



Contents

II *Non-legislative acts*

INTERNATIONAL AGREEMENTS

- ★ **Council Decision (EU) 2016/590 of 11 April 2016 on the signing, on behalf of the European Union, of the Paris Agreement adopted under the United Nations Framework Convention on Climate Change** 1

REGULATIONS

- ★ **Council Regulation (EU) 2016/591 of 15 April 2016 amending Regulation (EU) No 1370/2013 determining measures on fixing certain aids and refunds related to the common organisation of the markets in agricultural products, as regards applicable quantitative limitations for the buying-in of butter and skimmed milk powder** 3
- ★ **Commission Delegated Regulation (EU) 2016/592 of 1 March 2016 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to regulatory technical standards on the clearing obligation ⁽¹⁾** 5
- ★ **Commission Implementing Regulation (EU) 2016/593 of 5 April 2016 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Olive de Nîmes (PDO))** 12
- ★ **Commission Implementing Regulation (EU) 2016/594 of 18 April 2016 establishing a template for the structured survey on end recipients of food and/or basic material assistance operational programmes of the Fund for European Aid to the Most Deprived pursuant to Regulation (EU) No 223/2014 of the European Parliament and of the Council** 13
- Commission Implementing Regulation (EU) 2016/595 of 18 April 2016 establishing the standard import values for determining the entry price of certain fruit and vegetables 22

⁽¹⁾ Text with EEA relevance

DECISIONS

| | |
|---|----|
| ★ Council Decision (CFSP) 2016/596 of 18 April 2016 extending the mandate of the European Union Special Representative for central Asia | 24 |
| ★ Council Decision (CFSP) 2016/597 of 18 April 2016 extending the mandate of the European Union Special Representative for the Middle East Peace Process (MEPP) | 29 |
| ★ Commission Implementing Decision (EU) 2016/598 of 14 April 2016 authorising an extension of use of lipid extract from Antarctic Krill (<i>Euphausia superba</i>) as a novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council | 34 |
| ★ Commission Implementing Decision (EU) 2016/599 of 15 April 2016 concerning the consistency of certain targets included in the revised national or functional airspace block plans submitted pursuant to Regulation (EC) No 549/2004 of the European Parliament and of the Council with the Union-wide performance targets for the second reference period (notified under document C(2016) 2140) ⁽¹⁾ | 37 |
| ★ Commission Implementing Decision (EU) 2016/600 of 15 April 2016 amending Decision 2007/453/EC as regards the BSE status of Romania (notified under document C(2016) 2186) ⁽¹⁾ | 41 |
| ★ Commission Implementing Decision (EU) 2016/601 of 15 April 2016 amending Decision 2011/163/EU on the approval of plans submitted by third countries in accordance with Article 29 of Council Directive 96/23/EC (notified under document C(2016) 2187) ⁽¹⁾ | 43 |

⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2016/590

of 11 April 2016

on the signing, on behalf of the European Union, of the Paris Agreement adopted under the United Nations Framework Convention on Climate Change

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1), in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) At the 21st Conference of the Parties of the United Nations Framework Convention on Climate Change (COP 21), which took place in Paris from 30 November to 12 December 2015, the text of an agreement was adopted concerning the strengthening of the global response to the threat of climate change. The Paris Agreement will enter into force on the 30th day after the date on which at least 55 parties to the Convention accounting in total for at least an estimated 55 % of total greenhouse gas emissions, have deposited their instruments of ratification, acceptance, approval or accession. Parties to the Convention include the Union and its Member States.
- (2) The Agreement, inter alia, sets out a long-term goal in line with the objective to keep the global temperature increase well below 2 °C above pre-industrial levels and to pursue efforts to keep it to 1,5 °C above pre-industrial levels. In order to achieve this goal, the Parties will prepare, communicate and maintain successive nationally determined contributions.
- (3) On 6 March 2015, the Union and its Member States communicated their intended nationally determined contribution, which provides for a commitment to a binding target of at least a 40 % domestic reduction in greenhouse gas emissions by 2030 compared to 1990, as set out in the conclusions of the European Council of 23 October 2014 on the 2030 climate and energy policy framework.
- (4) The Agreement is open for signature at the United Nations Headquarters in New York from 22 April 2016 to 21 April 2017.
- (5) The Agreement is in conformity with the environmental objectives of the Union as referred to in Article 191 of the Treaty, namely preserving, protecting and improving the quality of the environment; protecting human health; and promoting measures at international level to deal with regional or worldwide environmental problems, and in particular combating climate change.
- (6) There exists legislation in the Union implementing some of these objectives. Part of this existing Union legislation will have to be revised in order to implement certain provisions of the Agreement.
- (7) Therefore, the Agreement should be signed on behalf of the Union, subject to its conclusion at a later date,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Paris Agreement to the United Nations Framework Convention on Climate Change ⁽¹⁾ is hereby authorised.

The signing shall take place in New York on 22 April 2016, or as soon as possible thereafter.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 3

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

Done at Luxembourg, 11 April 2016.

For the Council
The President
M.H.P. VAN DAM

⁽¹⁾ The text of the Agreement will be published together with the Decision on its conclusion.

REGULATIONS

COUNCIL REGULATION (EU) 2016/591

of 15 April 2016

amending Regulation (EU) No 1370/2013 determining measures on fixing certain aids and refunds related to the common organisation of the markets in agricultural products, as regards applicable quantitative limitations for the buying-in of butter and skimmed milk powder

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) The milk and milk products sector is experiencing a prolonged period of severe market imbalance. While world import demand for milk and milk products remained stable overall in 2015 in comparison with 2014, production significantly increased in the Union and other main exporting regions.
- (2) Investments in milk-production capacity in the Union, made in preparation for the expiry of milk quotas and in view of positive medium-term prospects on the world market, have resulted in steadily increasing milk production in the Union. Milk volumes produced in excess are processed into long-term storable products such as butter and skimmed milk powder.
- (3) Prices of butter and skimmed milk powder in the Union consequently declined in the years 2014 and 2015, when the prices of skimmed milk powder hit the public intervention price. Butter prices are still above the public intervention price, but are under downward pressure.
- (4) Council Regulation (EU) No 1370/2013 ⁽¹⁾ sets quantitative limitations for the buying-in of butter and skimmed milk powder at the fixed price referred to in that Regulation. Once those limits are reached, buying-in is to be carried out by way of a tendering procedure to determine the maximum buying-in price.
- (5) As an exceptional measure to secure the undisrupted availability of the public intervention mechanism in a situation of market disturbance in the milk and milk products sector, Commission Delegated Regulation (EU) 2015/1549 ⁽²⁾ brought forward the start of the public intervention period for butter and skimmed milk powder in the year 2016 to 1 January.
- (6) In the additional public intervention period opened by Delegated Regulation (EU) 2015/1549 for the year 2016, half of the volume of the quantitative limitation set by Regulation (EU) No 1370/2013 for the buying-in of skimmed milk powder at a fixed price has been reached.
- (7) In order to help the milk and milk products sector to find a new balance in the prevailing severe market situation and to preserve confidence in the effectiveness of public intervention mechanisms, it is appropriate to increase the quantitative limitations for the buying-in of butter and skimmed milk powder at a fixed price in 2016.
- (8) Where a tendering procedure is triggered before the entry into force of this Regulation, any volumes bought in under that procedure should not be taken into account for the purposes of determining the available volumes for the buying-in of butter and skimmed milk powder at a fixed price in 2016.

⁽¹⁾ Council Regulation (EU) No 1370/2013 of 16 December 2013 determining measures on fixing certain aids and refunds related to the common organisation of the markets in agricultural products (OJ L 346, 20.12.2013, p. 12).

⁽²⁾ Commission Delegated Regulation (EU) 2015/1549 of 17 September 2015 laying down temporary exceptional measures for the milk and milk product sector in the form of extending the public intervention period for butter and skimmed milk powder in 2015 and advancing the public intervention period for butter and skimmed milk powder in 2016 (OJ L 242, 18.9.2015, p. 28).

- (9) In order to ensure that the temporary measures provided for in this Regulation have an immediate impact on the market and contribute to the stabilisation of prices, this Regulation should enter into force on the date following that of its publication,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 3(1) of Regulation (EU) No 1370/2013, the following subparagraph is added:

‘By way of derogation from the first subparagraph, in the year 2016, the quantitative limitations for the buying-in of butter and skimmed milk powder at a fixed price shall be 100 000 tonnes for butter and 218 000 tonnes for skimmed milk powder. Any volumes bought in under a tendering procedure ongoing on 19 April 2016 shall not be counted against those quantitative limitations.’

Article 2

This Regulation shall enter into force on the date 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, 15 April 2016.

For the Council

The President

A.G. KOENDERS

COMMISSION DELEGATED REGULATION (EU) 2016/592**of 1 March 2016****supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to regulatory technical standards on the clearing obligation****(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 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories ⁽¹⁾, and in particular Article 5(2) thereof,

Whereas:

- (1) The European Securities and Markets Authority (ESMA) has been notified of the classes of credit over the counter (OTC) derivatives that a central counterparty (CCP) has been authorised to clear. For each of those classes ESMA has assessed the criteria that are essential for subjecting them to the clearing obligation, including the level of standardisation, the volume and liquidity, and the availability of pricing information. With the overarching objective of reducing systemic risk, ESMA has determined the classes of credit OTC derivatives that should be subject to the clearing obligation in accordance with the procedure set out in Regulation (EU) No 648/2012.
- (2) The tenor is one common and essential characteristic of credit OTC derivatives. It corresponds to a fixed date on which a credit derivative contract expires. That feature should be taken into account when defining the classes of credit OTC derivatives to be subject to the clearing obligation.
- (3) Different counterparties need different periods of time for putting in place the necessary arrangements to clear the credit OTC derivatives subject to the clearing obligation. In order to ensure an orderly and timely implementation of that obligation, counterparties should be classified into categories in which sufficiently similar counterparties become subject to the clearing obligation from the same date.
- (4) A first category should include both financial and non-financial counterparties which, on the date of entry into force of this Regulation, are clearing members of at least one of the relevant CCPs and for at least one of the classes of credit OTC derivatives subject to the clearing obligation, as those counterparties already have experience with voluntary clearing and have already established the connections with those CCPs to clear at least one of those classes. Non-financial counterparties that are clearing members should also be included in this first category as their experience and preparation towards central clearing is comparable with that of financial counterparties included in it.
- (5) A second and a third category should comprise financial counterparties not included in the first category, grouped according to their levels of legal and operational capacity regarding OTC derivatives. The level of activity in OTC derivatives should serve as a basis to differentiate the degree of legal and operational capacity of financial counterparties, and a quantitative threshold should therefore be defined for division between the second and third categories on the basis of the aggregate month-end average notional amount of non-centrally cleared derivatives. That threshold should be set out at an appropriate level to differentiate smaller market participants, while still capturing a significant level of risk under the second category. The threshold should also be aligned with the threshold agreed at international level related to margin requirements for non-centrally cleared derivatives in order to enhance regulatory convergence and limit the compliance costs for counterparties. As in those international standards, whereas the threshold applies generally at group level given the potential shared risks within the

⁽¹⁾ OJ L 201, 27.7.2012, p. 1.

group, for investment funds the threshold should be applied separately to each fund since the liabilities of a fund are not usually affected by the liabilities of other funds or their investment manager. Thus, the threshold should be applied separately to each fund as long as, in the event of fund insolvency or bankruptcy, each investment fund constitutes a completely segregated and ring-fenced pool of assets that is not collateralised, guaranteed or supported by other investment funds or the investment manager itself.

- (6) Certain alternative investment funds ('AIFs') are not captured by the definition of financial counterparties under Regulation (EU) No 648/2012 although they have a degree of operational capacity regarding OTC derivative contracts similar to that of AIFs captured by that definition. Therefore AIFs classified as non-financial counterparties should be included in the same categories of counterparties as AIFs classified as financial counterparties.
- (7) A fourth category should include non-financial counterparties not included in the other categories, given their more limited experience and operational capacity with OTC derivatives and central clearing than the other categories of counterparties.
- (8) The date on which the clearing obligation takes effect for counterparties in the first category should take into account the fact that they may not have the necessary pre-existing connections with CCPs for all the classes subject to the clearing obligation. In addition, counterparties in this category constitute the access point to clearing for counterparties that are not clearing members, client clearing and indirect client clearing being expected to increase substantially as a consequence of the entry into force of the clearing obligation. Finally, this first category of counterparties account for a significant portion of the volume of credit OTC derivatives already cleared, and the volume of transactions to be cleared will significantly increase after the date on which the clearing obligation set out in this Regulation will take effect. Therefore, a reasonable timeframe for counterparties in the first category to prepare for clearing additional classes, to deal with the increase of client clearing and indirect client clearing and to adapt to increasing volumes of transactions to be cleared should be set at 6 months. Furthermore, the date on which the clearing obligation takes effect for counterparties in the first category should also take into account whether more than one CCP already clear the same class of OTC derivatives by the time this Regulation enters into force. In particular, an important number of counterparties seeking to establish clearing arrangements with the same CCP at the same time would mean that more time is required than when counterparties have the choice of several CCPs to establish their clearing arrangements with. Therefore, an additional period of 3 months should be granted to ensure an orderly implementation of the clearing obligation.
- (9) The date on which the clearing obligation takes effect for counterparties in the second and third categories should take into account the fact that most of them will get access to a CCP by becoming a client or an indirect client of a clearing member. This process may require between 12 and 18 months depending on the legal and operational capacity of counterparties and their level of preparation regarding the establishment of the arrangements with clearing members that are necessary for clearing the contracts. Furthermore, the date on which the clearing obligation takes effect for counterparties in the second and third categories should also take into account whether more than one CCP already clear the same class of OTC derivatives by the time this Regulation enters into force. In particular, an important number of counterparties seeking to establish clearing arrangements with the same CCP at the same time would mean that more time is required than when counterparties have the choice of several CCPs to establish their clearing arrangements with. Therefore, an additional period of 3 months should be granted to ensure an orderly implementation of the clearing obligation.
- (10) The date on which the clearing obligation takes effect for counterparties in the fourth category should take into account their legal and operational capacity, and their more limited experience with OTC derivatives and central clearing than other categories of counterparties.
- (11) For OTC derivative contracts concluded between a counterparty established in a third country and another counterparty established in the Union belonging to the same group and which are included in the same consolidation on a full basis and are subject to an appropriate centralised risk evaluation, measurement and control procedures, a deferred date of application of the clearing obligation should be provided. The deferred application should ensure that those contracts are not subject to the clearing obligation for a limited period of time in the absence of implementing acts pursuant to Article 13(2) of Regulation (EU) No 648/2012 covering the OTC derivative contracts set out in the Annex to this Regulation and regarding the jurisdiction where the non-Union counterparty is established. Competent authorities should be able to verify in advance that the counterparties

concluding those contracts belong to the same group and fulfil the other conditions of intragroup transactions pursuant to Regulation (EU) No 648/2012.

- (12) Unlike OTC derivatives whose counterparties are non-financial counterparties, where counterparties to OTC derivative contracts are financial counterparties, Regulation (EU) No 648/2012 requires the application of the clearing obligation to contracts concluded after the notification to ESMA that follows the authorisation of a CCP to clear a certain class of OTC derivatives, but before the date on which the clearing obligation takes effect, provided the remaining maturity of such contracts at the date on which the obligation takes effect justifies it. The application of the clearing obligation to those contracts should pursue the objective of ensuring the uniform and coherent application of Regulation (EU) No 648/2012. It should serve to seek financial stability and the reduction of systemic risk, as well as ensuring a level playing field for market participants when a class of OTC derivative contracts is declared subject to the clearing obligation. The minimum remaining maturity should therefore be set at a level that ensures the achievement of those objectives.
- (13) Before regulatory technical standards adopted pursuant to Article 5(2) of Regulation (EU) No 648/2012 enter into force, counterparties cannot foresee whether the OTC derivative contracts they conclude would be subject to the clearing obligation on the date that obligation takes effect. This uncertainty has a significant impact on the capacity of market participants to accurately price the OTC derivative contracts they enter into since centrally cleared contracts are subject to a different collateral regime than non-centrally cleared contracts. Imposing forward-clearing to OTC derivative contracts concluded before the entry into force of this Regulation, irrespective of their remaining maturity on the date on which the clearing obligation takes effect, could limit counterparties' ability to hedge their market risks adequately and either impact the functioning of the market and financial stability, or prevent them from exercising their usual activities by hedging them by other appropriate means.
- (14) Moreover, OTC derivative contracts concluded after this Regulation enters into force and before the clearing obligation takes effect should not be subject to the clearing obligation until counterparties to those contracts can determine the category they are comprised in and the CCP available to clear those contracts, whether they are subject to the clearing obligation for a particular contract, including their intragroup transactions, and before they can implement the necessary arrangements to conclude those contracts taking into account the clearing obligation. Therefore, in order to preserve the orderly functioning and the stability of the market, as well as a level playing field between counterparties, it is appropriate to consider that those contracts should not be subject to the clearing obligation, irrespective of their remaining maturities.
- (15) OTC derivative contracts concluded after the notification to ESMA that follows the authorisation of a CCP to clear a certain class of OTC derivatives, but before the date on which the clearing obligation takes effect should not be subject to the clearing obligation when they are not significantly relevant for systemic risk, or when subjecting those contracts to the clearing obligation could otherwise jeopardise the uniform and coherent application of Regulation (EU) No 648/2012. Counterparty credit risk associated to credit OTC derivative contracts with longer maturities remains in the market for a longer period than that associated to credit OTC derivatives with low remaining maturities. Imposing the clearing obligation on contracts with short remaining maturities would imply a burden on counterparties disproportionate to the level of risk mitigated. In addition, credit OTC derivatives with low remaining maturities represent a relatively small portion of the total market and thus a relatively small portion of the total systemic risk associated to this market. The minimum remaining maturities should therefore be set at a level ensuring that contracts with remaining maturities of no more than a few months are not subject to the clearing obligation.
- (16) Counterparties in the third category bear a relatively limited share of overall systemic risk and have a lower degree of legal and operational capacity regarding OTC derivatives than counterparties in the first and second categories. Essential elements of the OTC derivative contracts, including the pricing of credit OTC derivatives subject to the clearing obligation and concluded before that obligation takes effect, will have to be adapted within short timeframes in order to incorporate the clearing that will only take place several months after the contract is concluded. This process of forward-clearing involves important adaptations to the pricing model and amendments to the documentation of those OTC derivatives contracts. Counterparties in the third category have a very limited ability to incorporate forward-clearing in their OTC derivative contracts. Thus, imposing the clearing of OTC derivative contracts concluded before the clearing obligation takes effect for those counterparties could limit their ability to hedge their risks adequately and either impact the functioning and the stability of the market or prevent them from exercising their usual activities if they cannot continue to hedge. Therefore, OTC

derivative contracts concluded by counterparties in the third category before the date on which the clearing obligation takes effect should not be subject to the clearing obligation.

- (17) In addition, OTC derivative contracts concluded between counterparties belonging to the same group can be exempted from clearing, provided certain conditions are met, in order to avoid limiting the efficiency of intragroup-risk management processes and therefore, undermine the achievement of the overarching goal of Regulation (EU) No 648/2012. Therefore, intragroup transactions which fulfil certain conditions and which are concluded before the date on which the clearing obligation takes effect for those transactions should not be subject to the clearing obligation.
- (18) This Regulation is based on draft regulatory technical standards submitted by ESMA to the Commission.
- (19) ESMA has conducted open public consultations on the draft regulatory technical standards on which this Regulation is based, analysed the potential related costs and benefits, requested the opinion of the Security and Markets Stakeholder Group established by Article 37 of Regulation (EU) No 1095/2010 of the European Parliament and of the Council ⁽¹⁾, and consulted the European Systemic Risk Board,

HAS ADOPTED THIS REGULATION:

Article 1

Classes of OTC derivatives subject to the clearing obligation

The classes of over the counter (OTC) derivatives set out in the Annex shall be subject to the clearing obligation.

Article 2

Categories of counterparties

1. For the purposes of Articles 3 and 4, the counterparties subject to the clearing obligation shall be divided in the following categories:
- (a) Category 1, comprising counterparties which, on the date of entry into force of this Regulation, are clearing members, within the meaning of Article 2(14) of Regulation (EU) No 648/2012, for at least one of the classes of OTC derivatives set out in the Annex to this Regulation, of at least one of the CCPs authorised or recognised before that date to clear at least one of those classes;
- (b) Category 2, comprising counterparties not belonging to Category 1 which belong to a group whose aggregate month-end average of outstanding gross notional amount of non-centrally cleared derivatives for January, February and March 2016 is above EUR 8 billion and which are any of the following:
- (i) financial counterparties;
- (ii) alternative investment funds as defined in Article 4(1)(a) of Directive 2011/61/EU of the European Parliament and of the Council ⁽²⁾ that are non-financial counterparties;

⁽¹⁾ Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84).

⁽²⁾ Directive 2011/61/EU of the European Parliament and of the Council of 8 June 2011 on Alternative Investment Fund Managers and amending Directives 2003/41/EC and 2009/65/EC and Regulations (EC) No 1060/2009 and (EU) No 1095/2010 (OJ L 174, 1.7.2011, p. 1).

- (c) Category 3, comprising counterparties not belonging to Category 1 or Category 2 which are any of the following:
- (i) financial counterparties;
 - (ii) alternative investment funds as defined in Article 4(1)(a) of Directive 2011/61/EU that are non-financial counterparties;
- (d) Category 4, comprising non-financial counterparties that do not belong to Category 1, Category 2 or Category 3.
2. For the purposes of calculating the group aggregate month-end average of outstanding gross notional amount referred to in point (b) of paragraph 1, all of the group's non-centrally cleared derivatives, including foreign exchange forwards, swaps and currency swaps, shall be included.
3. Where counterparties are alternative investment funds as defined in Article 4(1)(a) of Directive 2011/61/EU or undertakings for collective investment in transferable securities as defined in Article 1(2) of Directive 2009/65/EC of the European Parliament and of the Council ⁽¹⁾, the EUR 8 billion threshold referred to in point (b) of paragraph 1 of this Article shall apply individually at fund level.

Article 3

Dates from which the clearing obligation takes effect

1. In respect of contracts pertaining to a class of OTC derivatives set out in the Annex, the clearing obligation shall take effect on:
- (a) 9 February 2017 for counterparties in Category 1;
 - (b) 9 August 2017 for counterparties in Category 2;
 - (c) 9 February 2018 for counterparties in Category 3;
 - (d) 9 May 2019 for counterparties in Category 4.

Where a contract is concluded between two counterparties included in different categories of counterparties, the date from which the clearing obligation takes effect for that contract shall be the later date.

2. By way of derogation from points (a), (b) and (c) of paragraph 1, in respect of contracts pertaining to a class of OTC derivatives set out in the Annex and concluded between counterparties other than counterparties in Category 4 which are part of the same group and where one counterparty is established in a third country and the other counterparty is established in the Union, the clearing obligation shall take effect on:
- (a) 9 May 2019 in case no equivalence decision has been adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 4 of that Regulation covering the OTC derivative contracts set out in the Annex to this Regulation in respect of the relevant third country; or
 - (b) the later of the following dates in case an equivalence decision has been adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 4 of that Regulation covering the OTC derivative contracts set out in the Annex to this Regulation in respect of the relevant third country:
 - (i) 60 days after the date of entry into force of the decision adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 4 of that Regulation covering the OTC derivative contracts set out in the Annex to this Regulation in respect of the relevant third country;
 - (ii) the date when the clearing obligation takes effect pursuant to paragraph 1.

⁽¹⁾ Directive 2009/65/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS) (OJ L 302, 17.11.2009, p. 32).

This derogation shall only apply where the counterparties fulfil the following conditions:

- (a) the counterparty established in a third country is either a financial counterparty or a non-financial counterparty;
- (b) the counterparty established in the Union is:
 - (i) a financial counterparty, a non-financial counterparty, a financial holding company, a financial institution or an ancillary services undertaking subject to appropriate prudential requirements and the counterparty referred to in point (a) is a financial counterparty;
 - (ii) either a financial counterparty or a non-financial counterparty and the counterparty referred to in point (a) is a non-financial counterparty;
- (c) both counterparties are included in the same consolidation on a full basis in accordance to Article 3(3) of Regulation (EU) No 648/2012;
- (d) both counterparties are subject to appropriate centralised risk evaluation, measurement and control procedures;
- (e) the counterparty established in the Union has notified its competent authority in writing that the conditions laid down in points (a), (b), (c) and (d) are met and, within 30 calendar days after receipt of the notification, the competent authority has confirmed that those conditions are met.

Article 4

Minimum remaining maturity

1. For financial counterparties in Category 1, the minimum remaining maturity referred to in point (ii) of Article 4(1)(b) of Regulation (EU) No 648/2012, at the date the clearing obligation takes effect, shall be:
 - (a) 5 years and 3 months for contracts entered into or novated before 9 October 2016 that belong to the classes in the table set out in the Annex;
 - (b) 6 months for contracts entered into or novated on or after 9 October 2016 that belong to the classes in the table of the Annex.
2. For financial counterparties in Category 2, the minimum remaining maturity referred to in point (ii) of Article 4(1)(b) of Regulation (EU) No 648/2012, at the date the clearing obligation takes effect, shall be:
 - (a) 5 years and 3 months for contracts entered into or novated before 9 October 2016 that belong to the classes in the table set out in the Annex;
 - (b) 6 months for contracts entered into or novated on or after 9 October 2016 that belong to the classes in the table set out in the Annex.
3. For financial counterparties in Category 3 and for transactions referred to in Article 3(2) of this Regulation concluded between financial counterparties, the minimum remaining maturity referred to in point (ii) of Article 4(1)(b) of Regulation (EU) No 648/2012, at the date the clearing obligation takes effect, shall be 5 years and 3 months.
4. Where a contract is concluded between two financial counterparties belonging to different categories or between two financial counterparties involved in transactions referred to in Article 3(2), the minimum remaining maturity to be taken into account for the purposes of this Article shall be the longer remaining maturity applicable.

Article 5

Entry into force

This Regulation shall enter into force on the twentieth 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, 1 March 2016.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

Credit Default OTC derivatives classes subject to the clearing obligation

European untranched Index CDS Classes

| id | Type | Sub-type | Geographical Zone | Reference Index | Settlement Currency | Series | Tenor |
|-------|-----------|------------------|-------------------|-------------------------|---------------------|------------|-------|
| B.1.1 | Index CDS | Untranched Index | Europe | iTraxx Europe Main | EUR | 17 onwards | 5Y |
| B.1.2 | Index CDS | Untranched Index | Europe | iTraxx Europe Crossover | EUR | 17 onwards | 5Y |

COMMISSION IMPLEMENTING REGULATION (EU) 2016/593**of 5 April 2016****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Olive de Nîmes (PDO))**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined France's application for the approval of amendments to the specification for the protected designation of origin 'Olive de Nîmes', registered under Commission Regulation (EU) No 991/2010 ⁽²⁾.
- (2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the amendment application in the *Official Journal of the European Union* ⁽³⁾ as required by Article 50(2)(a) of that Regulation.
- (3) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

*Article 1*The amendments to the specification published in the *Official Journal of the European Union* regarding the name 'Olive de Nîmes' (PDO) are hereby approved.*Article 2*This Regulation shall enter into force on the twentieth 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, 5 April 2016.

*For the Commission,
On behalf of the President,
Phil HOGAN
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ Commission Regulation (EU) No 991/2010 of 4 November 2010 entering a name in the register of protected designations of origin and protected geographical indications (Olive de Nîmes (PDO)) (OJ L 288, 5.11.2010, p. 12).

⁽³⁾ OJ C 358, 30.10.2015, p. 11.

COMMISSION IMPLEMENTING REGULATION (EU) 2016/594**of 18 April 2016****establishing a template for the structured survey on end recipients of food and/or basic material assistance operational programmes of the Fund for European Aid to the Most Deprived pursuant to Regulation (EU) No 223/2014 of the European Parliament and of the Council**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 223/2014 of the European Parliament and of the Council of 11 March 2014 on the Fund for European Aid to the Most Deprived ⁽¹⁾, and in particular Article 17(4) thereof,

After consulting the Committee for the Fund for European Aid to the Most Deprived,

Whereas:

- (1) Regulation (EU) No 223/2014 requires the managing authority of a food and/or basic material assistance operational programme ('OP I') to carry out a structured survey on end recipients in 2017 and 2022.
- (2) This structured survey on end recipients is one of the instruments to be used to evaluate the Fund for European Aid to the Most Deprived ('FEAD'). In order to ensure the survey yields high-quality results and makes a useful contribution to the evaluation of the FEAD, it is necessary to establish a template that enables the aggregation of data at European Union level,

HAS ADOPTED THIS REGULATION:

Article 1

The structured survey on end recipients referred to in Article 17(4) of Regulation (EU) No 223/2014 shall be carried out in accordance with the template set out in the Annex.

*Article 2*This Regulation shall enter into force on the twentieth 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, 18 April 2016.

For the Commission
The President
Jean-Claude JUNCKER

⁽¹⁾ OJ L 72, 12.3.2014, p. 1.

ANNEX

FEAD STRUCTURED SURVEY — QUESTIONS

Name of the interviewer: [full name of the interviewer. If several people carry out the interview, all of them should be noted here]

Place: [address where the survey is carried out]

Organisation: [name of the partner organisation from which the end recipient received assistance]

Date: [date of the survey in format dd/mm/yyyy]

Time: [time of the survey in format hh:mm]

A. QUESTIONS ON THE SCOPE OF ASSISTANCE PROVIDED TO END RECIPIENTS BY THE PARTNER ORGANISATION (1)

A1. What type of FEAD assistance is distributed to end recipients and how often is it distributed?

| | Daily | Weekly | Monthly | Other |
|-----------------------------------|----------------|----------------|----------------|---------------------------|
| Food packages (1) | | | | (specify) |
| Meals | | | | (specify) |
| Goods distributed to children | | | | (specify) |
| Goods distributed to the homeless | | | | (specify) |
| Other (to be specified) | [specify type] | [specify type] | [specify type] | [specify type and period] |

(1) The definition of what is to be understood as a food package can be provided at the level of the partner organisation/operation/managing authority. Packages do not need to be standardised in size or content.

A2. What are the types of accompanying measures offered to end recipients when they receive FEAD assistance?

| | |
|---|----------------------------|
| Advice on food preparation and storage, cooking workshops, educational activities to promote healthy nutrition, or advice on how to reduce food waste | |
| Personal cleanliness advice | |
| Redirection to competent services (e.g. social/administrative) | |
| Individual coaching and workshops | |
| Psychological and therapeutic support | |
| Advice on managing a household budget | |
| Other (to be specified) | [Text box to be filled in] |
| None | |

(1) Questions concern assistance provided at distribution point where interviews take place.

A3. Does the partner organisation also provide material assistance to end recipients that is not co-financed by the FEAD?

| Yes | No |
|-----|----|
| | |

A3a. If yes, which kind of assistance does the partner organisation provide beyond the FEAD?

| | |
|-----------------------------------|----------------|
| Food packages | |
| Meals | |
| Goods distributed to children | |
| Goods distributed to the homeless | |
| Other goods | [specify type] |

B. QUESTIONS FOR THE END RECIPIENT

B1. Are you male or female?

| Male | Female |
|------|--------|
| | |

B2. Could you please tell me how old you are?

| 15 or less | 16-24 | 25-49 | 50-64 | 65 or above | Does not wish to answer | Does not know or does not understand the question |
|------------|-------|-------|-------|-------------|-------------------------|---|
| | | | | | | |

B3. Could you please tell me whether you are a single parent?

| Yes | No | Does not wish to answer | Does not know or does not understand the question |
|-----|----|-------------------------|---|
| | | | |

B4. Could you please tell me what type of assistance you received just now (or you will receive now)?

| | Yes | No | Does not wish to answer | Does not know or does not understand the question |
|---|-----|----|-------------------------|---|
| Food packages | | | | |
| Meals | | | | |
| Layette (baby essentials) | | | | |
| School bags | | | | |
| Stationery, exercise books, pens, painting equipment and other equipment required in school (non-clothes) | | | | |

| | Yes | No | Does not wish to answer | Does not know or does not understand the question |
|--|----------------------------|----|-------------------------|---|
| Sports equipment (sport shoes, leotard, swimsuit, etc.) | | | | |
| Clothes (winter coat, footwear, school uniform, etc.) | | | | |
| Sleeping bags/blankets | | | | |
| Kitchen equipment (pots, pans, cutlery, etc.) | | | | |
| Household linen (towels, bedclothes) | | | | |
| Hygiene articles (first aid kit, soap, toothbrush, disposable razor, etc.) | | | | |
| Other categories of goods | [Text box to be filled in] | | | |

B5. Could you please tell me who is receiving this assistance?

| Yourself | Other people in your household | Does not wish to answer | Does not know or does not understand the question |
|----------|--------------------------------|-------------------------|---|
| | | | |

If the answer to question B5 is 'Yourself' only, skip question B6.

B6. Could you please tell me whether other people will also benefit from this assistance? And if so, could you say how many (not including yourself), and what is their age and their gender?

| | Male | Female |
|---|------|--------|
| 5 or less | | |
| 6-15 | | |
| 16-24 | | |
| 25-49 | | |
| 50-64 | | |
| 65 or above | | |
| Does not wish to answer | | |
| Does not know or does not understand the question | | |

B7. Could you please tell me whether this is the first time that you have come to get this assistance?

| Yes | No | Does not wish to answer | Does not know or does not understand the question |
|-----|----|-------------------------|---|
| | | | |

If the answer to question B7 is 'Yes', 'Does not wish to answer' or 'Does not know or does not understand the question', then go directly to question B9.

B8. Could you please tell me how often you come to get this assistance?

| Daily | Weekly | Monthly | Other | Does not wish to answer | Does not know or does not understand the question |
|-------|--------|---------|-------|-------------------------|---|
| | | | | | |

B9. Do you know when you will need the same assistance again?

| Tomorrow | Within next week | Within next month | Other | Does not wish to answer | Does not know or does not understand the question |
|----------|------------------|-------------------|-------|-------------------------|---|
| | | | | | |

B10. Could you please tell me whether you faced any difficulties in getting this assistance?

| Yes | No | Does not wish to answer | Does not know or does not understand the question |
|-----|----|-------------------------|---|
| | | | |

B10a. If yes, please tell me which kind of difficulties you faced?

| | |
|--|----------------------------|
| Need to get some papers from some national, regional or local office | |
| Need to travel a long distance | |
| Psychological hurdles | |
| Other (to be specified) | [Text box to be filled in] |
| Does not wish to answer | |
| Does not know or does not understand the question | |

B11. Could you tell me whether the assistance provided by the FEAD has made a difference to you or to the members of your household?

| Yes | Partially | No | Does not wish to answer | Does not know or does not understand the question |
|-----|-----------|----|-------------------------|---|
| | | | | |

B11a. If 'No' or 'Partially', could you please tell me why?

| | |
|---|----------------------------|
| Insufficient quantity of food/goods | |
| Insufficient frequency of food/goods distribution | |
| Insufficient quality of food/goods | |
| Other type of assistance required (to be specified) | [Text box to be filled in] |
| Does not wish to answer | |
| Does not know or does not understand the question | |

B12. A year ago, could you or your household afford to purchase the food/goods you just received?

| Yes | No | Does not wish to answer | Does not know or does not understand the question |
|-----|----|-------------------------|---|
| | | | |

B13. Could you please tell me whether you and/or other members of your household are receiving assistance from other organisations?

| Yes | No | Does not wish to answer | Does not know or does not understand the question |
|-----|----|-------------------------|---|
| | | | |

B13a. If yes, could you please tell me what type of assistance you receive from other organisations?

| | Yes | Does not wish to answer | Does not know or does not understand the question |
|--|-----|-------------------------|---|
| Food packages | | | |
| Meals | | | |
| Layette (baby essentials) | | | |
| School bags | | | |
| Stationery, exercise books, pens, painting equipment and other equipment required in school (non-clothes); | | | |
| Sports equipment (sport shoes, leotard, swimsuit, etc.) | | | |
| Clothes (winter coat, footwear, school uniform, etc.) | | | |

| | Yes | Does not wish to answer | Does not know or does not understand the question |
|--|----------------------------|-------------------------|---|
| Sleeping bags/blankets | | | |
| Kitchen equipment (pots, pans, cutlery, etc.) | | | |
| Household linen (towels, bedclothes) | | | |
| Hygiene articles (first aid kit, soap, toothbrush, disposable razor, etc.) | | | |
| Other | [Text box to be filled in] | | |

B14. If you have received (now or in the past) advice or guidance through this organisation, please could you tell me what it was about?

| | |
|---|----------------------------|
| Advice on food preparation and storage, cooking workshops, educational activities to promote healthy nutrition, or advice on how to reduce food waste | |
| Personal cleanliness advice | |
| Redirection to competent services (e.g. social/administrative) | |
| Individual coaching and workshops | |
| Psychological and therapeutic support | |
| Advice on managing a household budget | |
| Other (to be specified) | [Text box to be filled in] |
| Does not wish to answer | |
| Does not know or does not understand the question | |

B15. Could you please tell me whether you found this advice or guidance useful or not?

| Very useful | Somewhat useful | Not very useful | Not useful at all | Does not wish to answer | Does not know or does not understand the question |
|-------------|-----------------|-----------------|-------------------|-------------------------|---|
| | | | | | |

B16. Could you please tell me whether you have any income from work?

| Yes | No | Does not wish to answer | Does not know or does not understand the question |
|-----|----|-------------------------|---|
| | | | |

B17. Could you please tell me whether you get any other income or benefits?

| Yes | No | Does not wish to answer | Does not know or does not understand the question |
|-----|----|-------------------------|---|
| | | | |

B18. Could you please tell me whether any members of your household have any income from work?

| Yes | No | Does not wish to answer | Does not know or does not understand the question |
|-----|----|-------------------------|---|
| | | | |

B19. Could you please tell me whether any members of your household get any other income or benefit?

| Yes | No | Does not wish to answer | Does not know or does not understand the question |
|-----|----|-------------------------|---|
| | | | |

B20. Could you please tell me whether you have the nationality of this country?

| Yes | No | Does not wish to answer | Does not know or does not understand the question |
|-----|----|-------------------------|---|
| | | | |

B21. If no, could you please tell me whether you have the nationality of another EU country?

| Yes | No | Does not wish to answer | Does not know or does not understand the question |
|-----|----|-------------------------|---|
| | | | |

B22. Could you please tell me if you are an asylum seeker or a refugee?

| Yes | No | Does not wish to answer | Does not know or does not understand the question |
|-----|----|-------------------------|---|
| | | | |

B23. Could you please tell me whether you have a place to live?

| Yes | No | Does not wish to answer | Does not know or does not understand the question |
|-----|----|-------------------------|---|
| | | | |

B23a. If you do have a place to live, could you please tell me what type of place this is?

| | |
|---|--|
| Owned or rented dwelling or house, either alone or with the family | |
| Shared dwelling with friends and other people | |
| Institutional long-term home (home for elderly, single mothers, asylum seekers) | |

| | |
|---|----------------------------|
| Sheltered housing | |
| Ruined house or slum | |
| Mobile home/caravan | |
| Refugee camp | |
| Other (to be specified) | [Text box to be filled in] |
| Does not wish to answer | |
| Does not know or does not understand the question | |

COMMISSION IMPLEMENTING REGULATION (EU) 2016/595**of 18 April 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, 18 April 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 | 279,2 |
| | MA | 98,8 |
| | SN | 175,5 |
| | TR | 108,9 |
| | ZZ | 165,6 |
| 0707 00 05 | MA | 80,7 |
| | TR | 115,3 |
| | ZZ | 98,0 |
| 0709 93 10 | MA | 99,6 |
| | TR | 137,2 |
| | ZZ | 118,4 |
| 0805 10 20 | CR | 66,6 |
| | EG | 46,5 |
| | IL | 77,6 |
| | MA | 56,9 |
| | TR | 38,9 |
| | ZZ | 57,3 |
| | ZZ | 57,3 |
| 0808 10 80 | AR | 107,0 |
| | BR | 106,3 |
| | CL | 120,8 |
| | CN | 131,9 |
| | US | 140,4 |
| | ZA | 80,5 |
| | ZZ | 114,5 |
| | ZZ | 114,5 |
| | AR | 104,9 |
| | CL | 120,4 |
| 0808 30 90 | CN | 77,1 |
| | ZA | 111,1 |
| | ZZ | 103,4 |
| | ZZ | 103,4 |
| | ZZ | 103,4 |

⁽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 DECISION (CFSP) 2016/596

of 18 April 2016

extending the mandate of the European Union Special Representative for central Asia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 33 and Article 31(2) thereof,

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

Whereas:

- (1) On 15 April 2015, the Council adopted Decision (CFSP) 2015/598 ⁽¹⁾ appointing Mr Peter BURIAN as the European Union Special Representative (EUSR) for central Asia. The EUSR's mandate is to expire on 30 April 2016.
- (2) The mandate of the EUSR should be extended for a further period of 10 months.
- (3) The EUSR will implement the mandate 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,

HAS ADOPTED THIS DECISION:

Article 1

European Union Special Representative

The mandate of Mr Peter BURIAN as the EUSR for central Asia is extended until 28 February 2017. The Council may decide that the mandate of the EUSR be terminated earlier, based on an assessment by the Political and Security Committee (PSC) and a proposal from the High Representative of the Union for Foreign Affairs and Security Policy (HR).

Article 2

Policy objectives

The mandate of the EUSR shall be based on the Union's policy objectives in central Asia. These objectives include:

- (a) promoting good and close relations between the Union and the countries of central Asia on the basis of common values and interests as set out in relevant agreements;
- (b) contributing to strengthening the stability and cooperation between the countries in the region;
- (c) contributing to strengthening democracy, the rule of law, good governance and respect for human rights and fundamental freedoms in central Asia;

⁽¹⁾ Council Decision (CFSP) 2015/598 of 15 April 2015 appointing the European Union Special Representative for Central Asia (OJ L 99, 16.4.2015, p. 25).

- (d) addressing key threats, especially specific problems with direct implications for the Union;
- (e) enhancing the Union's effectiveness and visibility in the region, including through closer coordination with other relevant partners and international organisations, such as the Organisation for Security and Cooperation in Europe (OSCE) and the United Nations (UN).

Article 3

Mandate

1. In order to achieve the policy objectives, the mandate of the EUSR shall be to:
 - (a) promote overall Union political coordination in central Asia and help to ensure consistency of the external actions of the Union in the region;
 - (b) monitor, on behalf of the HR, together with the European External Action Service (EEAS) and the Commission, the implementation process of the Union strategy for a new partnership with central Asia, complemented by relevant Council conclusions and subsequent progress reports on the implementation of the Union strategy for central Asia, make recommendations and report to relevant Council bodies on a regular basis;
 - (c) assist the Council in further developing a comprehensive policy towards central Asia;
 - (d) follow closely political developments in central Asia by developing and maintaining close contacts with governments, parliaments, the judiciary, civil society and mass media;
 - (e) encourage Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan to cooperate on regional issues of common interest;
 - (f) develop appropriate contacts and cooperation with the main interested actors in the region, and all relevant regional and international organisations;
 - (g) contribute to the implementation of the Union's human rights policy in the region in cooperation with the EUSR for Human Rights, including the Union guidelines on human rights, in particular the Union guidelines on children and armed conflict as well as on violence against women and girls and combating all forms of discrimination against them, and Union policy regarding UN Security Council Resolution 1325 (2000) on Women, Peace and Security, including by monitoring and reporting on developments as well as formulating recommendations in this regard;
 - (h) contribute, in close cooperation with the UN and the OSCE, to conflict prevention and resolution by developing contacts with the authorities and other local actors such as non-governmental organisations, political parties, minorities, religious groups and their leaders;
 - (i) provide input to the formulation of energy security, border security, countering serious crime, including narcotics and trafficking in human beings, as well as water resource management, environment and climate change aspects of the common foreign and security policy with respect to central Asia;
 - (j) promote regional security within central Asian borders in the context of the reduction of the international presence in Afghanistan.
2. The EUSR shall support the work of the HR and maintain an overview of all activities of the Union in the region.

Article 4

Implementation of the mandate

1. The EUSR shall be responsible for the implementation of the mandate, acting under the authority of the HR.
2. The PSC shall maintain a privileged link with the EUSR and shall be the EUSR's primary point of contact with the Council. The PSC shall provide the EUSR with strategic guidance and political direction within the framework of the mandate, without prejudice to the powers of the HR.

3. The EUSR shall work in close coordination with the EEAS and its relevant departments.

Article 5

Financing

1. The financial reference amount intended to cover the expenditure related to the mandate of the EUSR for the period from 1 May 2016 to 28 February 2017 shall be EUR 800 000.
2. The expenditure shall be managed in accordance with the procedures and rules applicable to the general budget of the Union.
3. The management of the expenditure shall be subject to a contract between the EUSR and the Commission. The EUSR shall be accountable to the Commission for all expenditure.

Article 6

Constitution and composition of the team

1. Within the limits of the EUSR's mandate and the corresponding financial means made available, the EUSR shall be responsible for constituting a team. The team shall include the expertise on specific policy issues as required by the mandate. The EUSR shall keep the Council and the Commission promptly informed of the composition of the team.
2. Member States, institutions of the Union and the EEAS may propose the secondment of staff to work with the EUSR. The salary of such seconded personnel shall be covered by the Member State, the institution of the Union concerned or the EEAS, respectively. Experts seconded by Member States to the institutions of the Union or the EEAS may also be posted to the EUSR. International contracted staff shall have the nationality of a Member State.
3. All seconded personnel shall remain under the administrative authority of the sending Member State, the sending institution of the Union or the EEAS and shall carry out their duties and act in the interest of the mandate of the EUSR.
4. The EUSR staff shall be co-located with the relevant EEAS department in order to ensure coherence and consistency of their respective activities.

Article 7

Privileges and immunities of the EUSR and the EUSR's staff

The privileges, immunities and further guarantees necessary for the completion and smooth functioning of the EUSR's mission and the members of the EUSR's staff shall be agreed with the host countries, as appropriate. Member States and the EEAS shall grant all necessary support to such effect.

Article 8

Security of EU classified information

The EUSR and the members of the EUSR's team shall respect the security principles and minimum standards established by Council Decision 2013/488/EU ⁽¹⁾.

⁽¹⁾ Council Decision 2013/488/EU of 23 September 2013 on the security rules for protecting EU classified information (OJ L 274, 15.10.2013, p. 1).

*Article 9***Access to information and logistical support**

1. Member States, the Commission, the EEAS and the General Secretariat of the Council shall ensure that the EUSR is given access to any relevant information.
2. The Union delegations in the region and/or the Member States, as appropriate, shall provide logistical support in the region.

*Article 10***Security**

In accordance with the Union's policy on the security of personnel deployed outside the Union in an operational capacity under Title V of the Treaty, the EUSR shall take all reasonably practicable measures, in accordance with the EUSR's mandate and the security situation in the area of responsibility, for the security of all personnel under the EUSR's direct authority, in particular by:

- (a) establishing a specific security plan based on guidance from the EEAS, including for specific physical, organisational and procedural security measures governing the management of the secure movement of personnel to, and within, the area of responsibility as well as the management of security incidents, and including a contingency plan and evacuation plan;
- (b) ensuring that all personnel deployed outside the Union are covered by high-risk insurance, as required by the conditions in the area of responsibility;
- (c) ensuring that all agreed recommendations made following regular security assessments are implemented, and providing the Council, the HR and the Commission with written reports on their implementation and on other security issues within the framework of the progress report and the report on the implementation of the mandate.

*Article 11***Reporting**

The EUSR shall regularly provide the HR and the PSC with oral and written reports. The EUSR shall also report to Council working parties, as necessary. Regular reports shall be circulated through the COREU network. The EUSR may provide the Foreign Affairs Council with reports. In accordance with Article 36 of the Treaty, the EUSR may be involved in briefing the European Parliament.

*Article 12***Coordination**

1. The EUSR shall contribute to the unity, consistency and effectiveness of the Union's action and shall help ensure that all Union instruments and Member States' actions are engaged consistently, to attain the Union's policy objectives. The activities of the EUSR shall be coordinated with the relevant geographic department of the EEAS, as well as with the Commission, and those of the EUSR for Afghanistan. The EUSR shall provide regular briefings to Member States' missions and the Union's delegations.
2. In the field, close liaison shall be maintained with the Member States' Heads of Mission and the Heads of Union delegations. They shall make every effort to assist the EUSR in the implementation of the mandate. The EUSR shall also liaise with other international and regional actors in the field.

*Article 13***Review**

The implementation of this Decision and its consistency with other contributions from the Union to the region shall be kept under regular review. The EUSR shall present the Council, the HR and the Commission with a progress report by the end of August 2016 and a comprehensive mandate implementation report by the end of November 2016.

*Article 14***Entry into force**

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

Done at Luxembourg, 18 April 2016.

For the Council
The President
F. MOGHERINI

COUNCIL DECISION (CFSP) 2016/597**of 18 April 2016****extending the mandate of the European Union Special Representative for the Middle East Peace Process (MEPP)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 33 and Article 31(2) thereof,

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

Whereas:

- (1) On 15 April 2015, the Council adopted Decision (CFSP) 2015/599 ⁽¹⁾ appointing Mr Fernando GENTILINI as the European Union Special Representative (EUSR) for the Middle East Peace Process (MEPP). The EUSR's mandate is to expire on 30 April 2016.
- (2) The mandate of the EUSR should be extended for a further period of 10 months.
- (3) The EUSR will implement the mandate 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,

HAS ADOPTED THIS DECISION:

*Article 1***European Union Special Representative**

The mandate of Mr Fernando GENTILINI as the EUSR for the Middle East Peace Process (MEPP) is extended until 28 February 2017. The Council may decide that the mandate of the EUSR be terminated earlier, based on an assessment by the Political and Security Committee (PSC) and a proposal from the High Representative of the Union for Foreign Affairs and Security Policy (HR).

*Article 2***Policy objectives**

1. The mandate of the EUSR shall be based on the Union's policy objectives regarding the MEPP.
2. The overall objective is a comprehensive peace that should be achieved on the basis of a two-State solution, with Israel and a democratic, contiguous, viable, peaceful and sovereign Palestinian State living side by side within secure and recognised borders enjoying normal relations with their neighbours in accordance with the relevant United Nations (UN) Security Council Resolutions, the Madrid principles, including land for peace, the Roadmap, the agreements previously reached by the parties, and the Arab Peace Initiative. In light of the different strands of the Israeli-Arab relations, the regional dimension constitutes an essential element for a comprehensive peace.
3. In achieving this objective, policy priorities are the preservation of the two-State solution and relaunching and supporting the peace process. Clear parameters defining the basis for negotiations are key elements for a successful outcome and the Union has set out its position with regard to such parameters in the Council conclusions of December 2009, December 2010 and July 2014, which it will continue to actively promote.

⁽¹⁾ Council Decision (CFSP) 2015/599 of 15 April 2015 appointing the European Union Special Representative for the Middle East Peace Process (MEPP) (OJ L 99, 16.4.2015, p. 29).

4. The Union is committed to working with the parties and with partners in the international community, including through participating in the Middle East Quartet ('the Quartet') and actively pursuing appropriate international initiatives to create a new dynamic for the negotiations.

Article 3

Mandate

1. In order to achieve the policy objectives, the mandate of the EUSR shall be to:
 - (a) provide an active and efficient Union contribution to actions and initiatives leading to a final settlement of the Israeli/Palestinian conflict based on the two-State solution and in line with the Union parameters;
 - (b) facilitate and maintain close contacts with all the parties to the peace process, relevant political actors, other countries of the region, members of the Quartet and other relevant countries, as well as the UN and other relevant international organisations, like the League of Arab States, in order to work with them in strengthening the peace process;
 - (c) work as appropriate to promote and contribute to a possible new framework of negotiations in consultation with all the key stakeholders and the Member States;
 - (d) actively support and contribute to peace negotiations between the parties, including by putting forward proposals on behalf of the Union in the context of those negotiations;
 - (e) ensure the continued presence of the Union in relevant international fora;
 - (f) contribute to crisis management and prevention, including with regard to Gaza;
 - (g) contribute, where requested, to the implementation of international agreements reached between the parties and engage with them diplomatically in the event of non-compliance with the terms of those agreements;
 - (h) contribute to political efforts to bring about a fundamental change leading to a sustainable solution for the Gaza Strip which is an integral part of a future Palestinian State and should be addressed in the negotiations;
 - (i) pay particular attention to factors affecting the regional dimension of the peace process, to the engagement with Arab partners and to the implementation of the Arab Peace Initiative;
 - (j) engage constructively with signatories to agreements within the framework of the peace process in order to promote compliance with the basic norms of democracy, including respect for international humanitarian law, human rights and the rule of law;
 - (k) make proposals for Union intervention in the peace process and on the best way of pursuing Union initiatives and ongoing peace process related Union efforts, such as the Union's contribution to Palestinian reforms and including the political aspects of relevant Union development projects;
 - (l) engage the parties in refraining from unilateral actions threatening the viability of the two-State solution;
 - (m) report, as Envoy to the Quartet, on progress and evolution in the negotiations and contribute to the preparation of Quartet Envoys meetings on the basis of Union positions and through coordination with other Quartet members;
 - (n) contribute to the implementation of the Union's human rights policy in cooperation with the EUSR for Human Rights, including the Union Guidelines on human rights, in particular the Union Guidelines on Children and Armed Conflict as well as on violence against women and girls and combating all forms of discrimination against them, and Union policy regarding UN Security Council Resolution 1325 (2000) on Women, Peace and Security, including by monitoring and reporting on developments as well as formulating recommendations in this regard;
 - (o) contribute to a better understanding of the role of the Union among opinion leaders in the region.
2. The EUSR shall support the work of the HR, while maintaining an overview of all MEPP related activities of the Union in the region.

*Article 4***Implementation of the mandate**

1. The EUSR shall be responsible for the implementation of the mandate, acting under the authority of the HR.
2. The PSC shall maintain a privileged link with the EUSR and shall be the EUSR's primary point of contact with the Council. The PSC shall provide the EUSR with strategic guidance and political direction within the framework of the mandate, without prejudice to the powers of the HR.
3. The EUSR shall work in close coordination with the European External Action Service (EEAS) and its relevant departments.
4. The EUSR shall work in close coordination with the Union Representative Office in Jerusalem, the Union delegation in Tel Aviv, as well as with all other relevant Union delegations in the region.
5. The EUSR shall be primarily based in the region while ensuring a regular presence at EEAS headquarters.

*Article 5***Financing**

1. The financial reference amount intended to cover the expenditure related to the mandate of the EUSR for the period from 1 May 2016 to 28 February 2017 shall be EUR 1 250 000.
2. The expenditure shall be managed in accordance with the procedures and rules applicable to the general budget of the Union.
3. The management of the expenditure shall be subject to a contract between the EUSR and the Commission. The EUSR shall be accountable to the Commission for all expenditure.

*Article 6***Constitution and composition of the team**

1. Within the limits of the EUSR's mandate and the corresponding financial means made available, the EUSR shall be responsible for constituting a team. The team shall include the expertise on specific policy issues as required by the mandate. The EUSR shall keep the Council and the Commission promptly informed of the composition of the team.
2. Member States, institutions of the Union and the EEAS may propose the secondment of staff to work with the EUSR. The salary of such seconded personnel shall be covered by the Member State, the institution of the Union concerned or the EEAS, respectively. Experts seconded by Member States to the institutions of the Union or the EEAS may also be posted to the EUSR. International contracted staff shall have the nationality of a Member State.
3. All seconded personnel shall remain under the administrative authority of the sending Member State, the sending institution of the Union or the EEAS and shall carry out their duties and act in the interest of the mandate of the EUSR.

*Article 7***Privileges and immunities of the EUSR and the EUSR's staff**

The privileges, immunities and further guarantees necessary for the completion and smooth functioning of the EUSR's mission and the members of the EUSR's staff shall be agreed with the host countries, as appropriate. Member States and the EEAS shall grant all necessary support to such effect.

*Article 8***Security of EU classified information**

The EUSR and the members of the EUSR's team shall respect the security principles and minimum standards established by Council Decision 2013/488/EU ⁽¹⁾.

*Article 9***Access to information and logistical support**

1. Member States, the Commission, the EEAS and the General Secretariat of the Council shall ensure that the EUSR is given access to any relevant information.
2. The Union delegations in the region and/or the Member States, as appropriate, shall provide logistical support in the region.

*Article 10***Security**

In accordance with the Union's policy on the security of personnel deployed outside the Union in an operational capacity under Title V of the Treaty, the EUSR shall take all reasonably practicable measures, in accordance with the EUSR's mandate and the security situation in the area of responsibility, for the security of all personnel under the EUSR's direct authority, in particular by:

- (a) establishing a specific security plan based on guidance from the EEAS, including specific physical, organisational and procedural security measures governing the management of the secure movement of personnel to, and within, the area of responsibility as well as the management of security incidents and including a contingency plan and evacuation plan;
- (b) ensuring that all personnel deployed outside the Union are covered by high-risk insurance, as required by the conditions in the area of responsibility;
- (c) ensuring that all members of the EUSR's team to be deployed outside the Union, including locally contracted personnel, have received appropriate security training before or upon arriving in the area of responsibility, based on the risk ratings assigned to that area by the EEAS;
- (d) ensuring that all agreed recommendations made following regular security assessments are implemented, and providing the Council, the HR and the Commission with written reports on their implementation and on other security issues within the framework of the progress report and the report on the implementation of the mandate.

*Article 11***Reporting**

The EUSR shall regularly provide the HR and the EEAS with oral and written reports. The EUSR shall report regularly to the PSC in addition to the minimum requirements for reporting and objective setting as set out in the Guidelines on appointments, mandate and financing of Union Special Representatives. The EUSR shall also report to Council working parties as necessary. Regular reports shall be circulated through the COREU network. The EUSR may provide the Foreign Affairs Council with reports. In accordance with Article 36 of the Treaty, the EUSR may be involved in briefing the European Parliament.

⁽¹⁾ Council Decision 2013/488/EU of 23 September 2013 on the security rules for protecting EU classified information (OJ L 274, 15.10.2013, p. 1).

*Article 12***Coordination**

1. The EUSR shall contribute to the unity, consistency and effectiveness of the Union's action and shall help ensure that all Union instruments and Member States' actions are engaged consistently, to attain the Union's policy objectives. The activities of the EUSR shall be coordinated with those of the Commission. The EUSR shall provide regular briefings to Member States' missions and the Union delegations.

2. In the field, close liaison shall be maintained with the Member States' Heads of Missions, the Heads of the Union delegations and Heads of CSDP Missions. They shall make every effort to assist the EUSR in the implementation of the mandate. The EUSR, in close coordination with the Head of the Union delegation in Tel Aviv and the Union Representative Office in Jerusalem, shall provide the Heads of the European Union Police Mission in the Palestinian Territory (EUPOL COPPS) and of the European Union Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah) with local political guidance. The EUSR shall also liaise with other international and regional actors in the field.

*Article 13***Review**

The implementation of this Decision and its consistency with other contributions from the Union to the region shall be kept under regular review. The EUSR shall present the Council, the HR and the Commission with a progress report by the end of August 2016 and a comprehensive mandate implementation report by the end of November 2016.

*Article 14***Entry into force**

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

Done at Luxembourg, 18 April 2016.

For the Council
The President
F. MOGHERINI

COMMISSION IMPLEMENTING DECISION (EU) 2016/598**of 14 April 2016****authorising an extension of use of lipid extract from Antarctic Krill (*Euphausia superba*) as a novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council****(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 (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997 concerning novel foods and novel food ingredients ⁽¹⁾, and in particular Article 7 thereof,

Whereas:

- (1) Commission Decision 2009/752/EC ⁽²⁾ authorised, in accordance with Regulation (EC) No 258/97, the placing on the market of lipid extract from Antarctic Krill (*Euphausia superba*) as a novel food ingredient to be used in certain foods and foodstuffs.
- (2) On 11 December 2009, the company Aker BioMarine Antarctic AS notified the Commission about the intention to place on the market a lipid extract from Antarctic Krill (*Euphausia superba*) based on an opinion by the competent food assessment body of Finland on its substantial equivalence to a lipid extract from Antarctic Krill (*Euphausia superba*) authorised by Decision 2009/752/EC.
- (3) On 15 September 2014, the company Aker BioMarine Antarctic AS made a request to the competent authorities of Ireland for extension of uses of lipid extract from Antarctic Krill (*Euphausia superba*) as a novel food ingredient.
- (4) On 23 December 2014, the competent food assessment body of Ireland issued its initial assessment report. In that report, it came to the conclusion that the extension of uses of lipid extract from Antarctic Krill (*Euphausia superba*) meets the criteria for novel food set out in Article 3(1) of Regulation (EC) No 258/97.
- (5) On 22 January 2015, the Commission forwarded the initial assessment report to the other Member States.
- (6) Reasoned objections were raised within the 60-day period laid down in the first subparagraph of Article 6(4) of Regulation (EC) No 258/97. The applicant consequently modified the request concerning the food categories proposed. This change and additional explanations by the applicant alleviated the concerns to the satisfaction of the Member States and the Commission.
- (7) Directive 2002/46/EC of the European Parliament and of the Council ⁽³⁾ lays down requirements for food supplements. The use of lipid extract from Antarctic Krill (*Euphausia superba*) should be authorised without prejudice to the requirements of that legislation.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

Lipid extract from Antarctic Krill (*Euphausia superba*) as specified in Annex I may be placed on the market in the Union as a novel food ingredient for the uses defined and at the maximum levels established in Annex II without prejudice to the specific provisions of Directive 2002/46/EC.

⁽¹⁾ OJ L 43, 14.2.1997, p. 1.

⁽²⁾ Commission Decision 2009/752/EC of 12 October 2009 authorising the placing on the market of a lipid extract from Antarctic Krill *Euphausia superba* as a novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council (OJ L 268, 13.10.2009, p. 33).

⁽³⁾ Directive 2002/46/EC of the European Parliament and of the Council of 10 June 2002 on the approximation of the laws of the Member States relating to food supplements (OJ L 183, 12.7.2002, p. 51).

Article 2

The designation of a lipid extract from Antarctic Krill (*Euphausia superba*) authorised by this Decision on the labelling of the foodstuffs containing it shall be 'lipid extract from the crustacean Antarctic Krill (*Euphausia superba*)'.

Article 3

This Decision is addressed to Aker BioMarine Antarctic AS, PO Box 496, NO-1327 Lysaker, Norway.

Done at Brussels, 14 April 2016.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

ANNEX I

Specification of a lipid extract from Antarctic Krill (*Euphausia superba*)

Description: To produce lipid extract from Antarctic Krill (*Euphausia superba*), milled Antarctic Krill is subjected to an extraction with ethanol. Proteins and krill material are removed from the lipid extract by filtration. The ethanol and residual water are removed by evaporation.

| Test | Specification |
|-----------------------------|--|
| Saponification value | Not more than 185 mg KOH/g |
| Peroxide value (PV) | Not more than 2 meq O ₂ /kg oil |
| Moisture and volatiles | Not more than 0,6 (%) |
| Phospholipids | Not less than 35 % w/w |
| Trans-fatty acids | Not more than 1 % w/w |
| EPA (eicosapentaenoic acid) | Not less than 15 % of total fatty acids |
| DHA (docosahexaenoic acid) | Not less than 7 % of total fatty acids |

(%) Expressed as water activity at 25 °C.

ANNEX II

Authorised uses of a lipid extract from Antarctic Krill (*Euphausia superba*)

| Food category | Maximum content of combined DHA and EPA |
|--|---|
| Food supplements as defined in Directive 2002/46/EC. | 3 g per day for general population 450 mg per day for pregnant and lactating women |

Note: All food products containing DHA- and EPA-rich oil from Antarctic Krill should demonstrate oxidative stability by appropriate and recognised national/international test methodology (e.g. AOAC).

COMMISSION IMPLEMENTING DECISION (EU) 2016/599**of 15 April 2016****concerning the consistency of certain targets included in the revised national or functional airspace block plans submitted pursuant to Regulation (EC) No 549/2004 of the European Parliament and of the Council with the Union-wide performance targets for the second reference period***(notified under document C(2016) 2140)***(Only the Bulgarian, Croatian, Czech, German, Hungarian, Italian, Portuguese, Romanian, Slovak, Slovenian and Spanish text is authentic)****(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 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the single European sky (the framework Regulation) ⁽¹⁾, and in particular Article 11(3)(c) thereof,Having regard to Commission Implementing Regulation (EU) No 390/2013 of 3 May 2013 laying down a performance scheme for air navigation services and network functions ⁽²⁾, and in particular Article 15(2) thereof,

Whereas:

- (1) Pursuant to Regulation (EC) No 549/2004, the Member States are to adopt national or functional airspace block ('FAB') plans, including binding national targets or targets at the level of FABs, ensuring consistency with the Union-wide performance targets. That Regulation also provides that the Commission is to assess the consistency of those targets on the basis of the assessment criteria referred to in point (d) of its Article 11(6). Detailed rules in this regard have been set out in Implementing Regulation (EU) No 390/2013.
- (2) Union-wide performance targets in the key performance areas of safety, environment, capacity and cost-efficiency for the second reference period (2015-2019) were adopted by Commission Implementing Decision 2014/132/EU ⁽³⁾.
- (3) On 2 March 2015, the Commission adopted Implementing Decision (EU) 2015/347 ⁽⁴⁾ concerning the inconsistency of certain targets included in the initial performance plans with the Union-wide performance targets as well as setting out recommendations to revise those targets. This Decision was addressed to Belgium, Bulgaria, Czech Republic, Germany, Greece, Spain, France, Croatia, Italy, Cyprus, Luxembourg, Hungary, Malta, Netherlands, Austria, Portugal, Romania, Slovenia and Slovakia and required revisions of targets in the key performance areas of capacity and/or cost-efficiency.
- (4) Belgium, Bulgaria, Czech Republic, Germany, Greece, Spain, France, Croatia, Italy, Cyprus, Luxembourg, Hungary, Malta, Netherlands, Austria, Portugal, Romania, Slovenia and Slovakia all submitted by 2 July 2015 revised national or functional airspace block plans including revised performance targets. Spain and Portugal submitted an amendment to the functional airspace block plan with further revised performance targets on 4 February 2016.

⁽¹⁾ OJ L 96, 31.3.2004, p. 1.

⁽²⁾ OJ L 128, 9.5.2013, p. 1.

⁽³⁾ Commission Implementing Decision 2014/132/EU of 11 March 2014 setting the Union-wide performance targets for the air traffic management network and alert thresholds for the second reference period 2015-19 (OJ L 71, 12.3.2014, p. 20).

⁽⁴⁾ Commission Implementing Decision (EU) 2015/347 of 2 March 2015 concerning the inconsistency of certain targets included in the national or functional airspace block plans submitted pursuant to Regulation (EC) No 549/2004 of the European Parliament and of the Council with the Union-wide performance targets for the second reference period and setting out recommendations for the revision of those targets (OJ L 60, 4.3.2015, p. 48).

- (5) The Performance Review Body, which is charged with assisting the Commission in the implementation of the performance scheme pursuant to Article 3 of Implementing Regulation (EU) No 390/2013, submitted its assessment report to the Commission on 15 October 2015.
- (6) The assessment of the revised performance targets regarding their consistency with the Union-wide performance targets has been done by using the same assessment criteria and methodologies that were used in the assessment of the initially submitted performance targets.
- (7) Concerning the key performance area of capacity, the consistency of the revised targets submitted by the Member States concerned for en route Air Traffic Flow Management (ATFM) delay has been assessed, in accordance with the principle laid down in point 4 of Annex IV to Implementing Regulation (EU) No 390/2013, by using the respective FAB reference values for capacity that, when applied, ensure at Union level that the Union-wide performance target is met, calculated by the Network Manager and set out in the Network Operations Plan (2014-2018/2019) in its most recent version of June 2014 ('Network Operations Plan'). That assessment has demonstrated that the revised targets submitted by Czech Republic, Croatia, Hungary, Austria, Slovenia and Slovakia as regards FABCE, Spain and Portugal as regards SW FAB and Bulgaria and Romania as regards Danube FAB are consistent with the relevant Union-wide performance target.
- (8) Concerning the key performance area of cost-efficiency, the targets expressed in en route determined unit costs submitted by the Member States concerned have been assessed, in accordance with the principles laid down in point 5, in conjunction with point 1, of Annex IV to Implementing Regulation (EU) No 390/2013, by taking account of the trend of en route determined unit costs over the second reference period and the combined period of the first and the second reference period (2012-2019), the number of service units (traffic forecast) and the level of en route determined unit costs in comparison to Member States having a similar operational and economic environment. That assessment has demonstrated that the revised targets submitted by Austria and Slovakia as laid down in the FABCE revised performance plan and by Italy as laid down in the revised Blue Med FAB performance plan are consistent with the relevant Union-wide performance target.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Single Sky Committee,

HAS ADOPTED THIS DECISION:

Article 1

The targets included in the revised performance plans submitted pursuant to Regulation (EC) No 549/2004, listed in the Annex, are consistent with the Union-wide performance targets for the second reference period set out in Implementing Decision 2014/132/EU.

Article 2

This Decision is addressed to the Republic of Bulgaria, the Czech Republic, the Kingdom of Spain, the Republic of Croatia, the Italian Republic, Hungary, the Republic of Austria, the Portuguese Republic, Romania, the Republic of Slovenia and the Slovak Republic.

Done at Brussels, 15 April 2016.

For the Commission
Violeta BULC
Member of the Commission

ANNEX

Performance targets in the key performance areas of capacity and cost-efficiency included in the revised national or functional airspace block plans submitted pursuant to Regulation (EC) No 549/2004 found to be consistent with the Union-wide performance targets for the second reference period

KEY PERFORMANCE AREA OF CAPACITY

En route Air Traffic Flow Management (ATFM) delay in min/flight

| MEMBER STATE | FAB | FAB TARGET EN-ROUTE CAPACITY | | | | |
|----------------|--------|------------------------------|-------------|-------------|-------------|-------------|
| | | 2015 | 2016 | 2017 | 2018 | 2019 |
| Czech Republic | FAB-CE | 0,29 | 0,29 | 0,28 | 0,28 | 0,27 |
| Croatia | | | | | | |
| Hungary | | | | | | |
| Austria | | | | | | |
| Slovenia | | | | | | |
| Slovakia | | | | | | |
| Bulgaria | Danube | 0,03 | 0,03 | 0,03 | 0,03 | 0,04 |
| Romania | | | | | | |
| Portugal | SW | 0,30 | 0,31 | 0,31 | 0,30 | 0,30 |
| Spain | | | | | | |

KEY PERFORMANCE AREA OF COST-EFFICIENCY

Legend:

| Key | Item | Units |
|-----|-------------------------------------|--|
| (A) | Total En-route Determined Costs | (in nominal terms and in national currency) |
| (B) | Inflation rate | (%) |
| (C) | Inflation index | (100 = 2009) |
| (D) | Total En-route Determined Costs | (in real 2009 prices and in national currency) |
| (E) | Total En-route Services Units | (TSUs) |
| (F) | En-route Determined Unit Cost (DUC) | (in real 2009 prices and in national currency) |

BLUE MED FAB

| Charging Zone: Italy — Currency: EUR | | | | | |
|--------------------------------------|--------------|--------------|--------------|--------------|--------------|
| | 2015 | 2016 | 2017 | 2018 | 2019 |
| (A) | 674 742 285 | 693 557 255 | 711 992 044 | 710 883 664 | 707 016 612 |
| (B) | 1,0 % | 1,1 % | 1,3 % | 1,5 % | 1,6 % |
| (C) | 110,8 | 112,0 | 113,5 | 115,2 | 117,0 |
| (D) | 609 005 804 | 619 176 790 | 627 477 336 | 617 241 895 | 604 216 765 |
| (E) | 8 557 964 | 8 866 051 | 9 207 393 | 9 553 591 | 9 897 521 |
| (F) | 71,16 | 69,84 | 68,15 | 64,61 | 61,05 |

FAB CE

| Charging Zone: Austria — Currency: EUR | | | | | |
|--|--------------|--------------|--------------|--------------|--------------|
| | 2015 | 2016 | 2017 | 2018 | 2019 |
| (A) | 188 243 000 | 194 934 000 | 204 696 000 | 209 564 000 | 207 200 000 |
| (B) | 1,7 % | 1,7 % | 1,7 % | 1,7 % | 1,7 % |
| (C) | 114,2 | 116,1 | 118,1 | 120,1 | 122,1 |
| (D) | 164 901 573 | 167 908 470 | 173 369 786 | 174 525 859 | 169 672 673 |
| (E) | 2 693 000 | 2 777 000 | 2 850 000 | 2 928 000 | 3 014 000 |
| (F) | 61,23 | 60,46 | 60,83 | 59,61 | 56,29 |

| Charging Zone: Slovakia — Currency: EUR | | | | | |
|---|--------------|--------------|--------------|--------------|--------------|
| | 2015 | 2016 | 2017 | 2018 | 2019 |
| (A) | 59 272 906 | 61 912 217 | 62 981 088 | 66 300 093 | 67 598 994 |
| (B) | 0,0 % | 1,4 % | 1,7 % | 1,8 % | 2,0 % |
| (C) | 110,3 | 111,8 | 113,7 | 115,7 | 118,1 |
| (D) | 53 754 368 | 55 355 807 | 55 381 628 | 57 279 434 | 57 253 112 |
| (E) | 1 078 000 | 1 126 000 | 1 186 000 | 1 250 000 | 1 312 000 |
| (F) | 49,86 | 49,16 | 46,70 | 45,82 | 43,64 |

COMMISSION IMPLEMENTING DECISION (EU) 2016/600
of 15 April 2016
amending Decision 2007/453/EC as regards the BSE status of Romania
(notified under document C(2016) 2186)

(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 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies ⁽¹⁾, and in particular the third subparagraph of Article 5(2) thereof,

Whereas:

- (1) Regulation (EC) No 999/2001 provides that Member States, third countries or regions thereof ('countries or regions') are to be classified according to their bovine spongiform encephalopathy (BSE) status into one of three categories: negligible BSE risk, controlled BSE risk and undetermined BSE risk.
- (2) The Annex to Commission Decision 2007/453/EC ⁽²⁾ lists countries or regions according to their BSE status.
- (3) The World Organisation for Animal Health (OIE) plays a leading role in the categorisation of countries or regions according to their BSE risk.
- (4) In May 2014, the OIE General Assembly decided to grant 'negligible BSE risk' status to Romania in its Resolution No 18 — Recognition of the Bovine Spongiform Encephalopathy Risk Status of Member Countries ⁽³⁾. On 27 June 2014, the OIE Scientific Commission for Animal Diseases suspended that negligible BSE risk status due to the notification by Romania on 20 June 2014 of an atypical BSE case.
- (5) In May 2015, the OIE General Assembly amended the BSE Chapter of the OIE Terrestrial Animal Health Code ('the Code'), by adding the following sentence in Article 11.4.1 of the Code: 'For the purpose of official BSE risk status recognition, BSE excludes "atypical BSE" as a condition believed to occur spontaneously in all cattle populations at a very low rate' ⁽⁴⁾.
- (6) As the negligible BSE risk status of Romania had been suspended because of the detection of an atypical BSE case and as the new version of the Code excludes atypical BSE for the purpose of official BSE risk status recognition, the OIE Scientific Commission for Animal Diseases decided, with effect as from 8 December 2015, to reinstate the negligible BSE status of Romania.
- (7) To reflect that decision, the list of countries in the Annex to Decision 2007/453/EC should therefore be amended.
- (8) Decision 2007/453/EC should therefore be amended accordingly.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽¹⁾ OJ L 147, 31.5.2001, p. 1.

⁽²⁾ Commission Decision 2007/453/EC of 29 June 2007 establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk (OJ L 172, 30.6.2007, p. 84).

⁽³⁾ http://www.oie.int/fileadmin/Home/eng/Animal_Health_in_the_World/docs/pdf/2014_A_RESO-18_BSE.pdf

⁽⁴⁾ http://www.oie.int/index.php?id=169&L=0&htmfile=chapitre_bse.htm

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2007/453/EC is amended as follows:

- (1) the entry '— Romania' is inserted in Part '**A. Countries or regions with a negligible BSE risk**', after '— Portugal' and before '— Slovenia';
- (2) the entry '— Romania' is deleted in Part '**B. Countries or regions with a controlled BSE risk**'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 15 April 2016.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

COMMISSION IMPLEMENTING DECISION (EU) 2016/601**of 15 April 2016****amending Decision 2011/163/EU on the approval of plans submitted by third countries in accordance with Article 29 of Council Directive 96/23/EC***(notified under document C(2016) 2187)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC ⁽¹⁾, and in particular the fourth subparagraph of Article 29(1) and (2) thereof,

Whereas:

- (1) Directive 96/23/EC lays down measures to monitor the substances and groups of residues listed in Annex I thereto. That Directive requires that third countries from which Member States are authorised to import animals and animal products covered by that Directive submit a residue monitoring plan providing required guarantees. That plan should at least include the groups of residues and substances listed in that Annex I.
- (2) Commission Decision 2011/163/EU ⁽²⁾ approves the plans provided for in Article 29 of Directive 96/23/EC ('the plans') submitted by certain third countries listed in the Annex to that Decision for the animals and animal products indicated in the list in Annex I to the Directive.
- (3) In the light of the recent plans submitted by certain third countries and additional information obtained by the Commission from those third countries, it is necessary to update the list of third countries from which Member States are authorised to import certain animals and animal products, as provided for in Directive 96/23/EC and currently listed in the Annex to Decision 2011/163/EU ('the list').
- (4) The Dominican Republic has submitted a plan for honey to the Commission. That plan provides sufficient guarantees and should be approved. An entry for the Dominican Republic for honey should therefore be included in the list.
- (5) The Falkland Islands have submitted a plan for aquaculture to the Commission. That plan provides sufficient guarantees and should be approved. An entry for the Falkland Islands for aquaculture should therefore be included in the list.
- (6) The Commission requested that French Polynesia provide information on the implementation of its plan for honey. In their reply, the competent authorities of French Polynesia stated that the residue monitoring programme for honey has not been elaborated as French Polynesia does not project to export honey to the EU. The entry for that third country concerning honey should be deleted from the list. French Polynesia has been informed accordingly.
- (7) The Commission requested that Namibia provide information on the implementation of its plans for wild game. In their reply, the competent authorities of Namibia stated that the residue monitoring programme for wild game has not been elaborated as Namibia does not project to export wild game to the EU. The entry for that third country concerning wild game products should be deleted from the list. Namibia has been informed accordingly.

⁽¹⁾ OJ L 125, 23.5.1996, p. 10.

⁽²⁾ Commission Decision 2011/163/EU of 16 March 2011 on the approval of plans submitted by third countries in accordance with Article 29 of Council Directive 96/23/EC (OJ L 70, 17.3.2011, p. 40).

- (8) The Republic of Korea has submitted a plan for poultry to the Commission. That plan provides sufficient guarantees and should be approved. An entry for the Republic of Korea for poultry products should therefore be included in the list.
- (9) Saint Pierre and Miquelon has submitted a plan for poultry to the Commission. That plan provides sufficient guarantees and should be approved. An entry for Saint Pierre and Miquelon poultry products should therefore be included in the list.
- (10) Commission Regulation (EU) No 206/2010 ⁽¹⁾ authorises Singapore for the introduction into the Union of consignments of fresh meat of New Zealand origin, eligible for introduction into the Union and destined to the Union. In order to permit that activity, the entry for Singapore in the list should include equine, wild game and farmed game but it should be restricted to commodities of fresh meat originating from New Zealand, destined to the Union and being unloaded, reloaded and transited with or without storage through Singapore. Singapore and New Zealand have been informed accordingly. A footnote setting out this limitation should be included in the list for Singapore.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2011/163/EU is replaced by the text set out in the Annex to this Decision.

Article 2

For a transitional period until 15 May 2016, Member States shall accept consignments from Namibia of wild game and consignments from French Polynesia of honey provided that the importer can demonstrate that such consignments were certified and dispatched to the Union prior to 31 March 2016 in accordance with Decision 2011/163/EU.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 15 April 2016.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

⁽¹⁾ Commission Regulation (EU) No 206/2010 of 12 March 2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements (OJ L 73, 20.3.2010, p. 1).

ANNEX

ANNEX

| Code ISO2 | Country | Bovine | Ovine/ caprine | Porcine | Equine | Poultry | Aqua- culture | Milk | Eggs | Rabbit | Wild game | Farmed game | Honey |
|-----------|------------------------|--------|-------------------|---------|--------|---------|------------------|-------|------|--------|-----------|----------------|-------|
| AD | Andorra | X | X | | X | | | | | | | | X |
| AE | United Arab Emirates | | | | | | | X (1) | | | | | |
| AL | Albania | | X | | | | X | | X | | | | |
| AM | Armenia | | | | | | X | | | | | | X |
| AR | Argentina | X | X | | X | X | X | X | X | X | X | X | X |
| AU | Australia | X | X | | X | | X | X | | | X | X | X |
| BA | Bosnia and Herzegovina | | | | | X | X | X | X | | | | X |
| BD | Bangladesh | | | | | | X | | | | | | |
| BN | Brunei | | | | | | X | | | | | | |
| BR | Brazil | X | | | X | X | X | | | | | | X |
| BW | Botswana | X | | | X | | | | | | | X | |
| BY | Belarus | | | | X (2) | | X | X | X | | | | |
| BZ | Belize | | | | | | X | | | | | | |
| CA | Canada | X | X | X | X | X | X | X | X | X | X | X | X |
| CH | Switzerland | X | X | X | X | X | X | X | X | X | X | X | X |
| CL | Chile | X | X | X | | X | X | X | | | X | | X |
| CM | Cameroon | | | | | | | | | | | | X |
| CN | China | | | | | X | X | | X | X | | | X |

| Code ISO2 | Country | Bovine | Ovine/ caprine | Porcine | Equine | Poultry | Aqua- culture | Milk | Eggs | Rabbit | Wild game | Farmed game | Honey |
|-----------|--------------------|--------|-------------------|---------|--------|---------|------------------|-------|------|--------|-----------|----------------|-------|
| CO | Colombia | | | | | | X | | | | | | |
| CR | Costa Rica | | | | | | X | | | | | | |
| CU | Cuba | | | | | | X | | | | | | X |
| DO | Dominican Republic | | | | | | | | | | | | X |
| EC | Ecuador | | | | | | X | | | | | | |
| ET | Ethiopia | | | | | | | | | | | | X |
| FK | Falklands Islands | X | X | | | | X | | | | | | |
| FO | Faroe Islands | | | | | | X | | | | | | |
| GH | Ghana | | | | | | | | | | | | X |
| GM | Gambia | | | | | | X | | | | | | |
| GL | Greenland | | X | | | | | | | | X | X | |
| GT | Guatemala | | | | | | X | | | | | | X |
| HN | Honduras | | | | | | X | | | | | | |
| ID | Indonesia | | | | | | X | | | | | | |
| IL | Israel (?) | | | | | X | X | X | X | | | X | X |
| IN | India | | | | | | X | | X | | | | X |
| IR | Iran | | | | | | X | | | | | | |
| JM | Jamaica | | | | | | | | | | | | X |
| JP | Japan | X | | | | | X | | | | | | |
| KE | Kenya | | | | | | X | X (1) | | | | | |
| KG | Kyrgyzstan | | | | | | | | | | | | X |

| Code ISO2 | Country | Bovine | Ovine/ caprine | Porcine | Equine | Poultry | Aqua- culture | Milk | Eggs | Rabbit | Wild game | Farmed game | Honey |
|-----------|--|------------------|-------------------|---------|--------|------------------|------------------|------|------|--------|-----------|----------------|-------|
| KR | South Korea | | | | | X | X | | | | | | |
| LB | Lebanon | | | | | | | | | | | | X |
| LK | Sri Lanka | | | | | | X | | | | | | |
| MA | Morocco | | | | | X | X | | | | | | |
| MD | Moldova | | | | | X | X | | X | | | | X |
| ME | Montenegro | X | X | X | | X | X | | X | | | | X |
| MG | Madagascar | | | | | | X | | | | | | X |
| MK | former Yugoslav Republic of Macedonia ⁽⁴⁾ | X | X | X | | X | X | X | X | | X | | X |
| MM | Republic of the Union of Myanmar | | | | | | X | | | | | | |
| MU | Mauritius | | | | | | X | | | | | | |
| MX | Mexico | | | | | | X | | X | | | | X |
| MY | Malaysia | | | | | X ⁽³⁾ | X | | | | | | |
| MZ | Mozambique | | | | | | X | | | | | | |
| NA | Namibia | X | X | | | | | | | | | | |
| NC | New Caledonia | X ⁽³⁾ | | | | | X | | | | X | X | X |
| NI | Nicaragua | | | | | | X | | | | | | X |
| NZ | New Zealand | X | X | | X | | X | X | | | X | X | X |
| PA | Panama | | | | | | X | | | | | | |
| PE | Peru | | | | | | X | | | | | | |

| Code ISO2 | Country | Bovine | Ovine/ caprine | Porcine | Equine | Poultry | Aqua- culture | Milk | Eggs | Rabbit | Wild game | Farmed game | Honey |
|-----------|------------------------------|------------------|-------------------|------------------|------------------|------------------|------------------|------------------|------|--------|------------------|------------------|-------|
| PH | Philippines | | | | | | X | | | | | | |
| PM | Saint Pierre and Miquelon | | | | | X | | | | | | | |
| PN | Pitcairn Islands | | | | | | | | | | | | X |
| PY | Paraguay | X | | | | | | | | | | | |
| RS | Serbia ⁽⁵⁾ | X | X | X | X ⁽²⁾ | X | X | X | X | | X | | X |
| RU | Russia | X | X | X | | X | | X | X | | | X ⁽⁶⁾ | X |
| RW | Rwanda | | | | | | | | | | | | X |
| SA | Saudi Arabia | | | | | | X | | | | | | |
| SG | Singapore | X ⁽³⁾ | X ⁽³⁾ | X ⁽³⁾ | X ⁽⁸⁾ | X ⁽³⁾ | X | X ⁽³⁾ | | | X ⁽⁸⁾ | X ⁽⁸⁾ | |
| SM | San Marino | X | | X ⁽³⁾ | | | | | | | | | X |
| SR | Suriname | | | | | | X | | | | | | |
| SV | El Salvador | | | | | | | | | | | | X |
| SZ | Swaziland | X | | | | | | | | | | | |
| TH | Thailand | | | | | X | X | | | | | | X |
| TN | Tunisia | | | | | X | X | | | | X | | |
| TR | Turkey | | | | | X | X | X | X | | | | X |
| TW | Taiwan | | | | | | X | | | | | | X |
| TZ | Tanzania | | | | | | X | | | | | | X |
| UA | Ukraine | X | | X | | X | X | X | X | | | | X |
| UG | Uganda | | | | | | X | | | | | | X |
| US | United States | X | X | X | | X | X | X | X | X | X | X | X |

| Code ISO2 | Country | Bovine | Ovine/ caprine | Porcine | Equine | Poultry | Aqua- culture | Milk | Eggs | Rabbit | Wild game | Farmed game | Honey |
|-----------|--------------|--------|-------------------|---------|--------|---------|------------------|------|------|--------|-----------|----------------|-------|
| UY | Uruguay | X | X | | X | | X | X | | | X | | X |
| VE | Venezuela | | | | | | X | | | | | | |
| VN | Vietnam | | | | | | X | | | | | | X |
| ZA | South Africa | | | | | | | | | | X | X | |
| ZM | Zambia | | | | | | | | | | | | X |
| ZW | Zimbabwe | | | | | | X | | | | | X | |

(1) Camel milk only.

(2) Export to the Union of live equidae for slaughter (food producing animals only).

(3) Third countries using only raw material either from Member States or from other third countries approved for imports of such raw material to the Union, in accordance with Article 2.

(4) The former Yugoslav Republic of Macedonia; the definitive nomenclature for this country will be agreed following current negotiations at UN level.

(5) Not including Kosovo (this designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence).

(6) Only for reindeer from the Murmansk and Yamalo-Nenets regions.

(7) Hereafter understood as the State of Israel, excluding the territories under Israeli administration since June 1967, namely the Golan Heights, the Gaza Strip, East Jerusalem and the rest of the West Bank.

(8) Only for commodities of fresh meat originating from New Zealand, destined to the Union and being unloaded, reloaded and transited with or without storage through Singapore.'

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