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EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) 2016/891**of 6 June 2016****amending Regulation (EU) 2016/72 as regards certain fishing opportunities**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Council Regulation (EU) 2016/72 ⁽¹⁾ fixes for 2016 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in Union waters and, for Union vessels, in certain non-Union waters.
- (2) For the purposes of the management of the fishing opportunities of sandeel in ICES divisions IIa, IIIa and ICES subarea IV, Annex IID of Regulation (EU) 2016/72 defines seven management areas within which specific catch limits apply.
- (3) Pursuant to Regulation (EU) 2016/72, as amended by Council Regulation (EU) 2016/458 ⁽²⁾, the total allowable catch (TAC) for sandeel in the Union waters of ICES divisions IIa, IIIa and ICES subarea IV is set at 87 219 tonnes, whilst the catch limit for sandeel in management area 1 is set at 13 000 tonnes in order to allow Denmark to conduct a real-time monitoring exercise to get a better indication of the actual stock size, based on ICES special request advice.
- (4) It transpires from the analysis of the results of the real-time monitoring of the stock size that the catch limit for sandeel in area 1 should have been maintained at a catch limit of 5 000 tonnes as originally advised by ICES for this area.
- (5) In those circumstances, the TAC should be decreased by 8 000 tons. Based on a commitment made by Denmark prior to the adoption of Regulation (EU) 2016/458, that reduction should be operated in respect of Denmark's subquota in management area 3. That reduction constitutes an ad hoc solution in view of the unexpected substantive decrease in the fishing opportunities for sandeel indicated in the ICES scientific advice and in view of specific commitments made by the Member State concerned. It is without prejudice to the relative stability key and will not set a precedent for future cases.
- (6) The stock biomass and recruitment of anchovy in the Bay of Biscay are among the highest in the historical time series, thus allowing a higher precautionary TAC in 2016 in accordance with the management strategy assessed by the Scientific, Technical and Economic Committee for Fisheries (STECF) in 2014.

⁽¹⁾ Council Regulation (EU) 2016/72 of 22 January 2016 fixing for 2016 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2015/104 (OJ L 22, 28.1.2016, p. 1).

⁽²⁾ Council Regulation (EU) 2016/458 of 30 March 2016 amending Regulation (EU) 2016/72 as regards certain fishing opportunities (OJ L 80, 31.3.2016, p. 1).

- (7) Regulation (EU) 2016/72 should therefore be amended accordingly.
- (8) Since the modification of catch limits has an influence on the economic activities and the planning of the fishing season of Union vessels, this Regulation should enter into force immediately after its publication.
- (9) The catch limits provided for in Regulation (EU) 2016/72 apply from 1 January 2016. The provisions of this Regulation concerning catch limits should therefore also apply from that date. Such retroactive application is without prejudice to the principles of legal certainty and protection of legitimate expectations as the fishing opportunities concerned have not yet been exhausted,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex IA to Regulation (EU) 2016/72:

- (a) the fishing opportunities table for sandeel in Union waters of IIa, IIIa and IV is replaced by the following:

'Species: Sandeel <i>Ammodytes</i> spp.		Zone: Union waters of IIa, IIIa and IV ⁽¹⁾
Denmark	74 273 ⁽²⁾	
United Kingdom	1 799 ⁽²⁾	
Germany	126 ⁽²⁾	
Sweden	3 021 ⁽²⁾	
Union	79 219	
TAC	79 219	

Analytical TAC
Article 3 of Regulation (EC) No 847/96 shall not apply
Article 4 of Regulation (EC) No 847/96 shall not apply

⁽¹⁾ Excluding waters within six nautical miles of the UK baselines at Shetland, Fair Isle and Foula.

⁽²⁾ Without prejudice to the landing obligation catches of dab, whiting and mackerel may be counted against up to 2 % of the quota (OT1/*2A3A4), provided that not more than 9 % in total of this quota for sandeel is accounted for by these catches and by-catches of those species that are accounted for under Article 15(8) of Regulation (EU) No 1380/2013.

Special condition: within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the following sandeel management areas, as defined in Annex IID:

Zone: Union waters of sandeel management areas							
	1	2	3	4	5	6	7
	(SAN/234_1)	(SAN/234_2)	(SAN/234_3)	(SAN/234_4)	(SAN/234_5)	(SAN/234_6)	(SAN/234_7)
Denmark	12 263	4 717	51 428	5 659	0	206	0
United Kingdom	268	103	1 299	124	0	5	0
Germany	19	7	91	9	0	0	0
Sweden	450	173	2 182	208	0	8	0
Union	13 000	5 000	55 000	6 000	0	219	0
Total	13 000	5 000	55 000	6 000	0	219	0'

(b) the fishing opportunities table for anchovy in VIII is replaced by the following:

'Species:		Zone:	
Anchovy <i>Engraulis encrasicolus</i>		VIII (ANE/08.)	
Spain	29 700		
France	3 300		
Union	33 000		
TAC	33 000		Analytical TAC

Article 2

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

It shall apply from 1 January 2016.

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

Done at Luxembourg, 6 June 2016.

For the Council
The President
 H.G.J. KAMP

COMMISSION IMPLEMENTING REGULATION (EU) 2016/892**of 7 June 2016****on the extension of the transitional periods related to own funds requirements for exposures to central counterparties set out in Regulation (EU) No 575/2013 and Regulation (EU) No 648/2012 of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 ⁽¹⁾, and in particular Article 497(3) thereof,

Whereas:

- (1) In order to avoid disruption to international financial markets and to prevent penalising institutions by subjecting them to higher own funds requirements during the processes of authorisation and recognition of existing central counterparties (CCPs), paragraphs 1 and 2 of Article 497 of Regulation (EU) No 575/2013 established a transitional period during which all CCPs with which institutions established in the Union clear transactions may be considered qualifying CCPs by institutions.
- (2) Regulation (EU) No 575/2013 amended Regulation (EU) No 648/2012 ⁽²⁾ in respect of certain inputs to the calculation of institutions' own funds requirements for exposures to CCPs. Accordingly, Article 89(5a) of Regulation (EU) No 648/2012 requires certain CCPs to report, for a limited period of time, the total amount of initial margin they have received from their clearing members. That transitional period mirrors the one laid down in Article 497 of Regulation (EU) No 575/2013.
- (3) Both transitional periods were set to expire on 15 June 2014.
- (4) Article 497(3) of Regulation (EU) No 575/2013 empowers the Commission to adopt an implementing act in order to extend the transitional period for own funds requirements by 6 months in exceptional circumstances. That extension should also apply in respect of the time limits laid down in Article 89(5a) of Regulation (EU) No 648/2012. Those transitional periods have been extended until 15 June 2016 by Commission Implementing Regulations (EU) No 591/2014 ⁽³⁾, (EU) No 1317/2014 ⁽⁴⁾, (EU) 2015/880 ⁽⁵⁾ and (EU) 2015/2326 ⁽⁶⁾.
- (5) The authorisation process for existing CCPs established in the Union is ongoing but will not be completed by 15 June 2016. There are still 2 CCPs established in the Union that await authorisation. If the transitional period is not extended, institutions established in the Union having exposures to those 2 CCPs would see significant increases in the own funds requirements for those exposures. While such increases may only be temporary, they could potentially lead to the withdrawal of those institutions as direct participants in those CCPs or to the, at least temporary, cessation of the provision of clearing services to those institutions' clients and thus cause disruption in the markets in which those CCPs operate and potentially in Union markets in general.

⁽¹⁾ OJ L 176, 27.6.2013, p. 1.

⁽²⁾ Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories (OJ L 201, 27.7.2012, p. 1).

⁽³⁾ Commission Implementing Regulation (EU) No 591/2014 of 3 June 2014 on the extension of the transitional periods related to own funds requirements for exposures to central counterparties in Regulation (EU) No 575/2013 and Regulation (EU) No 648/2012 of the European Parliament and of the Council (OJ L 165, 4.6.2014, p. 31).

⁽⁴⁾ Commission Implementing Regulation (EU) No 1317/2014 of 11 December 2014 on the extension of the transitional periods related to own funds requirements for exposures to central counterparties in Regulations (EU) No 575/2013 and (EU) No 648/2012 of the European Parliament and of the Council (OJ L 355, 12.12.2014, p. 6).

⁽⁵⁾ Commission Implementing Regulation (EU) 2015/880 of 4 June 2015 on the extension of the transitional periods related to own funds requirements for exposures to central counterparties set out in Regulations (EU) No 575/2013 and (EU) No 648/2012 of the European Parliament and of the Council (OJ L 143, 9.6.2015, p. 7).

⁽⁶⁾ Commission Implementing Regulation (EU) 2015/2326 of 11 December 2015 on the extension of the transitional periods related to own funds requirements for exposures to central counterparties set out in Regulation (EU) No 575/2013 and Regulation (EU) No 648/2012 of the European Parliament and of the Council (OJ L 328, 12.12.2015, p. 108).

- (6) With regard to CCPs established in third countries that have applied for recognition so far, 17 CCPs have already been recognised by the European Securities and Markets Authority (ESMA). Of those, 6 CCPs from Canada, Mexico, South Africa and Switzerland, have been recognised after the adoption of Implementing Regulation (EU) 2015/2326. Furthermore, CCPs from South Korea and the United States may be recognised on the basis of Implementing Decisions (EU) 2015/2038 ⁽¹⁾ and (EU) 2016/377 ⁽²⁾, respectively. However, the remaining third-country CCPs are still awaiting recognition and the recognition process will not be completed by 15 June 2016. The markets served by those remaining CCPs could also be severely disrupted in case the transitional period for institutions having exposures to those CCPs is not extended for the same reasons as in case of the non-extension of the transitional periods for CCPs established in the Union.
- (7) The need to avoid disruption to markets inside and outside of the Union that led previously to the extension of the transitional period laid down in paragraphs 1 and 2 of Article 497 of Regulation (EU) No 575/2013 would therefore remain after the expiry of the extension of the transitional period set out in Implementing Regulation (EU) 2015/2326. A further extension of the transitional period should enable institutions established in the Union (or their subsidiaries established outside the Union) to avoid significant increase in the own funds requirements due to the lack of completion of the authorisation or recognition processes for CCPs which provide, in a viable and accessible way, the specific type of clearing services that institutions established in the Union (or their subsidiaries established outside the Union) require. An additional 6-month extension of the transitional periods is therefore appropriate.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the European Banking Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The 15-month periods referred to in paragraphs 1 and 2 of Article 497 of Regulation (EU) No 575/2013 and in the first and second subparagraphs of paragraph 5a of Article 89 of Regulation (EU) No 648/2012, respectively, as extended pursuant to Article 1 of Implementing Regulations (EU) No 591/2014, (EU) No 1317/2014, (EU) 2015/880 and (EU) 2015/2326, are extended by an additional 6 months until 15 December 2016.

Article 2

This Regulation shall enter into force on the third 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, 7 June 2016.

For the Commission

The President

Jean-Claude JUNCKER

⁽¹⁾ Commission Implementing Decision (EU) 2015/2038 of 13 November 2015 on the equivalence of the regulatory framework of the Republic of Korea for central counterparties to the requirements of Regulation (EU) No 648/2012 of the European Parliament and of the Council on OTC derivatives, central counterparties and trade repositories (OJ L 298, 14.11.2015, p. 25).

⁽²⁾ Commission Implementing Decision (EU) 2016/377 of 15 March 2016 on the equivalence of the regulatory framework of the United States of America for central counterparties that are authorised and supervised by the Commodity Futures Trading Commission to the requirements of Regulation (EU) No 648/2012 of the European Parliament and of the Council (OJ L 70, 16.3.2016, p. 32).

COMMISSION IMPLEMENTING REGULATION (EU) 2016/893**of 7 June 2016****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in 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, 7 June 2016.

*For the Commission,
On behalf of the President,
Jerzy PLEWA*

Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	IL	259,4
	MA	124,3
	TR	66,0
	ZZ	149,9
0709 93 10	TR	140,4
	ZZ	140,4
0805 50 10	AR	173,4
	IL	134,0
	MA	160,2
	TR	75,0
	ZA	179,5
0808 10 80	ZZ	144,4
	AR	121,1
	BR	114,8
	CL	126,5
	CN	102,3
	NZ	144,9
	PE	111,0
	US	152,4
	UY	107,2
	ZA	115,8
	ZZ	121,8
0809 10 00	TR	256,6
	ZZ	256,6
0809 29 00	TR	550,9
	US	721,3
	ZZ	636,1

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COUNCIL IMPLEMENTING DECISION (EU) 2016/894

of 12 May 2016

setting out a recommendation for temporary internal border control in exceptional circumstances putting the overall functioning of the Schengen area at risk

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) ⁽¹⁾ and in particular Article 29 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The EU is facing an unprecedented migratory and refugee crisis following a sharp increase of mixed migratory flows since 2015. This has led to severe difficulties in ensuring efficient external border control in accordance with the Schengen *acquis* and in the reception and processing of migrants arriving. Wider structural deficiencies in the way the Union's external borders are protected have also become evident in this crisis.
- (2) The Hellenic Republic is, mainly due to its geographical situation, particularly affected by these developments and has faced a dramatic increase in the number of migrants arriving on the Aegean islands.
- (3) In accordance with Council Regulation (EU) No 1053/2013 ⁽²⁾ and the annual evaluation programme for 2015 ⁽³⁾, an unannounced on-site visit was carried out from 10 to 13 November 2015 to evaluate the implementation of the Schengen *acquis* in the field of the management of the external border by the Hellenic Republic at its land border (Orestiada, Fylakio, Kastanies, Nea Vyssa) and sea border (Chios and Samos Islands) with Turkey.
- (4) On 2 February 2016 the Commission adopted an implementing decision establishing a report of the evaluation of the Hellenic Republic on the implementation of the Schengen *acquis* in the field of the management of the external border ⁽⁴⁾ concluding that there are serious deficiencies in the carrying out of external border control that must be overcome and dealt with by the Hellenic authorities.
- (5) On 12 February 2016 the Council adopted recommendations on addressing the serious deficiencies identified during the evaluation and indicated the priorities for implementing them. Appropriate measures should be taken by the Hellenic authorities to ensure that at all its external borders, external border control is carried out and brought in line with the Schengen *acquis* in order not to jeopardise the functioning of the Schengen area.

⁽¹⁾ OJ L 77, 23.3.2016, p. 1.

⁽²⁾ Council Regulation (EU) No 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen *acquis* and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen (OJ L 295, 6.11.2013, p. 27).

⁽³⁾ Commission Implementing Decision C(2014) 8377 of 14 November 2014 establishing the annual evaluation programme of unannounced on-site visits for 2015 in accordance with Article 6 of Council Regulation (EU) No 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen *acquis*.

⁽⁴⁾ C(2016) 450 of 2 February 2016.

- (6) On 24 February 2016 the Commission adopted recommendations on specific measures to be taken by the Hellenic Republic following the evaluation report of 2 February 2016 to ensure compliance with the recommendations of the Council of 12 February 2016.
- (7) On 12 March 2016 the Hellenic Republic notified its Action Plan to remedy the deficiencies identified in the evaluation report and subject to the Council recommendations. The Commission presented on 12 April 2016 its assessment of the adequacy of the Action Plan to the Council. While the Commission concluded that significant progress has been made by Greece, further improvements to the Action Plan are needed in order to adequately and comprehensively address the deficiencies identified in the Evaluation Report. It requested Greece to provide additional elements and clarifications on its Action Plan by 26 April.
- (8) On 26 April 2016 the Hellenic Republic provided the Commission with the requested additional elements and clarifications on its Action Plan. On 29 April 2016, the Hellenic Republic transmitted to the Commission the Report on the implementation of the Action Plan in accordance with Article 16(4) of Regulation (EU) No 1053/2013.
- (9) Between 10 and 16 April 2016, in accordance with Regulation (EU) No 1053/2013 and the annual evaluation programme for 2016, an announced on-site visit was carried out in the Hellenic Republic ⁽¹⁾.
- (10) The record number of migrants arriving in the European Union since 2015 and the deficiencies at parts of the Union's external border identified during the November 2015 evaluation have resulted in important secondary movements, causing a serious threat to public policy or internal security in several Member States.
- (11) Currently five Schengen States (Austria, Germany, Denmark, Sweden and Norway) carry out border controls at internal borders in response to a serious threat to public policy or internal security that was caused by secondary movements of irregular migrants triggered by serious deficiencies in external border controls. These reintroductions of controls at internal borders provide an adequate response to the identified threat to the internal security and public policy in compliance with the Schengen Borders Code, and these measures are necessary and are considered proportionate.

On 23 October 2015, the Commission issued an opinion on the necessity and proportionality of the controls at internal borders reintroduced by Germany and Austria ⁽²⁾ concluding that the reintroduction of controls, as well as the prolongations thereof, was in compliance with the Schengen Borders Code.

- (12) In its communication 'Back to Schengen — A Roadmap' ⁽³⁾, the Commission referred to the need, if the migratory pressures and the serious deficiencies in external border control were to persist beyond 12 May 2016, to present a proposal under Article 29(2) of the Schengen Borders Code to the Council recommending a coherent Union approach to internal border controls until the structural deficiencies in external border control are mitigated or remedied. The Communication sets out the steps that need to be taken in order to return to a normally functioning Schengen area at the latest by the end of 2016.
- (13) The Hellenic Republic has made significant progress in addressing many of the deficiencies in its external border management identified during the November 2015 evaluation. Moreover, the initial implementation of the EU-Turkey Statement of 18 March 2016 ⁽⁴⁾, together with the ongoing operations by Frontex and NATO, have led to a sharp decrease in the number of irregular migrants and asylum seekers crossing from Turkey into the Hellenic Republic. This substantial reduction in the flow of irregular migrants and asylum seekers to the Hellenic Republic, together with the support provided by EU Agencies and other Member States in the hotspots, has enabled the Hellenic Republic to significantly improve the registration of newly arriving irregular migrants and asylum seekers. The sustainability of the substantial reduction of the migratory flow needs to be confirmed.

⁽¹⁾ C(2015) 8537 of 9 December 2015.

⁽²⁾ C(2015) 7100 of 23 October 2015.

⁽³⁾ C(2016) 120 final.

⁽⁴⁾ SN 38/16 of 18.3.2016.

- (14) Despite this significant progress, not all of the serious deficiencies identified could be adequately and comprehensively addressed within the three months' time limit laid down in Article 21(3) of Regulation (EU) 2016/399. Some of the serious deficiencies in external border control persist, and they put at risk the overall functioning of the area without internal border control. In particular, structural deficiencies in external border control related to the overall border management system, border surveillance and situational awareness, have not been remedied yet. Moreover, a number of persons who stay irregularly on the territory of the Hellenic Republic have not been registered and may seek to move irregularly to other Member States. This risk of secondary movements is particularly high for those irregular migrants who are not accommodated in adequate reception facilities. Finally, while the Council recommended that the Hellenic Republic should take appropriate measures to ensure that at all its external borders, external border control is carried out and brought in line with the Schengen *acquis*, border surveillance at the border with the former Yugoslav Republic of Macedonia is currently not fully compliant with the Schengen Borders Code. This adds to the risk of secondary movements of migrants to other Member States.
- (15) Consequently, some of the serious deficiencies in external border controls that triggered secondary movements of irregular migrants and prompted several Member States to temporarily reintroduce internal border controls for reasons related to public policy or internal security persist, putting at risk the overall functioning of the area without internal border control. This persistent risk of secondary movements requires a coherent, coordinated and sustainable approach of temporary internal border control.
- (16) As all other measures have been ineffective in mitigating the serious threat identified, it follows that the conditions for applying Article 29 of the Schengen Borders Code as a last resort are fulfilled.
- (17) Therefore, a recommendation to carry out internal border control under Article 29 of the Schengen Borders Code should be addressed, based on the information available, to those Member States that are currently carrying out internal border control in response to a serious threat to public policy or internal security that was caused by secondary movements of irregular migrants, namely Germany, Denmark, Austria and Sweden and the associated country Norway. These Member States should be permitted to carry out such controls as these controls adequately address the serious threat to public policy and internal security related to the secondary movements of irregular migrants. The internal borders currently affected by the checks correspond to the identified migratory routes and threats, with focus on specific land border sections or specific ports.
- (18) The Member States that decide to carry out internal border control following the present Recommendation should notify the other Member States, the European Parliament and the Commission accordingly.
- (19) The controls under Article 29 of the Schengen Borders Code should be carried out only to the necessary extent, limited in their intensity of the controls to the absolute minimum necessary and impeding as less as possible the crossing of the respective internal borders for the general public. For this purpose, only targeted controls should be carried out. The necessity of these controls, together with the border sections affected, should be re-evaluated regularly in cooperation with the Member States concerned.
- (20) Border control should take place only as long as required to address the threat to public policy and internal security. Several legislative initiatives and actions undertaken by the Union in order to reinforce its external border management (European Coast and Border Guard, return to a full application of EU asylum law provisions by the Hellenic Republic, stepping up of the implementation of the emergency relocation scheme, the EU-Turkey Statement) should also be in place and fully operational without delay and thus further contribute to a substantial reduction in the secondary movements of irregular migrants.
- (21) The Council takes note that the Commission will monitor the application of this recommendation and, where necessary and proportionate, propose adaptations to reflect changes in the specific circumstances that have led to the adoption of this recommendation, in accordance with the provisions of Article 29 of the Schengen Borders Code.
- (22) The Commission has also announced that it will report to the European Parliament and the Council after four months as from the date of the adoption of this recommendation on its application, or earlier if possible, and on that occasion may propose amendments to this recommendation in light of the experience acquired and the circumstances,

HEREBY RECOMMENDS:

1. Austria, Germany, Denmark, Sweden and Norway to maintain proportionate temporary border controls for a maximum period of six months, starting from the day of the adoption of this Implementing Decision, at the following internal borders:

- Austria at the Austrian-Hungarian land border and Austrian-Slovenian land border,
- Germany at the German-Austrian land border,
- Denmark in the Danish ports with ferry connections to Germany and at the Danish-German land border,
- Sweden in the Swedish harbours in the Police Region South and West and at the Öresund bridge,
- Norway in the Norwegian ports with ferry connections to Denmark, Germany and Sweden.

Before introducing such controls, the Member State concerned should exchange views with the relevant neighbouring Member State(s) with a view to ensuring that internal border controls are only carried out at those parts of the internal border where it is considered necessary and proportionate, in accordance with the Schengen Borders Code.

2. The Member States concerned should notify the other Member States, the European Parliament and the Commission accordingly.
3. Border controls should be targeted and limited in scope, frequency, location and time, to what is strictly necessary to respond to the serious threat and to safeguard public policy and internal security. The Member State that carries out internal border control pursuant to the present Implementing Decision should regularly review the necessity, frequency, location and time of controls, adjust the controls to the level of the threat addressed, phasing them out wherever appropriate, and report to the Commission every two months.

Done at Brussels, 12 May 2016.

For the Council
The President
F. MOGHERINI

CORRIGENDA

Corrigendum to Commission Implementing Regulation (EU) 2016/780 of 19 May 2016 amending Council Regulation (EC) 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea

(Official Journal of the European Union L 131 of 20 May 2016)

In Annex V:

(1) on page 56, under the heading 'Natural persons referred to in Article 6(2)(a)', for entries 15 to 32:

for:

15.	CHOE Kyong-song		Colonel General in the army of the DPRK. Former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in DPRK. As such, responsible for supporting or promoting the DPRK's nuclear related, ballistic missile related or other weapons of mass destruction related programmes.
16.	CHOE Yong-ho		Colonel General in the army of the DPRK. Former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in DPRK. Commander of the air forces. As such, responsible for supporting or promoting the DPRK's nuclear related, ballistic missile related or other weapons of mass destruction related programmes.
17.	HONG Sung Mu (alias HUNG Sung Mu)	DOB: 1.1.1942	Deputy-director of the Munitions Industry Department (MID). In charge of the development of programmes concerning conventional arms and missiles, including ballistic missiles. One of the main persons responsible for the industrial development programmes for nuclear arms. As such, responsible for DPRK nuclear-related, ballistic-missile-related, or other weapons of mass destruction-related programmes.
18.	JO Chun Ryong (aliases CHO Chun Ryo'ng, JO Chun Ryong, JO Cho Ryong)	DOB: 4.4.1960	Chairman of the Second Economic Committee (SEC) since 2014 and responsible for managing the DPRK's munitions factories and production sites. The SEC was designated under UNSCR 2270 (2016) for its involvement in key aspects of the DPRK's missile programme, its responsibility for overseeing the production of the DPRK's ballistic missiles, and for directing the activities of KOMID — DPRK's primary arms trading entity. Member of the National Defence Commission. Has participated in several ballistic-missile-related programmes. One of the key principals in the arms industry of the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.

19.	JO Kyongchol		General in the army of the DPRK. Former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in DPRK. Director of the Military Security Command. As such, responsible for supporting or promoting the DPRK's nuclear related, ballistic missile related or other weapons of mass destruction related programmes.
20.	KIM Chun sam		Lieutenant General, former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in DPRK. Director of the Operations Department of the Military Headquarters of the Army of the DPRK and first vice chief of the Military Headquarters. As such, responsible for supporting or promoting the DPRK's nuclear related, ballistic missile related or other weapons of mass destruction related programmes.
21.	KIM Chun sop		Member of the National Defense Commission, which is a key body for national defence matters in DPRK. As such, responsible for supporting or promoting the DPRK's nuclear related, ballistic missile related or other weapons of mass destruction related programmes.
22.	KIM Jong gak	DOB: 20.7.1941 POB: Pyongyang	Vice Marshal in the army of the DPRK, former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in DPRK. As such, responsible for supporting or promoting the DPRK's nuclear related, ballistic missile related or other weapons of mass destruction related programmes.
23.	KIM Rak Kyom (alias KIM Rak gyom)		Four Star General, Commander of the Strategic Forces (aka Strategic Rocket Forces) which now reportedly command 4 strategic and tactical missile units, including the KN08 (ICBM) brigade. The United States has designated the Strategic Forces for engaging in activities that have materially contributed to the proliferation of weapons of mass destruction or their means of delivery. Former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in DPRK. Media reports identified KIM as attending the April 2016 ICBM engine test with KIM Jung Un. As such, responsible for supporting or promoting the DPRK's nuclear related, ballistic missile related or other weapons of mass destruction related programmes.
24.	KIM Won hong	DOB: 7.1.1945 POB: Pyongyang Passport no.: 745310010	General, Director of the State Security Department. Minister of State Security. Member of the Central Military Commission of the Workers Party of Korea and National Defense Commission, which are the key bodies for national defence matters in DPRK. As such, responsible for supporting or promoting the DPRK's nuclear related, ballistic missile related or other weapons of mass destruction related programmes.

25.	PAK Jong chon		Colonel General in the army of the DPRK, Chief of the Korean People's Armed Forces, Deputy Chief of Staff and Director of the Firepower Command Department. Chief of the Military Headquarters and Director of the Artillery Command Department. Former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in DPRK. As such, responsible for supporting or promoting the DPRK's nuclear related, ballistic missile related or other weapons of mass destruction related programmes.
26.	RI Jong su		Vice Admiral. Former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in DPRK. Commander in chief of the Korean Navy, which is involved in the development of ballistic missile programmes and in the development of the nuclear capacities of the DPRK naval forces. As such, responsible for supporting or promoting the DPRK's nuclear related, ballistic missile related or other weapons of mass destruction related programmes.
27.	SON Chol ju		Colonel General of the Korean People's Armed Forces and Political director of the Air and Anti Air Forces, which oversees the development of modernised anti-aircraft rockets. As such, responsible for supporting or promoting the DPRK's nuclear related, ballistic missile related or other weapons of mass destruction related programmes.
28.	YUN Jong rin		General, former member of the Central Military Commission of the Workers Party of Korea and member of the National Defense Commission, which are the key bodies for national defence matters in DPRK. As such, responsible for supporting or promoting the DPRK's nuclear related, ballistic missile related or other weapons of mass destruction related programmes.
29.	PAK Yong sik		Four Star General, member of the State Security Department, Minister of defence. Member of the Central Military Commission of the Workers Party of Korea and of the National Defense Commission, which are the key bodies for national defence matters in DPRK. Was present at the testing of ballistic missiles in March 2016. As such, responsible for supporting or promoting the DPRK's nuclear related, ballistic missile related or other weapons of mass destruction related programmes.

30.	HONG Yong Chil		Deputy Director of the Munitions Industry Department (MID). The Munitions Industry Department — designated by the UNSC on 2 March 2016 is involved in key aspects of the DPRK's missile program. MID is responsible for overseeing the development of the DPRK's ballistic missiles, including the Taepo Dong 2, weapons production and R&D programmes. The Second Economic Committee and the Second Academy of Natural Sciences — also designated in August 2010 — are subordinate to the MID. The MID in recent years has worked to develop the KN08 road mobile ICBM. HONG has accompanied KIM Jong Un to a number of events related to the development of the DPRK's nuclear and ballistic missile programmes and is thought to have played a significant role in the DPRK's nuclear test on 6 January 2016. Vice – Director of the Workers Party of Korea Central Committee. As such, responsible for supporting or promoting the DPRK's nuclear related, ballistic missile related or other weapons of mass destruction related programmes.
31.	RI Hak Chol (aliases RI Hak Chul, RI Hak Cheol)	DOB: 19.1.1963 or 8.5.1966 Passport nos: 381320634, PS 563410163	President of Green Pine Associated Corporation (“Green Pine”). According to the UN Sanctions Committee, Green Pine has taken over many of the activities of the Korea Mining Development Trading Corporation (KOMID). KOMID was designated by the Committee in April 2009 and is the DPRK's primary arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons. Green Pine is also responsible for approximately half of the arms and related materiel exported by the DPRK. Green Pine has been identified for sanctions for exporting arms or related material from North Korea. Green Pine specializes in the production of maritime military craft and armaments, such as submarines, military boats and missile systems, and has exported torpedoes and technical assistance to Iranian defence related firms. Green Pine has been designated by the United Nations Security Council.
32.	YUN Chang Hyok	DOB: 9.8.1965	Deputy Director of the Satellite Control Centre, National Aerospace Development Administration (NADA). NADA is subject to sanctions under UNSCR 2270 (2016) for involvement in the DPRK's development of space science and technology, including satellite launches and carrier rockets. UNSCR 2270 (2016) condemned the DPRK's satellite launch of 7 February 2016 for using ballistic missile technology and being in serious violation of resolutions 1718 (2006), 1874 (2009), 2087 (2013), and 2094 (2013). As such, responsible for supporting or promoting the DPRK's nuclear related, ballistic missile related or other weapons of mass destruction related programmes.'

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15.	CHOE Kyong-song		Colonel General in the army of the DPRK. Former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
16.	CHOE Yong-ho		Colonel General in the army of the DPRK. Former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in DPRK. Commander of the air forces. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
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18.	JO Chun Ryong (aliases CHO Chun Ryo'ng, JO Chun-Ryong, JO Cho Ryong)	DOB: 4.4.1960	Chairman of the Second Economic Committee (SEC) since 2014 and responsible for managing the DPRK's munitions factories and production sites. The SEC was designated under UNSCR 2270 (2016) for its involvement in key aspects of the DPRK's missile programme, its responsibility for overseeing the production of the DPRK's ballistic missiles, and for directing the activities of KOMID — DPRK's primary arms trading entity. Member of the National Defence Commission. Has participated in several ballistic-missile-related programmes. One of the key principals in the arms industry of the DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
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20.	KIM Chun-sam		Lieutenant General, former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in DPRK. Director of the Operations Department of the Military Headquarters of the Army of the DPRK and first vice chief of the Military Headquarters. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction related programmes.
21.	KIM Chun-sop		Member of the National Defense Commission, which is a key body for national defence matters in DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
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23.	KIM Rak Kyom (alias KIM Rak-gyom)		Four Star General, Commander of the Strategic Forces (aka Strategic Rocket Forces) which now reportedly command 4 strategic and tactical missile units, including the KN08 (ICBM) brigade. The United States has designated the Strategic Forces for engaging in activities that have materially contributed to the proliferation of weapons of mass destruction or their means of delivery. Former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in DPRK. Media reports identified KIM as attending the April 2016 ICBM engine test with KIM Jung Un. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
24.	KIM Won-hong	DOB: 7.1.1945 POB: Pyongyang Passport no.: 745310010	General, Director of the State Security Department. Minister of State Security. Member of the Central Military Commission of the Workers Party of Korea and National Defense Commission, which are the key bodies for national defence matters in DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related-programmes.

25.	PAK Jong-chon		Colonel General in the army of the DPRK, Chief of the Korean People's Armed Forces, Deputy Chief of Staff and Director of the Firepower Command Department. Chief of the Military Headquarters and Director of the Artillery Command Department. Former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
26.	RI Jong-su		Vice Admiral. Former member of the Central Military Commission of the Workers Party of Korea, which is a key body for national defence matters in DPRK. Commander in chief of the Korean Navy, which is involved in the development of ballistic missile programmes and in the development of the nuclear capacities of the DPRK naval forces. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
27.	SON Chol-ju		Colonel General of the Korean People's Armed Forces and Political director of the Air and Anti Air Forces, which oversees the development of modernised anti-aircraft rockets. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
28.	YUN Jong-rin		General, former member of the Central Military Commission of the Workers Party of Korea and member of the National Defense Commission, which are the key bodies for national defence matters in DPRK. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
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(2) on page 59, under the heading 'Legal persons, entities and bodies referred to in Article 6(2)(a)':

for:

'17.	Strategic Rocket Forces		Within the DPRK national armed forces, this entity is involved in the development and operational implementation of ballistic missile related or other weapons of mass destruction related programmes.'
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read:

'17.	Strategic Rocket Forces		Within the DPRK national armed forces, this entity is involved in the development and operational implementation of ballistic-missile-related or other weapons of mass destruction-related programmes.'
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(3) on page 59, under the heading 'Natural persons referred to in Article 6(2)(a)':

for:

'3.	CHU Kyu Chang (alias JU Kyu Chang)	DOB: 25.11.1928 POB: South Hamgyo'ng Province	Member of the National Defense Commission, which is a key body for national defence matters in DPRK. Former director of the department of munitions of the Central Committee of the Korean Workers' Party. As such, responsible for supporting or promoting the DPRK's nuclear related, ballistic missile related or other weapons of mass destruction related programmes.
9.	PAEK Se bong	Year of birth:1946	Former Chairman of the Second Economic Committee (responsible for the ballistics programme) of the Central Committee of the Korean Workers' Party. Member of the National Defence Commission.'

read:

'3	CHU Kyu-Chang (alias JU Kyu-Chang)	DOB: 25.11.1928 POB: South Hamgyo'ng Province	Member of the National Defense Commission, which is a key body for national defence matters in DPRK. Former director of the department of munitions of the Central Committee of the Korean Workers' Party. As such, responsible for supporting or promoting the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes.
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