations to ensure that the **necessary infrastructure is available**.

The Commission recalled that stress test analyses carried out in the summer of 2014 have revealed that some regions in the EU still remain vulnerable to major disruptions of gas supplies. Furthermore, the impact assessment of the new regulation has emphasised that, in the absence of further action, the EU's preparedness and capacity to respond effectively to a gas supply crisis would be limited.

Member states acknowledged the importance of ensuring security of supply which will also contribute to achieving the EU 2030 climate and energy goals. They also agreed that regional cooperation in this field was required.

The debate focused on the following issues:

- regional cooperation: some ministers were favourable to the Commission's establishing pre-defined regional groupings of member states but others considered that this would only create a much larger administrative burden.

Several ministers would prefer a more flexible, bottom-up approach based on risk, where the regional assessments would be parallel to the national ones. They argued that national risk assessments and plans are best suited to handle disruption of gas supplies.

BE, DE, IT, FR, AUT referred to a joint non-paper with alternative proposals which they consider more flexible but not less ambitious.

- solidarity: all ministers supported the principle and welcomed its inclusion in the proposal. However, they considered that more details are required on the procedure and on the necessary technical, administrative and financial arrangements. Ministers also reflected on whether the definition of protected customer should not be fully harmonised in order to allow for a fairer application of solidarity
- transparency: a number of ministers expressed concerns on the level of exchange of information and how sensitive commercial information should be handled. They called on the Commission to ensure confidentiality, maintain security and provide safeguards against misuse of information.

The Commission underlined that regional cooperation is not an end in itself but a means to ensure security of supply. It also recalled that the principle of solidarity should be used only as a last resort after all other instruments have been explored.

Furthermore, it announced that it will convene the Gas Coordination Group in order to clarify technical issues with member states.

The Commission also stressed that it does not want to be involved in member states commercial contracts; its role would be to identify possible damaging consequences to the internal market. It recalled that the Commission is used to dealing with confidential information, for instance on competitiveness matters.

Electricity market design and regional cooperation

Ministers took note of messages from the Presidency on **electricity market design and regional cooperation** ([9103/16](#)).

The Presidency recalled the exchange of views on these issues at the informal meeting of Energy ministers in Amsterdam on 10-11 April, as well as the outcome of the Commission's public consultation on a new energy market design ([11018/15](#)).

The Presidency stressed that European electricity markets are currently facing significant challenges in the transition towards a low carbon energy system. Issues such as integration of renewable energy, the move away from conventional central power plants to de-centralised renewable energy production, the changing role and increased participation of energy consumers and the continuing need to safeguard security of supply ask for a redesign of the European electricity markets.

The Presidency messages therefore focus on measures to improve market functioning and increase flexibility. They will be forwarded to the Commission as a contribution for its preparation of the legislative proposals in this field to be presented later this year.

Most member states welcomed the Presidency's messages, which they considered balanced and constructive.

Some member states took the opportunity to underline the urgent need to complete the 3rd energy package and to increase interconnections and regional cooperation. Other drew attention to the differences between member states and between regions and therefore stressed the need for flexibility regarding market measures.

The Commission acknowledged the need to develop interconnections further and to improve the functioning of the internal energy market. It also recalled that consumers must be able to participate more actively in the electricity market in order to benefit from lower energy prices.

Other business

– *EU strategies for LNG, gas storage and heating and cooling*

Commissioner A. Cañete informed ministers regarding two recent Commission communications in the framework of the Energy Union strategy:

- the EU Strategy for liquefied natural gas (LNG) and gas storage (6223/16), which aims to exploit the potential of LNG and gas storage to make the EU gas system more diverse and flexible. The Commissioner indicated that the implementation of different actions have already started in the framework of regional initiatives such as CESEC (Central Eastern and South-Eastern European Gas Connectivity) and BEMIP (Baltic Energy Market Interconnection Plan).

The Commissioner emphasized that the creation of competitive markets for LNG and other new gas supplies is fundamental for achieving the objectives of the Energy Union, in particular the security of gas supply. The strategy was broadly welcomed by international partners.

- the EU Strategy for heating and cooling (6224/16): heating and cooling consumes half of the EU's energy and a considerable amount of it is used inefficiently. Furthermore, 75% of energy still comes from fossil fuels. The strategy provides a framework for integrating efficient heating and cooling into EU energy policies by stopping the energy leakage from buildings, increasing the efficiency and sustainability of heating and cooling systems, supporting efficiency in industry and integrating heating and cooling into the electricity system.

Commissioner Cañete underlined that Energy efficiency is "an energy source in its own right" and both strategies will be a major contribution to reach the EU's climate and energy goals. He announced that the Commission will present an "energy efficiency package" after the summer, reviewing the directives on energy efficiency and on energy efficiency of buildings which will integrate the heating and cooling strategy.

– *Security of supply of medical radioisotopes*

The Council was briefed by the Presidency on the state of play concerning the supply of medical radioisotopes (8403/16). The Presidency underlined that medical radioisotopes play an important role in medical imaging and therapy for cancer and heart diseases and are therefore indispensable for millions of patients in Europe and worldwide.

Between 2008 and 2010 there were several crises in the supply of medical isotopes which constituted a great risk to patients. In recent years, acute shortages were avoided through increased coordination between nuclear reactors and the establishment of the EU Observatory.

However, for the medium and long term, the supply of medical isotopes remains fragile because of the planned decommissioning of several nuclear reactors in the EU, especially in the period from 2025 to 2030. Investments and new production facilities are necessary.

The Commission announced that in 2018 it would present a strategic agenda to address these issues.

– *External relations in the field of energy*

The Council was updated by the Commission on the external relations in the field of energy ([8237/16](#)), regarding in particular:

- Southern Gas Corridor
- Strategic Group for international energy cooperation
- EU-OPEC high-level meeting
- Iran
- Euro-Mediterranean Energy Cooperation
- EU-US Energy Council
- Clean Energy Ministerial

– *SET-Plan on nuclear safety*

The Council took note of the concerns expressed by the Austrian, German, Greek and Luxembourg delegations regarding strategic research & innovation targets included in the Declaration of Intent published by the Commission in the framework of the implementation of Action 10 of the **Integrated Strategic Energy Technology Plan** ('SET-Plan').

The objective of Action 10 is nuclear safety and, more specifically, to maintain a high level of safety of nuclear reactors and associated fuel cycles during operation and decommissioning, while improving their efficiency.

These delegations consider that some of the targets included in the Declaration of Intent go beyond nuclear safety; for example, the development of advanced fission reactors. They are also opposed to the use EU funds, such as EFSI or the European Structural and Investment Funds, to finance nuclear research.

Several delegations stressed the importance of nuclear research to develop safe and sustainable nuclear energy and proper waste management along with other low-carbon energy sources. Others highlighted the role of nuclear safety authorities in ensuring the highest level of nuclear safety.

The Commission underlined that the choice of the energy mix is a national competence but nuclear safety is a European concern. It also recalled that it recently published the Nuclear Illustrative Programme (PINIC), which is to be considered the reference document in this field.

– *Work programme of the incoming Presidency*

The Council took note of information provided by the Slovak delegation on its Presidency's priorities for the next six months ([8405/16](#)); in particular:

- progress on **Energy Union implementation**: follow-up of work on the review of the regulation concerning measures to safeguard security of gas supply and on the decision to set up an information exchange mechanism on intergovernmental agreements;
- negotiations with the European Parliament on the regulation on **energy labelling**
- launch of work on the revision of the directives on **energy efficiency and energy performance of buildings**
- **external dimension of EU energy policy**.

TRANSPORT

Nitrogen oxide (NOx) emissions from diesel cars

Ministers held a **policy debate** on the best ways to cut **nitrogen oxide (NOx) emissions from diesel cars** on the basis of current legislation. The debate followed up on revelations that certain carmakers have used defeat devices to cheat emission tests and that NOx emissions are much higher in real-world driving than in laboratory tests.

In the debate, most member states expressed their full support for the rapid implementation of real driving emissions (RDE) tests that will bring more transparency and clarity into the type approval testing procedures. Together with improved laboratory tests, the RDE testing should diminish the gap between the levels of pollution emitted in a laboratory and those pumped out on the road.

This item was discussed jointly with an **Any other business** item requested by the German delegation on the **implications of the emissions irregularities**. In its [information note](#), Germany provided information on the investigation carried out by its authorities into the use of defeat devices and suggested a number of measures. In particular, the delegation invited the Commission to review and clarify existing legislation on the use of defeat devices.

A large number of ministers agreed that the existing rules on the use of defeat devices should be clarified. The circumstances in which manufacturers are allowed to use such devices should be defined in a precise manner to avoid any abuses.

Commissioner Bieńkowska considered that better enforcement and stronger regulatory oversight by the national authorities would be more efficient than revising the legislation. She called on the member states to quickly conclude the negotiations on the type approval review, while keeping the level of ambition set out in the Commission proposal.

Regarding the question of the use of state-of-the-art technology to reduce NOx emissions by diesel cars, many member states indicated their preference for a performance-based and technologically neutral approach.

The presidency will report on the outcome of the discussion to the [Environment Council](#) on 20 June.

[Discussion note prepared by the presidency](#)

Professional qualifications in inland navigation

The Council adopted a general approach on a draft directive on the **recognition of professional qualifications in inland navigation**. The proposal extends the rules on the recognition of professional qualifications from boatmasters to all crew members. The rules would cover deck crew working on any EU inland waterway falling within the scope of the directive, including the Rhine.

For details, see press release

[Inland navigation: Council agrees its position on a uniform system of professional qualifications](#)

[Recognition of professional qualifications in inland navigation - general approach](#)

Air transport agreements - mandates

The Council adopted mandates for the Commission to start talks on **comprehensive air transport agreements** with four key partners: the **Association of Southeast Asian Nations (ASEAN), Qatar, the United Arab Emirates and Turkey**.

The objective of EU-level comprehensive aviation agreements is to boost the international competitiveness of the EU aviation industry and to ensure a high quality of service for passengers.

These agreements aim to improve market access for airlines and to create investment opportunities for the European aviation industry in important overseas markets. They also aim to increase Europe's international connectivity and to ensure fair competition and transparent market conditions for EU airlines.

Airlines, airports and passengers will benefit from enhanced regulatory cooperation and convergence in areas such as aviation safety, aviation security and economic regulation. At the same time, these agreements will allow the EU to uphold high standards of safety and security in international air transport.

A comprehensive air transport agreement with ASEAN will be the first EU bloc-to-bloc aviation agreement.

The proposals to negotiate comprehensive aviation agreements with major partner countries were adopted by the Commission under the aviation strategy in December 2015. They are an essential element of the strategy, contributing to the overall objective of strengthening the competitiveness and sustainability of the entire EU air transport value network in an increasingly globalised competitive environment.

Civil aviation safety – revision of rules

The Council took note of a [progress report](#) on a proposal on revised common **safety rules for civil aviation and the European Aviation Safety Agency ('EASA basic regulation')**. The main objective of the draft regulation is to maintain the current high level of safety in Europe while allowing the EU aviation sector to continue to grow in the future. The proposal also includes the first EU-wide rules on drones.

The Netherlands presidency has worked intensively on this technically complex dossier. Solid progress has been made in finding equitable compromises.

A great deal of attention has been given to interdependencies between civil aviation **safety and security**, including cybersecurity. Member states agree to strengthening cooperation on security matters related to civil aviation, both among the national competent authorities, and with the Commission and the EASA, where such interdependencies exist.

When it comes to **drones**, there is broad support among member states for setting up EU-wide rules. The set of provisions specifically on drones provides the basic principles and the legal basis for more detailed rules, which will be developed by the EASA. These detailed rules are already being discussed at expert level.

While substantial progress has been achieved, a number of issues need further clarification before a Council position can be reached.

The adoption of the legal act will require approval by the Council and the European Parliament. The Parliament has not yet adopted its position.

Preparation of the International Civil Aviation Organisation (ICAO) Assembly

Ministers discussed the **contribution of the EU to the ongoing talks on a global market-based measure (GMBM)**, which would be a key tool to **reduce international aviation CO₂ emissions**. The 191 members of the International Civil Aviation Organisation (ICAO) are expected to take the decision at the next ICAO Assembly, which will be held from 27 September to 7 October 2016 in Montreal. The scheme is to be implemented from 2020.

During the debate, member states reaffirmed their commitment to the development, under the leadership of ICAO, of a GMBM to contribute to the international climate goals. They also confirmed the EU's overall aim is to ensure a robust GMBM which is in line with the objective of carbon neutral growth from 2020, is non-discriminatory and avoids distorting competition.

A large number of ministers stressed the need for effective coordination of the EU position throughout the process. It is important to engage with the non-EU countries, listen to them and be flexible in order to find a solution that is acceptable to all.

At the same time, many ministers highlighted the importance of building on the COP21 process.

Several ministers also mentioned a route-based approach as a fair solution, to ensure that airlines flying the same route face the same costs.

At the ICAO 2013 Assembly, the ICAO and its member states decided on a global aspirational goal of capping net carbon emissions from international aviation at 2020 levels (i.e. carbon neutral growth from 2020). In particular, the Assembly unanimously decided to develop a single global market-based measure, to be finalised and adopted by 2016 and to be operational in 2021.

At the Paris climate conference (COP21) in December 2015, 195 countries adopted the Paris agreement to limit the increase in the global average temperature. As the Paris agreement is meant to address all anthropogenic emissions, its objectives also apply to aviation. However, the agreement does not cover international aviation, which means that ICAO member states continue to work to limit aviation emissions on the basis of ICAO instruments.

Other business

– *Implications of emissions irregularities*

This item was taken together with the discussion on NO_x emissions from diesel cars.

– *Galileo and EGNOS*

The Commission updated ministers on the state of play of European global navigation satellite programmes (GNSS), that is, the European geostationary navigation overlay service EGNOS and Galileo.

According to the Commission, Galileo initial services are expected to be available by the end of 2016, thanks to the fourteen satellites that are already in orbit. Initial services are the open service, the public regulated service (PRS) and the search and rescue service. Full provision of services is expected by 2020.

The improved positioning and timing information supplied by Galileo will benefit many services and users in Europe. For example, Galileo will provide extra accuracy for in-car navigation and mobile phones. Its global search and rescue function will be the first in the world to integrate real-time localisation of distress calls. This will help save lives and protect rescue crews from risks.

– *Passenger ship safety package*

Commissioner Bulc briefed ministers on the passenger ship safety package adopted on the eve of the Council - 6 June 2016. The package aims to update and simplify EU legislation on passenger ship safety, in line with the REFIT initiative to make EU law simpler and cut administrative costs. The ultimate objective of the new provisions is to make travelling by sea safer.

The package consists of three legislative proposals: to amend the passenger registration directive and the 'general' passenger ship safety directive and to replace the directive on surveys for ro-ro ferries and high-speed passenger craft.

[Passenger ship safety package](#) (Commission website)

– **Road safety**

The Commission and the Czech delegation provided information on road safety.

The Commission called on member states to step up efforts and learn from each other. A combination of education and enforcement is needed, with a focus on vulnerable road users. Such measures, however, mostly fall under the competence of member states.

The Czech delegation as the current president of the Visegrad group, presented the Prague declaration on road safety, adopted in May 2016.

[Commission and Czech delegation information note, including the Prague declaration](#)

– **Report on the informal Transport and Environment Council**

The presidency briefed ministers on the informal Transport and Environment Council that was held on 14 and 15 April 2016 in Amsterdam. To follow up on the Amsterdam Declaration on cooperation in the field of connected and automated driving, the first high-level structural dialogue on this topic will be organised in the Netherlands on 2 November 2016.

[Information by the presidency on the informal Transport and Environment Council](#)

[Amsterdam declaration on autonomous driving](#) (presidency website)

– **Impact on the EU transport sector of national laws adopted in certain member states**

The Polish delegation expressed its concerns about national legislation recently adopted in France and Germany in the area of road transport. The Polish delegation considers that some of the adopted measures are disproportionate and impose an unnecessary administrative burden for companies in the sector. Furthermore, the Polish delegation warned about the risk of further fragmentation of the internal market, should unilateral measures continue to be taken by individual member states in this sector. A number of delegations shared these concerns and urged the Commission to address these issues thoroughly in the legislative initiatives on road transport expected by 2017.

The member states that had adopted the measures in question indicated that the intention was to safeguard fair competition in the framework of EU legislation on posted workers and that a minimum wage was the rule to which exceptions should be kept to the minimum.

The Commission paid close attention to the comments. It stated that a common understanding of existing rules is essential and that they should be properly enforced on the ground. It will continue to work for a resilient and sustainable EU single market in the area of transport.

– ***European aviation summit***

The presidency briefed ministers on the European aviation summit that it organised together with the Commission at Amsterdam Airport Schiphol on 20 and 21 January 2016. The meeting mainly focused on the European aviation strategy published by the Commission in December 2015.

[Report on the 2016 aviation summit](#) (presidency website)

– ***European Aviation Safety Agency (EASA) task force on conflict zones***

The Commission updated ministers on efforts made at European level to share timely information on potential risks emerging from conflict zones.

A European high-level task force on conflict zones was set up in the aftermath of the tragic downing of Malaysian Airlines flight MH17 over Ukraine. The task force issued its final report in March 2016, with recommendations addressing the risks to civil aviation when flying over conflict zones. At the global level, action has been taken by the International Civil Aviation Organisation (ICAO).

The Commission has developed a new methodology for jointly assessing the risks to civil aviation from conflict zones. It is committed to continuing its work as a facilitator for common EU risk assessment to better inform the aviation community of the risks of specific flight routes and regions. It calls on member states to share conflict zone risk information as appropriate.

– ***Aviation security - latest developments***

The Commission briefed ministers on the latest developments in aviation security. From the security point of view, airports – and aviation as a whole – are highly regulated in EU legislation and strictly controlled. The implementation of EU legislation on aviation security is constantly monitored by both the member states and the Commission, and adapted using a risk-based approach. The Commission considers that any regulatory measure in this area should be proportionate to the threat and risk based and that consideration should be given to stronger international cooperation and effective sharing of information.

– ***Incoming presidency's work programme in the field of transport***

The incoming Slovak presidency presented its [transport work programme](#) for the second half of 2016. The next Transport Council meeting will be held on 1 December 2016 in Brussels.

OTHER ITEMS APPROVED

ENERGY

Clean Energy Ministerial (CEM)

The Council approved the political position of the Union as set out in the framework document (9319/16) for the Clean Energy ministerial meeting that took place on 1 and 2 June 2016 in San Francisco.

The Clean Energy Ministerial is a global forum to promote policies and share best practices to accelerate the global transition to clean energy. <http://www.cleanenergyministerial.org/>.

Forward capacity allocation

The Council decided not to oppose the adoption of a Commission regulation establishing a guideline on forward capacity allocation (8229/16).

The Commission act is subject to what is known as the regulatory procedure with scrutiny¹.

This means that now that the Council has given its consent, the Commission may adopt it, unless the European Parliament objects.

TRANSPORT

Galileo public regulated service: access by Norway and the USA

The Council adopted two decisions which authorise the opening of negotiations with Norway and the United States on agreements for access by these countries to the public regulated service provided by the global navigation satellite system (GNSS) established under the Galileo programme.

¹ Council decision 1999/468/EC of 28 June 1999 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).

Global navigation satellite system: cooperation agreement with Korea

The Council adopted a decision on the conclusion of a cooperation agreement on a civil global navigation satellite system (GNSS) between the European Community and its member states and Korea.

FISHERIES

Amendments to fishing opportunities for sandeel in 2016

The Council adopted amendments to regulation (EU) 2016/72 as regards fishing opportunities for sandeel in certain Union waters ([9044/16](#)).

Regulation 2016/72 fixes for 2016 fishing opportunities for certain fish stocks in Union waters and, for Union vessels, in certain non-Union waters.

The abovementioned amendments to regulation 2016/72 update the total allowable catch (TAC) for sandeel in the Union waters of divisions IIa, IIIa and sub-area IV as determined by the International Council for the Exploration of the Sea (ICES). The new TAC is determined on the basis of real-time monitoring and in line with the most recent advice from the ICES. The regulation also includes updated fishing opportunities for anchovy in the Bay of Biscay.

FOOD LAW

Health claims

The Council decided not to oppose the adoption of the following eight Commission regulations related to health claims:

- a regulation refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health ([8537/16](#));
- a regulation refusing to authorise a health claim made on foods and referring to children's development and health ([8538/16](#));
- a regulation authorising a health claim made on foods and referring to children's development and health ([8539/16](#));

- a regulation amending regulation 432/2012 establishing a list of permitted health claims made on foods other than those referring to the reduction of disease risk and to children's development and health ([8540/16](#));
- a regulation refusing to authorise a health claim made on foods and referring to children's development and health ([8583/16](#));
- a regulation refusing to authorise a health claim made on foods and referring to the reduction of disease risk ([8609/16](#));
- a regulation refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health ([8611/16](#));
- a regulation amending regulation 432/2012 establishing a list of permitted health claims made on foods other than those referring to the reduction of disease risk and to children's development and health ([8681/16](#)).

The Commission regulations are subject to the so-called regulatory procedure with scrutiny. This means that, now that the Council has given its consent, the Commission may adopt them, unless the European Parliament objects.

Plastic materials and materials in contact with food

The Council decided not to oppose the adoption of a Commission regulation amending and correcting regulation 10/2011 on plastic materials and articles intended to come into contact with food ([8801/16](#)).

The Commission regulation is subject to the so-called regulatory procedure with scrutiny. This means that, now that the Council has given its consent, the Commission may adopt it, unless the European Parliament objects.

ENVIRONMENT

Hazardous substances in electrical and electronic equipment

The Council decided not to object to two Commission directives, both concerning the use of hazardous substances in electrical and electronic equipment. These new acts amend directive 2011/65/EU on this matter to adapt it to technical progress.

One of the two Commission directives ([8087/16](#)+[ADD1](#)) concerns an exemption for cadmium in Hersch cells for certain oxygen sensors used in industrial monitoring and control instruments.

The other Commission directive ([8088/16](#) +[ADD1](#)) refers to an exemption for lead in solders of electrical connections to temperature measurement sensors in certain devices.

Both 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.

STATISTICS

Inland waterway transport of goods

The Council confirmed a political agreement with a view to amending [regulation 1365/2006](#) on statistics of goods transport by inland waterways ([9426/16](#)).

The Council's agreement paves the way to reach an agreement with the European Parliament at second reading.

The amendments will mainly adapt the delegated and implementing powers conferred to the Commission on particular aspects such as the update of definitions to comply with international ones and the adaptation of thresholds for statistical coverage of inland waterways transport.

BUDGETS

Mobilisation of the European Globalisation Adjustment Fund for Greece and France

The Council adopted the two following decisions mobilising a total amount of €11.6 million under the European Globalisation Adjustment Fund (EGF) providing support for workers made redundant in Greece and France:

- €6.5 million are paid out of the EGF following the dismissal of 557 workers in one Greek retail trade company due to the continued financial and economic crisis
- an amount of €5.1 million is mobilised after 2 132 workers of one French company operating in the land transport and transport via pipelines sector have been dismissed; the redundancies are the result of continued major 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 in 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.

EUROPEAN ECONOMIC AREA

Amendments to protocol 31 to the EEA agreement

The Council adopted decisions on the position to be adopted, on behalf of the EU, in the EEA joint committee concerning:

- an amendment to protocol 31 in order to incorporate into the EEA agreement a decision establishing a programme on interoperability solutions and common frameworks for European public administrations, businesses and citizens (ISA2 programme) as a means for modernising the public sector ([8155/16](#));
- an amendment to protocol 31 in order to continue the cooperation of the contracting parties to the EEA agreement in Union actions funded from the general budget of the EU concerning 'Operation and development of the internal market of goods and services' ([8163/16](#)).

FOREIGN AFFAIRS

International Science and Technology Center

The Council confirmed the agreement in principle on the text of a [draft decision](#) aimed at continuing the [International Science and Technology Center](#) (ISTC).

It also decided to forward the draft decision to the European Parliament for its consent with a view to the subsequent adoption of the decision.

The objectives of the ISTC include the promotion of the improvement of international mechanisms for the prevention of the proliferation of weapons of mass destruction and their delivery systems. Its headquarters is in Astana, Kazakhstan.

The Council authorised the opening of negotiations in October 2013 in follow-up to the withdrawal of Russia from the ISTC, with the other parties agreeing that a [new ISTC agreement](#) was needed in order for the Center to effectively fulfil its mandate.

The original agreement establishing the ISTC was signed in 1992.

Partnership and cooperation agreement with Mongolia

The Council approved the signing of a protocol to the framework agreement on partnership and cooperation between the EU and Mongolia to take into account the accession of Croatia to the EU.

Framework agreement on partnership and cooperation with Mongolia

The Council approved the framework agreement on comprehensive partnership and cooperation between the EU and Mongolia.

COMMON SECURITY AND DEFENCE POLICY

EUCAP Sahel Mali

The Council increased the budget of EUCAP Sahel Mali by €4 925 000, bringing the total budget of the mission for 2016 to €19 million. This EU civilian mission supports the three Malian internal security forces: police, gendarmerie and national guard.

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

DEVELOPMENT COOPERATION

11th European development fund

The Council amended regulation 2015/323 on the financial regulation applicable to the 11th European development fund as regards payment of the instalments. The amendment takes account of the decision by the European Central Bank of 5 June 2014 providing for a negative interest rate.

JUSTICE AND HOME AFFAIRS

EU - Bangladesh SOPs

The Council endorsed the EU position on the draft EU - Bangladesh SOPs for the Identification and Return of Persons without an Authorisation to Stay, with a view to launching negotiations with the Bangladeshi side on this text.

The Standard Operating Procedures (SOPs) aim to establish effective and transparent procedures for the identification and safe and orderly return of persons who do not have authorisation to enter or stay in the territory of the requesting country.

Schengen Evaluation - Belgium

The Council adopted an implementing decision setting out a recommendation addressing the deficiencies identified in the 2015 evaluation on Belgium's application of the Schengen acquis in the field of the Schengen Information System (SIS) ([9914/16](#)).
