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(OR. en)

PROVISIONAL VERSION

PRESSE 60
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OUTCOME OF THE COUNCIL MEETING

3501st Council meeting

Justice and Home Affairs

Home Affairs

Brussels,

President   **Robert Kaliňák**
Deputy Prime Minister and Minister for the Interior

P R E S S

PROVISIONAL VERSION

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[1] • 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.

PROVISIONAL VERSION

ITEMS DEBATED

European Travel Information and Authorisation System (ETIAS)

The Commission presented its recent proposal on the European Travel Information and Authorisation System (ETIAS), which is intended to provide for advance checks on visa-exempt travellers and determine if they are authorised to travel to the EU. The final decision on entry remains the responsibility of the border guard.

Ministers considered that the system proposed by the Commission is, in principle, an appropriate tool for closing the information gap on visa exempt visitors and would therefore reinforce the EU's security and border management policy. They tasked experts with starting the examination of this proposal.

For more information:

−   [Note from the Presidency](#)

−   [European Commission press release - Security Union: Commission proposes a European Travel Information and Authorisation System](#)

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Information Exchange and Interoperability

The Council took note of the state of play of the implementation of the roadmap to enhance information exchange and information management, including interoperability solutions in the Justice and Home Affairs area, endorsed by the Council on 9 June 2016.

The roadmap sets out the framework for a more integrated EU information architecture and specific, practical short and medium-term- actions as well as long-term orientations to enhance information management and information exchange.

Ministers underlined the need to continue to implement the roadmap and achieve the interoperability of EU information systems as soon as possible while ensuring that data contained in those systems is well protected. Ministers also endorsed the proposed way forward with a number of actions of the roadmap in the field of detecting the travel movements of persons involved in terrorism.

Ministers were briefed on the work of the High Level Expert Group on Information Systems and Interoperability (HLEG), set up by the Commission. The HLEG is dedicated, since 20 June 2016, to examining and making recommendations for improving the way member states implement and use existing systems, and in particular the added value that a single search interface can bring, as well as regarding the possible development of new systems and ensuring the interoperability among them.

Finally, Ministers discussed the improvements and the additional functionalities that the Schengen Information System (SIS) could offer. The Commission has announced its intention to present legislative proposals for revising the SIS II in December 2016 accompanied with a report on the outcome of the SIS II evaluation.

Investing in swift, effective and qualitative information exchange and information management and ensuring the interoperability of EU databases and information systems is an important way to address current security challenges.

For more information:

–   [Roadmap to enhance information exchange and information management including interoperability solutions in the Justice and Home Affairs area](#)

–   [High-level expert group on information systems and interoperability](#)

Joint Action Days 2016

The Council took note of the results of the Joint Action Days (operation Ciconia Alba), organised in 2016 in the framework of the EU Policy Cycle for organised and serious international crime.

Within the EU Policy Cycle for organised and serious international crime, targeted joint action days (JADs) were performed in 2014 (operation Archimedes), 2015 (operation Blue Amber) and 2016 (operation Ciconia Alba). JADs are cross-border law enforcement operations focusing on horizontal key crime hot spots and criminal infrastructures across the EU. JADs are a member state led initiative, supported by Europol and whenever appropriate by other JHA agencies.

For more information:

–   Europol Press release: Global operation Ciconia Alba delivers major blow to organised crime

–   Video presentation

–   Infographic

Fight against terrorism

The Council took note of the report of the EU Counter-terrorism coordinator on the implementation of measures on counterterrorism.

The report presents the overall state of play, covering progress on all the measures since the European Council on 12 February 2015. It also includes a set of recommendations for future action.

For more information:

–   Council website: Response to foreign terrorist fighters and recent terrorist attacks in Europe

EU Internet Forum

The Commission briefed the Council on the preparations and the envisaged outcome for the second high level meeting of the EU Internet Forum, scheduled for 8 December 2016. Ministers stressed the importanct work done in engaging with the internet companies to establish effective mechanisms to remove terrorist content promptly, and to promote effective counter narratives and the interest in further broadening it.

The forum launched on 3 December 2015 brings together Ministers, high-level representatives of major internet companies and relevant EU representatives.

The second high level meeting of the Forum will take stock of progress made on its main objectives: reducing accessibility to terrorist content online (removal of content); and increasing the volume of effective alternative and counter narratives online. Member states will also be asked to steer further work on preventing online radicalisation and tackling terrorist propaganda on the internet.

The EU Internet Forum is one of the key commitments made in the European Agenda on Security presented by the Commission in April 2015. The Bratislava Roadmap also underlines the importance of EU support to member states' actions in preventing radicalisation.

EU-PNR

The Council exchanged views on progress made on the implementation of the EU-Passenger Name Record (PNR) directive, adopted on 21 April 2016.

The Council took note of ongoing implementation activities, namely the setting up of Passenger Information Units and developing the technical information exchange infrastructure, and welcomed the Commission support in this respect. Ministers underlined the need for a coordinated and coherent implementation of the directive and to revert to this issue on a regular basis.

Passenger name record (PNR) data is personal information provided by passengers and collected and held by air carriers. It includes information such as the name of the passenger, travel dates, itineraries, seats, baggage, contact details and means of payment.

The directive aims to regulate the transfer of such PNR data to member states' law enforcement authorities and their processing for the prevention, detection, investigation and prosecution of terrorist offences and serious crime.

Member states have until 25 May 2018 to bring into force the laws, regulations and administrative provisions necessary to comply with this directive.

For more information:

–   [Council website: Regulating the use of passenger name record (PNR) data](#)

–   [Directive 2016/681 on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime](#)

MIXED COMMITTEE

The Council in the Mixed Committee format (the EU plus Norway, Iceland, Liechtenstein and Switzerland) discussed the following items:

ETIAS

See above.

Information Exchange and Interoperability (evolution of the Schengen Information System - SIS)

See above.

Fight against terrorism

See above.

Other business

The Czech delegation informed the Council on the outcome of the Ministerial Conference of the Salzburg Forum, which was held on 3-4 November 2016 in Prague. Ministers took note of the joint declaration (*14274/16*)

OTHER ITEMS APPROVED

HOME AFFAIRS

Automated data exchange with Denmark

The Council adopted implementing decisions on the launch of automated data exchange with regard to DNA (*11219/16*) and dactyloscopic data (*11220/16*) in Denmark.

EU - China Visa waiver for diplomatic passports

The Council adopted a decision on the conclusion, on behalf of the European Union, of the agreement between the European Union and the People's Republic of China on the short-stay visa waiver for holders of diplomatic passports (*15470/15*).

ENERGY

Memorandum of Understanding EU-Ukraine

The Council endorsed the Memorandum of Understanding with Ukraine on cooperation in the in the field of energy.

The first Memorandum of Understanding between the European Union and Ukraine was signed on 1st December 2005 with the aim of fully integrating the energy markets of the EU and Ukraine for the benefit of consumers and strengthening mutual energy security and environmental sustainability.

Good progress has been achieved over the past ten years in implementing its five roadmaps on nuclear safety, integration of electricity and gas markets, security of energy supply and transit, the coal sector and energy efficiency and renewables.

INTERNAL MARKET

Cosmetics - sunscreen protection products - hair dye products

The Council decided not to oppose the adoption by the Commission of two regulations amending the Cosmetic Products Regulation (1223/2009) concerning:

– the maximum concentration of Benzophenone-3 used as a UV-filter in cosmetic products (*13063/16* and *13063/16 ADD 1*)

and

– substances used in hair dye products (*13062/16* and *13062/16 ADD1*)

The draft Commission regulations are subject to the 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.

TRANSPORT

Maritime transport emissions

The Council decided not to object to a Commission delegated regulation of 22 September 2016 on the verification activities and accreditation of verifiers pursuant to regulation 2015/757 on the monitoring, reporting and verification of CO_2 emissions from maritime transport (*12903/16* + ADD 1).

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.

FISHERIES

Discard plan for turbot fisheries in the Black Sea

The Council decided not to oppose the adoption by the Commission of a delegated regulation establishing a discard plan for turbot fisheries in the Black Sea (*13605/16*).

The aim of the regulation is to adopt the measures that would facilitate the implementation of the landing obligation, which is a key objective of the Common Fisheries Policy (CFP)[1], and will apply to the species subject to catch limits in the the Black Sea as of 1 January 2017.

In particular the delegated regulation includes: the fisheries covered by the discard plan, a high survivability exemption to the landing obligation for the fisheries targeting turbot (Psetta maxima) with bottom set gillnets, an exemption for catches of fish that were damaged by predators, and monitoring measures relative to the recording of all catches (landings and discards) of turbot.

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[1] OJ L 354, 28.12.2013, p.22.