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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2017/1249

of 16 June 2017

on the conclusion on behalf of the Union of the Agreement between the European Union and the Kingdom of Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2) in conjunction with point (a) of Article 218(6) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament ⁽¹⁾,

Whereas:

- (1) In accordance with Council Decision (EU) 2017/479 ⁽²⁾, the Agreement between the European Union and the Kingdom of Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund, for the period 2014 to 2020 ('the Agreement') was signed by the Commission on 8 December 2016, subject to its conclusion at a later date.
- (2) Regulation (EU) No 515/2014 ⁽³⁾ of the European Parliament and of the Council provides that the countries associated with the implementation, application and development of the Schengen *acquis* are to participate in the instrument in accordance with its provisions and that arrangements are to be concluded on their financial contributions and the supplementary rules necessary for such participation, including provisions ensuring the protection of the Union's financial interests and the powers of audit of the Court of Auditors.
- (3) In accordance with Articles 1 and 2 of the Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application. Given that this Decision builds upon the Schengen *acquis*, Denmark shall, in accordance with Article 4 of that Protocol, decide within a period of 6 months after the Council has decided on this Decision whether it will implement it in its national law.
- (4) This Decision constitutes a development of the provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC ⁽⁴⁾; the United Kingdom is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.

⁽¹⁾ Consent given on 16 May 2017 (not yet published in the Official Journal).

⁽²⁾ Council Decision (EU) 2017/479 of 8 December 2016 on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Kingdom of Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020 (OJ L 75, 21.3.2017, p. 1).

⁽³⁾ Regulation (EU) No 515/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for external borders and visa and repealing Decision No 574/2007/EC (OJ L 150, 20.5.2014, p. 143).

⁽⁴⁾ Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis* (OJ L 131, 1.6.2000, p. 43).

- (5) This Decision constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC ⁽¹⁾; Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (6) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The Agreement between the European Union and the Kingdom of Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund, for the period 2014 to 2020 is hereby approved on behalf of the Union ⁽²⁾.

Article 2

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 19(2) of the Agreement, in order to express the consent of the Union to be bound by the Agreement.

Article 3

This Decision shall enter into force on the date of its adoption ⁽³⁾.

Done at Luxembourg, 16 June 2017.

For the Council
The President
E. SCICLUNA

⁽¹⁾ Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (OJ L 64, 7.3.2002, p. 20).

⁽²⁾ The Agreement has been published in OJ L 75, 21.3.2017, p. 3, together with the decision on signature.

⁽³⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

REGULATIONS

COMMISSION REGULATION (EU) 2017/1250

of 11 July 2017

amending Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council as regards removal from the Union list of the flavouring substance 4,5-epoxydec-2(trans)-enal

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC ⁽¹⁾, and in particular Article 11(3) thereof,

Having regard to Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings ⁽²⁾, and in particular Article 7(6) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 1334/2008 lays down a Union list of flavourings and source materials approved for use in and on foods and their conditions of use.
- (2) Commission Implementing Regulation (EU) No 872/2012 ⁽³⁾ adopted a list of flavouring substances and introduced that list in Part A of Annex I to Regulation (EC) No 1334/2008.
- (3) Part A of Annex I to Regulation (EC) No 1334/2008 may be updated in accordance with the common procedure referred to in Article 3(1) of Regulation (EC) No 1331/2008, either on the initiative of the Commission or following an application submitted by a Member State or by an interested party.
- (4) The flavouring substance 4,5-epoxydec-2(trans)-enal (Fl No: 16.071) is included in Annex I to Regulation (EC) No 1334/2008 as a flavouring substance under evaluation and for which additional scientific data was requested by the Authority. Such data has been submitted by the applicant.
- (5) The European Food Safety Authority evaluated the submitted data and concluded in its scientific opinion of 4 May 2017 ⁽⁴⁾ that 4,5-epoxydec-2(trans)-enal (Fl No: 16.071) raises a safety concern with respect to genotoxicity as there is a genotoxic effect observed in the liver of rats in the *in vivo* assay submitted.
- (6) Accordingly, the use of 4,5-epoxydec-2(trans)-enal (Fl No: 16.071) does not comply with the general conditions of use for flavourings set out in Article 4(a) of Regulation (EC) No 1334/2008. Consequently, that substance should be removed from the list without delay in order to protect human health.

⁽¹⁾ OJ L 354, 31.12.2008, p. 34.

⁽²⁾ OJ L 354, 31.12.2008, p. 1.

⁽³⁾ Commission Implementing Regulation (EU) No 872/2012 of 1 October 2012 adopting the list of flavouring substances provided for by Regulation (EC) No 2232/96 of the European Parliament and of the Council, introducing it in Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council and repealing Commission Regulation (EC) No 1565/2000 and Commission Decision 1999/217/EC (OJ L 267, 2.10.2012, p. 1).

⁽⁴⁾ EFSA CEF Panel (EFSA Panel on Food Contact Materials, Enzymes, Flavourings). Scientific Opinion on Flavouring Group Evaluation 226 Revision 1 (FGE.226Rev1): consideration of genotoxicity data on one alpha, beta-unsaturated aldehyde from chemical subgroup 1.1.1(b) of FGE.19. *EFSA Journal* 2017;15(5):4847, 24 pp. <https://doi.org/10.2903/j.efsa.2017.4847>.

- (7) Therefore, the Commission should use the urgency procedure for the removal of a substance which raises a safety concern from the Union list.
- (8) Part A of Annex I to Regulation (EC) No 1334/2008 should therefore be amended accordingly.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Part A of Annex I to Regulation (EC) No 1334/2008 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 11 July 2017.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

In Part A of Annex I to Regulation (EC) No 1334/2008, the following entry is deleted:

'16.071	4,5-epoxydec-2(trans)-enal	188590-62-7	1570		At least 87 %; secondary component 8-9 % 4,5-epoxydec-2(cis)-enal		1	EFSA'
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COMMISSION IMPLEMENTING REGULATION (EU) 2017/1251**of 11 July 2017****amending for the 271st time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations ⁽¹⁾, and in particular Article 7(1)(a) and Article 7a(1) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.
- (2) On 6 July 2017, the Sanctions Committee of the United Nations Security Council decided to add one entity to the list of persons, groups and entities to whom the freezing of funds and economic resources should apply. Annex I to Regulation (EC) No 881/2002 should therefore be amended accordingly.
- (3) In order to ensure that the measures provided for in this Regulation are effective, it should enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 11 July 2017.

For the Commission,

On behalf of the President,

Head of the Service for Foreign Policy Instruments

⁽¹⁾ OJ L 139, 29.5.2002, p. 9.

ANNEX

In Annex I to Regulation (EC) No 881/2002, the following entry is added under the heading 'Legal persons, groups and entities':

'Jamaat-ul-Ahrar (JuA) (alias: (a) Jamaat-e-Ahrar; (b) Tehrik-e Taliban Pakistan Jamaat ul Ahrar; (c) Ahrar-ul-Hind. Address: (a) Lalpura, Nangarhar Province, Afghanistan (since Jun. 2015); (b) Mohmand Agency, Pakistan (as at Aug. 2014). Other information: operates from Nangarhar Province, Afghanistan and Pakistan-Afghanistan border region. Date of designation referred to in Article 7d(2)(i): 6.7.2017.'

DECISIONS

COUNCIL DECISION (CFSP) 2017/1252

of 11 July 2017

in support of the strengthening of chemical safety and security in Ukraine in line with the implementation of United Nations Security Council Resolution 1540 (2004) on the non-proliferation of weapons of mass destruction and their means of delivery

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28(1) and 31(1) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 12 December 2003 the European Council adopted the EU Strategy against the proliferation of weapons of mass destruction, Chapter II of which contains a list of measures to combat such proliferation which need to be taken both within the Union and in third countries.
- (2) The Union is actively implementing that Strategy and giving effect to the measures listed in Chapter III thereof, in particular by releasing financial resources to support specific projects conducted by multilateral institutions, providing States with technical assistance and expertise with regard to a wide range of non-proliferation measures, and fostering the role of the United Nations (UN) Security Council.
- (3) On 28 April 2004 the UN Security Council adopted Resolution 1540 (2004) ('UNSCR 1540 (2004)'), which was the first international instrument to deal in an integrated and comprehensive manner with weapons of mass destruction, their means of delivery and related materials. UNSCR 1540 (2004) established binding obligations for all States which aimed to prevent and deter non-State actors from obtaining access to such weapons and weapon-related materials. By means of UNSCR 1540 (2004), the UN Security Council also decided that all States are to take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical or biological weapons and their means of delivery, including by establishing appropriate controls over related materials.
- (4) Universal adherence to and the full implementation of the Chemical Weapons Convention and UNSCR 1540 (2004) are among the main priorities of Ukraine in the area of the non-proliferation of weapons of mass destruction, especially in the framework of its non-permanent membership of the UN Security Council for the 2016-2017 term.
- (5) The Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part ⁽¹⁾ ('the Association Agreement') was signed on 21 March and 27 June 2014. The Association Agreement provides, inter alia, for the expedited harmonisation of Ukrainian legislation with relevant Union legislation, including on the elimination of any obstacles to the comprehensive implementation of UNSCR 1540 (2004). The Association Agreement has been provisionally applied, in part, since November 2014 and January 2016.
- (6) In accordance with the Government of Ukraine's 2014-2017 plan for the implementation of the Association Agreement, Ukraine committed to develop regulations on the control of major accidents involving hazardous substances. The Cabinet of Ministers of Ukraine also decided to improve chemical safety and security by developing legislative and regulatory measures on compliance with requirements on the safe handling of hazardous chemical substances and the prevention of the illicit marketing of hazardous chemical products.

⁽¹⁾ Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part (OJ L 161, 29.5.2014, p. 3).

- (7) On 11 and 12 December 2014 the Organisation for Security and Cooperation in Europe (OSCE), with the support of the UN Office for Disarmament Affairs (UNODA), the Ukrainian Chemists Union (UCU) and the International Centre for Chemical Safety and Security (ICCSS), organised a national round-table in Kyiv on capabilities in the domain of chemical safety and security in Ukraine and the development of an integrated chemical safety and security programme (ICSSP) in Ukraine, including the promotion of the implementation of UNSCR 1540 (2004). The round-table brought together a multi-stakeholder audience from Ukraine and international partners, and its outcome was endorsed through the approval of a set of recommendations.
- (8) From 24 to 26 February 2015 a meeting of the leading stakeholders and international partners on the development of an ICSSP in Ukraine, including the promotion of the implementation of UNSCR 1540 (2004), was held in Vienna. The participants from Ukraine agreed on a roadmap for the ICSSP in Ukraine.
- (9) In that framework, project proposals were prepared by the OSCE Secretariat in close cooperation with the competent authorities in Ukraine and submitted to the Union for funding through the CFSP budget.
- (10) The OSCE Secretariat should be entrusted with the technical implementation of the projects to be carried out under this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. For the purpose of promoting of peace and security, and effective multilateralism at global and regional levels, the Union shall pursue the following objectives:

- (a) enhancing peace and security in the neighbourhood of the Union by reducing the threat posed by the illicit trade of controlled and toxic chemicals in the OSCE region, in particular in Ukraine;
- (b) supporting effective multilateralism at regional level by supporting the action of the OSCE to enhance the capabilities of the competent authorities in Ukraine to prevent the illicit trade of controlled and toxic chemicals in line with obligations under UNSCR 1540 (2004).

2. In order to achieve the objectives referred to in paragraph 1, the Union shall take the following measures:

- (a) improving Ukraine's regulatory system on chemical safety and security;
- (b) establishing a Ukrainian national reference centre to identify controlled and toxic chemicals;
- (c) strengthening controls over cross-boundary movement of controlled and toxic chemicals.

A detailed description of the measures referred to in the first subparagraph is set out in the Annex.

Article 2

1. The High Representative of the Union for Foreign Affairs and Security Policy ('the High Representative') shall be responsible for the implementation of this Decision.

2. The technical implementation of the measures referred to in the first subparagraph of Article 1(2) shall be carried out by the OSCE Secretariat. It shall perform that task under the responsibility of the High Representative. For that purpose, the High Representative shall enter into the necessary arrangements with the OSCE Secretariat.

Article 3

1. The financial reference amount for the implementation of the measures referred to in the first subparagraph of Article 1(2) shall be EUR 1 431 156,90.

2. The expenditure financed by the amount set out in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the general budget of the Union.

3. The Commission shall supervise the proper management of the expenditure referred to in paragraph 2. For that purpose, it shall conclude a financing agreement with the OSCE Secretariat. The agreement shall stipulate that the OSCE Secretariat is to ensure visibility of the Union contribution, appropriate to its size.

4. The Commission shall endeavour to conclude the financing agreement referred to in paragraph 3 as soon as possible after the entry into force of this Decision. It shall inform the Council of any difficulties in that process and of the date of conclusion of the financing agreement.

Article 4

The High Representative shall report to the Council on the implementation of this Decision on the basis of regular reports prepared by the OSCE Secretariat. Those reports shall form the basis for the evaluation carried out by the Council. The Commission shall provide information on the financial aspects of the measures referred to in the first subparagraph of Article 1(2).

Article 5

1. This Decision shall enter into force on the date of its adoption.

2. This Decision shall expire 36 months after the conclusion of the financing agreement referred to in Article 3(3), or 6 months after the date of its adoption if no financing agreement has been concluded within that period.

Done at Brussels, 11 July 2017.

For the Council

The President

T. TÕNISTE

ANNEX

Strengthening chemical safety and security in Ukraine in line with United Nations Security Council Resolution 1540 (2004)**1. Background**

The usage of chemical weapons, or chemicals as weapons, by non-State actors has become a realistic threat. Given the current security environment, the threats and risks of an unauthorised use of chemicals or attacks against chemical installations pose a serious challenge to security, the economy, health and the environment in Ukraine. Therefore, the Organisation for Security and Cooperation in Europe (OSCE), with the support of the United Nations (UN) Office for Disarmament Affairs (UNODA), the Ukrainian Chemists Union (UCU) and the International Centre for Chemical Safety and Security (ICCSS), held a national round-table on capabilities in the domain of chemical safety and security in Ukraine and the development of an integrated chemical safety and security programme ('ICSSP') in Ukraine, including the promotion of the implementation of United Nations Security Council Resolution ('UNSCR') 1540 (2004), in Kyiv on 11 and 12 December 2014.

As a follow-up, a meeting on the development of an ICSSP in Ukraine was held in Vienna from 24 to 26 February 2015. The national participants agreed on a roadmap for the ICSSP. As a first stage, a comprehensive review of chemical safety and security in Ukraine ('the Comprehensive Review') was conducted by international experts. The Comprehensive Review analysed, inter alia, the overall chemical safety and security policies in Ukraine, the safety and security of the transportation of hazardous chemicals, infrastructure and technical capacities for the analysis of hazardous chemicals, border and customs controls on the movement of hazardous chemicals, and the safety and security of the manufacture, storage and use of chemicals by the national industry.

As a result, three projects were prepared by the OSCE with a view to supporting the ICSSP in Ukraine. They were developed in cooperation with the relevant Ukrainian authorities. All projects would be implemented in line with the respective provisions of the plan for the implementation of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part ('the Association Agreement').

2. Objectives

The overall objective of this Decision is to support OSCE projects aiming at strengthening chemical safety and security in Ukraine in line with UNSCR 1540 (2004) and the Association Agreement by providing a significant contribution to the ICSSP in Ukraine. In particular, this Decision aims at reducing the threat posed by the illicit trade of controlled and toxic chemicals in the OSCE region, in particular in Ukraine, thus promoting peace and security in the Union's neighbourhood.

3. Description of the projects**3.1. Project 1: improving Ukraine's regulatory system on chemical safety and security****3.1.1. Objective of the project**

- Improving the legislative and regulatory basis of Ukraine with regard to chemical safety and security, as part of the ICSSP, in line with obligations under UNSCR 1540 (2004).

3.1.2. Description of the project

- In order to support Ukrainian government agencies in addressing the threats of misuse of toxic chemicals, the OSCE and the competent authorities of Ukraine have identified four priority documents related to the enhancement of chemical safety and security legislation:
 - Technical Regulation on safe and secure management of chemical products,
 - Technical Regulation on classification and labelling of hazardous chemical substances,
 - Amendments to the Law of Ukraine on high-risk establishments,
 - Cabinet of Ministers of Ukraine Decree on identification and declaration of security on high-risk establishments.

3.1.3. Expected results of the project

- The project will produce the four documents referred to in point 3.1.2, for adoption into the regulatory and legislative framework.

3.1.4. Project beneficiaries

- Ministry of Economic Development and Trade of Ukraine.
- State Emergency Service of Ukraine.

3.2. Project 2: establishing a Ukrainian national reference centre to identify controlled and toxic chemicals

3.2.1. Objective of the project

- Improved ability of Ukrainian authorities to identify toxic chemicals and precursors and to conduct forensic investigations into misuse, as part of the ICSSP, in line with obligations under UNSCR 1540 (2004).

3.2.2. Description of the project

- In accordance with the recommendation of the Comprehensive Review, and as endorsed by the Ukrainian Ministry of Health, a national reference centre could be established on the basis of an existing research centre. However, the laboratories of that research centre lack the relevant regulatory basis, standard operating procedures for providing services to interested authorities and private-sector organisations, as well as specific high-resolution chemical analytical instruments for precise and reliable detection and identification of hazardous chemicals. The project will therefore assist with the establishment of a fully functional national reference centre, including the procurement of high-resolution chemical analytical instruments and the appropriate training of laboratory personnel.

3.2.3. Expected results of the project

- National reference centre for the identification of controlled and toxic chemical substances is established and integrated into national and international systems of responses to chemical threats.
- Laboratory equipment of the research centre is upgraded.
- National reference centre is incorporated into international framework.
- Trained laboratory personnel.

3.2.4. Project beneficiaries

- Ministry of Health of Ukraine.

3.3. Project 3: strengthening controls over cross-boundary movement of controlled and toxic chemicals

3.3.1. Objective of the project

- Improved border controls and monitoring of chemicals in transit in Ukraine, in line with obligations under UNSCR 1540 (2004).

3.3.2. Description of the project

- The Comprehensive Review indicated that there is a need to strengthen the internal controls on the trans-border movement of toxic chemicals and to strengthen national capacities in that regard. Thus, the project intends to establish duly formalised national training systems and train the trainers from the State Border Guard Service of Ukraine and the State Fiscal Service of Ukraine on the detection and identification of controlled and toxic chemicals crossing the State border of Ukraine. It will provide the Ukrainian authorities with sustainable knowledge and best practices on procedures in chemical safety, security, and crisis management in relation to controlled and toxic chemicals through the development of national standard operating procedures harmonised with those of the Union, establishing international standards and practices in that domain, as well as conducting table-top exercises, and field exercises at the border, etc. The project will also assist in the enhancement of export control through the enforcement of the Union control list of dual-use goods by Ukrainian customs authorities.

- The following areas have been identified for intervention:
 - analysis and monitoring of chemicals in transit,
 - border control and trafficking,
 - education and awareness,
 - introduction of relevant administrative and operation regulations related to chemical safety and security;
 - emergency response to accidents in transit.

3.3.3. Expected results of the project

- Developed national training programmes for the State Fiscal Service of Ukraine and the State Border Guard Service of Ukraine on procedures in chemical safety, security, and crisis management in relation to cross-boundary movement of controlled and hazardous chemicals through land-border crossing points, seaports and airports.
- Trained personnel, including national trainers from the State Fiscal Service of Ukraine and the State Border Guard Service of Ukraine, as well as the transportation authorities, at regulatory, managerial and operational levels.
- Strengthened export-control and enforcement capacities to control cross-boundary movement of controlled and hazardous chemicals through land-border crossing points, seaports and airports.

3.3.4. Project beneficiaries

- State Fiscal Service of Ukraine.
- State Border Guard Service of Ukraine.

4. Administrative support for the implementation of the projects

Dedicated personnel in the OSCE Secretariat and in the office of the OSCE Project Coordinator in Ukraine will coordinate and manage the implementation of the project activities set out in Section 3 in order to further develop the collaborative framework between the Ukrainian partners, including through the development of relevant new project proposals and national measures.

The supporting personnel will perform the following tasks:

- managing projects through all steps of the project cycle,
- carrying out day-to-day financial oversight of the projects,
- providing technical and legal expertise, supporting larger procurement, engaging with other international organisations, carrying out quality assurance and quality control of the approved projects' deliverables, reporting to the Union on all ICSSP activities,
- supporting the Ukrainian authorities in developing new national measures under the ICSSP in line with UNSCR 1540 (2004).

5. Duration

The total estimated duration of the projects will be 36 months.

6. Technical implementing entity

The technical implementation of this Decision will be entrusted to the OSCE Secretariat. The OSCE Secretariat will implement the activities under this Decision in cooperation with other international organisations and agencies, in particular with a view to ensuring effective synergies and avoiding duplications with the activities of the Organisation for the Prohibition of Chemical Weapons, in coherence with the Chemical Weapons Convention.

7. Reporting

The OSCE Secretariat will prepare regular reports, as well as reports after the completion of each of the activities described. The final reports should be submitted to the Union no later than six weeks after the completion of the relevant activities.

8. Steering Committee

The Steering Committee for these projects will be composed of a representative of the High Representative and a representative of the implementing entity referred to in Section 6 of this Annex. The Steering Committee will review the implementation of this Decision regularly, at least once every 6 months, including through the use of electronic means of communication.

The total cost of the projects is EUR 1 431 156,90.

9. Estimated total cost of the projects and Union financial contribution

The total cost of the projects is EUR 1 431 156,90.

COUNCIL DECISION (CFSP) 2017/1253**of 11 July 2017****amending Decision 2012/392/CFSP on the European Union CSDP mission in Niger (EUCAP Sahel Niger)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 28, Article 42(4) and Article 43(2) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 16 July 2012, the Council adopted Decision 2012/392/CFSP ⁽¹⁾ establishing a European Union CSDP mission in Niger (EUCAP Sahel Niger) to support the capacity building of the Nigerien security actors in the fight against terrorism and organised crime.
- (2) On 18 July 2016, the Council adopted Decision (CFSP) 2016/1172 ⁽²⁾, extending the Mission until 15 July 2018 and providing for a financial reference amount until 15 July 2017.
- (3) Decision 2012/392/CFSP should be amended to provide for a financial reference amount for the period from 16 July 2017 to 15 July 2018.
- (4) EUCAP Sahel Niger will be conducted in the context of a situation which may deteriorate and could impede the achievement of the objectives of the Union's external action as set out in Article 21 of the Treaty on European Union,

HAS ADOPTED THIS DECISION:

Article 1

In Article 13(1) of Decision 2012/392/CFSP, the following subparagraph is added:

‘The financial reference amount to cover the expenditure related to EUCAP Sahel Niger for the period from 16 July 2017 to 15 July 2018 shall be EUR 31 000 000’.

Article 2

This Decision shall enter into force on the date of its adoption.

It shall apply from 16 July 2017.

Done at Brussels, 11 July 2017.

For the Council

The President

T. TÕNISTE

⁽¹⁾ Council Decision 2012/392/CFSP of 16 July 2012 on the European Union CSDP mission in Niger (EUCAP Sahel Niger) (OJ L 187, 17.7.2012, p. 48).

⁽²⁾ Council Decision (CFSP) 2016/1172 of 18 July 2016 amending Decision 2012/392/CFSP on the European Union CSDP mission in Niger (EUCAP Sahel Niger) (OJ L 193, 19.7.2016, p. 106).

COMMISSION DECISION (EU) 2017/1254
of 4 July 2017
on the proposed citizens' initiative entitled 'Stop TTIP'
(notified under document C(2017) 4725)
(Only the English text is authentic)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative ⁽¹⁾, and in particular Article 4 thereof,

Whereas:

- (1) By Commission Decision C(2014) 6501 of 10 September 2014 the registration of the proposed citizens' initiative entitled 'Stop TTIP' was refused. The General Court of the European Union in its judgment of 10 May 2017 in case T-754/14 annulled that Decision. In order to take the necessary measures to comply with the judgment of the General Court a new Commission Decision on the request for registration of the proposed citizens' initiative has to be adopted.
- (2) The subject-matter of the proposed citizens' initiative entitled 'Stop TTIP' is referred to as follows: 'We invite the European Commission to recommend to the Council to repeal the negotiating mandate for the Transatlantic Trade and Investment Partnership (TTIP) and not to conclude the Comprehensive Economic and Trade Agreement (CETA)'.
- (3) The stated objectives of the proposed citizens' initiative are: 'We want to prevent TTIP and CETA because they include several critical issues such as investor-state dispute settlement and rules on regulatory cooperation that pose a threat to democracy and the rule of law. We want to prevent employment, social, environmental, privacy and consumer standards from being lowered and public services (such as water) and cultural assets from being deregulated in non-transparent negotiations. The ECI supports an alternative trade and investment policy in the EU'.
- (4) Decisions of the Council authorising the opening of negotiations of international agreements between the Union and third countries, such as the Transatlantic Trade and Investment Partnership and the Comprehensive Economic and Trade Agreement between Canada, of the one part, and the European Union and its Member States, of the other part (CETA), as well as decisions of the Council authorising the signing of or concluding such agreements are legal acts of the Union for the purpose of implementing the Treaties adopted on the basis of a recommendation or a proposal from the Commission. These legal acts can therefore be the subject of a European citizens' initiative.
- (5) However, CETA was signed on 30 October 2016 following the adoption of the Council Decision (EU) 2017/37 ⁽²⁾. Therefore, the proposed citizens' initiative has become devoid of purpose inasmuch as it aims at a proposal from the Commission for a decision of the Council not to sign CETA.
- (6) The Treaty on European Union (TEU) reinforces citizenship of the Union and enhances further the democratic functioning of the Union by providing, inter alia, that every citizen is to have the right to participate in the democratic life of the Union by way of a European citizens' initiative.
- (7) To this end, the procedures and conditions required for the citizens' initiative should be clear, simple, user-friendly and proportionate to the nature of the citizens' initiative so as to encourage participation by citizens and to make the Union more accessible.

⁽¹⁾ OJ L 65, 11.3.2011, p. 1.

⁽²⁾ Council Decision (EU) 2017/37 of 28 October 2016 on the signing on behalf of the European Union of the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part (OJ L 11, 14.1.2017, p. 1).

- (8) For those reasons, it is appropriate to consider that the proposed citizens' initiative does not fall manifestly outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties in accordance with Article 4(2)(b) of the Regulation.
- (9) The proposed citizens' initiative entitled 'Stop TTIP' should therefore be registered. However, statements of support for this proposed citizens' initiative should be collected only inasmuch as it aims at proposals or recommendations from the Commission for legal acts other than a decision of the Council not to sign CETA,

HAS ADOPTED THIS DECISION:

Article 1

1. The proposed citizens' initiative entitled 'Stop TTIP' is registered.
2. Statements of support for this proposed citizens' initiative may be collected, based on the understanding that it aims at proposals or recommendations from the Commission for legal acts other than a decision of the Council not to sign the Comprehensive Economic and Trade Agreement between Canada, of the one part, and the European Union and its Member States, of the other part (CETA).

Article 2

This Decision shall enter into force on 10 July 2017.

Article 3

This Decision is addressed to the organisers (members of the citizens' committee) of the proposed citizens' initiative entitled 'Stop TTIP', represented by Mr Michael EFLER and [Personal data deleted following the consultation of the organisers] acting as contact persons.

Done at Strasbourg, 4 July 2017.

For the Commission
Frans TIMMERMANS
First Vice-President

COMMISSION IMPLEMENTING DECISION (EU) 2017/1255**of 11 July 2017****on a template for the description of national systems and procedures to admit organisations to become EURES Members and Partners****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/589 of the European Parliament and of the Council of 13 April 2016 on a European network of employment services (EURES), worker's access to mobility services and the further integration of labour markets, and amending Regulations (EU) No 492/2011 and (EU) No 1296/2013 ⁽¹⁾, and in particular Article 11(8) thereof,

After consulting the EURES Committee,

Whereas:

- (1) Regulation (EU) 2016/589 lays down, inter alia, the basic principles and criteria for the admission of EURES Members and Partners.
- (2) Pursuant to Article 11(1) of Regulation (EU) 2016/589 each Member States should, at the latest by 13 May 2018, set up a system to admit organisations to become EURES Members and Partners, to monitor their activities and their compliance with the applicable law when applying this Regulation and, where necessary, to revoke their admission.
- (3) Organisations that in accordance with Article 40 of Regulation (EU) 2016/589 are allowed to participate as EURES Members and Partners during a transitional period should in order to remain within the EURES network after the expiry of the transitional period make applications to be handled within these admission systems.
- (4) Public Employment Services appointed pursuant to Article 10 of Regulation (EU) 2016/589 are not subject to the admission systems, but should fulfil the obligations and meet the criteria as set out in that Article.
- (5) According to Article 11(6) and (7) of Regulation (EU) 2016/589 Member States, through their National Coordination Offices, are to inform the European Coordination Office about their admission systems, and the applications approved, rejected or revoked and the European Coordination Office should forward this information to the other National Coordination Offices.
- (6) A systematic information exchange and cooperation between the Member States can support an increased quality of the design of the national admission systems and their application.
- (7) In order to ensure an open exchange of information and mutual learning between Member States it is necessary to use a common template to describe the national admission systems and to put in a place a mechanism for the exchange of information.
- (8) The template may need to be adapted over time to reflect changes on the market for recruitment services and other developments. It is therefore important to put in place a governance model to ensure appropriate consultation and involvement of National Coordination Offices before the adoption of modifications to the template,

⁽¹⁾ OJ L 107, 22.4.2016, p. 1.

HAS ADOPTED THIS DECISION:

Article 1

Subject matter

This Decision sets out the template to be used by the Member States when describing their systems to admit EURES Members and Partners set up pursuant to Article 11(1) of Regulation (EU) 2016/589 (national admission systems), procedures for modifying the template and the mechanisms for sharing information about the admission systems with other Member States.

Article 2

General principles

1. Member States shall share information on their admission systems according to the common template referred to in Article 6 and update this information whenever there are changes.
2. For the purposes of the admission systems each Member State shall ensure the following functions:
 - (a) processing and assessments of applications to become EURES Members or Partners;
 - (b) decisions to approve or reject such applications and to revoke admissions;
 - (c) handling of and deciding on complaints regarding decisions referred to in point (b) and offering remedies against such decisions;
 - (d) monitoring the compliance of the EURES Members and Partners with the national admission system and the obligations under Regulation (EU) 2016/589.
3. Member States shall ensure that applicants are clearly informed about how their applications will be handled, in particular with regard to the exchange of information with other Member States about decisions on admissions, monitoring and revocations.

Article 3

Roles and responsibilities of the National Coordination Offices

As set out in Article 11(6) of Regulation (EU) 2016/589, the National Coordination Offices shall, in their respective Member State, be responsible for keeping the European Coordination Office informed on the national admission system and its application, in particular by:

- (a) providing information on the national admission system, including all the criteria and requirements applied, by submitting the filled in common template form referred to in Article 6 and, where needed, updating it;
- (b) keeping the European Coordination Office informed of the EURES Members and Partners admitted in accordance with the national admission system;
- (c) keeping the European Coordination Office informed of any refusal of admittance on the grounds of non-compliance, in particular with point 1 of Section 1 of Annex I to Regulation (EU) 2016/589;
- (d) keeping the European Coordination Office informed of any revocation of the admission of EURES Members and Partners and the grounds therefor.

*Article 4***Roles and responsibilities of the European Coordination Office**

1. The European Coordination Office shall be responsible for supporting the exchange of information among Member States on the national admission systems and their operation, in particular by:
 - (a) creating and maintaining a dedicated section on the EURES portal Extranet to make available to the National Coordination Offices:
 - (i) the template referred to in Article 6 and any related information on how to fill it in and submit it;
 - (ii) all the information provided by the National Coordination Offices on the admission systems and their application in accordance with Regulation (EU) 2016/589 and this Decision, bearing in mind the obligation of the European Coordination Office to forward information on the application to other National Coordination Offices in accordance with Article 11(6) and (7) of Regulation (EU) 2016/589;
 - (iii) a collaborative area to exchange information on the setting up and the operation of the national admission systems;
 - (b) providing any other tools, training and support necessary to facilitate exchange of information and mutual learning on the admission systems;
 - (c) keeping the Coordination Group regularly informed on the functioning of the information exchange and, where necessary, propose modifications to the template and the procedures.
2. The European Coordination Office shall publish the list of EURES Members and Partners on the EURES Portal in agreement with the individual National Coordination Office.

*Article 5***Roles and responsibilities of the Coordination Group**

1. The Coordination Group shall closely monitor the operation of the national admission systems and serve as a forum to exchange views and best practice with a view to improving their functioning.
2. The Coordination Group shall once a year undertake a review of the application of this Decision, which will constitute the contribution of the Coordination Group to the activity and *ex post* evaluation reports by the Commission in accordance with Regulation (EU) 2016/589 Articles 33 and 35.
3. If the Extranet section referred to in Article 4(1)(a) or any information and documentation related to it needs to be adapted or modified, the European Coordination Office shall, before adopting a new version, consult the Coordination Group, in accordance with Article 14 of Regulation (EU) 2016/589.

*Article 6***Template**

1. The National Coordination Offices shall use an electronic version of the template reproduced in Annex for the description of the national admission systems, the criteria and requirements applied, and the bodies designated for their operation.
2. The filled in template shall be submitted to the European Coordination Office as soon as a national admission system has been set up. Whenever there are changes with regard to the information that has thus been provided, the National Coordination Office shall fill in and submit a new template with updated information without delay.

*Article 7***Entry into force**

1. This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.
2. The European Coordination Office shall share with the National Coordination Offices the electronic version of the template in the Annex, any subsequent modifications to it and all other relevant guidance documents on the EURES portal Extranet no later than 1 December 2017.

Done at Brussels, 11 July 2017.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

Template to be used by the National Coordination Offices for providing information on the national systems and procedures to admit organisations to become EURES Members and Partners

The electronic version of this template and any consolidated subsequently modified versions of it will be available for the National Coordination Offices on the EURES portal Extranet.

I. LEGAL BASE

Reference to the national law(s)/rules/regulations.

II. PROCESS FOR SELECTING EURES MEMBERS AND PARTNERS

1. Method

(a) Describe the method chosen for selecting EURES Members and Partners:

- (i) Call for interest (open or targeted to certain organisations. If yes, which organisations and why?)
- (ii) Procurement
- (iii) Invitations (if yes, which organisations and why?)
- (iv) Other

(b) Explain how publicity is ensured (are notifications for example published electronically?)

2. Prevention of conflicts of interest

Explain the measures to prevent conflicts of interest under Article 2(2) of this Decision

3. Organisation of the admission process until award

- (a) Body in charge of processing and assessment of applications
- (b) Functions of the body

4. Awarding process/information to third parties

- (a) Body in charge of decisions to approve/reject based on the assessment of applications
- (b) Functions of the body
- (c) The time it takes from the application to communication of approval/rejection to applicants
- (d) Explain how applicants are informed of the approval/rejection of their application
- (e) Explain how the publication of the selected EURES Members and Partners is handled to ensure transparency

5. Ensuring due process of law

- (a) Body in charge
- (b) Explain how complaints linked to the admission system are handled
- (c) Remedies available after rejection to admit

6. Period of admission

Is admission limited in time? If yes, for how long?

7. Re-admission process

Explain the process and the timeline

8. Application fees

Are there fees imposed on applicants? If yes, how are they determined?

III. ADMISSION CRITERIA

1. Application of minimum criteria of Annex I to Regulation (EU) 2016/589.
2. Possible national criteria and reasons why they are necessary for the purposes set out in Article 11(2) of Regulation (EU) 2016/589.

IV. MONITORING

1. Body/bodies in charge
2. Method (data based, control and audit, random checks, etc.)
3. Frequency of checks
4. Handling of complaints relating to the operation of EURES Members and Partners
5. Consequences of not respecting the requirements of the admission system and the obligations under Regulation (EU) 2016/589

V. PROCESS FOR REVOKING ADMISSION

1. Body in charge
2. Functions of the body
3. Explain the process and the timeline for handling cases
4. Remedies available after revocation

VI. CRITERIA FOR REVOKING ADMISSION

Please list the national criteria for revoking admission.

VII. LIST OF EURES MEMBERS AND PARTNERS

List of EURES Member and Partners shall be attached to the template when it is submitted to the European Coordination Office and kept up-to-date.

COMMISSION IMPLEMENTING DECISION (EU) 2017/1256
of 11 July 2017
on templates and procedures for the exchange of information on the EURES network national
work programmes at Union level

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/589 of the European Parliament and of the Council of 13 April 2016 on a European network of employment services (EURES), workers' access to mobility services and the further integration of labour markets, and amending Regulations (EU) No 492/2011 and (EU) No 1296/2013 ⁽¹⁾, and in particular Article 31(5) thereof,

After consulting the EURES Committee,

Whereas:

- (1) Regulation (EU) 2016/589 calls for an efficient system at Union level for exchanging information on national, regional and sectorial labour supply and demand to be set up between the Commission and the Member States and to be used as a basis for Member States to underpin practical cooperation within the EURES network.
- (2) Article 30(1) of Regulation (EU) 2016/589 requires Member States to collect and analyse gender disaggregated information on labour shortages and labour surpluses on national and sectorial labour markets, paying particular attention to the most vulnerable groups in the labour market and regions most affected by unemployment, and EURES activities at national and, where appropriate, cross-border level.
- (3) Article 31(1) of Regulation (EU) 2016/589 requires the National Coordination Offices to draw up national work programmes for the activities of the EURES network in their Member States. The sharing of the national work programmes under a programming cycle among Member States should enable the National Coordination Offices to direct the resources of the EURES network towards appropriate actions and projects and thereby steer the development of the network as a more result-oriented tool responsive to the needs of workers and employers according to the dynamics of the labour markets.
- (4) The exchanges between National Coordination Offices and the European Coordination Office on their respective work programmes and a joint analysis of the drafts would improve the functioning of the network, increase transparency and enhance the cooperation opportunities within the network.
- (5) To give effect to Article 31 of Regulation (EU) 2016/589, the National Coordination Offices should gather and examine the information available at national level referred to in this provision as part of the preparation of the national work programme and are invited to take into account any relevant reports and documents available at Union level.
- (6) Pursuant to Article 31(2) of Regulation (EU) 2016/589 the national work programmes drafted by the National Coordination Offices should be developed on an annual basis and should specify the main activities to be carried out within the EURES network, the overall human and financial resources allocated for their implementation and the arrangements for the monitoring and evaluation of the activities planned.
- (7) The European Commission shall establish a common template for national work programmes, the structure of which shall reflect the overall aim of Regulation (EU) 2016/589, to ensure that all Member States identify the main activities carried out in terms of the support services to both workers and employers referred to in Articles 21 to 28 of Regulation (EU) 2016/589.

⁽¹⁾ OJ L 107, 22.4.2016, p. 1.

- (8) A common schedule for preparing national work programmes should be established, building on the experiences gained with cooperation on joint programming among National Coordination Offices under Commission Implementing Decision 2012/733/EU ⁽¹⁾ and allowing for sufficient flexibility given different national set ups.
- (9) All potential synergies with the arrangements and procedures for the data collection and analysis of several areas of EURES activity carried out at national level pursuant to Article 32 of Regulation (EU) 2016/589 should be exploited, in particular so that the national work programmes use indicators that build on existing practice within Public Employment Services and that are consistent and contribute to the data collection exercise referred to in the implementing acts to be adopted under Article 32(3) of Regulation (EU) 2016/589.
- (10) EURES staff in EURES Members and Partners should have access to the relevant information of national work programmes in order to better contribute to the achievements of the EURES network as established in Article 6 of Regulation (EU) 2016/589.
- (11) The information gathered under national work programmes on activities and results can constitute an important contribution to the preparation of the report on EURES activity the Commission is called to submit every two years pursuant to Article 33 of Regulation (EU) 2016/589 to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions and it is therefore necessary to examine which parts of the work programmes can be made available for this purpose,

HAS ADOPTED THIS DECISION:

Article 1

Subject matter

This Decision lays down the arrangements necessary for the exchange of information within the EURES network on programming its activities.

To that end, it provides for the template to be used by National Coordination Offices when drawing up their national work programmes pursuant to Article 31(2) of Regulation (EU) 2016/589 and sets out the procedures for the exchange of information relating to the national work programmes at Union level.

Article 2

The organisation of the programming cycle

1. Each National Coordination Office shall draw up each year a national work programme for the activities of the EURES network in its Member State in accordance with the template indicated in Annex I.
2. The draft national work programmes shall be made available to all National Coordination Offices who will have the opportunity to make enquiries about the planned activities and to make suggestions for cooperation and exchange of information in relation to the activities.
3. The representatives of social partners at Union level participating in the Coordination Group shall be given the opportunity to comment on the draft national work programmes.
4. After the period given for comments, the final national work programmes shall be available to all National Coordination Offices.
5. The national work programmes shall use as much as possible the indicators and targets applicable to the implementing acts to be adopted under Article 32(3) of Regulation (EU) 2016/589.

⁽¹⁾ Commission Implementing Decision 2012/733/EU of 26 November 2012 implementing Regulation (EU) No 492/2011 of the European Parliament and of the Council as regards the clearance of vacancies and applications for employment and the re-establishment of EURES (OJ L 328, 28.11.2012, p. 21).

6. The national work programmes may use other additional indicators.
7. The National Coordination Offices shall report yearly on the implementation of the national work programmes, identifying results of the planned activities.

Article 3

Roles and responsibilities of the National Coordination Offices

The National Coordination Offices shall, in their respective Member State, be responsible for:

- (a) gathering, analysing and sharing the necessary information pursuant to Article 30 of Regulation (EU) 2016/589 for the purpose of preparing their draft national work programme;
- (b) drafting their national work programme using the template in Annex I;
- (c) respecting the deadlines set out in Annex II for the submission of draft national work programmes;
- (d) making their draft national work programme available to the network using the means provided for by the European Coordination Office;
- (e) participating in the joint review exercise of draft national work programmes with a view to finalising such programmes and increasing practical cooperation in delivering the support services to workers and employers;
- (f) finalising the national work programme after the joint review;
- (g) updating the national work programme whenever necessary and making the updates available to the network using the means provided for by the European Coordination Office;
- (h) reporting on the implementation of activities laid down in the national work programme respecting the deadlines set out in Annex II;

Article 4

Roles and responsibilities of the European Coordination Office

The European Coordination Office shall be responsible for supporting the exchange of information among Member States on the national work programmes and the joint review exercise, in particular by:

- (a) sharing information relevant for Article 30 of Regulation (EU) 2016/589 which is available at Union level with the National Coordination Offices to assist them with the preparation of their draft national work programmes;
- (b) developing and maintaining a tool on the EURES portal Extranet that makes available to the National Coordination Offices the template referred to in Article 7 and any related information on how to fill it in and submit it and provides the National Coordination Offices with an opportunity to review and comment on each other's national draft work programmes;
- (c) supervising the application of the deadlines set out in Annex II for the submission of draft national work programmes, the joint review exercise and the reporting on the implementation of national work programmes;
- (d) providing any other tools, training and support necessary to facilitate exchange of information and mutual learning on the programming cycle;
- (e) making available to the whole EURES network through a dedicated section on the EURES portal Extranet the relevant elements of the programming cycle with a view to increase transparency and mutual learning;
- (f) encourage National Coordination Offices to ensure consistency between the application of Article 31 and 32 of Regulation (EU) 2016/589;
- (g) keeping the Coordination Group regularly informed on the functioning of the programming cycle and, where necessary, propose modifications to the template and the procedures.

*Article 5***Roles and responsibilities of EURES Members and Partners**

EURES Members and Partners shall contribute to the EURES programming cycle by:

- (a) providing data on their financial and human resources available and activities planned that will feed into the national work programme;
- (b) implementing the relevant activities of the national work programme;
- (c) providing data on the implementation of their activities that will feed into the national activity report.

*Article 6***Roles and responsibilities of the Coordination Group**

1. The Coordination Group shall closely monitor the application of Article 31 of Regulation (EU) 2016/589 and serve as a forum to exchange views and best practice with a view to improving the functioning of the EURES programming cycle.
2. The Coordination Group shall once a year undertake a review of the application of this Decision, which will constitute the contribution of the EURES Coordination Group to the activity and *ex post* evaluation reports by the Commission in accordance with Articles 33 and 35 of Regulation (EU) 2016/589.
3. The Coordination Group shall decide which elements of the national work programmes and national activity reports are relevant for all EURES staff and therefore should be accessible on the EURES portal Extranet to ensure an appropriate implementation of the EURES programming cycle and achievement of the objectives of the EURES network as established in Article 6 of Regulation (EU) 2016/589.
4. The Coordination Group shall decide which information stemming from the EURES programming cycle is of relevance for and can be used to draft the reports on EURES activity in application of Article 33 of Regulation (EU) 2016/589.

*Article 7***Template**

1. The National Coordination Offices shall use an electronic version of the template reproduced in Annex I for the drafting of their national work programmes.
2. The National Coordination Offices may include as many activities as appropriate under each section of the template reproduced in Annex I.
3. If the tool referred to in Article 4 (b) or any information and documentation related to it needs to be adapted or modified, the European Coordination Office shall, before adopting a new version, consult the Coordination Group, in accordance with Article 14 of Regulation (EU) 2016/589.

*Article 8***Process**

1. The National Coordination Offices shall follow the schedule reproduced in Annex II for the preparation of the national work programmes.
2. After the adoption phase, the national work programmes or parts of them may be available to the EURES network on the EURES portal Extranet.

Entry into force

Done at Brussels, 11 July 2017.

Jean-Claude JUNCKER

ANNEX I

TEMPLATE TO BE USED BY THE NATIONAL COORDINATION OFFICES TO DRAW UP THEIR ANNUAL WORK PROGRAMMES

The electronic version of this template and any consolidated subsequently modified versions of it will be available for the National Coordination Offices on the EURES portal.

The activities mentioned below within the different sections of the template are indicative and not exhaustive.

1. EXECUTIVE SUMMARY

It provides a concise overview of the priorities and main activities of the work programme for the reference period.

2. GENERAL SUPPORT SERVICES**2.1. *Support services for workers***

It provides an overview of the activities supporting workers such as:

- matching and placement activities (including assistance with drawing up job applications and CVs)
- organisation of recruitment events
- provision of general information and guidance
- provision of specific information and guidance (e.g. on working and living conditions of a country of destination)
- other, if applicable

2.2. *Support services for employers*

It provides an overview of the activities supporting employers including specific support for SMEs such as:

- matching and placement activities (including assistance with drawing up job requirements and job vacancies)
- organisation of recruitment events
- provision of general information and guidance
- provision of information on the specific rules related to recruitment from another Member State and on factors which can facilitate such recruitment
- other, if applicable

3. SPECIFIC SUPPORT SERVICES**3.1. *Support to apprenticeships and traineeships*****3.2. *Support services in cross-border regions***

It provides an overview about the activities in support of frontier workers and employers on the labour market in border regions, such as:

- matching and placement activities
- provision of information relevant to the specific situation of frontier workers and employers
- development of one-stop-shop solutions for support to frontier workers and employers
- other, if applicable

3.3. *Post-recruitment assistance*

It provides overview of the activities undertaken in order to ensure a better integration of the mobile worker in his/her new position such as:

- general information/awareness-raising activities for employers about integration of recruited workers
- information about training activities available that are relevant for the integration of workers (e.g. language training)
- other, if applicable

3.4. *Other activities and contributions to other programmes*

It provides information on the participation in specific workers' mobility schemes financially supported by EU budget or national sources, participation in bilateral or multilateral projects addressing workers' mobility and any other activity that does not fit into the categories mentioned above.

4. RESOURCES AND GOVERNANCE

4.1. *Human resources*

Estimated total number of full time equivalent staff working in EURES (National Coordination Office, EURES Members and Partners)

4.2. *Financial resources*

Estimated resource allocation in EUR available to these member organisations with a breakdown by source: national sources, EU budget (if applicable) and other (if applicable).

4.3. *IT/Infrastructure*

IT tools and infrastructure dedicated to EURES activity as well as access to other tools shared with EURES Members (e.g. PES general infrastructure) and Partners.

4.4. *Governance*

It provides an overview of activities in support of the functioning of the national network such as:

- awareness-raising activities for the national network
- interoperability and cooperation between the National Coordination Office and EURES Members and Partners of the national network
- deployment of new innovative approaches to service delivery
- cooperation with other stakeholders such as social partners, other networks, career guidance services, chambers of commerce, authorities responsible for social security and taxation, etc.

4.5. *Training*

It provides information about training (including pre-training) at national, regional and local level and, if applicable, any other learning activities supporting the increase of skills and knowledge within the network

4.6. *Communication*

It lists those specific actions stemming from the national communications plans and/or the EURES communications strategy and, if applicable, other important communication and awareness-raising activities which are planned to be implemented in the reference period and of relevance for the support services listed under Sections 2 and 3 above.

4.7. *Monitoring and evaluation of activities*

It lists the tools used to measure the outputs and outcomes of EURES activity at national level.

ANNEX II

TIMELINE FOR THE PREPARATION OF THE ANNUAL NATIONAL WORK PROGRAMME**1. PREPARATION PHASE**

National Coordination Offices to ensure that information on labour shortages and surpluses on national and sectorial labour markets is gathered, analysed and shared paying particular attention to the most vulnerable groups in the labour market and the regions most affected by unemployment and taking into account data on mobility flows and patterns.

2. DRAFTING PHASE

National Coordination Offices to draft a first version of national work programme using the information collected during the preparation phase by 31 October of year N – 1. The drafts are available in a dedicated section of the EURES portal Extranet.

3. JOINT REVIEW PHASE

National Coordination Offices to jointly review the draft annual national work programmes by 31 December of year N – 1.

4. ADOPTION PHASE

National Coordination Offices to finalise the national work programmes taking into account the feedback received during the review phase by 31 January of year N.

5. IMPLEMENTATION PHASE

Implementation of the annual national work programmes from January to December of year N.

6. REPORTING PHASE

National Coordination Offices to collect information on results and report on the implementation of the national work programme by 31 March of year N + 1.

COMMISSION IMPLEMENTING DECISION (EU) 2017/1257**of 11 July 2017****on the technical standards and formats required for a uniform system to enable matching of job vacancies with job applications and CVs on the EURES portal****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/589 of the European Parliament and of the Council of 13 April 2016 on a European network of employment services (EURES), worker's access to mobility services and the further integration of labour markets, and amending Regulations (EU) No 492/2011 and (EU) No 1296/2013 ⁽¹⁾, and in particular Article 17(8) thereof,

Whereas:

- (1) Regulation (EU) 2016/589 lays down, inter alia, principles and rules on cooperation between the Commission and the Member States on sharing relevant available data on job vacancies, job applications and CVs.
- (2) Article 17 of Regulation (EU) 2016/589 provides for the setting up of a uniform system to bring together job vacancies, job applications and CVs from the Member States to the EURES portal.
- (3) In order to establish the uniform system and to enable an efficient search and matching of the data provided it is necessary to use common standards and formats for the data to be exchanged.
- (4) These standards and formats should to the largest extent possible be based on well-established industry or governmental standards used by the Public Employment Services and other labour market operators and should be adopted on the basis of appropriate consultations of Member States.
- (5) The standards and formats may need to be adapted over time to reflect technological or functional changes. It is therefore important to put in place a governance model to ensure appropriate consultation and involvement of Member States before the adoption of standards and formats.
- (6) To facilitate the work of the National Coordination Offices in organising a coordinated transmission of information to the EURES portal, to safeguard the functioning of the data exchange mechanism and to ensure a good intrinsic and technical quality of the information it is necessary to identify and set out some general principles for the setting up and operation of the system as well as roles and responsibilities of the parties involved.
- (7) These general principles should explain and clarify the rights and responsibilities of originators and holders of data and how the protection of personal data is ensured throughout the chain of data transmission.
- (8) To support an effective matching on the EURES portal between job vacancies, including positions for apprentices and trainees, and job applications and CVs, in light of the objectives of Regulation (EU) 2016/589, it is important that EURES Members and Partners make available as many as possible of the appropriate job vacancies, job applications and CVs in their possession in a transparent manner.
- (9) The measures provided for in this Decision relating to the processing of personal data should be carried out in compliance with Union law on the protection of personal data, in particular Directive 95/46/EC of the European

⁽¹⁾ OJ L 107, 22.4.2016, p. 1.

Parliament, and of the Council ⁽¹⁾ and Regulation (EC) No 45/2001 of the European Parliament and of the Council ⁽²⁾, as well as the national implementing measures thereto. Particular attention should be paid to compliance with the principles of purpose limitation, data minimisation, storage limitation, integrity and confidentiality.

(10) The measures provided for in this Decision are in accordance with the opinion of the EURES Committee,

HAS ADOPTED THIS DECISION:

Article 1

Subject matter, scope and definitions

This Decision lays down the technical standards and formats to be used for a uniform system to bring together job vacancies, job applications and CVs from the EURES Members and, where relevant, EURES Partners on the EURES portal and the methods and procedures to agree on further technical and functional definitions.

For the purposes of this Decision the following definitions shall apply:

- (a) 'job application' means a document or a set of documents that an applicant transfers to an employer or an employment service as part of the process of informing an employer of the applicant's availability and desire to be employed in a particular place of employment or position;
- (b) 'CV' means a document describing a person's profile in terms of a summary of professional experience and educational background, along with other relevant information regarding the person's achievements, skills, competences, qualifications and interests;
- (c) 'job seeker profile' means the standard data format for clearance of workers' CVs and job applications as set out in this Decision;
- (d) 'originator of data' means the person or entity who originally created the set of data that is made available to the EURES portal. Employers who have published a job vacancy and workers who have created and decided to make public a job seeker profile with a EURES Member or, where relevant, a EURES Partner and who have given the necessary consent to have the information transferred to the EURES portal are considered as originators of data;
- (e) 'EURES data holder' means the person or entity that has the legal rights to control who should have access to the data. The EURES data holder could be the originator of data or someone else mandated by and acting on behalf of the originator of data;
- (f) 'end user' means a person or entity that retrieves and uses data on job vacancies and job seeker profiles brought together on the EURES portal in accordance with this Decision for the purpose of finding vacant posts to apply for or for the purpose of finding candidates to whom to offer job opportunities;
- (g) 'uniform system' means the data definitions and the functional specifications for data transmission and processes set out in this Decision for the purpose of enabling matching between job vacancies and CVs;
- (h) 'technical infrastructure' means the combined set of hardware, software, networks and other facilities needed to develop, test, deliver, monitor, control or support the relevant IT services necessary for the application of the uniform system;

⁽¹⁾ Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31) and as from 25 May 2018, Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

⁽²⁾ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

- (i) 'single coordinated channel' means the service that is set up between the connection point of the EURES portal and the connection point in a Member State allowing the transmission of data from the national EURES Members and, where relevant EURES Partners to the EURES portal according to the uniform system and using the appropriate technical infrastructure.

Article 2

General principles for the transmission and exchange of data

1. Each Member State shall set up and maintain a single coordinated channel for the transmission of job vacancies and job seeker profiles from its national EURES Members and, where relevant, EURES Partners to the EURES portal.
2. To that end each Member State shall put in place a technical infrastructure, connected to the EURES portal, to which EURES Members and, where relevant, EURES Partners can connect and transmit their data.
3. The European Coordination Office operates the EURES portal and related IT services to receive and process the data transmitted through the infrastructure referred to in paragraph 1.
4. The European Coordination Office shall make the data available for searches and matching not only by end-users directly on the EURES portal but also through application interfaces allowing the EURES Members and, where relevant, EURES Partners to make the information available in their respective systems to their staff and to users of their job-search portals and services.
5. All the necessary definitions, standards, specifications and processes shall be detailed in documents to be agreed by the National Coordination Offices through the governance structure set out in this Decision and made available to all parties concerned in a dedicated section on the EURES portal Extranet.

Article 3

General principles for the contents and quality of data

1. The data transmitted to the EURES portal in accordance with Regulation (EU) 2016/589 and this Decision is indexed, stored and made available there solely for search and matching purposes during the period of validity set by the originator or the EURES data holder of the individual data. Data that has been anonymised may be stored and released, also to third parties, for research and statistical purposes even after the expiry of the period of validity.
2. The transmission of data to the EURES portal shall not affect the rights to the data held by the originators of the data or the EURES data holders, in accordance with the laws, regulations and agreements applicable through the whole chain of transmission from the originator of data to the EURES portal.
3. Personal data transmitted to and stored on the EURES portal may only be released to the extent consented by the originator of the data. It may only be released to EURES Members and Partners or to end users, who have registered on the EURES portal or with a EURES Member or Partner providing them access to the data through the application interfaces referred to in Article 2(4), provided that these end users have accepted terms and conditions that are fully compliant with the consent and agreements given by the originators of the data.
4. Employers may implicitly or explicitly cede or renounce the rights to the data contained in a job vacancy apart from any personal information therein. A worker shall keep the rights to his or her personal data and shall, at all times, be able to withdraw his or her consent to make the information public and to delete, modify or otherwise process parts or all of the data transmitted to the EURES portal. The same shall apply with regard to employers for any personal data contained in a job vacancy
5. It is the responsibility of the National Coordination Offices and the EURES Members and, where relevant, EURES Partners to ensure that all data passing via them for the purpose of being provided to the EURES portal is compliant

with Regulation (EU) 2016/589, this Decision and any other laws and regulations applicable, in particular with regard to the protection of personal data, that originators of data or EURES data holders are informed about how their data will be used and processed and that all necessary consents and permission have been obtained. The origin of the data and any modifications of it as well as the consent given must be traceable throughout the whole chain of transmission from the originator to the EURES portal.

6. The European Coordination Office shall be the 'controller' within the meaning of Regulation (EC) No 45/2001 in relation to personal data stored on the EURES portal. It shall be responsible under that Regulation for the processing of personal data, including the anonymisation process referred to in paragraph 1, and for the technical and organisational measures necessary to ensure adequate security, confidentiality and integrity of the data concerned.

7. The Coordination Group shall elaborate and agree on common minimum requirements regarding personal data protection statements, terms and conditions to be applied by the European Coordination Office, the National Coordination Offices, the EURES Members and, where relevant, the EURES Partners in order to fulfil the requirements laid down in Regulation (EU) 2016/589 of informed consent by originators of data or EURES data holders and to ensure uniform terms and conditions for access to the data.

Article 4

Roles and responsibilities of the National Coordination Offices

The National Coordination Offices shall, in their respective Member State, be responsible for the organisation of the coordinated and secure transmission of information on job vacancies and job seeker profiles to the EURES portal, in particular by:

- (a) overseeing the setting up and maintenance of the technical infrastructure needed to ensure that relevant data from EURES Members and, where relevant, EURES Partners can be transmitted to the EURES portal via a single coordinated channel;
- (b) allowing all EURES Members and, where relevant, EURES Partners to connect and transmit data via this single coordinated channel;
- (c) ensuring the continuous monitoring of the connections to the EURES portal and to the participating EURES Members and Partners and by being able to act swiftly in order to address any technical or other issue that may occur in relation to the connection or to the data to be transmitted;
- (d) ensuring that all activities related to the exchange and transmission of data are carried out in full compliance with Regulation (EU) 2016/589 and the general principles set out in this Decision and by intervening whenever this is not the case;
- (e) ensuring that all data transmitted respects the agreed formats and standards as provided for in Regulation (EU) 2016/589 and in this Decision;
- (f) ensuring that arrangements are in place ensuring that the originators of data are fully informed and aware how their data will be used and processed;
- (g) providing and regularly updating information on the measures and systems put in place to ensure quality, security, integrity, confidentiality and traceability of data, including the protection of personal data;
- (h) participating in the exchange of information and cooperation provided for in Regulation (EU) 2016/589 Article 9(5);
- (i) keeping the European Coordination Office informed of the policies regarding exclusion of job vacancies or categories of job vacancies in accordance with the application of Regulation (EU) 2016/589 Article 17;
- (j) notifying the appointment of a single point of contact, as referred to in Article 9.

*Article 5***Roles and responsibilities of the European Coordination Office**

The European Coordination Office shall be responsible for supporting the EURES network in carrying out its responsibilities with regard to the coordinated transmission of information on job vacancies and job seeker profiles to the EURES portal, in particular by:

- (a) setting up and maintaining the technical infrastructure needed to receive data from the Member States through the single coordinated channel;
- (b) the operation and further development of the EURES portal and related IT-systems in order to provide search and matching services for the EURES network and for end users through self-services on the EURES portal;
- (c) setting up and maintaining the technical infrastructure needed to allow EURES Members and, where relevant, EURES Partners to access job vacancies and job seeker profiles on the EURES portal in order to make them available and searchable to their staff and users of their job-search portals;
- (d) ensuring that all activities related to the exchange and transmission of data are carried out in full compliance with Regulation (EU) 2016/589 and the general principles set out in this Decision and by intervening whenever this is not the case;
- (e) providing and regularly updating information on the measures and systems put in place to ensure quality, security, integrity, confidentiality and traceability of data including the protection of personal data;
- (f) providing a dedicated section on the EURES portal Extranet as well as other tools and the support necessary to allow the National Coordination Offices and the EURES Members and Partners to exchange information and to handle complaints as set out in the Regulation and in this Decision in an efficient way;
- (g) preparing, updating and making available on the EURES portal Extranet all the necessary technical and other documentation needed for the functioning of the data transmission and exchange, in particular the documents provided for in Article 8.

*Article 6***Roles and responsibilities of the EURES Members and Partners**

1. All EURES Members and those EURES Partners who have committed to fulfil the tasks of contributing to the pool of job vacancies and/or job seeker profiles shall, via the technical infrastructure set up in accordance with this Decision, participate in the coordinated and secure transmission of information on job vacancies and job seeker profiles to the EURES portal, as referred to in Regulation (EU) 2016/589 Articles 12(3) and 17(1), in particular by:

- (a) setting up the technical infrastructure necessary to connect to the single coordinated channel provided in their respective country;
- (b) continuously monitoring the connections and being able to act swiftly in order to address any technical or other issue that may occur in relation to the connection or to the data to be transmitted;
- (c) ensuring that all activities related to the exchange and transmission of data are carried out in full compliance with Regulation (EU) 2016/589 and the general principles set out in this Decision and by intervening whenever this is not the case;
- (d) ensuring that all data transmitted respects the agreed formats and standards as provided for in Regulation (EU) 2016/589 and in this Decision;
- (e) ensuring that the originators of the data are fully informed and aware how their data will be used and processed;
- (f) providing and regularly updating information on the measures and systems put in place to ensure quality, security, integrity, confidentiality and traceability of data, including the protection of personal data;
- (g) keeping the National Coordination Office informed in a clear and transparent manner of the application of the policies regarding exclusion from the transmission of all publicly available job vacancies with the application of Regulation (EU) 2016/589 Article 17;

- (h) providing a Service Contact for the purpose of facilitating the coordination at national level by the National Coordination Office. The Service Contact function can be performed by a helpdesk or a similar service.

2. In order to ensure that their staff involved with the EURES network and the end-users of the job-search portals that they manage have an easy access to, and can search and make matches with the job vacancies and job seeker profiles available on the EURES portal, the EURES Members and Partners may connect their systems to and make use of the technical infrastructure provided by the European Coordination Office for this purpose.

Article 7

Roles and responsibilities of the Coordination Group

1. The Coordination Group shall support the good functioning of the uniform system and the organisation of the coordinated and secure transmission of information on job vacancies and job seeker profiles to the EURES portal and continuously contribute to its enhancement. The Coordination Group shall closely monitor the operation and serve as a forum to exchange views and best practice with a view to improving the functioning of the uniform system.
2. The Coordination Group shall once a year undertake a review of the application of this Decision, which will constitute the contribution of the Member States to the activity and *ex post* evaluation reports by the Commission in accordance with Regulation (EU) 2016/589 Articles 33 and 35.
3. The adoption of and any changes to the EURES Single Coordinated Channel Specifications, as referred to in Articles 8 must be agreed with the Coordination Group, according to the procedure laid down in Article 9 before they can be applied.
4. The Coordination Group may set up specific expert groups to provide support, help and advice for its tasks.

Article 8

Technical and functional definitions and specifications for the exchange of data

1. Following the procedures laid down in Article 9, the European Coordination Office shall adopt the 'EURES Single Coordinated Channel Specifications' which shall consist of:
 - (a) The 'EURES formats and standards specification', describing the data format, data definitions, standards to be used and validation rules that must be respected when transmitting a job vacancy or job seeker profile to the EURES portal through the uniform system;
 - (b) The 'EURES functional message exchange specifications' describing the technical infrastructure that needs to be provided and the exchange specifications to be implemented to ensure the exchange of data;
 - (c) The 'EURES interoperability process manual', describing processes, actions and interventions to operate the single coordinated channel, to handle change management and to assure quality, security, traceability and data protection including the protection of personal data.
2. The 'EURES Single Coordinated Channel Specifications' and any updates or modifications to them shall be made available to the EURES network in a specific section on the EURES portal Extranet.

Article 9

Governance

1. All Member States shall, through their National Coordination Offices, appoint, and notify the European Coordination Office the details of, a single point of contact to which all requests, enquires and communications regarding the implementation of provisions relating to IT services under Regulation (EU) 2016/589 and the application of this Decision can be addressed.

2. For the purpose of a smooth functioning of the uniform system for exchange of data, the EURES portal and the related IT services, the European Coordination Office shall organise regular meetings with and ensure effective means of communication among the single points of contacts referred to in paragraph 1. The group of single points of contacts may be mandated by the Coordination Group to prepare consultations or be invited to provide guidance or advice as regards technical and IT issues under the Regulation (EU) 2016/589.

3. Before the adoption of and any subsequent modifications to the 'EURES Single Coordinated Channel Specifications' by the European Coordination Office a formal consultation of the Coordination Group shall be made, in accordance with Regulation (EU) 2016/589 Article 14. Such consultations shall, when appropriate, be preceded by consultations at technical level within the EURES network and with other relevant national and international experts, such as bodies involved in the development of formats and standards.

Article 10

Entry into force

1. This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

2. The European Coordination Office shall publish the first version of the 'EURES Single Coordinated Channel Specifications' and all other relevant lists and guidance documents on the EURES portal Extranet no later than 1 December 2017.

Done at Brussels, 11 July 2017.

For the Commission

The President

Jean-Claude JUNCKER

DECISION (EU) 2017/1258 OF THE EUROPEAN CENTRAL BANK**of 5 July 2017****on the delegation of decisions on the transmission of confidential statistical information to the Single Resolution Board (ECB/2017/22)**

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Article 12.1 thereof,

Having regard to Council Regulation (EC) No 2533/98 of 23 November 1998 concerning the collection of statistical information by the European Central Bank ⁽¹⁾, and in particular Article 8(4a) thereof,

Whereas:

- (1) Pursuant to the first sentence of Article 8(4a) of Regulation (EC) No 2533/98, the European System of Central Banks (ESCB) may transmit confidential statistical information to authorities or bodies of the Member States and the Union responsible for the supervision of financial institutions, markets and infrastructures or for the stability of the financial system in accordance with Union or national law, and to the European Stability Mechanism (ESM), only to the extent and at the level of detail necessary for the performance of their respective tasks. The Single Resolution Board qualifies as such an authority or body.
- (2) Pursuant to the second sentence of Article 8(4a) of Regulation (EC) No 2533/98, the authorities or bodies receiving confidential statistical information shall take all the necessary regulatory, administrative, technical and organisational measures to ensure the physical and logical protection of confidential statistical information. The Governing Council assessed that the Single Resolution Board has taken such measures.
- (3) In order to facilitate the decision-making process in relation to decisions on the transmission of confidential statistical information to the Single Resolution Board, a delegation decision is necessary. In accordance with Article 12.1 of the Statute of the European System of Central Banks and of the European Central Bank, the Governing Council may decide to delegate certain powers to the Executive Board. In accordance with the general principles on delegation as developed and confirmed by the Court of Justice of the European Union, delegation of decision-making powers should be limited, proportionate and based on specified criteria. Given that the decisions to be taken are of a technical rather than a political nature, those criteria can remain relatively general.
- (4) Where the criteria for the adoption of a delegated decision, as laid down in this delegation decision, are not met, decisions on the transmission of confidential statistical information to the Single Resolution Board should be adopted by the Governing Council upon proposal by the Executive Board.
- (5) Given the significantly increased volume of requests from the Single Resolution Board to transmit confidential statistical information, the decision should be adopted as a matter of urgency and enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS DECISION:

*Article 1***Definitions**

For the purposes of this Decision, the following definitions shall apply:

- (1) 'confidential statistical information' means confidential statistical information as defined in point (12) of Article 1 of Regulation (EC) No 2533/98;
- (2) 'delegated decision' means a decision taken on the basis of a delegation of powers by the Governing Council pursuant to this decision.

⁽¹⁾ OJ L 318, 27.11.1998, p. 8.

*Article 2***Transmission of confidential statistical information to the Single Resolution Board**

1. The Governing Council hereby delegates the decisions on the transmission of confidential statistical information to the Single Resolution Board to the Executive Board.
2. A decision on the transmission of confidential statistical information to the Single Resolution Board shall only be adopted by means of a delegated decision, if the criteria for the adoption of delegated decisions, as set out in Article 3, are fulfilled.

*Article 3***Criteria for the adoption of delegated decisions on the transmission of confidential statistical information to the Single Resolution Board**

1. A decision on the transmission of confidential statistical information to the Single Resolution Board shall only be taken by means of a delegated decision where this information is, pursuant to Article 8(4a) of Regulation (EC) No 2533/98, necessary for the exercise of the tasks of the Single Resolution Board. The confidential statistical information to be transmitted to the Single Resolution Board must be adequate, relevant and not excessive in relation to those tasks.
2. A decision on the transmission of confidential statistical information to the Single Resolution Board shall only be taken by means of a delegated decision
 - (a) where the information is necessary for the Single Resolution Board to run a Public Interest Test in order to assess whether and how resolution measures would impact the counterparties from a financial stability perspective and to assess financial interconnectedness with other financial institutions and counterparties;
 - (b) where the transmission of this information would not be prejudicial to the performance of the tasks of the ESCB.

*Article 4***Entry into force**

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Done at Frankfurt am Main, 5 July 2017.

The President of the ECB
Mario DRAGHI

