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ANNEX 4

ANNEX

to the

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

Commission Work Programme 2016

No time for business as usual

Annex IV: List of withdrawals or modifications of pending proposals

The Commission intends to withdraw the proposals listed below within six months (by April 2016).

Withdrawals for reasons other than obsolescence, as well as modifications, are indicated in **bold**.

N°	COM/ Inter-institutional reference	Title	Reasons for withdrawal/modification
Economic & Financial Affairs, Taxation & Customs			
1.	COM/2007/0746	Proposal for a COUNCIL REGULATION laying down implementing measures for Directive 2006/112/EC on the common system of value added tax, as regards the treatment of insurance and financial services	The proposal dates from 2007 and no agreement is foreseen (no Council Presidency has recently taken up discussions).
2.	COM/2007/0747 2007/0267/CNS	Proposal for a COUNCIL DIRECTIVE amending Directive 2006/112/EC on the common system of value added tax, as regards the treatment of insurance and financial services	The proposal dates from 2007 and no agreement is foreseen (no Council Presidency has recently taken up discussions).
3.	COM/2013/0721 2013/0343/CNS	Proposal for a COUNCIL DIRECTIVE amending Directive 2006/112/EC on the common system of value added tax as regards a standard VAT return	Negotiations have resulted in a draft compromise text that has fully denatured the substance of the Commission proposal. In particular, the latest developments have run counter to the simplification, harmonisation and substantial burden reduction objectives of the Commission proposal.
4.	COM/2011/0594 2011/0261/CNS	Proposal for a COUNCIL DIRECTIVE on a common system of financial transaction tax and amending Directive 2008/7/EC	This proposal has been superseded by a corresponding proposal of 2013 under the procedure of enhanced cooperation.

N°	COM/ Inter-institutional reference	Title	Reasons for withdrawal/modification
5.	COM/2011/0738 2011/0334/CNS	Proposal for a COUNCIL REGULATION on the methods and procedure for making available the own resource based on the financial transaction tax	The European Council of February 2013, when deciding on the 2014-2020 package, "called upon participating Member States to examine if it (i.e. the financial transaction tax) could become the base for a new own resource". It should be noted that the high-level Group on Own Resources has been tasked with undertaking "a general review of the own resources system guided by the overall objectives of simplicity, transparency, equity and democratic accountability". As the making available regulation was based on the Commission proposal of June 2011 for a new Own resources decision, which was in this respect not retained, the proposed making available regulation is no longer relevant and the Commission therefore intends to withdraw the proposal. Any possible future Commission proposal on a FTT own resource would again have to be accompanied by a corresponding making available regulation.
6.	COM/2011/0121 2011/0058/CNS	Proposal for a COUNCIL DIRECTIVE on a Common Consolidated Corporate Tax Base (CCCTB)	As announced in the Communication on "A fair and efficient corporate tax system in the European Union: 5 key areas for action" (COM(2015)302), the Commission is re-launching the work with a new staged approach. The existing proposal will be withdrawn in parallel.
7.	COM/1998/0637	Proposal for a COUNCIL DECISION on the representation and position taking of the Community at international level in the context of Economic and Monetary Union	The proposal was withdrawn (C(2015)8001) and replaced by a new proposal on 21 October 2015 (COM(2015)603).
Foreign Affairs & Security Policy			
8.	COM2007/0141 2007/0049/APP	Proposal for a COUNCIL AND COMMISSION DECISION on the conclusion of the Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Turkmenistan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union	Obsolete: this Protocol of adaptation was to reflect the accession of Bulgaria and Romania, however it was never finalised and it was subsequently decided to propose a Decision covering all Member State accessions since 2004.

N°	COM/ Inter-institutional reference	Title	Reasons for withdrawal/modification
9.	COM/2007/0144	Proposal for a COUNCIL DECISION on the signing and provisional application of a Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Turkmenistan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union	Obsolete: this Protocol of adaptation was to reflect the accession of Bulgaria and Romania, however it was never finalised and it was subsequently decided to propose a Decision covering all Member State accessions since 2004.
10.	COM/2004/808	Proposal for a COUNCIL DECISION on the signature on behalf of the European Community and provisional application of certain provisions of a Euro-Mediterranean Association Agreement between the European Community and its Member States and the Syrian Arab Republic	This agreement will not be finalised and the legal texts from 2004 and 2008 have become obsolete in the meantime.
11.	COM/2008/853	Proposal for a COUNCIL DECISION on the signature on behalf of the European Community and provisional application of certain provisions of a Euro-Mediterranean Association Agreement between the European Community and its Member States and the Syrian Arab Republic	This agreement will not be finalised and the legal texts from 2004 and 2008 have become obsolete in the meantime.
Trade			
12.	COM/2008/0522 2008/0169/APP	Proposal for a COUNCIL DECISION concluding the agreement establishing a framework for an Economic Partnership Agreement between the European Community and its Member States, on one part, and the East African Community Partner States, on the other part	This agreement will not be finalised as it is overtaken by a more comprehensive agreement negotiated after 2007 and initialled in 2014.
13.	COM/2008/0565 2008/0177/APP	Proposal for a COUNCIL DECISION concluding the Interim Economic Partnership Agreement between the European Community and its Member States, on the one part, and the SADC EPA States, on the other part	This agreement will not be finalised as it is overtaken by a more comprehensive agreement negotiated after 2007 and initialled in 2014.

N°	COM/ Inter-institutional reference	Title	Reasons for withdrawal/modification
14.	COM/2012/0593 2012/0287/NLE	Proposal for a COUNCIL DECISION on the position to be taken on behalf of the European Union within the Cooperation Committee set up by the Agreement on Partnership and Cooperation establishing a partnership between the European Communities and their Members States, of one part, and the Russian Federation of the other part, of 24 June 1994 as regards the establishment of a list of conciliators	Obsolete. Russia officially refused on 13 December 2012 to establish a list of conciliators to operationalise the dispute settlement system of the Agreement on Partnership and Cooperation. The EU has recourse to the general provisions of the WTO.
Transport			
15.	COM/2014/0083 2014/0042/NLE	Proposal for a COUNCIL DECISION on the position to be adopted on behalf of the European Union at the International Maritime Organization during the 66th session of the Marine Environment Protection Committee on the adoption of amendments to MARPOL Annex VI concerning the delay of the Tier III NOx emission standards	Although the position of the Commission as contained in the proposed Decision is still valid, the proposal has become obsolete as the 66 th session of the Marine Environment Protection Committee has already taken place (31 March – 4 April 2014).
16.	COM/2013/484 2013/0226/COD	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC) No 1365/2006 on statistics of goods transport by inland waterways as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures	If not agreed in six months, the proposal should be withdrawn.
17.	COM/2013/0611 2013/0297/COD	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC) No 91/2003 of the European Parliament and of the Council of 16 December 2002 on rail transport statistics, as regards the collection of data on goods, passengers and accidents	If not agreed in six months, the proposal should be withdrawn.

N°	COM/ Inter-institutional reference	Title	Reasons for withdrawal/modification
Migration, Home Affairs & Citizenship			
18.	COM/2013/0095 2013/0057/COD	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing an Entry/Exit System (EES) to register entry and exit data of third country nationals crossing the external borders of the Member States of the European Union (Smart Borders Package)	The Commission has announced in its "European Agenda on Migration" (COM(2015)240) its intention to present a modified proposal in 2016.
19.	COM/2013/0097 2013/0059/COD	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a registered traveller programme (Smart Borders Package)	The Commission has announced in its "European Agenda on Migration" (COM(2015)240) its intention to present a modified proposal in 2016.
20.	COM/2013/0096 2013/0060/COD	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC) No 562/2006 as regards the use of the Entry/Exit System (EES) and the Registered Traveller Programme (RTP) (Smart Borders Package)	The Commission has announced in its "European Agenda on Migration" (COM(2015)240) its intention to present a modified proposal in 2016.