



The European Council

May 2016 to June 2018



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Striving for unity: The European Council, May 2016 to June 2018

Introduction

This report details the work of the European Council, where the leaders of the European Union meet, from May 2016 to June 2018. It shows how the Union's political unity was maintained and strengthened in the face of multiple threats and challenges: unprecedented migratory pressures, shifts in geopolitics, a sustained terror threat, an uncertain economic outlook and the decision by British voters to leave.

From 2016 to the present, Europe's leaders have remained united on the fundamental issues, from the withdrawal negotiations with the United Kingdom to standing together against external threats, whether it is Russia's continued aggression in Ukraine or fundamental challenges to the global trading system. Due to a strong belief in the Union as the framework

for member states' common future, Europe remains a positive point of reference for the world, from championing the Paris Agreement to combat climate change to promoting the rules-based international order with free and fair trade at its centre.

Internally, the EU needs to invest more in the protection of our people against security threats, illegal migration and uncontrolled globalisation. Tough negotiations continue to limit the damage to citizens, businesses and member states arising from the UK's departure on 29 March 2019. And there is still much to do to strengthen Economic and Monetary Union, advance co-operation on defence issues and develop a sensible, crisis-resilient migration policy.

Taking control on migration

No other global problem is more urgent today than the irregular migration of millions of people. The EU leads the West on the care of refugees. We do not expect praise. But sending countries must take back irregular economic migrants. After the unprecedented migratory pressures towards Europe in 2015 and early 2016, when some 2.2 million people crossed the external border irregularly, the European Union and its member states are restoring control and learning the

lessons of the crisis. No member state can deal with this common, long-term challenge on its own, but decisive action by lead member states, fully backed up by the EU and assistance from other member states, is a *conditio sine qua non* to stem illegal migration flows.

In October 2015, around 10 000 people a day were crossing into Greece via Turkey in order to reach other Schengen countries. **By October 2016, the EU had reduced this influx by 98 %.** Through



Illegal migration to the European Union was reduced by over 90 % since February 2016



Donald Tusk 🌐 @eucopresident · 3 March 2016

Do not come to Europe. Do not believe the smugglers.
Do not risk your lives and your money. It is all for nothing.

common efforts, we have virtually closed the Western Balkans route to illegal migration. We need to keep it closed. In 2016, the EU established cooperation with Turkey to prevent mass departures from its coast and began financially assisting refugees there with projects totalling €3 billion. By June 2018, this funding was almost exhausted and EU leaders agreed a further tranche of €3 billion.

Stability in the Eastern Mediterranean meant the Union could begin closing the route from Libya to Italy, where irregular arrivals had exceeded 150 000 in both 2015 and 2016. The European Union helps to train and equip the Libyan Coast Guard to stop people smuggling and offers those stranded in Libya humanitarian assistance and safe passage home. Fellow member states support Italy's outstanding work with Libya's Government of National Accord and local municipalities by funding the EU's Trust Fund for Africa.



Crucial steps included the closure of the Western Balkan route as well as support to third countries on search and rescue operations and cracking down on people smugglers



Frontex, the European Border and Coast Guard Agency, assists member states in controlling EU external borders



Donald Tusk  @eucopresident · 30 June 2018

Europeans expect us to restore their sense of security and order. Not because they suddenly became xenophobic but because it's the job of every political authority to protect its territory and border.

By the end of 2017, irregular arrivals on the Central Mediterranean route were down by 67 %.

At the European Council in December 2017, leaders confirmed the hierarchy of the EU's aims, where protection of external borders as well as stemming illegal migration come first. To maintain this effort, Europe will need the right financial resources to deal with what is clearly a permanent challenge. The June European Council in 2018 supported univocally my

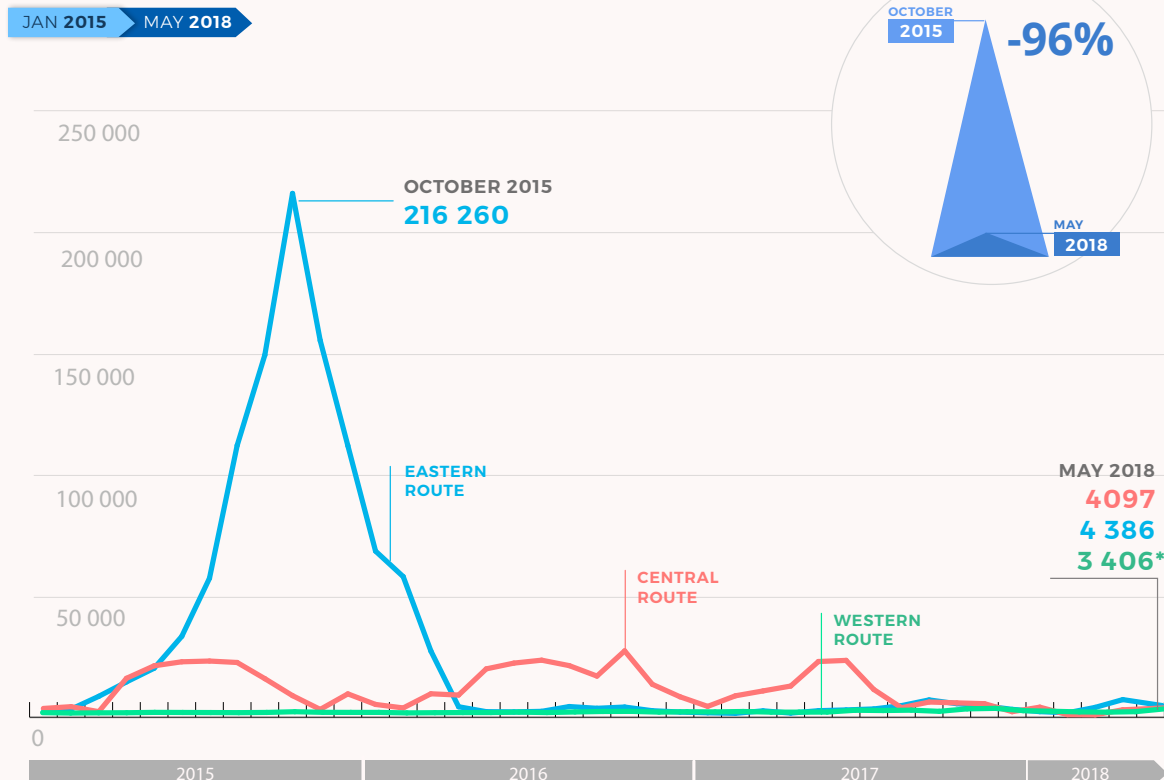
proposal to introduce a dedicated financial tool in the EU's budget to combat illegal immigration. They also agreed to increase EU assistance to the Libyan Coast Guard and on the establishment of 'disembarkation platforms' outside Europe for irregular migrants. We are turning the corner on migration. People are ready to trust their leaders again as long as we show that we are regaining control of our external borders.

EU leaders agree the Malta declaration to close down the illegal migration route from Libya to Italy, 3 February 2017

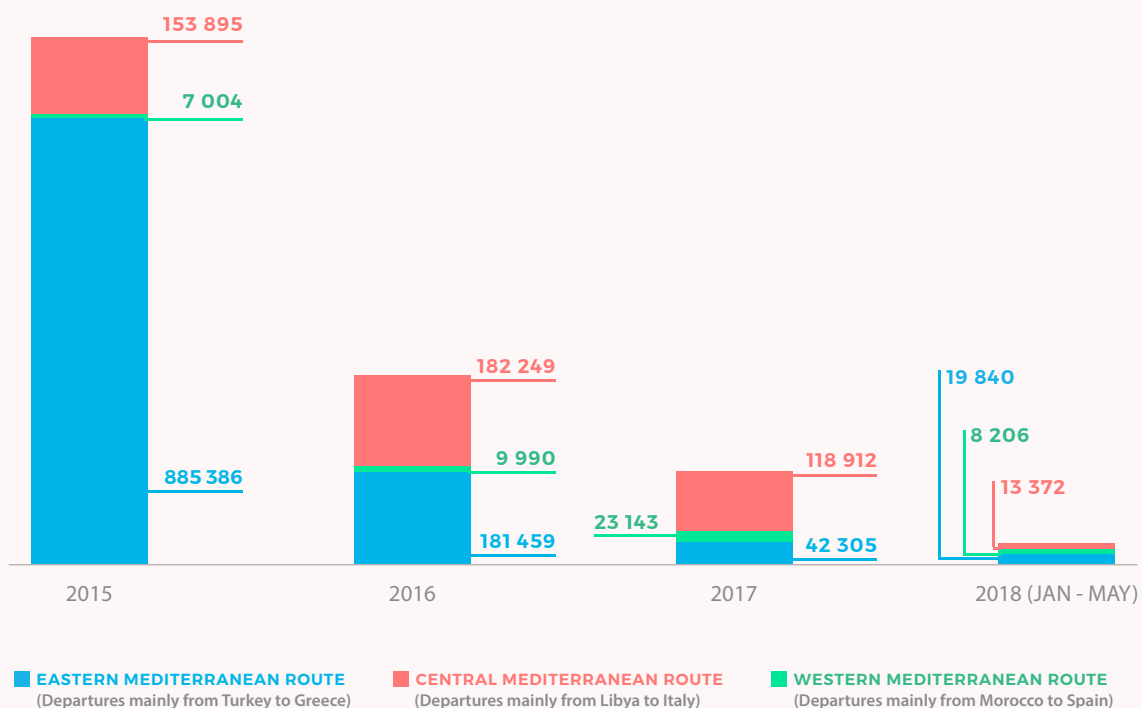


Migration flows: Eastern, Central and Western Mediterranean routes

MONTHLY IRREGULAR ARRIVALS



YEARLY IRREGULAR ARRIVALS



Source : Frontex

* Data from joint operations (sea crossings)



Leaders meet in the European Council to provide steering and strategic guidance for the work of the EU

1. Lithuania's President Dalia Grybauskaitė, Romania's President Klaus Werner Iohannis and Denmark's PM Lars Løkke Rasmussen; 2. Malta's PM Joseph Muscat, Ireland's Taoiseach Leo Varadkar and Germany's Federal Chancellor Angela Merkel; 3. Italy's PM Giuseppe Conte and Greece's PM Alexis Tsipras; 4. the Netherlands's PM Mark Rutte and Croatia's PM Andrej Plenković; 5. Estonia's PM Jüri Ratas and Luxembourg's PM Xavier Bettel; 6. Latvia's PM Māris Kučinskis and Spain's President of the Government Pedro Sánchez; 7. Poland's PM Mateusz Morawiecki and Czech Republic's PM Andrej Babiš; 8. Austria's Federal Chancellor Sebastian Kurz and European Commission President Jean-Claude Juncker; 9. Portugal's PM António Costa, Cyprus' President Nicos Anastasiades and Greece's PM Alexis Tsipras; 10. Finland's PM Juha Sipilä and Sweden's PM Stefan Löfven; 11. United Kingdom's PM Theresa May and France's President Emmanuel Macron; 12. Bulgaria's PM Boyko Borissov and Slovakia's PM Peter Pellegrini

Negotiating Brexit

The brutal truth is that the withdrawal of the United Kingdom from the European Union will be a loss for everyone. There is nothing to win in this process, for either side. Most Europeans, including half of the British electorate, wish that the EU and UK would stay together, not drift apart. But paradoxically there is also something positive in what has happened. The community of 27 is more determined and more united than before. To all our opponents from within and outside: there will be no sequel to Brexit.

The essence of Brexit as defined in the UK referendum campaign means radically loosening relations with the

EU: a *de facto* 'hard Brexit'. The only real alternative to a hard Brexit is 'no Brexit', even if today hardly anyone believes in such a possibility. As for the withdrawal talks, the EU27 does not and will not pursue a punitive approach. Brexit, in itself, is already punitive enough. It is about damage control. Our duty is to minimise the uncertainty and disruption caused by Brexit for citizens, businesses and member states. At stake are the daily lives and interests of millions of people on both sides of the Channel. Right after the UK referendum, the immediate priority was to reassure people, both in the UK and elsewhere, that there is no legal vacuum.



President Donald Tusk leaves 10 Downing Street after Brexit talks with Prime Minister May, 26 September 2017



Donald Tusk  @eucopresident · 16 January 2018

Unless there is a change of heart among our British friends, #Brexit will become a reality – with all its negative consequences – in March next year. We, here on the continent, haven't had a change of heart. Our hearts are still open for you.

Until the United Kingdom formally leaves the European Union, EU law will continue to apply to and within it, with all the rights and obligations this implies. On 29 March 2017, the UK ambassador delivered a letter invoking Article 50 of the Treaty on European Union, triggering the UK's formal withdrawal from the EU. Britain was now on the other side of the negotiating table with two years to conclude a Withdrawal Agreement and a framework for the future EU–UK relationship. Unflinching unity from the 27 member states and the EU institutions

provided a strong mandate to secure an orderly UK withdrawal with a focus on resolving key legacy issues before beginning discussions on our future relations.

Priority number one was to address the situation of more than four million people, whose lives will be directly impacted by Brexit.

First phase negotiations began in June 2017. Initial agreement was reached on citizens' rights and a financial settlement for the period up to 2020 following clarification from Prime Minister May on



'We all know that breaking up is hard. But breaking up and building a new relationship is much harder.' President Tusk, 15 December 2017



Donald Tusk 🌐 @eucopresident · 29 March 2017

What can I add to this? We already miss you.

Britain's intentions. On 15 December, EU27 leaders agreed with the Commission's finding that sufficient progress was made for negotiations to move on to the transition period which will follow on from Brexit, when the UK will remain part of the single market for a time. Further commitments were needed on the rights of those citizens who may move to the UK during the transition. The British government also has a responsibility to deliver a serious and credible commitment to avoid a hard border on the island of Ireland, support North-South co-operation, the all-island economy and the protection of the Good Friday Agreement. Let me say very clearly: if the UK offer is unacceptable for Ireland it will be unacceptable for the EU.

I will do everything in my power to make sure that the UK and EU remain friends after Brexit and stress that the EU's door will always remain open. The EU27 wants the UK as close friend and partner and will enter talks on the future relationship with an open, positive mind. But given the UK's red lines, only a Free Trade Agreement (FTA) is possible. It will be the first FTA in history to loosen, not strengthen economic ties. Drifting apart is the essence of Brexit.

Unless there is a change of heart among our British friends, Brexit will become a reality – with all its negative consequences in March next year. We, here on the continent, have not had a change of heart. Our hearts are still open to the UK. What can I add to this? Britain: we already miss you.



President Tusk meets Ireland's Taoiseach Leo Varadkar at government buildings in Dublin, 8 March 2018



'Here it is, six pages. No reason to pretend this a happy day, neither in Brussels nor in London.' President Tusk responds to official confirmation of UK withdrawal, 30 March 2017

From economic recovery to expansion

In early 2017, the EU was growing faster than the US and for the first time since 2008, all 28 member states were growing. This made the European economy the global economic success story of 2017, shifting from recovery to expansion and beating all expectations. The total number of jobs has climbed to a record high, with unemployment at its lowest level in eight years. Government deficits have declined and confidence in the European economy is back. Nothing illustrates this more clearly than Greece's successful exit in 2018 from the EU financial assistance programme, initiated by the Euro Summit after all-night negotiations in 2015.

This turnaround was due to many measures taken over the last decade, both at the national and EU levels, to enhance the competitiveness of the European economy and strengthen the resilience of the euro area. With Europe's economic expansion under way, the task now is to ensure that the benefits of economic growth are shared as widely as possible whilst using the positive momentum to make our economies stronger.



*Eurogroup President Mário Centeno and
European Central Bank President Mario Draghi*

The deepening of the Single Market and a robust trade policy are two avenues to help achieve those goals.

A deeper Single Market will be instrumental in creating new jobs, promoting productivity and ensuring an attractive climate for investment and innovation. The March 2018 European Council put modernising the Single Market at the top of the agenda, with EU leaders identifying the key elements: a Digital Single Market, a Capital Markets Union and a functioning Energy Union, and calling for those actions already agreed to be completed and implemented effectively. In late 2017 and early 2018, the European Council put a particular focus on the Digital Single Market and leaders confirmed their readiness 'to do what it takes for Europe to go digital', including in the areas of breakthrough innovation and big data. Given the size and diversity of the European market, that is a challenge. But the European Council will maintain the political pressure in this area, overcoming deadlocks and providing new guidance where necessary.

Amid protectionist signs, the EU must intensify trade talks around the globe. Trade remains key to Europe's economic success and the EU strongly supports free and fair trade and an open, rules-based trading system. In 2017, the EU pressed ahead with an ambitious programme of market opening including the implementation of a new Comprehensive Economic and Trade Agreement (CETA) with Canada; political agreement on a new trade pact with Japan; and significant progress in negotiations with Mexico and the Mercosur countries.



Donald Tusk 🌐 @eucopresident · 30 October 2016

The battle for CETA was highly emotional. Post-factual reality & post-truth politics pose a great challenge on both sides of the Atlantic. Today's decisions show the Western community still possesses the strength and determination to counter the fatalism of our decay. #EUCanada

The battle for CETA was highly emotional. Today's populism is like a virus and post-factual reality and post-truth politics pose a great challenge on both sides of the Atlantic. But CETA shows the Western community still possesses the strength and determination to counter the fatalism of our decay.

The EU has strengthened its anti-dumping tools to protect citizens from unfair trade, as agreed at the Bratislava summit in 2016. Citizens must see that trade deals are negotiated for the common good, and that effective defences are in place to deal with abuses. Nonetheless EU leaders were also clear at the March 2018 European Council, amid rumblings of a growing global trade conflict: **the Union will fiercely defend the open, rules-based multilateral system of international trade, with the WTO at its core.** President Trump has said: 'trade wars are good and easy to win'. But the truth is trade wars are bad and easy to lose. The EU's goal is to keep world trade alive and if necessary to protect Europeans by proportionate

responses. The EU should use the change in US strategy to intensify talks with interested partners and not abandon our role as a trading superpower. Make trade, not war, Mr President.

Improving the functioning of Economic and Monetary Union (EMU) is essential for the European Union. This is crucial for the 19 euro area countries, but also for each of the other member states and the Union as a whole. The time has come to strengthen existing tools like the Banking Union and further develop the European Stability Mechanism (ESM) as well as to explore less consensual ideas such as a fiscal capacity for the euro area. Leaders took the first decisions in this regard at the June 2018 Euro Summit. In particular, we agreed that the ESM will provide the common backstop to the single resolution fund. As a consequence, our Banking Union will become much stronger. Some might say this is too little, too late. But the fact is that after some years of standstill, we have effectively re-launched the process of deepening EMU.

Facing geopolitical realities

Current external challenges to the EU are more dangerous than ever before and the changing geopolitical situation makes our future unpredictable. This includes an increasingly assertive and acquisitive China; Russia's aggressive policy towards Ukraine and its neighbours; wars, terror and anarchy in the Middle East and in Africa, with radical Islamism playing a major role; as well as worrying declarations by the

current American administration. Only together can EU countries be fully independent. Disintegration will only result in dependence on the USA, Russia or China. For rational, responsible patriots who want the sovereignty of their nations, there is no better alternative than a united Europe.

The capricious assertiveness of the US on trade, Iran, climate change and other issues has put the European



President Tusk and US President Trump meet for the first time in Brussels, 25 May 2017



Donald Tusk  @eucopresident · 20 September 2017

Many believe UN gathers those who don't give up on ethics in politics in name of egoistic interests. Let's show'em their trust is justified.

Union in a particularly difficult situation; with the new administration often seeming to put into question the last 70 years of American foreign policy. Alongside Brexit, this points to the most serious crisis of modern times: the weakening, if not the breakdown, of faith in the durability and purpose of the political community of the West, defined not by geography but by values, principles and a belief in pluralistic institutions. Nonetheless, there must be no surrender to those who want to weaken or invalidate the transatlantic bond, without which global order and peace cannot survive. My message to President Trump is: values and principles first! Our greatest task today is to consolidate the free world around Western values, not just interests.

On Russia, the last two years have revealed individual experiences of several European countries, from disinformation campaigns, cyberattacks, interference in political processes in the EU and elsewhere; to airspace violations and the fanning of community conflicts in Ukraine, the Balkans and further afield. In March 2018, the attempted murder with a nerve agent of Sergei Skripal and his daughter on British soil – as well as persistent signals about Russia's role in Brexit – raised serious and urgent questions.

EU leaders agree that European unity in approaching Russia is our greatest strength.

European leaders univocally condemned the Salisbury attack in the strongest possible terms and several countries, including the US, expelled Russian diplomats believed to be engaged in intelligence activities. The EU has stood united together with the people of Ukraine against Russian aggression over the



President Tusk addresses the United Nations General Assembly on behalf of the EU, 20 September 2017

past four years and will stay the course on sanctions until Russia honours the peace agreements entered into at Minsk in February 2015. The EU–Ukraine Association Agreement entered fully into force in late 2017, boosting significantly trade and people-to-people contacts.

Increasing tensions with Russia is not our aim. But a sober assessment of the reality, and no illusions, are necessary to conduct relations with a country that is working with considerable energy and focus to weaken and divide the EU. The long-term objective remains to find a *modus vivendi*. This means sticking to EU values and interests, but also keeping the door open to dialogue.



International summits and meetings

1. President of Côte d'Ivoire Alassane Ouattara, President Tusk and European Commission President Jean-Claude Juncker; 2. President Tusk and President of Mongolia Tsakhiagiin Elbegdorj; 3. Canada's PM Justin Trudeau, United Kingdom's PM Theresa May and President Tusk; 4. Premier of Greenland Kim Kielsen and President Tusk; 5. Malaysia's PM Razak Mohammad, Myanmar/Burma's First State Counsellor Aung San Suu Kyi, Thailand's PM Prayuth Chan-O-Cha, Vietnam's Minister–Chairman of the Government Office Mai Tien Dung, President Tusk, Philippine's President Rodrigo Duterte, Singapore's Foreign Minister Vivian Balakrishnan, Brunei's Second Finance Minister Rahman Ibrahim, Cambodia's PM Hun Sen, Indonesia's President Joko Widodo, Laos' Minister to the PM Office Alounkeo Kittikhoun; 6. President Tusk and Japan's PM Shinzō Abe; 7. President Tusk and Pope Francis; 8. President Tusk at the UN General Assembly; 9. President Tusk visiting Belgrade; 10. President Tusk and China's PM Li Keqiang; 11. US President Donald Trump and President Tusk; 12. Liberia's President George Weah and President Tusk



Donald Tusk  @eucopresident · 17 May 2018

I don't see any other future for Western Balkans than EU. No alternative, no plan B. The Western Balkans are integral part of Europe and they belong to our community.

The Western Balkans are an integral part of Europe and they belong to our community. In May 2018, the EU concluded a very fruitful EU–Western Balkans summit, the first in 15 years. The summit reaffirmed our mutual commitment to the European perspective for the whole region and set out a priority agenda to boost human, economic, digital and infrastructure connections with and within the region. The European Union is and will remain the most reliable partner of the entire Western Balkans.

At the G7 meetings at Ise-Shima, Taormina and Charlevoix, and at the UN General Assembly, the EU's

priority was to defend the rules-based international order that is in danger, including the global trading system. In a world without rules, it is the strongest and the most brutal who win. The United Nations is the best tool we have to address, on a global scale, today's conflicts, famine, forced displacement, terrorism, and a return to nuclear tensions. Both the EU and UN were created in answer to the atrocities of the Second World War, and the EU will always vigorously react against evil, violence and lawlessness. This is why together the EU and its member states contribute approximately one third of UN funding, makes one third of UN



EU and Western Balkan leaders meet in Sofia on 16 May 2018 to discuss integration with and within the region, including the key areas of infrastructural and digital connectivity



Donald Tusk  @eucopresident · 14 December 2017

Today dream becomes reality. #PESCO is a practical expression of our will to build European defence. Good news for EU and for allies. Bad news for our enemies.



President Tusk and General Riho Terras, Commander of the Estonian Defence Forces, meet European military personnel at the PESCO launch, 14 December 2017



G7 leaders in Taormina, Sicily, May 2017

peacekeeping contributions, and gives half of all voluntary contributions to UN funds and programmes. Many believe that the UN gathers those who do not give up on ethics in politics in the name of egoistic interests. Let's show them their trust is justified.

The decision by the UN Security Council on 11 September 2017 to sanction North Korea for carrying out further nuclear tests was the correct one. No regime should be allowed to undermine the global non-proliferation regime or to threaten peaceful countries. At the UN General Assembly that month, the European Union called, together with our close friends and strategic partners Japan and South Korea, for a peaceful denuclearisation of the Korean peninsula. And the EU's position on the Joint Comprehensive Plan of Action with Iran is also clear: Europe will remain in the deal as long as Iran remains fully committed to it.

The European Union is Africa's biggest investor, trading partner, development aid donor and provider of humanitarian assistance as well as its biggest contributor in peace and security. At the 5th African Union–European Union summit in Abidjan in Côte d'Ivoire in November 2017, both African and European leaders reaffirmed a common determination to work together in partnership on challenges ranging from security and counter-terrorism to economic growth and job creation, especially for the youth. All leaders, African and European, accepted the principle that migration is a joint responsibility and that it is in the interests of all to have orderly migration that is more controlled, humane and sustainable.



Donald Tusk 🌐 @eucopresident · 16 May 2018

Looking at latest decisions of @realDonaldTrump someone could even think: with friends like that who needs enemies. But frankly, EU should be grateful. Thanks to him we got rid of all illusions. We realise that if you need a helping hand, you will find one at the end of your arm. Europe must do everything in its power to protect, in spite of today's mood, the transatlantic bond. But at the same time we must be prepared for those scenarios, where we will have to act on our own.

2017 saw the defeat of the so-called Islamic State as a territorial entity. However repeated terrorist attacks in Europe and elsewhere demonstrate that the threat from violent Islamism remains. In the fight against terrorism and violent extremism, the West and its allies must be more determined than the terrorists and the extremists. Regarding foreign fighters, European countries have introduced systematic database checks since early 2017 to better detect those trying to enter the Union and are implementing a comprehensive upgrade to the Union's border infrastructure. After the G7 discussions in Taormina, EU leaders were explicit about their expectations that social media companies and the online industry must play a full part in preventing terrorist radicalisation on the Internet. Facebook, Twitter and Google are engaging seriously with European officials on this goal, under the aegis of the EU's Internet Forum.

From terrorism to hybrid war and conflict in Europe's neighbourhood, the world has become a more dangerous place.

European leaders have the responsibility to show citizens that governments are capable of confronting external developments that can overwhelm and sometimes terrify. In December 2017, dream became reality when 25 member states launched the Permanent Structured Cooperation in defence, so-called PESCO, a practical expression of our will to build a European defence. PESCO is good news for the EU and its allies, and bad news for our enemies.

Strong European defence naturally strengthens NATO. After signing a joint EU–NATO declaration in July

2016, Secretary General Jens Stoltenberg and I have worked to strengthen the strategic partnership between the European Union and the North Atlantic Alliance. Our cooperation is a strategic priority. Our greatest strength is unity of values and purpose.



President Tusk discusses EU–NATO ties with Secretary General Jens Stoltenberg in Brussels, 8 May 2018



Preparations and behind the scenes in the Council buildings

Conclusion

Only a united Europe can be a sovereign Europe. **The true foundation of this unity is not a bureaucratic model. It is a set of common values and democratic standards which must be respected** – human rights and civil liberties, freedom of speech and freedom of assembly, checks and balances, and the rule of law. It is the recognition that Europe is a territorial, cultural and political community – no better or worse than – but different from, the rest of the world.

Today, we must remember forgotten truths: Europe united to avoid another historic catastrophe and the times of European unity have always been the continent's best. **If Europe is strong, our countries are strong. Europe as a political entity will either be united, or it will not be at all.** The Treaties of Rome began a process of bringing European countries back to freedom and prosperity, east and west.

The achievements of the period covered in this report – managing Brexit, bringing migration flows down, global market opening and working for a stronger European defence – show how EU leaders have over the last two years successfully reconciled Europe's dynamism and unity by being ambitious and staying together at the same time. As the proverb says, 'If you want to go fast, go alone. If you want to go far, go together.'

I believe in liberal democracy: imperfect and fragile, under-appreciated and violated, defenceless at times, but alternative-less. Defending our liberal democracies



is our first, second and third obligation. Liberal democracy is no synonym of weakness. But we need to remember that justice without force is powerless and force without justice is tyrannical.

To put it bluntly: there will not be a Europe as we know it, if there are no borders and no law enforcement – and there will not be a Europe we desire, if it is taken over from within by our political barbarians. The realisation that we have a common border and territory must bring us together again, instead of dividing us for good. We should try to reconcile the need for security with freedom, and the need for control with openness. Only a wise synthesis will be our victory.

Donald Tusk

President of the European Council

European Council meetings

– May 2016 to June 2018

European Council – 28 June 2016

Informal meeting of the 27 Heads of State or Government – 29 June 2016

Informal meeting of the 27 Heads of State or Government, Bratislava – 16 September 2016

European Council – 20–21 October 2016

European Council – 15 December 2016

Informal meeting of the 27 Heads of State or Government – 15 December 2016

Informal meeting of Heads of State or Government, Malta – 3 February 2017

European Council – 9 March 2017

Informal meeting of the 27 Heads of State or Government – 10 March 2017

60th anniversary of the Treaties, Rome – 25 March 2017

Special meeting of the European Council (Art. 50) – 29 April 2017

European Council (Art. 50) – 22 June 2017

European Council – 22–23 June 2017

Informal meeting of the Heads of State or Government, Tallinn – 28 September 2017

European Council – 19 October 2017

European Council (Art. 50) – 20 October 2017

Informal meeting of Heads of State or Government, Gothenburg – 17 November 2017

European Council – 14 December 2017

Euro Summit – 15 December 2017

European Council (Art. 50) – 15 December 2017

Informal meeting of the 27 Heads of State or Government – 23 February 2018

European Council – 22 March 2018

European Council (Art. 50) – 23 March 2018

Euro Summit – 23 March 2018

Informal meeting of the 28 Heads of State or Government, Sofia – 16 May 2018

European Council – 28 June 2018

European Council (Art. 50) – 29 June 2018

Euro Summit – 29 June 2018

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REMARKS BY PRESIDENT DONALD TUSK BEFORE THE G7 SUMMIT IN ISE-SHIMA, JAPAN – 26 MAY 2016

Good morning,

Allow me to start with a short historical remark. Being here in Japan at the summit of the G7 nations who share common values of democracy, freedom and the rule of law, one should never forget that this cooperation is the result of lessons learnt from a dark history. 71 years ago we were still at war with one another, a war that cost tens of millions of lives around the world. And today we commit ourselves to building a safer world for all.

The G7 is the strongest defender of a rule-based international order not because we want to protect the wealthy. But because the rules are there in the first place to protect the weak, while in a world without rules it is the strongest and the most brutal who are winning. This simple truth needs to be remembered, especially today, when the respect for a global rule-based order is put into question. The example of the G7 countries, our ability to compete but also to cooperate and to take into account not only our own interests, should inspire others.

Let me now turn to the migration and refugee crisis. We are aware that it is because of geography that the most responsibility is and will continue to be placed on Europe. However, we would also like the global community to show solidarity and recognise the fact that this is a global crisis. Therefore, we will seek the support of our G7 partners in three dimensions.

First, to commit to increasing global assistance so that immediate and long term needs of refugees and host communities are met. The international community should acknowledge that when Turkey, Lebanon and Jordan assist refugees, they are in fact providing a global public good. And this public good must be financed by the global community.

Second, that the G7 encourages international financial institutions and other donors to raise their assistance. In this regard the EU funds for Syria, Africa and Turkey, along with the work of the European Investment Bank serve as a role model for all of us.

Third, that the G7 encourages the establishment of resettlement schemes and other legal forms of migration all around the world. As you know Europe is doing a lot and we are happy to share our experiences. But the world has been confronted with the highest number of refugees, asylum seekers and internally displaced persons since the Second World War. This is why more action is needed to make legal channels of migration possible. Those who criticise us should rather think how to increase their assistance because what Europe provides is already massive.

In all the above mentioned three dimensions we need the leadership of G7. And honestly speaking if we do not take the lead in managing this crisis nobody else will. I will appeal to G7 leaders to take up this challenge.

Two years ago, the G7 demonstrated unity with Europe when the conflict in Ukraine erupted. And we remain united during this conflict. The European Union, as the entire G7, continues to believe that this crisis can only be resolved in full compliance with the international law, especially the legal obligation to respect Ukraine's sovereignty, territorial integrity and independence. I want to state clearly that our stance vis-à-vis Russia, including economic sanctions, will remain unchanged as long as the Minsk agreements are not fully implemented. Unfortunately, there is much less progress on the implementation of Minsk than we had hoped for one year ago in Elmau.

Speaking of the international rule-based order, I would like to underline that it needs to be respected not only in Ukraine but in all parts of the world, and not only on land but also at sea. The policy of the G7 is clear: any maritime or territorial claim should be based on the international law and any possible dispute should be resolved by peaceful means. Unilateral actions and the use of force or coercion will not be accepted.

Finally, let me turn to the situation in Europe. I am happy to say that the Eurogroup agreement sends a strong message of stability for Greece, for the Eurozone but also for the global economy. Here I would like to thank the Greek people, and especially Prime Minister Alexis Tsipras for their determination to end this crisis by reforming the country. The Greek tragedy will not be restaged.

At the G7 summit we will be discussing the British in/out referendum and its consequences. You know that I am hoping for a positive outcome and I can assure you that all of the G7 leaders meeting here have the same view.

Before I finish let me make the last point. The test of our credibility as the G7 is our ability to defend the common values that we share. This test will only be passed if we take a clear and tough stance on every topic of our discussions here in Ise-Shima. I refer in particular to the issue of maritime security at the South and East China Seas, Russia/Ukraine issue and free and fair trade. If we are to defend our common values, it is not enough these days to only believe in them. We also have to be ready to protect them. The real challenge is even greater because these values are not only questioned by states who undermine the international rule-based order, but also by opponents from within our own countries. Our internal opponents will also judge our ability to defend these values. That is why we need to be really tough.

Thank you.

STATEMENT BY THE EU LEADERS AND THE NETHERLANDS PRESIDENCY ON THE OUTCOME OF THE UK REFERENDUM – 24 JUNE 2016

President Tusk, President Schulz and Prime Minister Rutte met this morning in Brussels upon the invitation of European Commission President Juncker. They discussed the outcome of the United Kingdom referendum and made the following joint statement:

In a free and democratic process, the British people have expressed their wish to leave the European Union. We regret this decision but respect it.

This is an unprecedented situation but we are united in our response. We will stand strong and uphold the EU's core values of promoting peace and the well-being of its peoples. The Union of 27 Member States will continue. The Union is the framework of our common political future. We are bound together by history, geography and common interests and will develop our cooperation on this basis. Together we will address our common challenges to generate growth, increase prosperity and ensure a safe and secure environment for our citizens. The institutions will play their full role in this endeavour.

We now expect the United Kingdom government to give effect to this decision of the British people as soon as possible, however painful that process may be. Any delay would unnecessarily prolong uncertainty. We have rules to deal with

this in an orderly way. Article 50 of the Treaty on European Union sets out the procedure to be followed if a Member State decides to leave the European Union. We stand ready to launch negotiations swiftly with the United Kingdom regarding the terms and conditions of its withdrawal from the European Union. Until this process of negotiations is over, the United Kingdom remains a member of the European Union, with all the rights and obligations that derive from this. According to the Treaties which the United Kingdom has ratified, EU law continues to apply to the full to and in the United Kingdom until it is no longer a Member.

As agreed, the 'New Settlement for the United Kingdom within the European Union', reached at the European Council on 18–19 February 2016, will now not take effect and ceases to exist. There will be no renegotiation.

As regards the United Kingdom, we hope to have it as a close partner of the European Union in the future. We expect the United Kingdom to formulate its proposals in this respect. Any agreement, which will be concluded with the United Kingdom as a third country, will have to reflect the interests of both sides and be balanced in terms of rights and obligations.

CONCLUSIONS OF THE EUROPEAN COUNCIL

– 28 JUNE 2016

I. MIGRATION

1. Further to the decision to fully apply the Schengen Borders Code and the implementation of the EU–Turkey statement of 18 March 2016, crossings from Turkey to the Greek islands have sharply decreased and have now almost come to a halt. It is important to continue working actively to further stabilise the situation and to ensure a sustainable solution. The legislation recently adopted by Turkey on the treatment of both Syrians and other nationalities allows for the return of migrants to Turkey in full respect of the provisions on inadmissibility under the Asylum Procedures Directive. Considerable progress has been made by both sides to implement the full range of action points contained in the EU–Turkey statement and the European Council looks forward to further determined action. The European Council recalls the need to provide continued support to Western Balkan countries, including in their fight against smugglers, and to remain vigilant about potential developments regarding other routes so as to be able to take rapid and concerted action. Further action is required to accelerate the implementation of the existing relocation and resettlement schemes.
2. In the Central Mediterranean, flows of predominantly economic migrants remain at the same level as last year. The flows must be reduced, thus saving lives and breaking the business model of smugglers. The relevant security procedures must be fully applied to ensure full control over external borders. Delivering rapid results in preventing illegal migration and returning irregular migrants requires an effective Partnership Framework of cooperation with individual countries of origin or transit. This will contribute towards the implementation of the Valletta Action Plan, which should be stepped up. Building on the Commission communication, the EU will put into place and swiftly implement this Framework based on effective incentives and adequate conditionality, starting with a limited number of priority countries of origin and transit, with the following objectives:
 - to pursue specific and measurable results in terms of fast and operational returns of irregular migrants, including by applying temporary arrangements, pending the conclusion of full-fledged readmission agreements;
 - to create and apply the necessary leverage, by using all relevant EU policies, instruments and tools, including development and trade;
 - to also mobilise elements falling within Member States' competence and to seek synergies with Member States in relations with the specific countries.

Cooperation on readmission and return will be a key test of the partnership between the EU and these partners.

3. The High Representative, including in her role as Vice-President of the Commission, will lead the implementation of this new approach and ensure close and effective coordination between the EU institutions and services and the Member States, with a view to concluding the first compacts before the end of the year. The Council and the Commission will regularly monitor the process, assess its results and report to the European Council.
4. All relevant instruments and sources of funding should be mobilised in a coherent manner in support of the approach set out above. The Council is invited to rapidly examine the proposals made by the Commission to that effect. In addition:
 - the European Investment Bank's initiative in the Southern Neighbourhood and Western Balkan countries, as a first step in the new framework of cooperation, will help to foster investment in partner countries and has our full support. To implement this initiative swiftly, the Council is asked to rapidly explore how to provide the required resources;
 - the Commission is invited to present by September 2016 a proposal for an ambitious External Investment Plan, which should be examined as a matter of priority by the European Parliament and the Council.Complementarity among all the above initiatives must be ensured.
5. The approach set out above will be dynamic and will be extended if necessary to other countries or regions to reflect migration flows.
6. The EU and its Member States will continue to address the root causes of illegal migration, in close cooperation and in a spirit of mutual ownership with the countries of origin.
7. Ahead of the upcoming G20 Summit and the UN General Assembly High-Level meeting on large movements of refugees and migrants, the European Council recalls that migration is a global challenge that requires a strong response from the international community.
8. The European Council will continue to address and monitor all aspects of the EU's comprehensive approach to the migration challenge, as set out in the European Council conclusions of October 2015, and to define the general political directions and priorities. Recalling the need to reinforce the control of the EU's external borders to meet both migration and security objectives, it welcomes the political agreement between the European

Parliament and the Council on the European Border and Coast Guard proposal and asks for its swift adoption and rapid implementation.

II. JOBS, GROWTH AND INVESTMENT

European Semester

9. The European Council generally endorsed the country-specific recommendations as discussed by the Council, thus allowing the conclusion of the 2016 European Semester.

Single Market

10. Delivering a deeper and fairer Single Market will be instrumental in creating new jobs, promoting productivity and ensuring an attractive climate for investment and innovation. This requires a renewed focus across Europe. The European Council calls for the different Single Market strategies, including on energy, and action plans proposed by the Commission to be completed and implemented by 2018.
11. The European Council today adopted an agenda calling for swift and determined progress:
 - to bring the full benefits of the Digital Single Market to all stakeholders through:
 - cross-border portability, which will allow EU residents to travel with the digital content they have purchased or subscribed to at home;
 - removing barriers to e-commerce, including unjustified geo-blocking which prevents online customers from accessing and purchasing a product or service from a website based in another Member State. Reducing the costs of parcel delivery and modernising VAT systems will further facilitate cross-border selling of goods and services;
 - the review of the wholesale roaming market in view of abolishing roaming surcharges by June 2017;
 - the invitation to governments and EU institutions to meet the targets of the eGovernment Action Plan;
 - reforms of the copyright and audio-visual frameworks;
 - to create the right conditions for stimulating new business opportunities by:
 - ensuring very high-capacity fixed and wireless broadband connectivity across Europe, which is a precondition for future competitiveness. The review of the telecoms regulatory framework should aim to incentivise major network investments while promoting effective competition and consumer rights;
 - better coordinating spectrum assignment modalities together with the timely release of the 700 MHz band so as to help ensure Europe's leadership in the roll-out of 5G networks;
 - coordinating EU efforts on high-performance computing. In this context the European Council

looks forward to the launch of an important project of common European interest in this field;

- to support service providers seeking to expand across borders. A services passport, in line with the Council conclusions of 29 February 2016, will enable entrepreneurs in key sectors to offer their services in other Member States without going through unnecessary procedures and will contribute to promoting innovation;
 - to ensure easier access to finance for businesses and to support investment in the real economy by moving forward with the Capital Markets Union agenda. In particular, swift progress should be made on the proposal for the simplification of prospectus requirements and the proposals for simple, standardised and transparent securitisation, to be agreed by the end of 2016;
 - to vigorously pursue efforts towards better regulation.
12. The Council will report annually to the June European Council on progress in deepening the Single Market in all its aspects. Better implementation and enforcement of existing legislation will further help to reap the benefits of Europe's Single Market ambitions.

Trade

13. The President of the European Commission updated the European Council on ongoing trade negotiations. The European Council recalls its previous conclusions on trade and on the steel sector and will return to the issue for a comprehensive discussion at its forthcoming October meeting. In this context, the European Council calls for the swift completion of the work on trade defence instruments.

Investment Plan (including the EFSI)

14. The Investment Plan for Europe, in particular the European Fund for Strategic Investments (EFSI), has already delivered concrete results and is a major step to help mobilise private investment while making smart use of scarce budgetary resources.
15. The Commission intends to soon put forward proposals on the future of the EFSI, which should be examined as a matter of urgency by the European Parliament and the Council.

Economic and Monetary Union

16. The European Council took stock of the progress achieved in the work towards completing the Economic and Monetary Union, including the roadmap to complete the Banking Union, and calls for work to be taken forward. It endorses the recommendation on National Productivity Boards.

Taxation

17. The fight against tax fraud, evasion and avoidance, and against money laundering remains a priority, both within the EU and internationally. This is illustrated by the recent adoption of relevant EU legislation to take

up this challenge, in particular in the area of exchange of information on tax rulings and country-by-country reporting, as well as the agreement reached on the Anti Tax-Avoidance Directive. The publication by the Commission of an Action Plan aiming at the creation of a modernised and fraud-proof single VAT area is also an important element of the overall approach.

Agriculture

18. Recalling its March 2016 conclusions, the European Council took stock of the developments in the agricultural sector, notably dairy and pigmeat. It invites the Commission to urgently implement all necessary support measures including, where appropriate, financial support to assist farmers, and calls on all actors in the supply chain to help improve market conditions.

III. EXTERNAL RELATIONS

19. The European Council reiterates its readiness to support the Government of National Accord (GNA), and calls on all groups in Libya to work with the GNA as the sole legitimate government in Libya to restore stability, fight terrorism and tackle migration across the Central Mediterranean. In this context, the European Council welcomes the adoption of UNSC Resolution 2292 and the expanded role for Operation Sophia in enforcing the arms embargo on Libya and training the Libyan Coast Guard.
20. The European Council welcomes the presentation of the Global Strategy for the European Union's Foreign and Security Policy by the High Representative and invites the

High Representative, the Commission and the Council to take the work forward.

21. EU–NATO cooperation was discussed in the presence of the NATO Secretary General. The European Council called for further enhancement of the relationship, in light of our common aims and values and given unprecedented challenges from the South and East. This new ambition should take the form of accelerated practical cooperation in selected areas. The new impetus in EU–NATO cooperation will take place in the spirit of full openness and in full respect of the decision-making autonomy and procedures of both organisations, be based on the principle of inclusiveness and be without prejudice to the specific character of the security and defence policy of any Member State. The President of the European Council and the President of the European Commission will issue a declaration together with the NATO Secretary General in Warsaw in July.
22. The Dutch Prime Minister presented the outcome of the referendum in the Netherlands on the Association Agreement with Ukraine, as well as the concerns expressed in the debate preceding the referendum. The European Council invites the Council to seek a solution addressing these concerns as soon as possible.

IV. OUTCOME OF THE UK REFERENDUM

23. The UK Prime Minister informed the European Council about the outcome of the referendum in the UK.

STATEMENT – INFORMAL MEETING OF THE 27 HEADS OF STATE OR GOVERNMENT – 29 JUNE 2016

1. We, the Heads of State or Government of 27 Member States, as well as the Presidents of the European Council and the European Commission, deeply regret the outcome of the referendum in the UK but we respect the will expressed by a majority of the British people. Until the UK leaves the EU, EU law continues to apply to and within the UK, both when it comes to rights and obligations.
2. There is a need to organise the withdrawal of the UK from the EU in an orderly fashion. Article 50 TEU provides the legal basis for this process. It is up to the British government to notify the European Council of the UK's intention to withdraw from the Union. This should be done as quickly as possible. There can be no negotiations of any kind before this notification has taken place.
3. Once the notification has been received, the European Council will adopt guidelines for the negotiations of an agreement with the UK. In the further process the European Commission and the European Parliament will play their full role in accordance with the Treaties.
4. In the future, we hope to have the UK as a close partner of the EU and we look forward to the UK stating its intentions in this respect. Any agreement, which will be concluded with the UK as a third country, will have to be based on a balance of rights and obligations. Access to the Single Market requires acceptance of all four freedoms.
5. The outcome of the UK referendum creates a new situation for the European Union. We are determined to remain united and work in the framework of the EU to deal with the challenges of the 21st century and find solutions in the interest of our nations and peoples. We stand ready to tackle any difficulty that may arise from the current situation.
6. The European Union is a historic achievement of peace, prosperity and security on the European continent and remains our common framework. At the same time many people express dissatisfaction with the current state of affairs, be it at the European or national level. Europeans expect us to do better when it comes to providing security, jobs and growth, as well as hope for a better future. We need to deliver on this, in a way that unites us, not least in the interest of the young.
7. This is why we are starting today a political reflection to give an impulse to further reforms, in line with our Strategic Agenda, and to the development of the EU with 27 Member States. This requires leadership of the Heads of State or Government. We will come back to this issue at an informal meeting in September in Bratislava.

JOINT DECLARATION BY THE PRESIDENT OF THE EUROPEAN COUNCIL, THE PRESIDENT OF THE EUROPEAN COMMISSION AND THE SECRETARY GENERAL OF THE NORTH ATLANTIC TREATY ORGANIZATION – 8 JULY 2016¹

We believe that the time has come to give new impetus and new substance to the NATO-EU strategic partnership.

In consultation with the EU Member States and the NATO Allies, working with, and for the benefit of all, this partnership will take place in the spirit of full mutual openness and in compliance with the decision-making autonomy and procedures of our respective organisations and without prejudice to the specific character of the security and defence policy of any of our members.

Today, the Euro-Atlantic community is facing unprecedented challenges emanating from the South and East. Our citizens demand that we use all ways and means available to address these challenges so as to enhance their security.

All Allies and Member States, as well as the EU and NATO *per se*, are already making significant contributions to Euro-Atlantic security. The substantial cooperation between NATO and the EU, unique and essential partners, established more than 15 years ago, also contributes to this end.

In light of the common challenges we are now confronting, we have to step-up our efforts: we need new ways of working together and a new level of ambition; because our security is interconnected; because together we can mobilize a broad range of tools to respond to the challenges we face; and because we have to make the most efficient use of resources. A stronger NATO and a stronger EU are mutually reinforcing. Together they can better provide security in Europe and beyond.

We are convinced that enhancing our neighbours' and partners' stability in accordance with our values, as enshrined in the UN Charter, contributes to our security and to sustainable peace and prosperity. So that our neighbours and partners are better able to address the numerous challenges they currently face, we will continue to support their sovereignty, territorial integrity and independence, as well as their reform efforts.

In fulfilling the objectives above, we believe there is an urgent need to:

- Boost our ability to counter hybrid threats, including by bolstering resilience, working together on analysis, prevention, and early detection, through timely information sharing and, to the extent possible, intelligence sharing between staffs; and cooperating on strategic communication and response. The development of coordinated procedures through our respective playbooks will substantially contribute to implementing our efforts.

- Broaden and adapt our operational cooperation including at sea, and on migration, through increased sharing of maritime situational awareness as well as better coordination and mutual reinforcement of our activities in the Mediterranean and elsewhere.
- Expand our coordination on cyber security and defence including in the context of our missions and operations, exercises and on education and training.
- Develop coherent, complementary and interoperable defence capabilities of EU Member States and NATO Allies, as well as multilateral projects.
- Facilitate a stronger defence industry and greater defence research and industrial cooperation within Europe and across the Atlantic.
- Step up our coordination on exercises, including on hybrid, by developing as the first step parallel and coordinated exercises for 2017 and 2018.
- Build the defence and security capacity and foster the resilience of our partners in the East and South in a complementary way through specific projects in a variety of areas for individual recipient countries, including by strengthening maritime capacity.

Cooperation in these areas is a strategic priority. Speedy implementation is essential. The European External Action Service and the NATO International Staff, together with Commission services as appropriate, will develop concrete options for implementation, including appropriate staff coordination mechanisms, to be presented to us and our respective Councils by December 2016. On the EU side, the High Representative/Vice President of the Commission will steer and coordinate this endeavour.

We will review progress on a regular basis.

We call on both organisations to invest the necessary political capital and resources to make this reinforced partnership a success.

Signed at Warsaw on 8 July 2016 in triplicate.

Donald Tusk

President of the European Council

Jean-Claude Juncker

President of the European Commission

Jens Stoltenberg

Secretary General of the North Atlantic Treaty Organization

¹ This joint declaration was originally published in English and French only.

STATEMENT BY THE PRESIDENT OF THE EUROPEAN COUNCIL,
THE PRESIDENT OF THE EUROPEAN COMMISSION AND THE EU HIGH
REPRESENTATIVE ON BEHALF OF THE EU MEMBER STATES PRESENT
AT THE ASEM SUMMIT ON THE SITUATION IN TURKEY – 16 JULY 2016

Turkey is a key partner for the European Union. The EU fully supports the democratically elected government, the institutions of the country and the rule of law. We call for a swift return to Turkey's constitutional order. We continue to follow closely the developments and to coordinate with the 28 EU Member States.

REMARKS BY PRESIDENT DONALD TUSK BEFORE THE G20 SUMMIT IN HANGZHOU, CHINA – 4 SEPTEMBER 2016

Good morning,

Fully supporting President Juncker's comments and assessments, I want to briefly touch upon three additional topics that the European Union will address during this G20 summit.

First, the migration and refugee crisis, which is a global challenge that requires global solutions based on order, responsibility and solidarity. In light of an unprecedented number of 65 million displaced people all over the world, the G20 community needs to scale up its share of responsibility. Only global efforts supporting refugees and their host communities will be able to bear fruit. That is why we want to encourage our partners to increase humanitarian and development aid, as well as refugee resettlement. We need to address the root causes that force millions of people to leave their homes and seek shelter elsewhere. The G20 has the expertise to make practical contributions through trade, development cooperation and refugees' access to education and labour market, and it must make use of it. We will urge the G20 to seize the opportunity of the forthcoming summits on refugees and migrants hosted by the UN and President Obama to increase aid and resettlements by countries outside Europe. It is even more important in view of the fact that the practical capabilities of Europe to host new waves of refugees, not to mention irregular economic migrants, are close to the limits.

Second, terrorism. Terrorist attacks are a threat to all our countries. A comprehensive approach against terrorism must involve actions to counter extremism and radicalization. This

also includes a financial dimension. The G20 has already taken important steps to tackle terrorism-financing networks and to improve cooperation on the exchanges of information, freezing assets and on criminalization of terrorism-financing. We need to advance our work at G20 further in order to address this challenge that no country can handle on its own.

Third, climate change. The G20 has an important role to play in this global struggle. With major emitters around the table we need to make sure that our common priority is to implement the Paris agreement early and in a robust manner. The EU is fully committed to this goal and we want to encourage all G20 members to do the same. We are also happy that the United States and China, the two biggest global emitters, ratified the agreement. Before Paris, Europe was rather alone with our climate change policy. The ratification by the US and China is for us a hope that we will no longer be alone. Europe has had a comprehensive climate change policy in place already for years. Right now we are developing the laws which will allow us to deliver our ambitious target for 2030. We expect the challenge of climate change to be dealt with in all seriousness by the G20 partners. In the meantime, the ratification process is under way in the EU and will be completed as soon as possible.

Finally, let me say that there could not be a more dynamic place in the whole of China than Hangzhou to inspire our discussion on how to reinforce global cooperation. The European Union welcomes China's Presidency of the G20 this year and we look forward to having a successful summit in Hangzhou. Thank you.

LETTER FROM PRESIDENT DONALD TUSK BEFORE THE BRATISLAVA INFORMAL MEETING OF THE 27 HEADS OF STATE OR GOVERNMENT – 13 SEPTEMBER 2016

Dear colleagues,

After having consulted most of you and in order to better prepare our summit in Bratislava, let me share some personal reflections. I think it is important that we make an honest assessment of the current situation to provide the best possible basis for building our future together.

I

We are meeting in Bratislava at a particularly historic moment. Twenty-seven leaders of Europe are to discuss the future of our Union, following the first ever decision of a country to leave the EU. We all feel that in these turbulent times marked by crises and conflicts, what we need more than ever before is a confirmation of the sense of our community, which will be celebrating its 60th anniversary in a few months' time.

Brexit not only challenges us with the task of negotiating new relations with the United Kingdom. In this respect, our position should remain clear and unambiguous ('No negotiations without notification'). The Treaty provisions drawn up in case of an EU exit protect the interests of the Union. Our objective in the future negotiations should be, on the one hand, to establish the best possible relations with the UK; on the other hand, however, we should stick to the Treaty and be coolheaded, consistent, and fully united as well as firm in insisting on a balance of rights and obligations. If we do so, there will be no room for doubt that it is a good thing to be a member of the Union.

II

While waiting for the UK government to trigger negotiations, we should diagnose the state and the prospects of a post-Brexit EU. It would be a fatal error to assume that the negative result in the UK referendum represents a specifically British issue; that British Euroscepticism is a symptom of political aberration or merely a cynical game of populists exploiting social frustrations. It is true that the Leave campaign was full of false arguments and unacceptable generalisations. But it is also true that the Brexit vote is a desperate attempt to answer the questions that millions of Europeans ask themselves daily, questions about the very essence of politics. Questions about the guarantees of security of the citizens and their territory, questions about the protection of their interests, cultural heritage and way of life. These are questions we would have to face even if the UK had voted to remain.

People in Europe want to know if the political elites are capable of restoring control over events and processes which overwhelm, disorientate, and sometimes terrify them. Today many people, not only in the UK, think that being part of the European Union stands in the way of stability and security.

People quite rightly expect their leaders to protect the space they live in and ensure their security. If the belief that we have

abandoned this responsibility is further strengthened, they will start looking for alternatives. And they will find them. History has taught us that this can lead to a massive turn away from freedom and the other fundamental values that the European Union is founded upon. It is therefore crucial to restore the balance between the need for freedom and security, and between the need for openness and protection. In this context, the effective control of our external borders comes first, and has both a practical and a symbolic dimension.

III

The migration crisis was the tipping point. Last year's chaos on our borders, new images every day of hundreds of thousands of people moving across our continent without any control, created a feeling of threat among many Europeans. They had to wait too long for action to bring the situation under control, such as the closure of the Western Balkan route and the EU-Turkey deal. Instead, all too often they heard politically correct statements that Europe cannot become a fortress, that it must remain open. The lack of rapid action and of a uniform European strategy have weakened citizens' trust in their governments, the institutions and in the wider establishment, already undermined since the financial crisis. Rebuilding this trust has become an urgent necessity, which Brexit has demonstrated very clearly.

We do not have too much time to spare. Bratislava will have to be a turning point in terms of protecting the Union's external borders. We must demonstrate to our citizens that we are willing and able to protect them from a repeat of the chaos of 2015. This will require the full cooperation of all the governments and European institutions.

IV

It is equally important to combat terrorism effectively. In principle we all agree, and yet there are still too many practical and legislative obstacles. Someone must give back to Europeans their sense of security. The question is who and by what means. The main instruments in this field remain at national level, but we can and must do more together. We should cooperate more closely among our police forces and other services when it comes to the exchange of information and operations. We can also do more in terms of facilitating the cooperation of internet providers in removing content which incites hatred and promotes terrorism. At external borders, we must ensure that everybody is checked against our databases, so that potential terrorists cannot enter the EU unhindered. And in each of our countries we must do more to fight radicalisation. Without genuine determination to fight terrorist threats, we will fail to stem radical and increasingly aggressive behaviour and attitudes. These had until recently represented only a narrow margin of politics and public debate in Europe, but today are becoming mainstream with growing audacity.

The promise of a ruthless crackdown on terrorism has become one of the main slogans of right-wing extremists. Furthermore, the fact that despite our best efforts it was not possible to prevent a number of attacks makes their anti-European and anti-democratic rhetoric even more attractive.

V

Our citizens also expect the European Union to better protect their economic and social interests. Especially today, in the age of globalisation, the need for access to proper information, enforcing fair rules, setting clear standards, and the reassurance that their leaders (i.e. their governments and the European institutions) will stand by them in the confrontation with outside competitors, is visible more than ever. It is obvious that free trade and global competition lie in the interest of Europeans, but it is equally obvious that they pose significant and often unprecedented challenges.

This is why, while we continue to work on future trade deals, we must guarantee and reassure our citizens and European companies that we are above all representing and protecting their interests in this process. Europe has enough arguments to be a champion of global competition, but a *sine qua non* condition for this to happen is to reinstate the trust of the main actors, i.e. workers, consumers and entrepreneurs, in those who represent them. In this case time also plays a key role. Failing to reach trade agreements (and we are talking months, not years) will inevitably create an impression that Brexit has sparked a process of eliminating us from the global game. Today its biggest participants, as the G20 Summit has confirmed, respect and recognise Europe's position as a trade and economic power, and an attractive partner.

VI

I am aware that the future of Europe will depend not only on how we handle the migration crisis, terrorism, and the fears associated with globalisation. Bringing back the feeling of security and order, the trust of EU citizens in their political leadership as well as rebuilding the reputation of the Union as a synonym of protection and stability, are all crucial and indispensable, but they are insufficient. Bratislava should therefore also provide a road map for other equally important endeavours (such as economic and social development, jobs and opportunities for the young, the single market, the digital agenda and investments). We should take formal decisions on the above and other areas at our regular European Council summits in October and December. We will continue our informal work as 27 also in the winter of 2017. As I have already announced, our relations with Russia will be reviewed during a separate session at the October European Council summit. In December we will return to how to strengthen practical cooperation in defence to give it more substance without duplicating NATO. Later we will also have to come back to other important issues such as the Banking Union and the further development of the Economic and Monetary Union.

VII

Following Brexit, business as usual is not an option. We can either come out of this crisis weaker and conflicted, or stronger and more united. There is no fatalism hanging over our future,

everything is still in our hands, hearts and minds. The economic and cultural potential of our twenty-seven countries, the talent and education of our citizens, is more than enough to believe in Europe and its ability to compete with the rest of the world in an effective and secure manner.

Our deficits, as compared with other global powers, are visible in 'hard politics' (such as defense and executive powers). We will not, however, change the European Union into a single state. Therefore, it will be crucial for the Member States to better cooperate among one another, to bring our forces together in the Union. My talks with you clearly show that giving new powers to European institutions is not the desired recipe. National electorates want more influence on the decisions of the Union. Adopting this direction would nonetheless require a change of attitude of national governments towards the European Union as such.

Today the EU is often treated as a necessary evil, not a common good. The slogan 'less power for Brussels', which sounds attractive in political campaigns, should translate as more responsibility for the Union in national capitals. This responsibility for the Union is nothing other than a readiness to sacrifice part of one's own interests for the sake of the community. It also means refraining from the constant accusations aimed at the Union, which sometimes are justified, but more often than not they serve as an easy excuse for one's own failures. This was also one of the reasons behind the Brexit vote.

The keys to a healthy balance between the priorities of Member States and those of the Union lie in national capitals. The institutions should support the priorities as agreed among Member States, and not impose their own ones. This is another conclusion I have drawn from my consultations with you.

VIII

Between the scepticism of the pessimists on the one hand, and the Euro-enthusiasm on the other there is ample room for 'real optimism'. Critical diagnosis must be at its source. We need to do everything not to let it degenerate into a blame game, so futile and so typical of recent years, or a bidding competition for best-sounding slogans, such as 'better Europe', 'less Europe' or 'more Europe'. After all, someone might eventually cut it short with 'no more Europe'.

IX

Today we are not in the situation of the heroes of *The Leopard*, a novel by Giuseppe Tomasi di Lampedusa. We do not have to change everything if we want things to stay as they are. We must rectify a number of things in order to preserve what is best. For that to succeed we need readiness to take several difficult, yet in fact simple decisions. This is not about new treaties or procedural changes. What we need is a strong political will and imagination. The time has come to rise to the challenge. In fact, there is no other way.

Yours sincerely,
Donald Tusk

BRATISLAVA DECLARATION – INFORMAL MEETING OF THE 27 HEADS OF STATE OR GOVERNMENT – 16 SEPTEMBER 2016

Today we meet in Bratislava at a critical time for our European project. The Bratislava Summit of 27 Member States has been devoted to diagnose together the present state of the European Union and discuss our common future. We all agreed on the following general principles.

Although one country has decided to leave, the EU remains indispensable for the rest of us. In the aftermath of the wars and deep divisions on our continent, the EU secured peace, democracy and enabled our countries to prosper. Many countries and regions outside still only strive for such achievements. We are determined to make a success of the EU with 27 Member States, building on this joint history.

The EU is not perfect but it is the best instrument we have for addressing the new challenges we are facing. We need the EU not only to guarantee peace and democracy but also the security of our people. We need the EU to serve better their needs and wishes to live, study, work, move and prosper freely across our continent and benefit from the rich European cultural heritage.

We need to improve the communication with each other – among Member States, with EU institutions, but most importantly with our citizens. We should inject more clarity into our decisions. Use clear and honest language. Focus on citizens' expectations, with strong courage to challenge simplistic solutions of extreme or populist political forces.

We committed in Bratislava to offer to our citizens in the upcoming months a vision of an attractive EU they can trust and support. We are confident that we have the will and the capacity to achieve it.

We welcomed the State of the Union speech of the President of the Commission.

We held a broad debate on the key priorities for the coming months. On this basis, the President of the European Council, the Presidency of the Council and the Commission proposed the following work programme (the 'Bratislava roadmap'):

THE BRATISLAVA ROADMAP

I. GENERAL DIAGNOSIS AND OBJECTIVE

- Determined to make a success of the EU at 27
- Many common challenges ahead of us: people concerned by a perceived lack of control and fears related to migration, terrorism, and economic and social insecurity. Need to tackle these issues as a matter of priority over the coming months
- Working together, the EU27 have the means to tackle these challenges. We are determined to find common

solutions also as regards issues where we are divided; priority here and now to show unity and ensure political control over developments in order to build our common future

- Need to be clear about what the EU can do, and what is for the Member States to do, to make sure we can deliver on our promises

II. MIGRATION AND EXTERNAL BORDERS

Objective

- Never to allow return to uncontrolled flows of last year and further bring down number of irregular migrants
- Ensure full control of our external borders and get back to Schengen
- Broaden EU consensus on long term migration policy and apply the principles of responsibility and solidarity

Concrete measures

- a) full commitment to implementing the EU-Turkey statement as well as continued support to the countries of the Western Balkans
- b) commitment today by a number of Member States to offer immediate assistance to strengthen the protection of Bulgaria's border with Turkey, and continue support to other frontline States
- c) before the end of the year, full capacity for rapid reaction of the European Border and Coast Guard, now signed into law
- d) migration compacts for cooperation and dialogue with third countries to lead to reduced flows of illegal migration and increased return rates, to be assessed by the December European Council
- e) work to be continued to broaden EU consensus in terms of long term migration policy, including on how to apply the principles of responsibility and solidarity in the future

III. INTERNAL AND EXTERNAL SECURITY

Internal Security

Objective

- Do everything necessary to support Member States in ensuring internal security and fighting terrorism

Concrete measures

- a) intensified cooperation and information-exchange among security services of the Member States

- b) adoption of the necessary measures to ensure that all persons, including nationals from EU Member States, crossing the Union's external borders will be checked against the relevant databases, that must be interconnected
- c) start to set up a Travel Information and Authorisation System (ETIAS) to allow for advance checks and, if necessary, deny entry of visa-exempt travellers
- d) a systematic effort against radicalisation, including through expulsions and entry bans where warranted as well as EU support to Member States' actions in prevention

External Security and Defence

Objective

- In a challenging geopolitical environment, strengthen EU cooperation on external security and defence

Concrete measures

- a) December European Council to decide on a concrete implementation plan on security and defence and on how to make better use of the options in the Treaties, especially as regards capabilities
- b) start implementing the joint declaration with NATO immediately

IV. ECONOMIC AND SOCIAL DEVELOPMENT, YOUTH

Objective

- Create a promising economic future for all, safeguard our way of life and provide better opportunities for youth

Concrete measures

- a) in December: decision on extension of the European Fund for Strategic Investment in light of evaluation
- b) Spring 2017 European Council: review progress as regards delivering on the different Single Market strategies (including Digital Single Market, Capital Markets Union, Energy Union)
- c) October European Council to address how to ensure a robust trade policy that reaps the benefits of open markets while taking into account concerns of citizens
- d) in December – decisions on EU support for Member States in fighting youth unemployment and on enhanced EU programmes dedicated to youth

V. WAY AHEAD

- Deliver on promises: strengthen the mechanism for reviewing the implementation of decisions taken. Loyal co-operation and communication of Member States and institutions
- Bratislava is the beginning of a process. The coming formal European Council meetings will allow for concrete follow up on the themes mentioned here. The Heads of the 27 will meet informally at the beginning of 2017 in Malta. The March 2017 celebrations of the 60th anniversary of the Rome Treaties will bring together Heads in Rome and will be used to round off the process launched in Bratislava, and set out orientations for our common future together.

CONCLUSIONS OF THE EUROPEAN COUNCIL

– 20–21 OCTOBER 2016

I. MIGRATION

1. The European Council took stock of the latest developments concerning the EU's comprehensive migration policy, highlighting the importance of implementation. The debate focused in particular on the external dimension.

Protecting the external borders

2. The entry into force of the European Border and Coast Guard Regulation on 6 October and national efforts are important steps in strengthening control of our external borders and getting 'back to Schengen' by adjusting the temporary internal border controls to reflect the current needs. Member States are now deploying staff and equipment to the European Border and Coast Guard, so as to reach full capacity for rapid reaction and returns by the end of the year.
3. The European Council calls for a swift adoption of the revised Schengen Borders Code enforcing systematic controls on all travellers crossing EU external borders and calls on the Council to establish its position on an entry/exit system before the end of 2016. It looks forward to the forthcoming Commission proposal for setting up a European Travel Information and Authorisation System (ETIAS), to allow for advance security checks on visa-exempt travellers and deny them entry where necessary.

Tackling migratory flows

a) Preventing illegal migration along the Central Mediterranean route

4. More efforts are needed to stem the flows of irregular migrants, in particular from Africa, and to improve return rates. Recognising the significant contribution, including of financial nature, made by the frontline Member States in recent years, the European Council:
 - recalls the importance of continuing to work towards the implementation of a Partnership Framework of cooperation with individual countries of origin or transit, with an initial focus on Africa. Its objective is to pursue specific and measurable results in terms of preventing illegal migration and returning irregular migrants, as well as to create and apply the necessary leverage, by using all relevant EU policies, instruments and tools, including development and trade;
 - recalls the need to tackle the root causes of migration in the region, including by supporting displaced persons in the region, thus helping to prevent illegal migration, and underlines the contribution of the Valletta Action

Plan and the proposed External Investment Plan in this context. It welcomes the New York Declaration for Refugees and Migrants and calls on all global actors to shoulder their responsibilities in this respect;

- takes note of the Commission's 'First progress report on the Partnership Framework with third countries under the European Agenda on Migration';
- calls on the High Representative, including in her role as Vice-President of the Commission, to present at the December European Council meeting progress with the five selected African countries and the first results achieved in terms of arrivals and returns. It will set orientations for further work on compacts and consider extending the approach to other countries;
- invites all actors to continue close cooperation on the compacts with a view to intensifying operational delivery, and Member States to reinforce national administrative processes for returns.

b) Maintaining and tightening control of the Eastern Mediterranean route

5. A lasting stabilisation of the situation on the Eastern Mediterranean route requires the further implementation of the EU–Turkey statement and continued support for countries along the Western Balkans route. The European Council calls for:
 - further efforts to accelerate returns from the Greek islands to Turkey, in line with the EU–Turkey statement, in particular by enhancing the efficiency and speed of asylum procedures;
 - the rapid appointment of permanent coordinators in the Greek hotspots;
 - Member States to respond in full to the calls for resources identified by the relevant EU agencies as being necessary to assist Greece;
 - further progress on the full range of commitments vis-à-vis all Member States contained in the EU–Turkey statement, including as regards visa liberalisation. Co-legislators are invited to reach agreement within the next few weeks on the revision of the suspension mechanism applied to visas.
6. The European Council welcomes the progress made on developing compacts with Lebanon and Jordan to enhance support for refugees and host communities in both countries, and the signing of the 'EU–Afghanistan Joint Way Forward on Migration Issues' on 2 October to tackle challenges linked to irregular migration and

improve practical cooperation on returns, readmission and reintegration.

c) Remaining vigilant about other routes

7. The EU will continue cooperation with other countries and closely monitor flows along other migration routes, including the Western Mediterranean, so as to be able to rapidly react to developments.

Addressing other elements of the comprehensive strategy

8. The European Council calls upon:
 - EASO to ensure that the asylum intervention pool becomes operational as soon as possible to support at any time and in sufficient numbers frontline Member States. To that effect, Member States will communicate as soon as possible the necessary experts to EASO and EASO will complement Member States' efforts by providing the necessary training and by contracting as required additional experts or services, with the support of the Commission;
 - Member States to further intensify their efforts to accelerate relocation, in particular for unaccompanied minors, and existing resettlement schemes²;
 - the Council to agree before the end of the year on its position on the External Investment Plan, which is aimed at boosting investments and job creation in partner countries, with a view to swift agreement with the European Parliament in the first half of 2017.
9. The European Council also calls for work to be continued on the reform of the Common European Asylum System, including on how to apply the principles of responsibility and solidarity in the future. The European Council will revert to the issue in December.

II. TRADE

10. The EU is committed to a robust trade policy that reaps the benefits of open markets for growth and job creation, while taking into account the concerns of its citizens. Many millions of jobs in the EU depend on trade, which is and will remain a powerful engine for growth. Likewise, trade offers consumers a wider choice and provides increased opportunities for European businesses, including SMEs. The European Council reasserts the EU's commitment to an open and rules-based multilateral trading system.
11. EU trade interests include fully defending and promoting the social, environmental and consumer standards that are central to the European way of life, as well as the right of governments to regulate. As the largest trading block in the world, and a leading promoter of global standards,

the EU will continue to address citizens' concerns, and to assist Member States in accompanying the changes that come with a fast-moving globalised world.

12. In this context the European Council believes that unfair trade practices need to be tackled efficiently and robustly. In order to safeguard European jobs, ensure fair competition in open markets and preserve free trade, it is of crucial importance that the EU's trade defence instruments are effective in the face of global challenges. This requires an urgent and balanced agreement on the Council position on the comprehensive modernisation of all trade defence instruments by the end of 2016. Adequate provisions should address situations in which market conditions are not prevailing. In this context, the European Council notes the Commission communication 'Towards a robust trade policy for the EU in the interest of jobs and growth' of 18 October 2016.
13. The European Council assessed the state of play of ongoing free trade agreement negotiations with key partners. It underlined the importance of a swift decision to sign and provisionally apply the EU–Canada Comprehensive Economic and Trade Agreement and encouraged continued negotiations with a view to finding a solution to the outstanding issues as soon as possible.
14. The European Council invites the Commission to actively pursue negotiations on a free trade agreement with Japan, with a view to reaching a political agreement by the end of the year. It also invites the Commission to continue the negotiations with the US authorities to be able to present an ambitious, balanced and comprehensive free trade agreement.
15. The European Council underlines the importance of intensifying ongoing negotiations with other trade partners, including Mercosur, committed to mutually beneficial market opening.

III. OTHER GLOBAL AND ECONOMIC ISSUES

16. The European Council welcomes the Union's ratification of the Paris Agreement on climate change, which triggered the Agreement's entry into force. It will keep under review the Energy Union, including all the elements of the 2030 climate and energy framework. Recalling its previous conclusions and the agreement reached in the Council on 30 September 2016, the European Council will continue to give strategic orientations on the related legislative proposals.
17. The European Council reconfirms previous conclusions, in which it called for the different Single Market strategies (Digital Single Market, Capital Markets Union, Energy

² This is without prejudice to the position of Hungary and Slovakia, as contained in the Court proceedings launched relating to Council Decision n° 2015/1601, and to the position of Poland, which has intervened in support of the applicants.

Union and Single Market Agenda) to be completed and implemented by 2018. In this context, work should be taken up promptly on the recent proposals made by the Commission, including as regards the reform of the EU telecoms and copyright rules and the use of the 700 MHz band for mobile services, and on the completion of the Capital Markets Union, notably by swiftly reaching an agreement with the European Parliament on prospectus rules to improve access to finance for companies and on securitisation.

18. The European Council calls on the Council to agree its negotiating position on the Commission's new EFSI proposal at its meeting on 6 December, taking into account the independent external evaluation that will be delivered in November.
19. The European Council restates the importance of achieving tangible results by December on EU support for Member States in fighting youth unemployment and on enhancing EU youth programmes.

IV. EXTERNAL RELATIONS

20. The European Council strongly condemns the attacks by the Syrian regime and its allies, notably Russia, on

civilians in Aleppo. It calls on them to bring the atrocities to an end and to take urgent steps to ensure unhindered humanitarian access to Aleppo and other parts of the country. The European Council calls for an immediate cessation of hostilities and for resumption of a credible political process under UN auspices. Those responsible for breaches of international humanitarian law and human rights law must be held accountable. The EU is considering all available options, should the current atrocities continue. Everything should be done to extend the ceasefire, bring in humanitarian aid to the civilian population and create the conditions for opening negotiations on a political transition in Syria.

21. The European Council invites the High Representative to continue, together with the Commission, pursuing the EU humanitarian initiative and medical evacuations in cooperation with the UN; and to reach out to key actors in the region on a political transition and on preparations for post-conflict reconciliation and reconstruction.
22. The European Council held a strategic policy debate on relations with Russia.

CONCLUSIONS OF THE EUROPEAN COUNCIL

– 15 DECEMBER 2016

I. MIGRATION

External dimension

1. The European Council recalls its October conclusions concerning the Eastern Mediterranean route. It reiterates its commitment to the EU–Turkey statement and underlines the importance of a full and non-discriminatory implementation of all aspects. It also renews its pledge to continue support for the countries along the Western Balkans route. It endorses the Joint Action Plan on the implementation of the EU–Turkey statement elaborated between Greece and the Commission and welcomes the fact that Greece has already taken first steps towards its implementation. The European Council calls upon all Member States to ensure speedy implementation of the Joint Action Plan.
2. The new Partnership Framework of cooperation is an important tool for addressing illegal migration and its root causes, particularly with regard to the Central Mediterranean route. The European Council welcomes the progress on implementation of the compacts with five African countries of origin or transit and the growing ownership in the partner countries. In the light of this experience, additional compacts or other forms of cooperation could be envisaged, taking into account the resources available. The objectives of the Partnership Framework set out by the European Council last June should be mainstreamed into other external instruments and policies of the EU and its Member States. The European Council calls upon Member States to continue and step up their engagement under the Partnership Framework and will keep progress on stemming the flows and improving return rates under close review.
3. In order to reinforce the implementation of the Valletta Action Plan and the Partnership Framework, the agreement reached in the Council on the European Fund for Sustainable Development and on the EIB External Lending Mandate should be followed by swift adoption of the relevant legislation. In this respect, the European Council welcomes the fact that the EIB has started to implement its Resilience Initiative for the Western Balkans and Southern Neighbourhood.

4. The European Council underlines the need to enhance support for the Libyan coastguard, including through EUNAVFOR MED operation Sophia, so as to increase its capacity to prevent the loss of life at sea and break the business model of smugglers. In parallel, initiatives need to be taken to offer assisted voluntary return opportunities to migrants stranded in Libya and curtail dangerous journeys.
5. The European Council recalls the importance of adequate resources being put at the disposal of the European Asylum Support Office (EASO) and the European Border and Coast Guard. It welcomes the fact that EASO will start recruiting dedicated staff to ensure a stable and sustainable capacity. It also reiterates the need to remain vigilant on other routes, including in the Western Mediterranean, so as to be able to rapidly react to developments.

Internal dimension

6. The effective application of the principles of responsibility and solidarity remains a shared objective. Sustained efforts over the past months to review the Common European Asylum System have shown some areas of convergence, while other areas require further work. Building on this work, the Council is invited to continue the process with the aim of achieving consensus on the EU's asylum policy during the incoming Presidency.
7. Member States should further intensify their efforts to accelerate relocation, in particular for unaccompanied minors, and existing resettlement schemes³.

II. SECURITY

Internal security

8. The European Council reaffirms its commitment to the implementation of the European Union Internal Security Strategy 2015–2020. The political agreement between the co-legislators on the Counter-Terrorism Directive is an important step and should be followed by swift adoption of the proposals on firearms and on anti-money laundering and implementation of new passenger name record (PNR) legislation. The European Council calls for effective cooperation with electronic service providers based inside and outside the EU.

³ This is without prejudice to the position of Hungary and Slovakia, as contained in the Court proceedings launched relating to Council Decision n°2015/1601, and to the position of Poland, which has intervened in support of the applicants.

9. The European Council welcomes the agreement on the revised Schengen Borders Code enforcing systematic controls on all travellers crossing EU external borders and calls for its swift implementation by the Member States, while taking into account specific situations of some Member States. The co-legislators should agree by June 2017 on the Entry/Exit System and by the end of 2017 on a European Travel Information and Authorisation System to ensure that visa-exempt travellers are screened systematically. It also calls for continued delivery on the interoperability of information systems and data bases.

External security and defence

10. Europeans must take greater responsibility for their security. In order to strengthen Europe's security and defence in a challenging geopolitical environment and to better protect its citizens, confirming previous commitments in this respect, the European Council stresses the need to do more, including by committing sufficient additional resources, while taking into account national circumstances and legal commitments. For Member States which are also members of NATO, this is in accordance with NATO guidelines on defence expenditure. The European Council also calls for reinforcing cooperation in the development of required capabilities as well as committing to making such capabilities available when necessary. The European Union and its Member States must be able to contribute decisively to collective efforts, as well as to act autonomously when and where necessary and with partners wherever possible. The European Council looks forward to a comprehensive revision of the Athena mechanism, by the end of 2017.
11. The European Council endorses the Council conclusions of 14 November and 17 October 2016 on implementing the EU Global Strategy in the area of Security and Defence which sets the level of ambition of the EU. It calls for their comprehensive follow-up by the High Representative and Member States. In particular, further to the Council conclusions, the High Representative will present proposals in the coming months as regards the development of civilian capabilities, the parameters of a Member State-driven Coordinated Annual Review on Defence, the process of developing military capabilities taking into account Research and Technology (R&T) and industrial aspects, the establishment of a permanent operational planning and conduct capability at the strategic level, the strengthening of the relevance, usability and deployability of the EU's rapid response toolbox, elements and options for an inclusive Permanent Structured Cooperation based on a modular approach and outlining possible projects, and the covering of all requirements under the Capacity Building in Security and Development (CBSD). In this context, the European

Council calls on the co-legislators to work speedily on the Commission proposal on CBSD with a view to reaching agreement in the first half of 2017.

12. The European Council welcomes the Commission's proposals on the European Defence Action Plan as its contribution to developing European security and defence policy, stressing the importance of fully involving Member States, and calls on all relevant actors to take work forward. The Council is invited to rapidly examine the related Commission proposals. The EIB is invited to examine steps with a view to supporting investments in defence research and development activities. The Commission is also invited to make proposals in the first semester of 2017 for the establishment of a European Defence Fund including a window on the joint development of capabilities commonly agreed by the Member States.
13. The European Council urges swift action to follow up on the Council conclusions of 6 December 2016 implementing the Joint Declaration signed in Warsaw by EU and NATO leaders, avoiding duplication and ensuring complementarity between EU and NATO, as regards hybrid threats, maritime issues, cyber security, strategic communication, defence capabilities, defence industry and research, exercises, and defence and security capacity-building.
14. The European Council calls for the work on external security and defence to be taken forward speedily and asks the Council to report back in March so that the European Council can review progress. It will provide further strategic guidance in June.
15. The European Council will keep the issues related to security and defence on the agenda, with a view to regularly assess progress and determine, on that basis, appropriate strategic and political priorities.

III. ECONOMIC AND SOCIAL DEVELOPMENT, YOUTH

16. The European Council welcomes the agreement reached in the Council on the extension of the European Fund for Strategic Investment (EFSI), which should be adopted by the co-legislators in the first half of 2017. It also notes that the Council is now ready to engage in negotiations with the European Parliament on the modernisation of Trade Defence Instruments.
17. It reiterates the importance of the various Single Market strategies and the Energy Union, which should be completed and implemented by 2018. By then, certain key issues need to be resolved⁴. It welcomes the progress achieved so far and urges all Institutions to build on this momentum and further increase the level of ambition notably in the vital areas of services and the Digital Single Market, ahead of the March 2017 European Council. It

⁴ For Poland, this means i.a. freedom to determine its energy mix and ensuring security of energy supply.

calls for removing remaining obstacles within the Single Market, including those hampering the free flow of data.

18. The European Council calls for the continuation of the Youth Guarantee and welcomes the increased support for the Youth Employment Initiative. It also calls for work to be taken forward on the recent Commission initiatives dedicated to youth, including those on mobility, education, skills development and the European Solidarity Corps.
19. The European Council calls on the Council and the Commission to evaluate the impact of mainstreaming industrial policy into the EU strategic initiatives and to consider concrete action to strengthen and modernise the industrial base of the Single Market.
20. The European Council underlines the need to complete the Banking Union in terms of reducing and sharing risks in the financial sector, in the appropriate order, as set out in the Council conclusions of 17 June 2016 on a roadmap to this effect. In that context, the European Council calls on the Council to rapidly examine the recent Commission proposals to increase resilience in the financial sector.

IV. CYPRUS

21. Following a presentation by the President of the Republic of Cyprus on the negotiations on a Cyprus settlement, the European Council reiterated its support to the ongoing process for the reunification of Cyprus. The EU, taking into account that Cyprus is and will remain a member of our Union after the Settlement, stands ready to participate at the Geneva Conference on Cyprus on 12 January 2017.

V. EXTERNAL RELATIONS

Ukraine

22. The European Council reconfirms its commitment to international law and the territorial integrity of Ukraine as well as the conclusion of the EU-Ukraine Association Agreement, including the establishment of a Deep and Comprehensive Free Trade Area. The aim of association agreements is to support partner countries on their path to becoming stable and prosperous democracies, and to reflect the strategic and geopolitical importance the European Union attaches to the regional context. Therefore, completing the ratification process remains a crucial EU objective.
23. After having carefully noted the outcome of the Dutch referendum on 6 April 2016 on the bill approving the Association Agreement and the concerns expressed prior to the referendum as conveyed by the Dutch Prime Minister, the European Council takes note of a Decision of the Heads of State or Government of the 28 Member States of the European Union, meeting within the European Council (Annex), which addresses these concerns in full conformity with the Association Agreement and the EU treaties.
24. The European Council notes that the Decision set out in the Annex is legally binding on the 28 Member States of the European Union, and may be amended or repealed

only by common accord of their Heads of State or Government. It will take effect once the Kingdom of the Netherlands has ratified the agreement and the Union has concluded it. Should this not be the case, the Decision will cease to exist.

25. The European Council welcomes the results of the EU–Ukraine Summit on 24 November 2016 and stresses the Union’s continued resolve to deepen and strengthen its relationship with Ukraine in the face of current challenges. It recognises Ukraine’s achievements in implementing reforms to meet European standards and the fact that it has met the conditions for a visa-free regime with the Union. Further to the adoption of a robust suspension mechanism, the co-legislators are invited to complete the procedure leading to the lifting of visa requirements for Ukraine and Georgia.

Syria

26. The European Council strongly condemns the continued assault on Aleppo by the Syrian regime and its allies, notably Russia and Iran, including the deliberate targeting of civilians and hospitals. The European Council urgently calls on the regime and Russia, as well as all parties in the Syrian conflict to implement immediately the following four emergency measures:
 - a) the evacuation in safety and dignity of the inhabitants of the eastern part of Aleppo under the supervision and coordination of the United Nations, to a destination of their choosing. Members of the civil defence and civil administration must also be evacuated without obstruction under the supervision of the United Nations. The most seriously injured persons should be evacuated first;
 - b) immediate and unconditional aid and protection for all inhabitants of the eastern part of Aleppo, without discrimination and in accordance with international humanitarian law, guaranteeing full and unimpeded access for the United Nations and its partners on the ground in supplying essential items and urgent medical assistance, as provided for in United Nations Security Council Resolution 2258, for the whole of Syria;
 - c) genuine protection for all medical personnel and installations throughout the country, in accordance with United Nations Security Council Resolution 2286, and in particular for the border hospitals of Atmeh, Darkoush, Bab Al Hawa and Bab Al Salamah;
 - d) international humanitarian law needs to be applied in the eastern part of Aleppo but also to the whole country and in particular to all those areas in which civilians have been besieged.

The EU, as the first provider of humanitarian support to the Syrian population, will continue to work for achieving these goals.

27. Hostilities in Syria must cease immediately. The EU will work constructively with all partners, under UN auspices, towards a transition as agreed in United Nations Security Council Resolution 2254. To this end, the European

Council invites the High Representative to continue her ongoing direct engagement with all relevant partners. Those responsible for breaches of international law, some of which may amount to war crimes, must be held accountable. The EU is considering all available options. The EU will provide support for Syria's reconstruction only once a credible political transition is firmly under way.

ANNEX

Decision of the Heads of State or Government of the 28 Member States of the European Union, meeting within the European Council, on the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part

The Heads of State or Government of the 28 Member States of the European Union, whose governments are signatories of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part ('the Agreement'), Taking note of the outcome of the Dutch referendum on 6 April 2016 on the bill approving the EU–Ukraine Association Agreement and of the concerns expressed prior to the referendum as conveyed by the Prime Minister of the Kingdom of the Netherlands,

Desiring to address those concerns in full conformity with the EU–Ukraine Association Agreement and the EU treaties, and in line with the EU's goal of deepening relations with Ukraine, Having regard to the conclusions of the European Council of 15 December 2016,

Have decided to adopt the following, as their common understanding, which is to take effect once the Kingdom of the Netherlands has ratified the Agreement and the European Union has concluded it:

A

While aiming to establish a close and lasting relationship between the parties to the Agreement based on common values, the Agreement does not confer on Ukraine the status of a candidate country for accession to the Union, nor does it constitute a commitment to confer such status to Ukraine in the future.

B

The Agreement reaffirms cooperation with Ukraine in the fields of security, notably with regard to conflict prevention,

crisis management and non-proliferation of weapons of mass destruction. It does not contain an obligation for the Union or its Member States to provide collective security guarantees or other military aid or assistance to Ukraine.

C

While setting out the objective of enhancing the mobility of citizens, the Agreement does not grant to Ukrainian nationals or Union citizens, respectively, the right to reside and work freely within the territory of the Member States or Ukraine. The Agreement does not affect the right of Member States to determine volumes of admission of Ukrainian nationals to their territory in order to seek work, whether employed or self-employed.

D

The Agreement reiterates the commitment of the Union to support the reform process in Ukraine. The Agreement does not require additional financial support by the Member States to Ukraine, nor does it change each Member State's exclusive right to determine the nature and volume of its bilateral financial support.

E

The fight against corruption is central to enhancing the relationship between the Parties to the Agreement. Under the Agreement the Parties will cooperate in combating and preventing corruption both in the private and public sector. Cooperation between the Parties related to the rule of law is aimed in particular at strengthening the judiciary, improving its efficiency, safeguarding its independence and impartiality, and combating corruption.

F

Respect for democratic principles, human rights and fundamental freedoms and respect for the principle of the rule of law, including as referred to under E, are essential elements of the Agreement. The Parties are required to fulfil their obligations under the Agreement, the implementation and enforcement of which will be monitored. In accordance with Article 478 of the Agreement, each Party may take appropriate measures in case of non-fulfilment of obligations. In the selection of appropriate measures, priority will be given to those which least disturb the functioning of the Agreement. These measures may, as a last resort, include the suspension of any rights or obligations provided under the provisions of the Agreement.

STATEMENT – INFORMAL MEETING OF THE 27 HEADS OF STATE OR GOVERNMENT – 15 DECEMBER 2016

We, the Heads of State or Government of 27 Member States, as well as the Presidents of the European Council and the European Commission, determined to see the Union succeed, stand ready to start negotiations with the UK as soon as the UK has notified under article 50. We welcome the intention of the UK to do so before the end of March 2017, so that we can begin to tackle the uncertainties arising from the prospect of the UK's withdrawal.

We stand firmly behind our statement of 29 June 2016 in its entirety and will continue to adhere to the principles laid down therein. We reiterate that any agreement will have to be based on a balance of rights and obligations, and that access to the Single Market requires acceptance of all four freedoms.

We intend to conduct the withdrawal negotiations in a spirit of trust and unity among us. To this end, we endorse the procedural arrangements set out in annex for these negotiations.

ANNEX

1. The first step following the notification by the United Kingdom will be the adoption by the European Council of guidelines that will define the framework for negotiations under Article 50 TEU and set out the overall positions and principles that the EU will pursue throughout the negotiation. The European Council will remain permanently seized of the matter, and will update these guidelines in the course of the negotiations as necessary.
2. After the adoption of the guidelines, the European Council will invite the General Affairs Council to proceed swiftly with the adoption of the decision authorising the opening of the negotiations, following a recommendation by the European Commission, and to deal with the subsequent steps in the process. The Council will also adopt negotiating directives on substance as well as on the detailed arrangements governing the relationship between the Council and its preparatory bodies on the one hand and the Union negotiator on the other. These negotiating directives may be amended and supplemented as necessary throughout the negotiations, to reflect the European Council guidelines as they evolve.
3. The Council will be invited to nominate the European Commission as the Union negotiator. The Commission's nomination of Michel Barnier as chief negotiator is welcome. To ensure transparency and build trust, the Union negotiator's team will be ready to integrate a representative of the rotating Presidency of the Council. Representatives of the President of the European Council will be present and participate, in a supporting role, in all negotiation sessions, alongside the European Commission representatives. The Union negotiator will systematically report to the European Council, the Council and its preparatory bodies.
4. Between the meetings of the European Council, the Council and Coreper, assisted by a dedicated Working Party with a permanent chair, will ensure that the negotiations are conducted in line with the European Council guidelines and the Council negotiating directives, and provide guidance to the Union negotiator.
5. The members of the European Council, the Council and its preparatory bodies representing the United Kingdom will not participate in the discussions or in the decisions concerning it.
6. Representatives of the 27 Heads of State or Government (Sherpas/Permanent Representatives) will be involved in the preparation of the European Council as necessary. Representatives of the European Parliament will be invited at such preparatory meetings.
7. The Union negotiator will be invited to keep the European Parliament closely and regularly informed throughout the negotiation. The Presidency of the Council will be prepared to inform and exchange views with the European Parliament before and after each meeting of the General Affairs Council. The President of the European Parliament will be invited to be heard at the beginning of meetings of the European Council.

LETTER BY PRESIDENT DONALD TUSK TO THE 27 EU HEADS OF STATE OR GOVERNMENT BEFORE THE MALTA INFORMAL MEETING OF HEADS OF STATE OR GOVERNMENT – 31 JANUARY 2017

Dear colleagues,

In order to best prepare our discussion in Malta about the future of the European Union of 27 member states, and in light of the conversations I have had with some of you, let me put forward a few reflections that I believe most of us share.

The challenges currently facing the European Union are more dangerous than ever before in the time since the signature of the Treaty of Rome. Today we are dealing with three threats, which have previously not occurred, at least not on such a scale.

The first threat, an external one, is related to the new geopolitical situation in the world and around Europe. An increasingly, let us call it, assertive China, especially on the seas, Russia's aggressive policy towards Ukraine and its neighbours, wars, terror and anarchy in the Middle East and in Africa, with radical Islam playing a major role, as well as worrying declarations by the new American administration all make our future highly unpredictable. For the first time in our history, in an increasingly multipolar external world, so many are becoming openly anti-European, or Eurosceptic at best. Particularly the change in Washington puts the European Union in a difficult situation; with the new administration seeming to put into question the last 70 years of American foreign policy.

The second threat, an internal one, is connected with the rise in anti-EU, nationalist, increasingly xenophobic sentiment in the EU itself. National egoism is also becoming an attractive alternative to integration. In addition, centrifugal tendencies feed on mistakes made by those, for whom ideology and institutions have become more important than the interests and emotions of the people.

The third threat is the state of mind of the pro-European elites. A decline of faith in political integration, submission to populist arguments as well as doubt in the fundamental values of liberal democracy are all increasingly visible.

In a world full of tension and confrontation, what is needed is courage, determination and political solidarity of Europeans. Without them we will not survive. If we do not believe in ourselves, in the deeper purpose of integration, why should anyone else? In Rome we should renew this declaration of faith. In today's world of states-continents with hundreds of millions of inhabitants, European countries taken separately have little weight. But the EU has demographic and economic potential, which makes it a partner equal to the largest powers. For this reason, the most important signal that should come out of Rome is that of readiness of the 27 to be united. A signal that we not only must, but we want to be united.

Let us show our European pride. If we pretend we cannot hear the words and we do not notice the decisions aimed against

the EU and our future, people will stop treating Europe as their wider homeland. Equally dangerously, global partners will cease to respect us. Objectively speaking, there is no reason why Europe and its leaders should pander to external powers and their rulers. I know that in politics, the argument of dignity must not be overused, as it often leads to conflict and negative emotions. But today we must stand up very clearly for our dignity, the dignity of a united Europe - regardless of whether we are talking to Russia, China, the US or Turkey. Therefore, let us have the courage to be proud of our own achievements, which have made our continent the best place on Earth. Let us have the courage to oppose the rhetoric of demagogues, who claim that European integration is beneficial only to the elites, that ordinary people have only suffered as its result, and that countries will cope better on their own, rather than together.

We must look to the future – this was your most frequent request in our consultations over the past months. And there is no doubt about it. But we should never, under any circumstances, forget about the most important reasons why 60 years ago we decided to unite Europe. We often hear the argument that the memory of the past tragedies of a divided Europe is no longer an argument, that new generations do not remember the sources of our inspiration. But amnesia does not invalidate these inspirations, nor does it relieve us of our duty to continuously recall the tragic lessons of a divided Europe. In Rome, we should strongly reiterate these two basic, yet forgotten, truths: firstly, we have united in order to avoid another historic catastrophe, and secondly, that the times of European unity have been the best times in all of Europe's centuries-long history. It must be made crystal clear that the disintegration of the European Union will not lead to the restoration of some mythical, full sovereignty of its member states, but to their real and factual dependence on the great superpowers: the United States, Russia and China. Only together can we be fully independent.

We must therefore take assertive and spectacular steps that would change the collective emotions and revive the aspiration to raise European integration to the next level. In order to do this, we must restore the sense of external and internal security as well as socio-economic welfare for European citizens. This requires a definitive reinforcement of the EU external borders; improved cooperation of services responsible for combating terrorism and protecting order and peace within the border-free area; an increase in defence spending; strengthening the foreign policy of the EU as a whole as well as better coordinating individual member states' foreign policies; and last but not least fostering investment, social inclusion, growth, employment, reaping the benefits of technological change and convergence in both the euro area and the whole of Europe.

We should use the change in the trade strategy of the US to the EU's advantage by intensifying our talks with interested partners, while defending our interests at the same time. The European Union should not abandon its role as a trade superpower which is open to others, while protecting its own citizens and businesses, and remembering that free trade means

fair trade. We should also firmly defend the international order based on the rule of law. We cannot surrender to those who want to weaken or invalidate the Transatlantic bond, without which global order and peace cannot survive. We should remind our American friends of their own motto: *United we stand, divided we fall*.

MALTA DECLARATION – INFORMAL MEETING OF HEADS OF STATE OR GOVERNMENT – 3 FEBRUARY 2017

1. We welcome and support the Maltese Presidency's efforts to take forward all elements of the EU's comprehensive migration policy. We reaffirm our determination to act in full respect of human rights, international law and European values, and in conjunction with UNHCR and IOM.
2. A key element of a sustainable migration policy is to ensure effective control of our external border and stem illegal flows into the EU. In 2016, arrivals decreased to one-third of the levels in 2015. On the Eastern Mediterranean route, while pressures remain, arrivals in the last four months of 2016 were down 98 % year-on-year. We remain committed to the EU-Turkey Statement and the full and non-discriminatory implementation of all its aspects, as well as to continued support for the countries along the Western Balkans route.
3. On the Central Mediterranean route, however, over 181 000 arrivals were detected in 2016, while the number of persons dead or missing at sea has reached a new record every year since 2013. With hundreds having already lost their lives in 2017 and spring approaching, we are determined to take additional action to significantly reduce migratory flows along the Central Mediterranean route and break the business model of smugglers, while remaining vigilant about the Eastern Mediterranean as well as other routes. We will step up our work with Libya as the main country of departure as well as with its North African and sub-Saharan neighbours.
4. The Partnership Framework and the Valletta Action Plan have allowed us to deepen long-term cooperation with a number of partner countries, including on root causes of migration, through a solid partnership based on mutual trust. This work is already yielding results and will be intensified. At the same time, the urgency of the situation requires immediate additional operational measures at the regional level, taking a pragmatic, flexible and tailor-made approach at each and every point involving all actors along the migratory route. In this context, we welcome the joint Commission and High Representative Communication 'Migration on the Central Mediterranean Route – Managing flows, saving lives'.
5. Efforts to stabilise Libya are now more important than ever, and the EU will do its utmost to contribute to that objective. In Libya, capacity building is key for the authorities to acquire control over the land and sea borders and to combat transit and smuggling activities. The EU remains committed to an inclusive political settlement under the framework of the Libyan Political Agreement and to supporting the Presidency Council and the Government of National Accord backed by the United Nations. Where possible the EU and Member States will also step up cooperation with and assistance to Libyan regional and local communities and with international organisations active in the country.
6. Priority will be given to the following elements:
 - a) training, equipment and support to the Libyan national coast guard and other relevant agencies. Complementary EU training programmes must be rapidly stepped up, both in intensity and numbers, starting with those already undertaken by Operation Sophia and building on its experience. Funding and planning for these activities needs to be made sustainable and predictable, including through the Seahorse Mediterranean Network;
 - b) further efforts to disrupt the business model of smugglers through enhanced operational action, within an integrated approach involving Libya and other countries on the route and relevant international partners, engaged Member States, CSDP missions and operations, Europol and the European Border and Coast Guard;
 - c) supporting where possible the development of local communities in Libya, especially in coastal areas and at Libyan land borders on the migratory routes, to improve their socio-economic situation and enhance their resilience as host communities;
 - d) seeking to ensure adequate reception capacities and conditions in Libya for migrants, together with the UNHCR and IOM;
 - e) supporting IOM in significantly stepping up assisted voluntary return activities;
 - f) enhancing information campaigns and outreach addressed at migrants in Libya and countries of origin and transit, in cooperation with local actors and international organisations, particularly to counter the smugglers' business model;
 - g) helping to reduce the pressure on Libya's land borders, working both with the Libyan authorities and all neighbours of Libya, including by supporting projects enhancing their border management capacity;
 - h) keeping track of alternative routes and possible diversion of smugglers' activities, through cooperative efforts with Libya's neighbours and the countries under the Partnership Framework, with the support of Member States and all relevant EU agencies

and by making available all necessary surveillance instruments;

- i) continuing support to efforts and initiatives from individual Member States directly engaged with Libya; in this respect, the EU welcomes and is ready to support Italy in its implementation of the Memorandum of Understanding signed on 2 February 2017 by the Italian Authorities and Chairman of the Presidential Council al-Serraj;
 - j) deepening dialogue and cooperation on migration with all countries neighbouring Libya, including better operational cooperation with Member States and the European Border and Coast Guard on preventing departures and managing returns.
7. These objectives shall be underpinned by the necessary resources. In line with the Valletta Action Plan, the European Union is strengthening the mainstreaming of migration within its Official Development Assistance for Africa, which amounts to €31 billion during this financial period. Some of the actions referred to above can be funded within projects already under way, notably projects funded by the EU Trust Fund for Africa as appropriate, which mobilises €1,8 billion from the EU budget and €152 million from Member States' contributions. To cover the most urgent funding needs now and throughout 2017,

we welcome the Commission's decision to mobilise as a first step an additional €200 million for the North Africa window of the Fund and to give priority to migration-related projects concerning Libya.

8. We will further develop our external migration policy in order to make it resilient for future crises. We will identify potential barriers, for example in relation to conditions to be met for returns, and reinforce EU return capacities, while respecting international law. We welcome the Commission's intention to rapidly present, as a first step, an updated Action Plan on Returns and to provide guidance for more operational returns by the EU and Member States and effective readmission based upon the existing acquis.
9. We agree to act determinedly and speedily to achieve the objectives set out in this Declaration and call upon all actors to work towards this end. We welcome the intention of the Maltese Presidency, in close cooperation with the Commission and the High Representative, to present a concrete plan for implementation to this effect to the Council at the earliest opportunity, to take work forward and to ensure close monitoring of results. The European Council will review progress on the overall approach at its meetings in March and in June on the basis of a report from the Maltese Presidency.

CONCLUSIONS OF THE PRESIDENT OF THE EUROPEAN COUNCIL

– 9 MARCH 2017

The European Council deliberated on the attached document. It was supported by 27 Members of the European Council, but it did not gather consensus, for reasons unrelated to its substance.

References to the European Council in the attached document should not be read as implying a formal endorsement by the European Council acting as an institution.

I. JOBS, GROWTH AND COMPETITIVENESS

1. The reform agenda put in place by the EU and its Member States in the wake of the 2008 crisis is bearing fruit. Economic growth has now returned to all 28 Member States and the outlook is encouraging, both for the euro area and the EU overall. Unemployment, though still at too high a level, is at its lowest since 2009, the state of public finances is improving and investment, while still too weak, is growing.
2. Uncertainties persist, however, and it is therefore important to ensure the sustainability of the recovery. To this end, structural reforms aimed at modernising our economies must be pursued, public finances strengthened and investment promoted, including through the swift extension of the European Fund for Strategic Investments, also with a view to making special efforts to fight unemployment in Member States with particularly high levels.
3. Recalling its earlier conclusions, the European Council reiterates the importance for jobs, growth and competitiveness of a well-functioning Single Market with its four freedoms. Determined action on the digital agenda will allow reaping the benefits of the digital era and benefit innovation. Decisions already taken must be implemented effectively and existing gaps closed through swift progress on legislative proposals, in line with the June 2016 European Council conclusions and the Joint Declaration of 13 December 2016 on the EU's legislative priorities for 2017. The European Council welcomes the decision of the Commission to address the issue of dual quality of foodstuffs in the internal market in the High Level Forum for a better functioning food supply chain. The EU needs concrete action to ensure a strong and competitive industrial base, as set out in its December 2016 conclusions, a fully functioning and interconnected energy market and a flourishing services sector. All will benefit from a stronger Single Market. Completing and implementing the various Single Market strategies by 2018 therefore remains our shared objective. The European Council will review progress in June.

4. Trade remains one of the most powerful engines for growth, supporting millions of jobs and contributing to prosperity. The European Council welcomes the positive vote in the European Parliament on the EU-Canada Comprehensive Economic and Trade Agreement (CETA) and looks forward to its imminent provisional application. This is a clear signal at a time when protectionist tendencies are re-appearing. The EU remains strongly committed to a robust trade policy and an open and rules-based multilateral trading system, with a central role for the WTO. At the same time, the EU has to equip itself with modernised, WTO-compatible tools to tackle unfair trade practices and market distortions. The European Council calls for the quick adoption of the relevant proposals in this respect. The EU will continue to engage actively with international trade partners. This includes resolutely advancing on all ongoing negotiations for ambitious and balanced free trade agreements, including with Mercosur and Mexico; negotiations with Japan are closest to an early conclusion. Trade relations with China should be strengthened on the basis of a shared understanding of reciprocal and mutual benefits. The EU will be particularly vigilant concerning the respect and promotion of key standards, as well as the principle of non-discrimination.
5. The European Council reiterates the need to complete the Banking Union in terms of reducing and sharing risks in the financial sector, in the appropriate order, as set out in the Council conclusions of 17 June 2016. It recalls the importance of international cooperation on the design of common prudential and supervisory standards for financial services.
6. It is of vital importance that the benefits of economic growth reach all citizens. The European Council looks forward to the holding of the Social Summit for Fair Jobs and Growth in Gothenburg on 17 November 2017.
7. The European Council endorses the policy priority areas of the Annual Growth Survey, and invites Member States to reflect them in their forthcoming National Reform Programmes and Stability or Convergence Programmes. The European Council also endorses the draft Council recommendation on the economic policy of the euro area.

II. SECURITY AND DEFENCE

8. The European Council wants the dynamics set in motion by its December 2016 conclusions on External Security and Defence to be maintained and reinforced, according to the parameters set out therein. In the present

international environment, Europe must do more to protect its citizens and contribute to peace and stability in its neighbourhood and beyond, including by committing sufficient additional resources, while taking into account national circumstances and legal commitments. In this respect, the European Council welcomes the work done by the Council on 6 March, which provides an extensive overview of where we stand on all issues (CSDP crisis management structures, Permanent Structured Cooperation, Coordinated Annual Review on Defence, Developing Civilian Capabilities) and shows real progress in some key areas. It also recalls the need to implement the 'Common set of proposals' for enhanced cooperation with NATO. Building on that momentum, work must be taken further with even greater determination and speed. The European Council welcomes the holding of a high-level conference on security and defence in Prague on 9 June 2017. The European Council will revert to this issue in June 2017 and provide further strategic guidance.

9. The EU remains fully engaged in supporting Member States to ensure internal security and to fight terrorism. We have made major progress in this respect in recent years but we continue to face unprecedented challenges. The European Council calls on co-legislators to agree on the proposal for an Entry and Exit System by June 2017 and speed up work on the proposal for the European Travel Information and Authorisation System. Continuing to implement the renewed European Union Internal Security Strategy 2015–2020 is therefore crucial; the European Council will keep this under review. The European Day of Remembrance of Victims of Terrorism on 11 March is an important reminder of why this matters so much.

III. MIGRATION

10. As shown in the report by the Maltese Prime Minister, many operational measures decided at the informal meeting in Malta on 3 February 2017 are in the process of being implemented. The European Council reiterates its determination to deliver on all the elements of the Malta Declaration and fully supports the work of the Council Presidency, in close cooperation with the Commission and the High Representative. It also stands behind the actions undertaken by individual Member States to support the Libyan authorities as well as their North African and southern neighbours in their efforts to address the challenges of illegal migration. UNHCR and IOM are important partners in this respect. The EU will continue to remain vigilant on all major migration routes so as to be able to react rapidly to developments. The European Council welcomes the Commission Communication on a Renewed Action Plan on Return, called for in the Malta Declaration, as well as the accompanying Recommendation to Member States, and invites the Council to rapidly examine them. It recalls the need to pursue work on a range of well-functioning EU readmission arrangements with third countries.

11. Concerning the internal dimension, the effective application of the principles of responsibility and solidarity remains a shared objective. The European Council calls for further efforts to rapidly deliver on all aspects of the comprehensive migration policy resilient to future crises, including with the aim of achieving consensus on the EU's asylum policy during the current Presidency.
12. The European Council will return to these issues in June 2017.

IV. WESTERN BALKANS

13. In light of the internal and external challenges that the region is facing, the European Council discussed the fragile situation in the Western Balkans, which it will keep under review. It stresses the importance of continuing on the reform path, good neighbourly relations and inclusive regional cooperation initiatives. It reaffirmed its unequivocal support for the European perspective of the Western Balkans. Welcoming the progress made by the countries of the region, the European Council stresses that the EU remains committed and engaged at all levels to support them in conducting EU-oriented reforms and projects.

V. OTHER ITEMS

European Public Prosecutor's Office

14. Following the referral by 17 Member States pursuant to Article 86(1), second subparagraph, TFEU of the draft Regulation on the establishment of the European Public Prosecutor's Office, the European Council discussed the draft and noted that the condition set out at the beginning of Article 86(1), third subparagraph was met, thus opening the way to the possible establishment of enhanced cooperation, in accordance with the provisions of the Treaties.

Election of the President of the European Council

15. The European Council re-elected Mr Donald Tusk President of the European Council for the period from 1 June 2017 until 30 November 2019.
16. The European Council noted the decision of the Heads of State or Government of the Contracting Parties to the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union whose currency is the euro re-appointing Mr Donald Tusk President of the Euro Summit for the period from 1 June 2017 until 30 November 2019.
17. The European Council decided to come back, later this year, to the process, criteria and balances needed regarding high-level appointments for the next institutional cycle.

THE ROME DECLARATION OF THE LEADERS OF 27 MEMBER STATES AND OF THE EUROPEAN COUNCIL, THE EUROPEAN PARLIAMENT AND THE EUROPEAN COMMISSION – 25 MARCH 2017

We, the Leaders of 27 Member States and of EU institutions, take pride in the achievements of the European Union: the construction of European unity is a bold, far-sighted endeavour. Sixty years ago, recovering from the tragedy of two world wars, we decided to bond together and rebuild our continent from its ashes. We have built a unique Union with common institutions and strong values, a community of peace, freedom, democracy, human rights and the rule of law, a major economic power with unparalleled levels of social protection and welfare.

European unity started as the dream of a few, it became the hope of the many. Then Europe became one again. Today, we are united and stronger: hundreds of millions of people across Europe benefit from living in an enlarged Union that has overcome the old divides.

The European Union is facing unprecedented challenges, both global and domestic: regional conflicts, terrorism, growing migratory pressures, protectionism and social and economic inequalities. Together, we are determined to address the challenges of a rapidly changing world and to offer to our citizens both security and new opportunities.

We will make the European Union stronger and more resilient, through even greater unity and solidarity amongst us and the respect of common rules. Unity is both a necessity and our free choice. Taken individually, we would be side-lined by global dynamics. Standing together is our best chance to influence them, and to defend our common interests and values. We will act together, at different paces and intensity where necessary, while moving in the same direction, as we have done in the past, in line with the Treaties and keeping the door open to those who want to join later. Our Union is undivided and indivisible.

In the ten years to come we want a Union that is safe and secure, prosperous, competitive, sustainable and socially responsible, and with the will and capacity of playing a key role in the world and of shaping globalisation. We want a Union where citizens have new opportunities for cultural and social development and economic growth. We want a Union which remains open to those European countries that respect our values and are committed to promoting them.

In these times of change, and aware of the concerns of our citizens, we commit to the Rome Agenda, and pledge to work towards:

1. A safe and secure Europe: a Union where all citizens feel safe and can move freely, where our external borders are secured, with an efficient, responsible and sustainable migration policy, respecting international norms; a Europe determined to fight terrorism and organised crime.
2. A prosperous and sustainable Europe: a Union which creates growth and jobs; a Union where a strong, connected and developing Single Market, embracing technological transformation, and a stable and further strengthened single currency open avenues for growth, cohesion, competitiveness, innovation and exchange, especially for small and medium-sized enterprises; a Union promoting sustained and sustainable growth, through investment, structural reforms and working towards completing the Economic and Monetary Union; a Union where economies converge; a Union where energy is secure and affordable and the environment clean and safe.
3. A social Europe: a Union which, based on sustainable growth, promotes economic and social progress as well as cohesion and convergence, while upholding the integrity of the internal market; a Union taking into account the diversity of national systems and the key role of social partners; a Union which promotes equality between women and men as well as rights and equal opportunities for all; a Union which fights unemployment, discrimination, social exclusion and poverty; a Union where young people receive the best education and training and can study and find jobs across the continent; a Union which preserves our cultural heritage and promotes cultural diversity.
4. A stronger Europe on the global scene: a Union further developing existing partnerships, building new ones and promoting stability and prosperity in its immediate neighbourhood to the east and south, but also in the Middle East and across Africa and globally; a Union ready to take more responsibilities and to assist in creating a more competitive and integrated defence industry; a Union committed to strengthening its common security and defence, also in cooperation and complementarity with the North Atlantic Treaty Organisation, taking into account national circumstances and legal commitments; a Union engaged in the United Nations and standing for a rules-based multilateral system, proud of its values and protective of its people, promoting free and fair trade and a positive global climate policy.

We will pursue these objectives, firm in the belief that Europe's future lies in our own hands and that the European Union is the best instrument to achieve our objectives. We pledge to listen and respond to the concerns expressed by our citizens and will engage with our national parliaments. We will work together at the level that makes a real difference, be it the European Union, national, regional, or local, and in a spirit of trust and loyal

cooperation, both among Member States and between them and the EU institutions, in line with the principle of subsidiarity. We will allow for the necessary room for manoeuvre at the various levels to strengthen Europe's innovation and growth potential. We want the Union to be big on big issues and small on small ones. We will promote a democratic, effective and transparent decision-making process and better delivery.

We as Leaders, working together within the European Council and among our institutions, will ensure that today's agenda is implemented, so as to become tomorrow's reality. We have united for the better. Europe is our common future.

STATEMENT BY THE EUROPEAN COUNCIL⁵ (ART. 50) ON THE UK NOTIFICATION – 29 MARCH 2017

Today, the European Council received a letter from the British Prime Minister, Theresa May, notifying the United Kingdom's intention to leave the European Union. This notification follows the referendum of 23 June 2016 and starts the withdrawal process under Article 50 of the Treaty. We regret that the United Kingdom will leave the European Union, but we are ready for the process that we now will have to follow.

For the European Union, the first step will now be the adoption of guidelines for the negotiations by the European Council. These guidelines will set out the overall positions and principles in light of which the Union, represented by the European Commission, will negotiate with the United Kingdom.

In these negotiations the Union will act as one and preserve its interests. Our first priority will be to minimise the uncertainty caused by the decision of the United Kingdom for our citizens, businesses and Member States. Therefore, we will start by focusing on all key arrangements for an orderly withdrawal.

We will approach these talks constructively and strive to find an agreement. In the future, we hope to have the United Kingdom as a close partner.

President Tusk has convened the European Council on 29 April 2017.

⁵ Following the notification under Article 50 TEU, the member of the European Council representing the withdrawing Member State shall not participate in the discussions of the European Council or in decisions concerning it.

REMARKS BY PRESIDENT DONALD TUSK ON THE NEXT STEPS FOLLOWING THE UK NOTIFICATION – 31 MARCH 2017

Good morning. First of all I would like to thank Prime Minister Muscat for his hospitality and the extraordinary job already done by the Maltese presidency. A steady, solid and superb rotating Presidency of the Council is even more important in times like these. So thank you again for your work, Joseph.

The main point on our agenda was obviously Brexit.

Today my task is to propose the draft negotiating guidelines on Brexit to the 27 EU leaders. To the 27, because from Wednesday, after triggering Article 50, the United Kingdom is now on the other side of the negotiating table. We have worked very fast, because, as you know, the Treaty gives us only two years to reach an agreement.

Allow me to outline the main elements and principles of my proposal. We treat them as fundamental and will firmly stand by them.

Our duty is to minimise the uncertainty and disruption caused by the UK decision to withdraw from the EU for our citizens, businesses and Member States. As I have already said, in essence it is about damage control.

We need to think of people first. Citizens from all over the EU live, work and study in the UK. And as long as the UK remains a member, their rights are fully protected. But we need to settle their status and situations after the withdrawal with reciprocal, enforceable and non-discriminatory guarantees.

Second, we must prevent a legal vacuum for our companies that stems from the fact that after Brexit the EU laws will no longer apply to the UK.

Third, we will also need to make sure that the UK honours all financial commitments and liabilities it has taken as a Member

State. It is only fair towards all those people, communities, scientists, farmers and so on to whom we, all the 28, promised and owe this money. I can guarantee that the EU, on our part, will honour all our commitments.

Fourth, we will seek flexible and creative solutions aiming at avoiding a hard border between Northern Ireland and Ireland. It is of crucial importance to support the peace process in Northern Ireland.

These four issues are all part of the first phase of our negotiations. Once, and only once we have achieved sufficient progress on the withdrawal, can we discuss the framework for our future relationship. Starting parallel talks on all issues at the same time, as suggested by some in the UK, will not happen.

And when talking about our future relationship, we obviously share the UK's desire to establish a close partnership between us. Strong ties, reaching beyond the economy and including security cooperation, remain in our common interest.

Let me conclude by saying that the talks which are about to start will be difficult, complex and sometimes even confrontational. There is no way around it. The EU27 does not and will not pursue a punitive approach. Brexit in itself is already punitive enough. After more than forty years of being united, we owe it to each other to do everything we can to make this divorce as smooth as possible.

This is also why Prime Minister May and I have agreed to stay in close and regular contact throughout this process. I intend to visit Theresa May in London before the April European Council.

Thank you.

GUIDELINES – SPECIAL MEETING OF THE EUROPEAN COUNCIL⁶ (ART. 50) – 29 APRIL 2017

On 29 March 2017, the European Council received the notification by the United Kingdom of its intention to withdraw from the European Union and Euratom. This allows for the opening of negotiations as foreseen by the Treaty.

European integration has brought peace and prosperity to Europe and allowed for an unprecedented level and scope of cooperation on matters of common interest in a rapidly changing world. Therefore, the Union's overall objective in these negotiations will be to preserve its interests, those of its citizens, its businesses and its Member States.

The United Kingdom's decision to leave the Union creates significant uncertainties that have the potential to cause disruption, in particular in the United Kingdom but also, to a lesser extent, in other Member States. Citizens who have built their lives on the basis of rights flowing from the British membership of the EU face the prospect of losing those rights. Businesses and other stakeholders will lose the predictability and certainty that come with EU law. It will also have an impact on public authorities. With this in mind, we must proceed according to a phased approach giving priority to an orderly withdrawal. National authorities, businesses and other stakeholders should take all necessary steps to prepare for the consequences of the United Kingdom's withdrawal.

Throughout these negotiations the Union will maintain its unity and act as one with the aim of reaching a result that is fair and equitable for all Member States and in the interest of its citizens. It will be constructive and strive to find an agreement. This is in the best interest of both sides. The Union will work hard to achieve that outcome, but it will prepare itself to be able to handle the situation also if the negotiations were to fail.

These guidelines define the framework for negotiations under Article 50 TEU and set out the overall positions and principles that the Union will pursue throughout the negotiation. In this context, the European Council welcomes the resolution of the European Parliament of 5 April 2017. The European Council will remain permanently seized of the matter, and will update these guidelines in the course of the negotiations as necessary. Negotiating directives will be adjusted accordingly.

I. CORE PRINCIPLES

1. The European Council will continue to base itself on the principles set out in the statement of Heads of State or Government and of the Presidents of the European

Council and the European Commission on 29 June 2016. It reiterates its wish to have the United Kingdom as a close partner in the future. It further reiterates that any agreement with the United Kingdom will have to be based on a balance of rights and obligations, and ensure a level playing field. Preserving the integrity of the Single Market excludes participation based on a sector-by-sector approach. A non-member of the Union, that does not live up to the same obligations as a member, cannot have the same rights and enjoy the same benefits as a member. In this context, the European Council welcomes the recognition by the British Government that the four freedoms of the Single Market are indivisible and that there can be no 'cherry picking'. The Union will preserve its autonomy as regards its decision-making as well as the role of the Court of Justice of the European Union.

2. Negotiations under Article 50 TEU will be conducted in transparency and as a single package. In accordance with the principle that nothing is agreed until everything is agreed, individual items cannot be settled separately. The Union will approach the negotiations with unified positions, and will engage with the United Kingdom exclusively through the channels set out in these guidelines and in the negotiating directives. So as not to undercut the position of the Union, there will be no separate negotiations between individual Member States and the United Kingdom on matters pertaining to the withdrawal of the United Kingdom from the Union.
3. The core principles set out above should apply equally to the negotiations on an orderly withdrawal, to any preliminary and preparatory discussions on the framework for a future relationship, and to any form of transitional arrangements.

II. A PHASED APPROACH TO NEGOTIATIONS

4. On the date of withdrawal, the Treaties will cease to apply to the United Kingdom, to those of its overseas countries and territories currently associated to the Union, and to territories for whose external relations the United Kingdom is responsible. The main purpose of the negotiations will be to ensure the United Kingdom's orderly withdrawal so as to reduce uncertainty and, to

6. Following the notification under Article 50 TEU, the member of the European Council representing the withdrawing Member State shall not participate in the discussions of the European Council or in decisions concerning it.

the extent possible, minimise disruption caused by this abrupt change.

To that effect, the first phase of negotiations will aim to:

- provide as much clarity and legal certainty as possible to citizens, businesses, stakeholders and international partners on the immediate effects of the United Kingdom's withdrawal from the Union;
- settle the disentanglement of the United Kingdom from the Union and from all the rights and obligations the United Kingdom derives from commitments undertaken as Member State.

The European Council will monitor progress closely and determine when sufficient progress has been achieved to allow negotiations to proceed to the next phase.

5. While an agreement on a future relationship between the Union and the United Kingdom as such can only be finalised and concluded once the United Kingdom has become a third country, Article 50 TEU requires to take account of the framework for its future relationship with the Union in the arrangements for withdrawal. To this end, an overall understanding on the framework for the future relationship should be identified during a second phase of the negotiations under Article 50 TEU. We stand ready to engage in preliminary and preparatory discussions to this end in the context of negotiations under Article 50 TEU, as soon as the European Council decides that sufficient progress has been made in the first phase towards reaching a satisfactory agreement on the arrangements for an orderly withdrawal.
6. To the extent necessary and legally possible, the negotiations may also seek to determine transitional arrangements which are in the interest of the Union and, as appropriate, to provide for bridges towards the foreseeable framework for the future relationship in the light of the progress made. Any such transitional arrangements must be clearly defined, limited in time, and subject to effective enforcement mechanisms. Should a time-limited prolongation of Union *acquis* be considered, this would require existing Union regulatory, budgetary, supervisory, judiciary and enforcement instruments and structures to apply.
7. The two year timeframe set out in Article 50 TEU ends on 29 March 2019.

III. AGREEMENT ON ARRANGEMENTS FOR AN ORDERLY WITHDRAWAL

8. The right for every EU citizen, and of his or her family members, to live, to work or to study in any EU Member State is a fundamental aspect of the European Union. Along with other rights provided under EU law, it has shaped the lives and choices of millions of people. Agreeing reciprocal guarantees to safeguard the status and rights derived from EU law at the date of withdrawal of EU and UK citizens, and their families, affected by the United Kingdom's withdrawal from the Union will be the first priority for the negotiations. Such guarantees

must be effective, enforceable, non-discriminatory and comprehensive, including the right to acquire permanent residence after a continuous period of five years of legal residence. Citizens should be able to exercise their rights through smooth and simple administrative procedures.

9. Also, the United Kingdom leaving the Union will impact EU businesses trading with and operating in the United Kingdom and UK businesses trading with and operating in the Union. Similarly, it may affect those who have entered into contracts and business arrangements or take part in EU-funded programmes based on the assumption of continued British EU membership. Negotiations should seek to prevent a legal vacuum once the Treaties cease to apply to the United Kingdom and, to the extent possible, address uncertainties.
10. A single financial settlement – including issues resulting from the MFF as well as those related to the European Investment Bank (EIB), the European Development Fund (EDF) and the European Central Bank (ECB) – should ensure that the Union and the United Kingdom both respect the obligations resulting from the whole period of the UK membership in the Union. The settlement should cover all commitments as well as liabilities, including contingent liabilities.
11. The Union has consistently supported the goal of peace and reconciliation enshrined in the Good Friday Agreement in all its parts, and continuing to support and protect the achievements, benefits and commitments of the Peace Process will remain of paramount importance. In view of the unique circumstances on the island of Ireland, flexible and imaginative solutions will be required, including with the aim of avoiding a hard border, while respecting the integrity of the Union legal order. In this context, the Union should also recognise existing bilateral agreements and arrangements between the United Kingdom and Ireland which are compatible with EU law.
12. The Union should agree with the United Kingdom on arrangements as regards the Sovereign Base Areas of the United Kingdom in Cyprus and recognise in that respect bilateral agreements and arrangements between the Republic of Cyprus and the United Kingdom which are compatible with EU law, in particular as regards safeguarding rights and interests of those EU citizens resident or working in the Sovereign Base Areas.
13. Following the withdrawal, the United Kingdom will no longer be covered by agreements concluded by the Union or by Member States acting on its behalf or by the Union and its Member States acting jointly. The Union will continue to have its rights and obligations in relation to international agreements. In this respect, the European Council expects the United Kingdom to honour its share of all international commitments contracted in the context of its EU membership. In such instances, a constructive dialogue with the United Kingdom on a possible common approach towards third country partners, international organisations and conventions concerned should be engaged.

14. The withdrawal agreement would also need to address potential issues arising from the withdrawal in other areas of cooperation, including judicial cooperation, law enforcement and security.
 15. While the future location of the seats of EU agencies and facilities located in the United Kingdom is a matter for the 27 Member States to settle rapidly, arrangements should be found to facilitate their transfer.
 16. Arrangements ensuring legal certainty and equal treatment should be found for all court procedures pending before the Court of Justice of the European Union upon the date of withdrawal that involve the United Kingdom or natural or legal persons in the United Kingdom. The Court of Justice of the European Union should remain competent to adjudicate in these procedures. Similarly, arrangements should be found for administrative procedures pending before the European Commission and Union agencies upon the date of the withdrawal that involve the United Kingdom or natural or legal persons in the United Kingdom. In addition, arrangements should be foreseen for the possibility of administrative or court proceedings to be initiated post-exit for facts that have occurred before the withdrawal date.
 17. The withdrawal agreement should include appropriate dispute settlement and enforcement mechanisms regarding the application and interpretation of the withdrawal agreement, as well as duly circumscribed institutional arrangements allowing for the adoption of measures necessary to deal with situations not foreseen in the withdrawal agreement. This should be done bearing in mind the Union's interest to effectively protect its autonomy and its legal order, including the role of the Court of Justice of the European Union.
- IV. PRELIMINARY AND PREPARATORY DISCUSSIONS ON A FRAMEWORK FOR THE UNION-UNITED KINGDOM FUTURE RELATIONSHIP**
18. The European Council welcomes and shares the United Kingdom's desire to establish a close partnership between the Union and the United Kingdom after its departure. While a relationship between the Union and a non Member State cannot offer the same benefits as Union membership, strong and constructive ties will remain in both sides' interest and should encompass more than just trade.
 19. The British government has indicated that it will not seek to remain in the Single Market, but would like to pursue an ambitious free trade agreement with the European Union. Based on the Union's interests, the European Council stands ready to initiate work towards an agreement on trade, to be finalised and concluded once the United Kingdom is no longer a Member State.
20. Any free trade agreement should be balanced, ambitious and wide-ranging. It cannot, however, amount to participation in the Single Market or parts thereof, as this would undermine its integrity and proper functioning. It must ensure a level playing field, notably in terms of competition and state aid, and in this regard encompass safeguards against unfair competitive advantages through, inter alia, tax, social, environmental and regulatory measures and practices.
 21. Any future framework should safeguard financial stability in the Union and respect its regulatory and supervisory regime and standards and their application.
 22. The EU stands ready to establish partnerships in areas unrelated to trade, in particular the fight against terrorism and international crime, as well as security, defence and foreign policy.
 23. The future partnership must include appropriate enforcement and dispute settlement mechanisms that do not affect the Union's autonomy, in particular its decision-making procedures.
 24. After the United Kingdom leaves the Union, no agreement between the EU and the United Kingdom may apply to the territory of Gibraltar without the agreement between the Kingdom of Spain and the United Kingdom.
- V. PRINCIPLE OF SINCERE COOPERATION**
25. Until it leaves the Union, the United Kingdom remains a full Member of the European Union, subject to all rights and obligations set out in the Treaties and under EU law, including the principle of sincere cooperation.
 26. The European Council recognises the need, in the international context, to take into account the specificities of the United Kingdom as a withdrawing Member State, provided it respects its obligations and remains loyal to the Union's interests while still a Member. Similarly the Union expects the United Kingdom to recognise the need of the 27 Member States to meet and discuss matters related to the situation after the withdrawal of the United Kingdom.
 27. While the United Kingdom is still a member, all ongoing EU business must continue to proceed as smoothly as possible at 28. The European Council remains committed to drive forward with ambition the priorities the Union has set itself. Negotiations with the United Kingdom will be kept separate from ongoing Union business, and shall not interfere with its progress.
- VI. PROCEDURAL ARRANGEMENTS FOR NEGOTIATIONS UNDER ARTICLE 50**
28. The European Council endorses the arrangements set out in the statement of 27 Heads of State or Government on 15 December 2016.

REMARKS BY PRESIDENT DONALD TUSK BEFORE THE G7 SUMMIT IN TAORMINA, ITALY – 26 MAY 2017

We are meeting here in Taormina as the G7 to discuss the most pressing global issues. There is no doubt that this will be the most challenging G7 summit in years. It is no secret that leaders who are meeting today, sometimes have very different positions on topics such as climate change and trade. But our role as the EU is to do everything to maintain the unity of the G7 on all fronts.

Most importantly, unity needs to be maintained when it comes to defending the rules-based international order. Each day we are confronted with these strategic global problems that pose a threat to peace and security in Europe, in Asia and in the Middle East. From the war in Syria and Russian aggression in Ukraine, to nuclear and ballistic missile tests in North Korea, and land reclamation and militarization in the South China Sea. If our group is not determined and united enough, the situation in the world can really get out of hand.

I expect that the G7 will demonstrate unity regarding the conflict in Ukraine. We fully support Ukraine's independence, territorial integrity and sovereignty. A solution to this conflict can only be reached with the full implementation of the Minsk

agreements. Since our last G7 summit in Japan we haven't seen anything that would justify a change in our sanctions policy toward Russia. Therefore, I will appeal to the other G7 leaders to reconfirm this policy.

The G7 should also remain united when it comes to ending the brutality in Syria. We should be ready to increase our efforts to defeat terrorism in Syria, and to find a political settlement. A special responsibility rests on the shoulders of those who, like Iran and Russia, have become involved in the crisis and cooperate with the Assad regime. Instead of wasting time, they should use their influence to enact a real ceasefire, stop the use of chemical weapons and ensure safe and immediate humanitarian access to all the people in need.

Finally, let me say that we also need G7 unity in managing the migration crisis. This is a global challenge, but here in Sicily it is also a real, local problem. The EU's goal has been to at least keep the current level of international cooperation in addressing this crisis. Whether we will succeed, remains an open question. Thank you.

CONCLUSIONS OF THE EUROPEAN COUNCIL

– 22–23 JUNE 2017

Today the European Council focused on strengthening Europe and protecting its citizens through effective measures to fight terrorism and develop its common security and defence, to ensure its economic development in a globalised world, to tackle migration and to protect its external borders. A strong and determined Union is the best way to promote our values and interests, support a rules-based multilateral system and mobilise partners for a positive climate policy. It will also help shape globalisation in order to reap the benefits of open markets while protecting against unfair practices and promoting the social, environmental, health and consumer standards that are central to the European way of life. The European Council paid tribute to Helmut Kohl, Honorary Citizen of Europe, who passed away on 16 June 2017.

I. SECURITY AND DEFENCE

Internal security and the fight against terrorism

1. The European Council strongly condemns the recent terrorist attacks and stands united and firm in the fight against terrorism, hatred and violent extremism. These acts have strengthened our resolve to cooperate at EU level so as to enhance our internal security: we will fight the spread of radicalisation online, coordinate our work on preventing and countering violent extremism and addressing the ideology, thwart the financing of terrorism, facilitate swift and targeted exchanges of information between law enforcement authorities, including with trusted partners, and improve the interoperability between databases.
2. Industry has its own responsibility to help combat terrorism and crime online. Building on the work of the EU Internet Forum, the European Council expects industry to establish an Industry Forum and to develop new technology and tools to improve the automatic detection and removal of content that incites to terrorist acts. This should be complemented by the relevant legislative measures at EU level, if necessary. It calls for addressing the challenges posed by systems that allow terrorists to communicate in ways that competent authorities cannot access, including end-to-end encryption, while safeguarding the benefits these systems bring for the protection of privacy, data and communication. The European Council considers that effective access to electronic evidence is essential to combating serious crime and terrorism and that, subject to appropriate safeguards, the availability of data should be secured.
3. The agreement on the Entry/Exit System, which is expected shortly, and the finalisation before the end of the year of a European Travel Information and Authorisation

System (ETIAS) will pave the way for their rapid implementation, thus enhancing external border control and internal security while taking into account specific situations in Member States which still do not fully apply the Schengen acquis. In that context, the European Council invites the Commission to prepare, as soon as possible, draft legislation enacting the proposals made by the High Level Expert Group on interoperability.

4. We need to accelerate our collective efforts to share knowledge on foreign terrorist fighters as well as home-grown radicalised individuals and take forward policy and legal measures to manage the threat.
5. The European Council underlines the importance of providing support to the victims of terror acts.

External security and defence

6. The European Council reiterates its commitment to strengthening EU cooperation on external security and defence so as to protect the Union and its citizens and contribute to peace and stability in its neighbourhood and beyond. Together with all its diplomatic and civil capabilities, the EU brings a unique mix of possibilities to this enterprise. As reflected in the Council conclusions of 18 May and 19 June 2017, significant progress has been achieved in implementing the EU Global Strategy in the area of Security and Defence and the Joint Declaration signed in Warsaw by EU and NATO leaders. The transatlantic relationship and EU-NATO cooperation remain key to our overall security, allowing us to respond to evolving security threats, including cyber, hybrid and terrorism. The European Council welcomes the establishment in Helsinki of a European Centre of Excellence for Countering Hybrid Threats. The high-level conference on security and defence held in Prague on 9 June 2017 underlined both the complementarity between the EU and NATO and the need to step up European efforts to strengthen our defence related research, capabilities and operations.
7. The joint development of capability projects commonly agreed by Member States to fill the existing major shortfalls and develop the technologies of the future is crucial to fulfil the level of ambition of the EU approved by the European Council in December 2016. The European Council welcomes the Commission's communication on a European Defence Fund, composed of a research window and a capability window, and is looking forward to its swift operationalisation. It calls for rapid agreement on the proposal for a European Defence Industrial Development Programme with a view to its swift implementation, before

more comprehensive programmes can be envisaged in the medium term. The European Council calls on Member States to identify suitable capability projects for the European Defence Fund and for the European Defence Industrial Development Programme. The European Council invites the Member States to further work on options for the joint procurement of capabilities within the European Defence Fund based on sound financing mechanisms. The objective is to deliver capabilities, ensure a competitive, innovative and balanced basis for Europe's defence industry across the EU, including by cross border cooperation and participation of SMEs, and to contribute to greater European defence cooperation, by exploiting synergies and mobilising EU support in addition to Member States' financing. European defence industrial development will also require EU support for SME and intermediate (mid-cap) investments in the area of security and defence. In this respect, the European Council recalls its invitation to the European Investment Bank to examine steps with a view to supporting investments in defence research and development activities.

8. To strengthen Europe's security and defence in today's challenging geopolitical environment and to help reach the level of ambition of the EU expressed in the EU Global Strategy, the European Council agrees on the need to launch an inclusive and ambitious Permanent Structured Cooperation (PESCO). A common list of criteria and binding commitments, fully in line with Articles 42(6) and 46 TEU and Protocol 10 to the Treaty – including with a view to the most demanding missions - will be drawn up by Member States within three months, with a precise timetable and specific assessment mechanisms, in order to enable Member States which are in a position to do so to notify their intentions to participate without delay. This work has to be consistent with Member States' national defence planning and commitments agreed within NATO and the UN by Member States concerned. Concrete collaborative projects and initiatives should also be identified in support of PESCO's common goals, commitments and criteria.
9. To strengthen the EU's rapid response toolbox, the European Council agrees that the deployment of Battlegroups should be borne as a common cost by the EU-managed Athena mechanism on a permanent basis. It also urges the Council to speed up its work on greater responsiveness of the civilian crisis management.
10. The European Council will come back to these issues at one of its next meetings.

II. THE PARIS AGREEMENT ON CLIMATE CHANGE

11. The European Council strongly reaffirms the commitment of the EU and its Member States to swiftly and fully implement the Paris Agreement, to contribute to the fulfilment of the climate finance goals, and to continue to lead in the fight against climate change. The Agreement remains a cornerstone of global efforts

to effectively tackle climate change, and cannot be renegotiated. The Agreement is a key element for the modernisation of the European industry and economy. It is also key to implementing the 2030 Agenda for Sustainable Development; the recent adoption of the new European Consensus on Development, while pursuing a broader agenda, will also contribute to this objective. The EU and its Member States will enhance cooperation with international partners under the Paris Agreement, in particular with the most vulnerable countries, thereby demonstrating solidarity with future generations and responsibility for the whole planet. The European Council calls on the Council and the Commission to examine all means to achieve these goals. The EU will continue to work closely with all non-State actors, building on the successful example provided by the Global Climate Action Agenda.

III. JOBS, GROWTH AND COMPETITIVENESS

12. Europe needs jobs, growth and competitiveness. The return of economic growth to all 28 Member States is a positive development that needs to be consolidated. The European Council discussed how to best use the potential of the Single Market and of trade and industry to that effect, while ensuring that these developments benefit all parts of society.

Single Market

13. The European Council reiterates the importance of a well-functioning Single Market with its four freedoms in fostering growth, creating jobs and promoting investments and innovation. Co-legislators have made it possible to achieve significant progress towards the shared objective of completing and implementing the various strategies by 2018. There are nevertheless still gaps which require further attention. The European Council therefore emphasises that further efforts are needed from the EU and its Member States to achieve the level of ambition as reflected in the June 2016 conclusions for the Single Market, including on services, the Digital Single Market, the Capital Markets Union and the Energy Union, including interconnections. In this context it welcomes the Commission's mid-term review of the Digital Single Market and of the Capital Markets Union Action Plan. Timely implementation and better enforcement of existing legislation are also key to reaping the benefits of Europe's Single Market. The Council will report to the June 2018 European Council on progress in deepening, implementing and enforcing the Single Market in all its aspects. In order to look beyond the finalisation of the different Single Market strategies and evolve towards a future-proof and fair Single Market, the European Council calls on the Commission to pursue its reflections on innovative ways to address new opportunities, challenges and remaining barriers.
14. The European Council takes stock of the progress made on the European Fund for Strategic Investments and calls

on the legislators to rapidly agree on the extension and reinforcement of the Fund.

15. Building on the Council conclusions of May 2017, which call for a future industrial policy strategy, the European Council underlines the essential role of industry as a major driver for growth, employment and innovation in Europe. In line with its own earlier conclusions, it calls for concrete action to ensure a strong and competitive industrial base of the Single Market.

Trade

16. The EU will pursue a robust trade policy upholding an open and rules-based multilateral trading system, with a central role for the WTO. Firm in the belief that trade contributes to creating wealth and jobs, it will keep markets open and fight protectionism. It will actively promote an ambitious free trade agenda on the global scene. To this end, it will seek to foster a truly level playing field, while remaining vigilant concerning the respect and promotion of key standards, including social, environmental, health and consumer standards that are central to the European way of life.
17. The European Council is convinced that trade and investment can only be free if it is also fair and mutually beneficial. The European Council therefore calls on the co-legislators to swiftly agree on modern, WTO-compatible trade defence instruments, which will reinforce the ability of the EU to effectively tackle unfair and discriminatory trade practices and market distortions. It calls on the Commission to ensure their swift and effective application through non-legislative implementing measures to make the EU trade practices and defence instruments more reactive and efficient and to propose, if necessary, complementary measures. It also calls on the Commission and the Council to deepen and take forward the debate on how to enhance reciprocity in the fields of public procurement and investment. In this context, it welcomes the Commission's initiative to harness globalisation and, inter alia, to analyse investments from third countries in strategic sectors, while fully respecting Members States' competences. The European Council will revert to this issue at one of its future meetings.
18. The European Council encourages progress on all ongoing negotiations, including with Mexico, Mercosur and the Asian-Pacific region, for ambitious and balanced free trade agreements, with reciprocity and mutual benefits as guiding principles. The European Council welcomes the progress achieved recently in the negotiations with Japan, which could pave the way for a political agreement.

European Semester

19. The European Council generally endorses the integrated country-specific recommendations as discussed by the Council, thus allowing the conclusion of the 2017 European Semester.

IV. MIGRATION

20. The European Council remains committed to the Union's comprehensive approach to migration, effective control of external borders to stem and prevent illegal flows and the reform of the Common European Asylum System, and the full and non-discriminatory implementation of the EU-Turkey Statement in all its aspects and towards all Member States. Vigilance on all migration routes, including the Western Balkans route, will continue. We will continue to strengthen and make full use of the operational capacities of the European Border and Coast Guard and other agencies. Effective external border control should allow for the lifting of temporary internal border controls.
21. Loss of life and continuing migratory flows of primarily economic migrants on the Central Mediterranean route is a structural challenge and remains an issue of urgent and serious concern. The EU and its Member States will have to restore control to avoid a worsening humanitarian crisis. To this end they have to act decisively now by stepping up coordination and delivery on all the elements contained in the Malta Declaration, the Partnership Framework and the Joint Valletta Action Plan, underpinned by sufficient financial resources. This also implies continued and enhanced cooperation with countries of origin and transit, including strengthening regional cooperation in Search and Rescue activities, which remains a high priority. Training and equipping the Libyan Coast Guard is a key component of the EU approach and should be speeded up. The IOM and the UNHCR will remain important partners, including to facilitate voluntary returns and improve reception conditions. Cooperation with countries of origin and transit shall be reinforced in order to stem the migratory pressure on Libya's and other neighbouring countries' land borders. The European Council underlines in this context the importance of supporting the G5 Sahel Joint force. There, as elsewhere, the disruption of the business models of human smugglers and traffickers remains a key objective, including by better controlling the trade in equipment used by them.
22. Further efforts shall also be made to achieve real progress in return and readmission policy. Building on the Renewed Action Plan on Return, well-functioning readmission agreements and pragmatic arrangements with third countries shall be put in place at EU level without any further delay by using all possible levers, including by reassessing visa policy towards third countries, as needed. Bilateral arrangements of Member States with third countries also contribute to this objective.
23. The European Council reaffirms its previous conclusions on the reform of the Common European Asylum System (CEAS). Thanks to the progress made under the Maltese Presidency, there is a common understanding that the reformed CEAS needs to strike the right balance between responsibility and solidarity and that it needs to ensure resilience to future crises. The system has to be efficient, be able to withstand migratory pressure, eliminate pull

factors as well as secondary movements, in compliance with international law, fight abuse and provide adequate support to the most affected Member States. The Commission is invited to explore possible solutions to alleviate the burden on frontline Member States. In order to enhance cooperation with third countries and prevent new crises, the 'safe third country' concept should be aligned with the effective requirements arising from the Geneva Convention and EU primary law, while respecting the competences of the EU and the Member States under the Treaties. In this context, the European Council calls for work on an EU list of safe third countries to be taken forward. This will be part of a future overall agreement on the CEAS. The European Council invites the Council to continue negotiations on this basis and amend the legislative proposals as necessary, with the active help of the Commission. The European Council will revert to these issues.

V. DIGITAL EUROPE

24. Looking ahead at the work programme for the second half of the year, and in particular the Digital Summit in Tallinn on 29 September 2017, the European Council highlights the overarching importance of an ambitious digital vision for Europe, its society and economy. A holistic approach to digital is necessary to face up to the challenges of and use the opportunities flowing from the 4th industrial revolution. This requires the implementation of the Digital Single Market strategy in all its elements. At the same time, we should take a broader look at markets, infrastructure, connectivity, societal and cultural aspects, including the digital divide, norms and standards, content and data, investment, cybersecurity, e-government and research & development. In order to meet current and future cybersecurity challenges, the European Council welcomes the Commission's intention to review the Cybersecurity Strategy in September and to propose further targeted actions before the end of the year.

REMARKS BY PRESIDENT DONALD TUSK BEFORE THE G20 SUMMIT IN HAMBURG, GERMANY – 7 JULY 2017

One of the topics of the G20, as you know, is migration. Europe has been struggling with the unprecedented wave of illegal migration for two years now. We have managed to overcome to a great degree the crisis on the East Mediterranean route. We have worked out an agreement with Turkey and strengthened our cooperation with the Balkan states. The result is the decrease in the number of irregular migrants from 158 thousand in the first half of 2016, to 9 thousand in the first half of 2017. However, the situation on the Central Mediterranean route, that is from Libya to Italy, still remains critical. In order to address it, we need solidarity and cooperation of the international community. Today it is Italy in particular, that needs this solidarity. Our objective should be to effectively stop this wave at its source, namely in North Africa. This is the main task for the EU. In this respect, Italy can count on Europe's help in every dimension. But this cannot mean a wider opening of Europe's door towards illegal migration. That is why, here at the G20, I will call on all the leaders to be ruthless in the fight against smugglers.

We are engaged in this not just because of the migration pressure on Europe, but as it is a real humanitarian issue. Migrant smuggling is an organised business. Last year it generated 1.6 billion dollars in Libya alone. These profits allow the smugglers to control some parts of the country. They also cooperate with terrorists and further undermine the stabilisation of Libya. But above anything else, innocent lives are lost. So far this year more than 2,000 people have died at sea. And the number of people dying in the desert is even higher.

We need more efforts at the international level to break the smugglers' business model. This is why I will propose to all the G20 leaders to pursue targeted UN sanctions against smugglers. By this I mean assets freezes and travel bans. It is the very minimum that can be done at the global level. Unfortunately I have to say that today we do not have the full support even for this minimum. If we do not get it, it will be a sad proof of the hypocrisy of some of the G20 members. But I still hope we will succeed. Thank you.

CONCLUSIONS OF THE EUROPEAN COUNCIL

– 19 OCTOBER 2017

At the start of the meeting, the Member of the European Council representing the Member State holding the six-monthly Presidency of the Council provided an overview of progress on the implementation of earlier European Council conclusions.

I. MIGRATION

1. The approach pursued by Member States and EU institutions to ensure full control of the external borders is yielding results and must be consolidated. Overall, migratory flows are being significantly reduced and the number of deaths at sea has decreased.
2. The European Council is determined to pursue its comprehensive, pragmatic and resolute approach, and to apply it wherever necessary. This entails:
 - vigilance on all migration routes and readiness to react to any new trends;
 - a pragmatic, flexible and coordinated use of all available EU and Member States' instruments;
 - support for Member States directly affected or involved, including through continued support from EU agencies;
 - strong cooperation with international partners as well as with countries of origin, transit and departure;
 - reduction of incentives for illegal migration through effective returns;
 - adequate financial and other resources.
3. To consolidate and deepen this approach on all migration routes, the European Council further calls for the following:
 - showing full commitment to our cooperation with Turkey on migration and to support for the Western Balkans;
 - full and non-discriminatory implementation of the EU-Turkey Readmission Agreement with all Member States;
 - ensuring significantly enhanced returns through actions at both EU and Member States level, such as effective readmission agreements and arrangements; the European Border and Coast Guard Agency should be further strengthened and play an increased role in organising returns;
 - ensuring that CSDP missions and operations are fully staffed and that their mandates are adapted as required to assist in the fight against traffickers and smugglers networks and to help disrupting their business model; supporting the action of our partners of the G5 Sahel;
- applying voluntary resettlement schemes and developing them together with international partners, in particular the UNHCR;
- enhancing information and data sharing within the EU, between Member States, JHA agencies, and CSDP missions and operations, as well as with international partners; in this context, the European Council calls for the operational joint investigation teams to be extended to relevant countries;
- creating and applying the necessary leverage, by using all relevant EU policies, instruments and tools, including development, trade and visa, to achieve measurable results in terms of preventing illegal migration and returning irregular migrants.
4. As concerns the Central Mediterranean route, the European Council:
 - recognises the significant contribution made by Italy on the Central Mediterranean route;
 - calls for continued efforts by the EU and support for Member States to stem the flows and increase returns, as well as to build strong cooperation with countries of origin, transit and departure;
 - reiterates the importance of working with the Libyan authorities and all neighbours of Libya to enhance border management capacity and underscores the urgency of supporting the development of the local communities in Libya along the migratory routes;
 - encourages and calls to support, also financially, UNHCR and IOM efforts in Libya, the Sahel and the region, including to further facilitate voluntary returns and resettlement and to improve reception conditions in cooperation with Libyan authorities so as to ensure the humane treatment of migrants;
 - commits to ensuring sufficient and targeted funding, including through the North Africa window of the EU Trust Fund for Africa, to underpin the necessary migration-related actions in North Africa and finance all relevant projects in 2017 and beyond, with timely disbursements. It tasks the Council, with the assistance of the Commission, to undertake immediate operational follow-up to ensure delivery on this commitment before the December European Council;
 - calls for increased efforts to rapidly establish a permanent EU presence in Libya, taking account of the conditions on the ground.

5. The European Council calls for close monitoring of the situation along the Eastern and Western Mediterranean routes in light of recent increases in migration flows.
6. The European Council recalls that addressing the root causes of migration and providing economic and social opportunities in the countries of transit and origin are part of its long-term approach to migration. In this context, the European Council welcomes the recent launch of the European Fund for Sustainable Development, which supports investment in African and Neighbourhood countries. It also welcomes the implementation of the Economic Resilience Initiative of the European Investment Bank (EIB), mobilising investments in the Neighbourhood countries. It looks forward to discussing cooperation with African partners at the upcoming African Union-European Union Summit.
7. The European Council reiterates its commitment to the Schengen system and expresses the intention to get 'Back to Schengen' as soon as possible while taking proportionate security interests of Member States fully into account.
8. The European Council welcomes the progress achieved so far on the reform of the Common European Asylum System and calls for further convergence towards an agreement which strikes the right balance between responsibility and solidarity and ensures resilience to future crises, in line with its June 2017 conclusions. The European Council will return to this matter at its meeting in December, and will seek to reach a consensus during the first half of 2018.

II. DIGITAL EUROPE

9. The Tallinn Digital Summit on 29 September 2017 sent a strong message on the need for a stronger and more coherent Digital Europe. Prime Minister Ratas's conclusions after the Summit provide an excellent basis for further work at all levels.
10. Digitalisation offers immense opportunities for innovation, growth and jobs, will contribute to our global competitiveness, and enhance creative and cultural diversity. Seizing these opportunities requires collectively tackling some of the challenges posed by the digital transformation and reviewing policies affected by digitalisation. The European Council is ready to do what it takes for Europe to go digital.
11. To successfully build a Digital Europe, the EU needs in particular:
 - **governments and public sectors that are fully brought into the digital age and lead by example:** e-government and the deployment of new technologies, accessibility, one-stop government and the once-only principle, and a digitalised public sector are key to transforming our societies and supporting the EU's four freedoms. The European Council calls for implementing the Tallinn Ministerial Declaration on e-Government;

- **a future-oriented regulatory framework:** completing the Digital Single Market Strategy in all its elements by the end of 2018 remains an essential task. Despite considerable progress, work in this area needs to be accelerated in order to meet this deadline. To that end, the additional TTE/Telecom Council on 24 October should discuss how to speed up and prioritise the work on the Digital Single Market. Agreement between the co-legislators on geo-blocking, audio-visual media services and parcel delivery should be reached by the end of 2017. By June 2018, co-legislators should also agree on the free flow of non-personal data proposal and the electronic communications code. The European Council highlights the importance of ensuring adequate rules on data flows with third countries in trade agreements, without prejudice to EU legislation. Furthermore, negotiations on copyright and on the Digital Content Directive should be pursued as a matter of priority. The European Council also underlines the necessity of increased transparency in platforms' practices and uses;
- **a first rate infrastructure and communications network:** this requires cooperation at the EU level, inter alia with the aim of achieving world-class very high-speed fixed and mobile networks (5G) all across the EU and increased coordinated availabilities of spectrum by 2020 under consistent regulatory and economic conditions; this in turn requires dedicating all necessary legislative resources, including a sufficient number of trilogues, to reaching an agreement on the electronic communications code, including the necessary provisions on spectrum;
- **a common approach to cybersecurity:** the digital world requires trust, and trust can only be achieved if we ensure more proactive security by design in all digital policies, provide adequate security certification of products and services, and increase our capacity to prevent, deter, detect and respond to cyberattacks. To that end, the Commission's cybersecurity proposals should be developed in a holistic way, delivered timely and examined without delay, on the basis of an action plan to be set up by the Council;
- **combating terrorism and online crime:** efforts to this effect should be intensified as set out by the European Council in its June 2017 conclusions. The European Council welcomes the Commission's communication on Tackling Illegal Content Online and reiterates its readiness to support appropriate measures at EU level, if necessary;
- **labour markets, training and education systems fit for the digital age:** there is a need to invest in digital skills, to empower and enable all Europeans;
- **a determined R&D and investment effort:** to support new forms of entrepreneurship, and stimulate and assist the digital transformation of industries and services. EU instruments such as the EU Framework Programmes, including Horizon 2020, the European

Structural and Investment Funds and the European Fund for Strategic Investments can help achieve this objective. The EU should also explore ways to set up the appropriate structures and funding to support breakthrough innovation;

- **a sense of urgency to address emerging trends:** this includes issues such as artificial intelligence and blockchain technologies, while at the same time ensuring a high level of data protection, digital rights and ethical standards. The European Council invites the Commission to put forward a European approach to artificial intelligence by early 2018 and calls on the Commission to put forward the necessary initiatives for strengthening the framework conditions with a view to enable the EU to explore new markets through risk-based radical innovations and to reaffirm the leading role of its industry;
- **an effective and fair taxation system fit for the digital era:** it is important to ensure that all companies pay their fair share of taxes and to ensure a global level-playing field in line with the work currently underway at the OECD. The European Council invites the Council to pursue its examination of the Commission communication on this issue and looks forward to appropriate Commission proposals by early 2018.

12. Our objective must be to create a more integrated Single Market and to deliver practical benefits for European citizens and businesses. The European Council will closely follow developments in this area and provide the necessary guidance. It calls on the institutions to step up the legislative work, and on the Member States to implement the relevant EU legislation and to take all the measures required within their sphere of competence so as to shape the new digital era. The European Council will at its level address issues that cannot be solved at the level of the Council.

III. SECURITY AND DEFENCE

13. The European Council recalls its June 2017 conclusions. It welcomes the significant progress made by Member States in preparing a Permanent Structured Cooperation (PESCO) notification with a common list of commitments, and on PESCO governance. It encourages those Member States in a position to do so to swiftly notify the Council and the High Representative of their intentions to participate in PESCO. This would allow for the launching of PESCO before the end of the year, with a view to swiftly implementing the commitments, including the launching of first projects. The European Council welcomes the work done so far by the co-legislators on the Commission's proposal for a European Defence Industrial Development Programme (EDIDP). It calls for an agreement within the Council by the end of the year, with a view to concluding negotiations with the European Parliament as soon as possible so as to have the first capability projects identified by the Member States financed in 2019.

14. The European Council encourages Member States to develop flexible and sound financing mechanisms within the European Defence Fund, to allow for joint procurement of capabilities and/or their joint maintenance and as a way of improving access to cutting-edge capabilities. The objective is to deliver capabilities, ensure a competitive, innovative and balanced basis for Europe's defence industry across the EU, including by cross border cooperation and participation of SMEs, and to contribute to greater European defence cooperation, by exploiting synergies and mobilising EU support in addition to Member States' financing. European defence industrial development will also require EU support for SME and intermediate (mid-cap) investments in the area of security and defence. It encourages the EIB to examine further steps with a view to supporting investments in defence research and development activities. It welcomes the launch of the trial run of the Coordinated Annual Review on Defence (CARD) which should contribute to spur enhanced defence cooperation among Member States.
15. The European Council highlights the need for PESCO, the European Defence Fund and CARD to be mutually reinforcing so as to enhance defence cooperation among Member States.
16. The European Council will revert to the issue in December 2017 and assess the progress achieved with regard to all aspects of the external security and defence agenda as set out in December 2016.

IV. EXTERNAL RELATIONS

17. The European Council held a debate on relations with Turkey.
18. The European Council calls on DPRK to fully and unconditionally comply without delay with its obligations under UN Security Council Resolutions and to abandon its nuclear and ballistic missile programs in a complete, verifiable and irreversible manner. The recent behaviour of the DPRK is unacceptable and poses a significant threat to the Korean peninsula and beyond. The European Council stresses that lasting peace and denuclearisation of the Korean peninsula must be achieved through peaceful means, through credible and meaningful dialogue. The EU sanctions' regime towards DPRK was further reinforced by the EU autonomous sanctions adopted by the Foreign Affairs Council on 16 October 2017. The European Council will consider further responses in close consultation with partners and the EU will continue to reach out to third countries urging the full implementation of UN sanctions.
19. The European Council reaffirms its full commitment to the Iran nuclear deal and endorses the statement by the Foreign Affairs Council of 16 October 2017.

CONCLUSIONS OF THE EUROPEAN COUNCIL⁷ (ART. 50) – 20 OCTOBER 2017

1. In the light of the first five rounds of negotiations, taking into account the assessment presented by the Union negotiator and reaffirming its guidelines of 29 April 2017, the European Council:
 - welcomes the progress made regarding *citizens' rights* and invites the negotiator to build on the convergence achieved so as to provide the necessary legal certainty and guarantees to all concerned citizens and their family members who shall be able to exercise directly their rights derived from EU law and protected by the withdrawal agreement, including through smooth and simple administrative procedures and the role of the Court of justice of the European Union;
 - acknowledges that, as regards *Ireland*, there has been some progress on convergence on principles and objectives regarding protection of the Good Friday Agreement and maintenance of the Common Travel Area, and invites the Union negotiator to pursue further refinement of these principles, taking into account the major challenge that the UK's withdrawal represents, including as regards avoidance of a hard border, and therefore expecting the UK to present and commit to flexible and imaginative solutions called for by the unique situation of Ireland;
 - notes that, while the UK has stated that it will honour its *financial obligations* taken during its membership, this has not yet been translated into a firm and concrete commitment from the UK to settle all of these obligations.
2. Building on this progress, the European Council calls for work to continue with a view to consolidating the convergence achieved and pursuing negotiations in order to be able to move to the second phase of the negotiations as soon as possible.
3. At its next session in December, the European Council will reassess the state of progress in the negotiations with a view to determining whether sufficient progress has been achieved on each of the three above issues. If so, it will adopt additional guidelines in relation to the framework for the future relationship and on possible transitional arrangements which are in the interest of the Union and comply with the conditions and core principles of the guidelines of 29 April 2017. Against this background, the European Council invites the Council (Art. 50) together with the Union negotiator to start internal preparatory discussions.

⁷ Following the notification under Article 50 TEU, the member of the European Council representing the withdrawing Member State shall not participate in the discussions of the European Council or in decisions concerning it.

CONCLUSIONS OF THE EUROPEAN COUNCIL

– 14 DECEMBER 2017

I. SECURITY AND DEFENCE

Further to its December 2016 and June 2017 conclusions, the European Council reviewed progress achieved in the field of security and defence, and:

- welcomes the establishment of ambitious and inclusive permanent structured cooperation (PESCO) and stresses the importance of quickly implementing the first projects; calls on participating Member States to deliver on their national implementation plans;
- calls for further work on the European Defence Fund, and in particular the swift adoption in 2018 of the European Defence Industrial Development Programme, in time to finance the first capability projects in 2019;
- expects the Council to complete the comprehensive revision of the Athena mechanism for financing common costs of EU military missions and operations;
- requests that the Council adopt, in spring 2018, a recommendation on a new dedicated instrument covering all requirements for Capacity Building in support of Security and Development after 2020;
- asks for work to proceed on implementing the full set of proposals on EU-NATO cooperation, including the additional ones agreed in December;
- invites the High Representative, the Commission and the Member States to bring work forward on military mobility, both in PESCO and in the context of EU-NATO cooperation;
- invites the High Representative to report in June 2018 on the work undertaken to strengthen civilian CSDP and to produce, in consultation with the Member States and the Commission, a Civilian CSDP Compact in 2018.

The European Council will return to these matters in June 2018.

II. SOCIAL DIMENSION, EDUCATION AND CULTURE

Leaders highlighted the importance of the social, educational and cultural dimension of our policies in bringing Europeans together and building our common future. Under the Treaties, Member States remain primarily responsible for these areas, but much can be achieved by working together, while fully respecting the principles of subsidiarity and proportionality.

Social dimension

The Social Summit in Gothenburg recalled the need to put people first, to further develop the social dimension of the Union based on a shared commitment and established competences,

and to promote convergence through efforts at all levels, including by social partners. As a first step the following should be taken forward:

- implementing the European Pillar of Social Rights at Union and Member State level, with due regard to their respective competences; the Commission is invited to propose appropriate monitoring;
- facilitating a well-functioning social dialogue at all levels, including the 'new start for social dialogue' at EU level;
- progressing swiftly on pending social files at EU level, and being ready to examine future initiatives announced by the Commission in its Work Programme for 2018;
- following up on the priorities of the EU Action Plan to tackle the gender pay gap;
- delivering further on the new European Skills Agenda, with a particular focus in 2018 on implementing the Council Recommendation on Upskilling Pathways, intended for people with the greatest skills needs.

The European Council will come back to all these matters in March 2018 to ensure appropriate follow-up.

Education and culture

Education and culture are key to building inclusive and cohesive societies, and to sustaining our competitiveness. In Gothenburg we expressed a willingness to do more in these areas, in which the EU plays an important supplementing and supporting role. As a result, the European Council calls on Member States, the Council and the Commission, in line with their respective competences, to take work forward with a view to:

- stepping up mobility and exchanges, including through a substantially strengthened, inclusive and extended Erasmus+ programme;
- strengthening strategic partnerships across the EU between higher education institutions and encouraging the emergence by 2024 of some twenty 'European Universities', consisting in bottom-up networks of universities across the EU which will enable students to obtain a degree by combining studies in several EU countries and contribute to the international competitiveness of European universities;
- enhancing the learning of languages, so that more young people will speak at least two European languages in addition to their mother tongue;
- promoting student mobility and participation in educational and cultural activities, including through a 'European Student Card';

- promoting cooperation of Member States on mutual recognition of higher education and school leaving diplomas at secondary education level in the appropriate framework;
- taking the opportunity of the European Year of Cultural Heritage to increase awareness of the social and economic importance of culture and cultural heritage.

The Commission is invited to present, where relevant, proposals for Council recommendations in spring 2018 with a view to adoption by the Council as soon as possible.

The European Council also asks the Commission, the Council and the Member States to examine possible measures addressing:

- the skills challenges linked to digitalisation, cybersecurity, media literacy and artificial intelligence;
- the need for an inclusive, lifelong-learning-based and innovation-driven approach to education and training;
- the legal and financial framework conditions for the development of cultural and creative industries and the mobility of professionals of the cultural sector.

The issue of budgetary resources for the above activities will be addressed in the context of the next Multiannual Financial Framework.

III. CLIMATE CHANGE

The European Council welcomes the outcome of the One Planet Summit in Paris on 12 December 2017 aimed at scaling-up public and private finance in support of climate action, further to the COP 23 held in Bonn on 6-17 November 2017 and on the road to the COP 24 to be held in Katowice, where the Paris Agreement implementation package will be adopted. It strongly reaffirms the commitment of the EU and its Member States to swiftly and fully implement the Paris Agreement and to continue to lead in the fight against climate change, including through the adoption of pending legislative proposals at EU level.

IV. JERUSALEM

The EU reiterates its firm commitment to the two-state solution and, in this context, the EU position on Jerusalem remains unchanged.

GUIDELINES – EUROPEAN COUNCIL⁸ (ART. 50) – 15 DECEMBER 2017

1. The European Council welcomes the progress achieved during the first phase of negotiations as reflected in the Communication from the Commission⁹ and the Joint Report¹⁰ and decides that it is sufficient to move to the second phase related to transition and the framework for the future relationship. It calls on the Union negotiator and the United Kingdom to complete the work on all withdrawal issues, including those not yet addressed in the first phase, in conformity with the European Council guidelines of 29 April 2017, to consolidate the results obtained, and to start drafting the relevant parts of the Withdrawal Agreement. It underlines that negotiations in the second phase can only progress as long as all commitments undertaken during the first phase are respected in full and translated faithfully into legal terms as quickly as possible.
2. In the negotiations during the second phase addressing transitional arrangements as well as the overall understanding on the framework for the future relationship the European Council guidelines of 29 April 2017 continue to apply in their entirety and must be respected.
3. As regards transition, the European Council notes the proposal put forward by the United Kingdom for a transition period of around two years, and agrees to negotiate a transition period covering the whole of the EU acquis, while the United Kingdom, as a third country, will no longer participate in or nominate or elect members of the EU institutions, nor participate in the decision-making of the Union bodies, offices and agencies.
4. Such transitional arrangements, which will be part of the Withdrawal Agreement, must be in the interest of the Union, clearly defined and precisely limited in time. In order to ensure a level playing field based on the same rules applying throughout the Single Market, changes to the acquis adopted by EU institutions, bodies, offices and agencies will have to apply both in the United Kingdom and the EU.

All existing Union regulatory, budgetary, supervisory, judiciary and enforcement instruments and structures will also apply, including the competence of the Court of Justice of the European Union. As the United Kingdom will continue to participate in the Customs Union and the Single Market (with all four freedoms) during the transition, it will have to continue to comply with EU trade policy, to apply EU customs tariff and collect EU customs duties, and to ensure all EU checks are being performed on the border vis-à-vis other third countries.

5. The European Council calls on the Commission to put forward appropriate recommendations to this effect, and on the Council to adopt additional negotiating directives on transitional arrangements in January 2018.
6. The European Council reconfirms its desire to establish a close partnership between the Union and the United Kingdom. While an agreement on a future relationship can only be finalised and concluded once the United Kingdom has become a third country, the Union will be ready to engage in preliminary and preparatory discussions with the aim of identifying an overall understanding of the framework for the future relationship, once additional guidelines have been adopted to this effect. Such an understanding should be elaborated in a political declaration accompanying and referred to in the Withdrawal Agreement.
7. The Union takes note that the United Kingdom has stated its intention to no longer participate in the Customs Union and the Single Market after the end of the transition period, and the European Council will calibrate its approach as regards trade and economic cooperation in the light of this position so as to ensure a balance of rights and obligations, preserve a level playing field, avoid upsetting existing relations with other third countries, and to respect all other principles set out in its guidelines of 29 April 2017, in particular the need to preserve the integrity and proper functioning of the Single Market.

8 Following the notification under Article 50 TEU, the member of the European Council representing the withdrawing Member State shall not participate in the discussions of the European Council or in decisions concerning it.

9 Communication from the Commission to the European Council (Article 50) on the state of progress of the negotiations with the United Kingdom under Article 50 of the Treaty on European Union, COM(2017) 784 final.

10 Joint report from the negotiators of the European Union and the United Kingdom Government on progress during phase 1 of negotiations under Article 50 TEU on the United Kingdom's orderly withdrawal from the European Union.

8. The European Council reconfirms its readiness to establish partnerships in areas unrelated to trade and economic cooperation, in particular the fight against terrorism and international crime, as well as security, defence and foreign policy.

The European Council will continue to follow the negotiations closely and will adopt additional guidelines in March 2018, in particular as regards the framework for the future relationship. It calls on the United Kingdom to provide further clarity on

its position on the framework for the future relationship. The European Council invites the Council (Art. 50) together with the Union negotiator to continue internal preparatory discussions, including on the scope of the framework for the future relationship.

CONCLUSIONS OF THE EUROPEAN COUNCIL

– 22 MARCH 2018

I. JOBS, GROWTH AND COMPETITIVENESS

Single Market

1. The European Council calls for increased efforts to deliver, before the end of the current legislative cycle, on the Single Market strategy, the Digital Single Market strategy, the Capital Markets Union Action Plan and the Energy Union, including through the swift examination of recent Commission proposals. Decisions already taken must be implemented effectively. Looking beyond the completion and implementation of the strategies, the EU needs to keep working towards a future-proof and fair single market that is fit for the digital age and an enabler for competitiveness, innovation and sustainability. The European Council therefore invites the Commission to present to the Council, before the Leaders' Agenda discussion in December 2018, a state of play regarding the implementation, application and enforcement of existing legislation that is key for the functioning of the Single Market and an assessment of remaining barriers to and opportunities for a fully functioning Single Market. To reap the maximum benefits of the Single Market the EU needs a strong industrial policy.

Trade

2. The European Council reaffirms its commitment to an open and rules-based multilateral trading system with the WTO at its core, firm in the belief that free and fair trade is one of the most powerful engines for growth, supporting millions of jobs and contributing to prosperity. The European Council encourages progress on all ongoing negotiations for ambitious and balanced free trade agreements, in particular with Mexico and Mercosur. It looks forward to the signature and conclusion of the agreements reached with Japan and Singapore. The Commission will examine how to strengthen the enforcement of commitments undertaken by third countries. The EU will continue to pursue a robust trade policy, to promote its values and standards globally and to seek a level playing field. In this context, the European Council calls on the co-legislators to make progress on the pending legislative proposals in the fields of investment and public procurement.
3. The European Council regrets the decision by the United States to impose import tariffs on steel and aluminium. These measures cannot be justified on the grounds of national security, and sector-wide protection in the US is an inappropriate remedy for the real problems of overcapacity, on which the EU already has offered

the US its full cooperation in multiple fora, including the Global Forum. It takes note that shipments of steel and aluminium from the European Union have been temporarily exempted from such measures, and calls for that exemption to be made permanent. The European Council strongly supports the steps taken by the Commission to ensure that the interests of the EU are fully protected and to reserve its rights, in compliance with World Trade Organisation rules, to respond to the US measures as appropriate and in a proportionate manner. The European Council recalls its commitment to strong transatlantic relations as a cornerstone of the security and prosperity of both the United States and the European Union, and underlines its support for a dialogue on trade issues of common concern.

European Semester

4. The European Council endorses the policy priority areas of the Annual Growth Survey and invites Member States to reflect them in their forthcoming National Reform Programmes and Stability or Convergence Programmes. The European Council also endorses the draft Council recommendation on the economic policy of the euro area.

Social issues

5. Delivering on the European Pillar of Social Rights is a shared political commitment and responsibility of the EU and its Member States. Its implementation will be monitored with due regard to the respective competences of the Union and Member States. The European Council invites the Council to examine the initiatives presented by the Commission under the Social Fairness package, including the proposal on a European Labour Authority.

II. OTHER ITEMS

Paris Agreement

6. The European Council invites the Commission to present by the first quarter of 2019 a proposal for a Strategy for long-term EU greenhouse gas emissions reduction in accordance with the Paris Agreement, taking into account the national plans.

Digital Europe

7. Social networks and digital platforms need to guarantee transparent practices and full protection of citizens' privacy and personal data. EU and national legislation must be respected and enforced. This important issue, together with other issues relating to Digital Europe, including the adoption of all the legislative instruments establishing the Digital Single Market in 2018, and the

promotion of research and innovation, such as artificial intelligence and the means to support breakthrough innovation and the development of digital skills, will be discussed by the Heads at their informal meeting in Sofia in May.

Western Balkans

8. Against the background of the Commission Communication of 6 February 2018, the European Council:
 - looks forward to the EU-Western Balkans Summit to be held in Sofia on 17 May 2018, which is expected to focus on reaffirming the European perspective of the region, launching concrete and visible initiatives to improve the physical and human connectivity within the region and with the EU, and addressing how to better engage together on shared challenges such as security and migration;
 - confirms that enlargement will be addressed by the Council in June.

Salisbury attack

9. The European Council condemns in the strongest possible terms the recent attack in Salisbury, expresses its deepest sympathies to all whose lives have been threatened and lends its support to the ongoing investigation. It agrees with the United Kingdom government's assessment that it is highly likely that the Russian Federation is responsible and that there is no plausible alternative explanation. We stand in unqualified solidarity with the United Kingdom in the face of this grave challenge to our shared security.
10. The use of chemical weapons, including the use of any toxic chemicals as weapons under any circumstances, is completely unacceptable, must be systematically and rigorously condemned and constitutes a security threat to us all. Member States will coordinate on the consequences to be drawn in the light of the answers provided by the Russian authorities. The European Union will remain closely focused on this issue and its implications.

11. Against this background, the European Union must strengthen its resilience to Chemical, Biological, Radiological and Nuclear-related risks, including through closer cooperation between the European Union and its Member States as well as NATO. The European Union and its Member States should also continue to bolster their capabilities to address hybrid threats, including in the areas of cyber, strategic communication and counter-intelligence. The European Council invites the European Commission and the High Representative to take this work forward and report on progress by the June European Council.

Actions by Turkey in the Eastern Mediterranean and the Aegean Sea

12. The European Council strongly condemns Turkey's continued illegal actions in the Eastern Mediterranean and the Aegean Sea and underlines its full solidarity with Cyprus and Greece.
13. Recalling its conclusions of October 2014 and the Declaration of 21 September 2005, the European Council urgently calls on Turkey to cease these actions and respect the sovereign rights of Cyprus to explore and exploit its natural resources in accordance with EU and International Law.
14. In this context, it recalls Turkey's obligation to respect International Law and good neighbourly relations, and normalize relations with all EU Member States including the Republic of Cyprus.
15. The European Council expressed its grave concern over the continued detention of EU citizens in Turkey, including two Greek soldiers, and calls for the swift and positive resolution of these issues in a dialogue with Member States.
16. The European Council will remain seized of these matters.

GUIDELINES – EUROPEAN COUNCIL¹¹ (ART. 50)

– 23 MARCH 2018

1. The European Council welcomes the agreement reached by the negotiators on parts of the legal text of the Withdrawal Agreement covering citizens' rights, the financial settlement, a number of other withdrawal issues and the transition. The European Council recalls that other issues still require agreement and negotiations can only progress as long as all commitments undertaken so far are respected in full, and welcomes in this respect Prime Minister May's written assurances notably regarding Ireland/Northern Ireland. The European Council calls for intensified efforts on the remaining withdrawal issues as well as issues related to the territorial application of the Withdrawal Agreement, notably as regards Gibraltar, and reiterates that nothing is agreed until everything is agreed.
2. The European Council recalls and reconfirms its guidelines of 29 April and 15 December 2017, which continue to apply in full and whose principles will have to be respected by the future relationship with the UK. The European Council takes note of the European Parliament resolution of 14 March 2018 on the framework of the future EU-UK relationship.
3. The European Council restates the Union's determination to have as close as possible a partnership with the UK in the future. Such a partnership should cover trade and economic cooperation as well as other areas, in particular the fight against terrorism and international crime, as well as security, defence and foreign policy.
4. At the same time, the European Council has to take into account the repeatedly stated positions of the UK, which limit the depth of such a future partnership. Being outside the Customs Union and the Single Market will inevitably lead to frictions in trade. Divergence in external tariffs and internal rules as well as absence of common institutions and a shared legal system, necessitates checks and controls to uphold the integrity of the EU Single Market as well as of the UK market. This unfortunately will have negative economic consequences, in particular in the United Kingdom.
5. Against this background, the European Council sets out the following guidelines with a view to the opening of negotiations on the overall understanding of the framework for the future relationship, that will be elaborated in a political declaration accompanying and referred to in the Withdrawal Agreement.
6. The approach outlined below reflects the level of rights and obligations compatible with the positions stated by the UK. If these positions were to evolve, the Union will be prepared to reconsider its offer in accordance with the principles stated in the guidelines of 29 April and of 15 December 2017 as well as in the present guidelines.
7. In this context, the European Council reiterates in particular that any agreement with the United Kingdom will have to be based on a balance of rights and obligations, and ensure a level playing field. A non-member of the Union, that does not live up to the same obligations as a member, cannot have the same rights and enjoy the same benefits as a member.

The European Council recalls that the four freedoms are indivisible and that there can be no 'cherry picking' through participation in the Single Market based on a sector-by-sector approach, which would undermine the integrity and proper functioning of the Single Market.

The European Council further reiterates that the Union will preserve its autonomy as regards its decision-making, which excludes participation of the United Kingdom as a third-country in the Union Institutions and participation in the decision-making of the Union bodies, offices and agencies. The role of the Court of Justice of the European Union will also be fully respected.
8. As regards the core of the economic relationship, the European Council confirms its readiness to initiate work towards a balanced, ambitious and wide-ranging free trade agreement (FTA) insofar as there are sufficient guarantees for a level playing field. This agreement will be finalised and concluded once the UK is no longer a Member State. Such an agreement cannot however offer the same benefits as Membership and cannot amount to participation in the Single Market or parts thereof. This agreement would address:
 - i) trade in goods, with the aim of covering all sectors and seeking to maintain zero tariffs and no quantitative restrictions with appropriate accompanying rules of origin.

¹¹ Following a notification under Article 50 TEU, the member of the European Council representing the withdrawing Member State shall not participate in the discussions of the European Council or in decisions concerning it.

In the overall context of the FTA, existing reciprocal access to fishing waters and resources should be maintained;

- ii) appropriate customs cooperation, preserving the regulatory and jurisdictional autonomy of the parties and the integrity of the EU Customs Union;
 - iii) disciplines on technical barriers to trade (TBT) and sanitary and phytosanitary (SPS) measures;
 - iv) a framework for voluntary regulatory cooperation;
 - v) trade in services, with the aim of allowing market access to provide services under host state rules, including as regards right of establishment for providers, to an extent consistent with the fact that the UK will become a third country and the Union and the UK will no longer share a common regulatory, supervisory, enforcement and judiciary framework;
 - vi) access to public procurement markets, investments and protection of intellectual property rights, including geographical indications, and other areas of interest to the Union.
9. The future partnership should address global challenges, in particular in the areas of climate change and sustainable development, as well as cross-border pollution, where the Union and the UK should continue close cooperation.
 10. The future partnership should include ambitious provisions on movement of natural persons, based on full reciprocity and non-discrimination among Member States, and related areas such as coordination of social security and recognition of professional qualifications. In this context, options for judicial cooperation in matrimonial, parental responsibility and other related matters could be explored, taking into account that the UK will be a third country outside Schengen and that such cooperation would require strong safeguards to ensure full respect of fundamental rights.
 11. In terms of socio-economic cooperation, the following could be envisaged:
 - i) regarding transport services, the aim should be to ensure continued connectivity between the UK and the EU after the UK withdrawal. This could be achieved, *inter alia*, through an air transport agreement, combined with aviation safety and security agreements, as well as agreements on other modes of transport, while ensuring a strong level playing field in highly competitive sectors;
 - ii) regarding certain Union programmes, e.g. in the fields of research and innovation and of education and culture, any participation of the UK should be subject to the relevant conditions for the participation of third countries to be established in the corresponding programmes.
 12. Given the UK's geographic proximity and economic interdependence with the EU27, the future relationship will only deliver in a mutually satisfactory way if it includes robust guarantees which ensure a level playing field. The aim should be to prevent unfair competitive advantage

that the UK could enjoy through undercutting of levels of protection with respect to, *inter alia*, competition and state aid, tax, social, environment and regulatory measures and practices. This will require a combination of substantive rules aligned with EU and international standards, adequate mechanisms to ensure effective implementation domestically, enforcement and dispute settlement mechanisms in the agreement as well as Union autonomous remedies, that are all commensurate with the depth and breadth of the EU-UK economic connectedness.

Any future framework should safeguard financial stability in the Union and respect its regulatory and supervisory regime and standards and their application.

13. In other areas than trade and economic cooperation, where the Union has already signalled its readiness to establish specific partnerships, the European Council considers that:
 - i) law enforcement and judicial cooperation in criminal matters should constitute an important element of the future EU-UK relationship in the light of the geographic proximity and shared threats faced by the Union and the UK, taking into account that the UK will be a third country outside Schengen. The future partnership should cover effective exchanges of information, support for operational cooperation between law enforcement authorities and judicial cooperation in criminal matters. Strong safeguards will need to be established that ensure full respect of fundamental rights and effective enforcement and dispute settlement mechanisms;
 - ii) in view of our shared values and common challenges, there should be a strong EU-UK cooperation in the fields of foreign, security and defence policy. A future partnership should respect the autonomy of the Union's decision-making, taking into account that the UK will be a third country, and foresee appropriate dialogue, consultation, coordination, exchange of information, and cooperation mechanisms. As a pre-requisite for the exchange of information in the framework of such cooperation a Security of Information Agreement would have to be put in place.
14. In the light of the importance of data flows in several components of the future relationship, it should include rules on data. As regards personal data, protection should be governed by Union rules on adequacy with a view to ensuring a level of protection essentially equivalent to that of the Union.
15. The governance of our future relationship with the UK will have to address management and supervision, dispute settlement and enforcement, including sanctions and cross-retaliation mechanisms. Designing the overall governance of the future relationship will require to take into account:
 - i) the content and depth of the future relationship;
 - ii) the necessity to ensure effectiveness and legal certainty;

- iii) the requirements of the autonomy of the EU legal order, including the role of the Court of Justice of the European Union, notably as developed in the jurisprudence.
16. The European Council, with the support of the Council, will continue to follow the negotiations closely, in all their aspects, and will return in particular to the remaining withdrawal issues and to the framework for the future

relationship at its June meeting. In the meantime, the European Council calls upon the Commission, the High Representative of the Union for Foreign Affairs and Security Policy and the Member States to continue the work on preparedness at all levels for the consequences of the UK withdrawal, taking into account all possible outcomes.

REMARKS BY PRESIDENT DONALD TUSK AHEAD OF THE EU–WESTERN BALKANS SUMMIT, SOFIA – 16 MAY 2018

We are ahead of a summit during which EU leaders will discuss innovation, European future for Western Balkans, and the response to President Trump's policies on trade and Iran.

Starting with our dinner tonight, we will have a debate on innovation and the digital economy. Europe is lagging behind other major economies in terms of innovation. Innovation is set to impact our lives at an ever-growing pace over the coming years, raising not only hopes but also ethical questions. Europe needs to play an active part in this transformation, as it will be the reality of all Europeans. That is why tonight, I will ask EU leaders two questions: *What do they want to do at the EU level to boost breakthrough innovation?* And: *How do they want the EU become a major player in big data?*

Following last week's announcement of the United States withdrawal from the Joint Comprehensive Plan of Action with Iran, we need a united European front. I want leaders to reconfirm that the EU sticks to the deal as long as Iran does. The deal is good for European and global security, which is why we must maintain it. Despite the US hesitation. We will also look at options for the EU to protect European companies from negative consequences of the US decision. And I want the European Commission to be given a green light, so that it is ready to act whenever European interests are affected. We should also seek ways, together with other partners, to address very real concerns over Iran's ballistic missile programme and its regional activities.

Trade is another topic for tonight's discussion. We will decide on the best way forward in EU-US trade relations. Here again, unity is our greatest strength. And my objective is simple: we stick to our guns. This means a permanent exemption from US tariffs on aluminium and steel if we are to discuss possible trade liberalisation with the US. The EU and US are friends and partners, therefore US tariffs cannot be justified on the basis of national security. It is absurd to even think that the EU could be a threat to the US. We need to bring back reality in this discussion, which is not the case today.

Tomorrow, we will meet our Western Balkan partners collectively for the first time in fifteen years. It will be an opportunity for both sides to reaffirm that the European perspective remains the Western Balkans' geostrategic choice. Beyond the longer-term outlook, we want to demonstrate that we care about socio-economic development in the region here and now. Investing in infrastructural and human connections with and within the Western Balkans is in the EU's best interest. And it will be the objective of our summit. I hope to bring our Western Balkan friends closer to the EU.

Everything we are going to discuss today and tomorrow, has a global dimension. I have no doubt that in the new global game, Europe will either be one of the major players, or a pawn. This is the only real alternative. In order to be the subject and not the object of global politics, Europe must be united economically, politically and also militarily like never before. To put it simply: either we are together, or we will not be at all.

Besides traditional political challenges such as the rise of China, or the aggressive stance of Russia, we are witnessing today a new phenomenon: the capricious assertiveness of the American administration. Looking at the latest decisions of President Trump someone could even think: with friends like that who needs enemies. But frankly speaking, Europe should be grateful to President Trump. Because thanks to him we have got rid of all illusions. He has made us realise that if you need a helping hand, you will find one at the end of your arm. Europe must do everything in its power to protect, in spite of today's mood, the transatlantic bond. But at the same time we must be prepared for those scenarios, where we will have to act on our own. We have enough potential to rise to the challenge. But what we need is more political unity and determination. There is no single objective reason why Europe should have any complexes about anyone else. Being a European is a reason to be proud. We have a right and an obligation to hold our heads up high, both when with our enemies and when with our friends. And this is what, in some sense, our summit will be about.

CONCLUSIONS OF THE EUROPEAN COUNCIL – 28 JUNE 2018

I. MIGRATION

1. The European Council reconfirms that a precondition for a functioning EU policy relies on a comprehensive approach to migration which combines more effective control of the EU's external borders, increased external action and the internal aspects, in line with our principles and values. This is a challenge not only for a single Member State, but for Europe as a whole. Since 2015 a number of measures have been put in place to achieve the effective control of the EU's external borders. As a result, the number of detected illegal border crossings into the EU has been brought down by 95% from its peak in October 2015, even if flows have been picking up recently on the Eastern and Western Mediterranean routes.
2. The European Council is determined to continue and reinforce this policy to prevent a return to the uncontrolled flows of 2015 and to further stem illegal migration on all existing and emerging routes.
3. As regards the Central Mediterranean Route, efforts to stop smugglers operating out of Libya or elsewhere should be further intensified. The EU will continue to stand by Italy and other frontline Member States in this respect. It will step up its support for the Sahel region, the Libyan Coastguard, coastal and Southern communities, humane reception conditions, voluntary humanitarian returns, cooperation with other countries of origin and transit, as well as voluntary resettlement. All vessels operating in the Mediterranean must respect the applicable laws and not obstruct operations of the Libyan Coastguard.
4. As regards the Eastern Mediterranean Route, additional efforts are needed to fully implement the EU-Turkey Statement, prevent new crossings from Turkey and bring the flows to a halt. The EU-Turkey readmission agreement and the bilateral readmission agreements should be fully implemented in a non-discriminatory manner towards all Member States. More efforts are urgently needed to ensure swift returns and prevent the development of new sea or land routes. Cooperation with, and support for, partners in the Western Balkans region remain key to exchange information on migratory flows, prevent illegal migration, increase the capacities for border protection and improve return and readmission procedures. In the light of the recent increase in flows in the Western Mediterranean, the EU will support, financially and otherwise, all efforts by Member States, especially Spain, and countries of origin and transit, in particular Morocco, to prevent illegal migration.
5. In order to definitively break the business model of the smugglers, thus preventing tragic loss of life, it is necessary to eliminate the incentive to embark on perilous journeys. This requires a new approach based on shared or complementary actions among the Member States to the disembarkation of those who are saved in Search And Rescue operations. In that context, the European Council calls on the Council and the Commission to swiftly explore the concept of regional disembarkation platforms, in close cooperation with relevant third countries as well as UNHCR and IOM. Such platforms should operate distinguishing individual situations, in full respect of international law and without creating a pull factor.
6. On EU territory, those who are saved, according to international law, should be taken charge of, on the basis of a shared effort, through the transfer in controlled centres set up in Member States, only on a voluntary basis, where rapid and secure processing would allow, with full EU support, to distinguish between irregular migrants, who will be returned, and those in need of international protection, for whom the principle of solidarity would apply. All the measures in the context of these controlled centres, including relocation and resettlement, will be on a voluntary basis, without prejudice to the Dublin reform.
7. The European Council agrees on launching the second tranche of the Facility for Refugees in Turkey and at the same time on transferring 500 million euro from the 11th EDF reserve to the EU Trust Fund for Africa. Member States are moreover called upon to contribute further to the EU Trust Fund for Africa with a view to its replenishment.
8. Tackling the migration problem at its core requires a partnership with Africa aiming at a substantial socio-economic transformation of the African continent building upon the principles and objectives as defined by the African countries in their Agenda 2063. The European Union and its Member States must rise to this challenge. We need to take the extent and the quality of our cooperation with Africa to a new level. This will not only require increased development funding but also steps towards creating a new framework enabling a substantial increase of private investment from both Africans and Europeans. Particular focus should be laid on education, health, infrastructure, innovation, good governance and women's empowerment. Africa is our neighbour and this must be expressed by increased exchanges and contacts amongst the peoples of both continents on all levels of civil society. Cooperation between the European Union and the African Union is an important element of our

relationship. The European Council calls for further developing and promoting it.

9. In the context of the next Multiannual Financial Framework, the European Council underlines the need for flexible instruments, allowing for fast disbursement, to combat illegal migration. The internal security, integrated border management, asylum and migration funds should therefore include dedicated, significant components for external migration management.
10. The European Council recalls the need for Member States to ensure the effective control of the EU's external borders with EU financial and material support. It also underlines the necessity to significantly step up the effective return of irregular migrants. In both respects, the supportive role of FRONTEX, including in the cooperation with third countries, should be further strengthened through increased resources and an enhanced mandate. It welcomes the intention of the Commission to make legislative proposals for a more effective and coherent European return policy.
11. Concerning the situation internally in the EU, secondary movements of asylum seekers between Member States risk jeopardising the integrity of the Common European Asylum System and the Schengen acquis. Member States should take all necessary internal legislative and administrative measures to counter such movements and to closely cooperate amongst each other to that end.
12. As regards the reform for a new Common European Asylum System, much progress has been achieved thanks to the tireless efforts of the Bulgarian and previous Presidencies. Several files are close to finalisation. A consensus needs to be found on the Dublin Regulation to reform it based on a balance of responsibility and solidarity, taking into account the persons disembarked following Search And Rescue operations. Further examination is also required on the Asylum Procedures proposal. The European Council underlines the need to find a speedy solution to the whole package and invites the Council to continue work with a view to concluding as soon as possible. There will be a report on progress during the October European Council.

II. SECURITY AND DEFENCE

13. Europe must take greater responsibility for its own security and underpin its role as a credible and reliable actor and partner in the area of security and defence. The Union is therefore taking steps to bolster European defence, by enhancing defence investment, capability development and operational readiness. These initiatives enhance its strategic autonomy while complementing and reinforcing the activities of NATO, in line with previous conclusions. The European Council:
 - calls for the fulfilment of the PESCO commitments and the further development of the initial projects and the institutional framework, in a way that is fully consistent with the Coordinated Annual Review on Defence and the revised Capability Development

Plan adopted within the European Defence Agency. A next set of projects will be agreed in November 2018. It invites the Council to decide on the conditions for third State participation in PESCO projects;

- welcomes progress on military mobility in the framework of PESCO and EU-NATO cooperation, expects the military requirements under the EU Action Plan on military mobility now to be finalised, and calls on Member States to simplify and standardise relevant rules and procedures by 2024. These efforts, which should fully respect the sovereignty of the Member States, be mutually reinforcing and follow a whole-of-government approach, will be reviewed yearly on the basis of a report by the Commission and the High Representative, starting in spring 2019;
- calls for the swift implementation of the European Defence Industrial Development Programme and for further progress on the European Defence Fund both in its research and capability windows;
- welcomes the work undertaken to strengthen civilian CSDP and calls for an agreement on a civilian CSDP Compact by the end of this year, thus providing a new EU framework for civilian crisis management and CSDP missions, with ambitious commitments at EU and national level. It recalls that military and civilian aspects need to be addressed in a comprehensive manner with a focus on concrete deliverables;
- welcomes the Joint Communication on Europe's resilience to hybrid and Chemical, Biological, Radiological and Nuclear-related threats and calls for the adoption as soon as possible of a new EU regime of restrictive measures to address the use and proliferation of chemical weapons. Following the extraordinary Conference of States Parties to the Chemical Weapons Convention, the EU commits itself to supporting the implementation of its outcomes;
- invites the High Representative and the Commission to present, in cooperation with the Member States and in line with the March 2015 European Council conclusions, an action plan by December 2018 with specific proposals for a coordinated EU response to the challenge of disinformation, including appropriate mandates and sufficient resources for the relevant EEAS Strategic Communications teams;
- stresses the need to strengthen capabilities against cybersecurity threats from outside the EU and asks the institutions and Member States to implement the measures referred to in the Joint Communication, including the work on attribution of cyber-attacks and the practical use of the cyber diplomacy toolbox;
- calls for further coordination between Member States and, as appropriate, at EU level and in consultation with NATO, to reduce the threat from hostile intelligence activities;
- calls for further deepening of EU-NATO cooperation, in full respect of the principles of inclusiveness,

reciprocity and decision-making autonomy of the EU, including through a new Joint Declaration, building on the progress made in implementing the 2016 Joint Declaration and the related proposals for action;

- welcomes the intention of the Commission to present a legislative proposal to improve the detection and removal of content that incites hatred and to commit terrorist acts.

III. JOBS, GROWTH AND COMPETITIVENESS

14. The European Council endorses the integrated country-specific recommendations as discussed by the Council, thus allowing the conclusion of the 2018 European Semester. The current good economic situation should be used for strengthening the reform momentum.
15. Ensuring fair and effective taxation remains a key priority. In that context, the fight against tax avoidance, evasion and fraud must be vigorously pursued both at global level (notably in the OECD) and within the EU. At the same time, there is a real need to adapt our taxation systems to the digital era. The Council should therefore take work forward on the Commission proposals on digital taxation. Work should also continue on how to ensure effective VAT collection, including swift progress on the Commission proposals on short-term measures.
16. In a context of growing trade tensions, the European Council underlines the importance of preserving and deepening the rules-based multilateral system. The EU is committed to working towards its modernisation and calls on all partners to contribute positively to this goal. It invites the Commission to propose a comprehensive approach to improving, together with like-minded partners, the functioning of the WTO in crucial areas such as (i) more flexible negotiations, (ii) new rules that address current challenges, including in the field of industrial subsidies, intellectual property and forced technology transfers, (iii) reduction of trade costs, (iv) a new approach to development, (v) more effective and transparent dispute settlement, including the Appellate Body, with a view to ensuring a level playing field, and (vi) strengthening the WTO as an institution, including in its transparency and surveillance function.
17. As part of its positive trade agenda, the EU will continue to negotiate ambitious, balanced and mutually beneficial trade agreements with key partners across the world, promoting its values and standards. The recent adoption of the regulation on the modernisation of trade defence instruments will contribute to ensuring a level playing field. The European Council calls for the legislative proposal on the screening of foreign direct investments to be adopted as soon as possible.
18. In reaction to the United States' decision to impose tariffs on the EU for steel and aluminium products, which cannot be justified on the grounds of national security, the European Council fully supports the rebalancing measures, potential safeguard measures to protect our

own markets, and the legal proceedings at the WTO, as decided on the initiative of the Commission. The EU must respond to all actions of a clear protectionist nature, including those calling into question the Common Agricultural Policy.

IV. INNOVATION AND DIGITAL

19. Europe must further develop its high-quality research across the EU and turn it into new products, services and business models. We need a stronger, inclusive innovation ecosystem to foster breakthrough and market-creating innovation and provide comprehensive support for businesses, including SMEs, with disruptive potential to successfully enter global markets.
20. It is vital to deliver on the remaining legislative proposals concerning the Digital Single Market before the end of the current legislative cycle. To build a European data economy, further action is needed to improve the efficient use of data across the EU and foster trust through high data protection standards and full implementation and proportionate enforcement of the General Data Protection Regulation in respect of all economic actors doing business in our single market. High-quality data are essential for the development of Artificial Intelligence. The European Council invites the co-legislators to swiftly examine the latest data package. It invites the Commission to work with Member States on a coordinated plan on Artificial Intelligence, building on its recent communication.
21. In line with the informal Leaders' discussion in Sofia, the European Council insists on improving businesses' access to financing, including by better coordinating EU and national research and innovation funding schemes and instruments, on providing a favourable regulatory environment that supports greater risk-taking, and on promoting digital skills as well as links between academia, industry and governments. Cooperation between research, innovation and education should be encouraged, including through the European Universities initiative.
22. The European Council invites the Commission to launch a new pilot initiative on breakthrough innovation within the remaining period of Horizon 2020. A European Innovation Council will be set up under the next Multiannual Financial Framework to identify and scale up breakthrough and disruptive innovation.

V. OTHER ISSUES

23. The European Council strongly welcomes and supports the agreement reached between the former Yugoslav Republic of Macedonia and Greece on the name issue. This, together with the agreement between Bulgaria and the former Yugoslav Republic of Macedonia on the Treaty of Friendship, Good Neighbourliness, and Cooperation, sets a strong example for others in the region to strengthen good neighbourly relations.

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| <p>24. The European Council endorses the conclusions on enlargement and stabilisation and association process adopted by the Council on 26 June 2018.</p> <p>25. The European Council reiterates its full support for UNSC Resolution 2166 concerning the downing of flight MH-17. It calls on the Russian Federation to accept its responsibility and to fully cooperate with all efforts to establish truth, justice and accountability.</p> | <p>26. The European Council takes note of the package of proposals on the Multiannual Financial Framework for the period 2021-2027 presented by the Commission on 2 May 2018, as well as of the sectoral legislative proposals for programmes supporting European policies presented since. It invites the European Parliament and the Council to examine these proposals in a comprehensive manner and as soon as possible.</p> |
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CONCLUSIONS OF THE EUROPEAN COUNCIL¹² (ART. 50) – 29 JUNE 2018

1. In light of the state of play presented by the Union negotiator, the European Council welcomes the further progress made on parts of the legal text of the Withdrawal Agreement. The European Council takes note, however, that other important aspects still need to be agreed, including the territorial application of the Withdrawal Agreement, notably as regards Gibraltar.
2. The European Council expresses its concern that no substantial progress has yet been achieved on agreeing a backstop solution for Ireland/Northern Ireland. It recalls the commitments undertaken by the UK in this respect in December 2017 and March 2018, and insists on the need for intensified efforts so that the Withdrawal Agreement, including its provisions on transition, can be concluded as soon as possible in order to come into effect on the date of withdrawal. It recalls that negotiations can only progress as long as all commitments undertaken so far are respected in full.
3. Work must also be accelerated with a view to preparing a political declaration on the framework for the future relationship. This requires further clarity as well as realistic and workable proposals from the UK as regards its position on the future relationship. The European Council reconfirms the principles set out in its guidelines and the position defined in March 2018. The European Council recalls that if the UK positions were to evolve, the Union will be prepared to reconsider its offer in accordance with the principles stated in the guidelines of 29 April and 15 December 2017 as well as of 23 March 2018.
4. The European Council renews its call upon Member States, Union institutions and all stakeholders to step up their work on preparedness at all levels and for all outcomes.

12 Following a notification under Article 50 TEU, the member of the European Council representing the withdrawing Member State shall not participate in the discussions of the European Council or in decisions concerning it.

STATEMENT BY THE EURO SUMMIT – 29 JUNE 2018

In line with the Leaders' Agenda and the outcome of its December 2017 meeting, welcoming national contributions, including the one presented by France and Germany, the Euro Summit today agreed on the following:

1. The agreement in the Council on the Banking package should allow the co-legislators to adopt it before the end of the year while preserving the overall balance. Adhering to all elements of the 2016 roadmap in the appropriate sequence, work should start on a roadmap for beginning political negotiations on the European Deposit Insurance Scheme.
2. The ESM will provide the common backstop to the Single Resolution Fund (SRF) and be strengthened working on

the basis of all elements of an ESM reform as set out in the letter of the Eurogroup President. The Eurogroup will prepare the terms of reference of the common backstop and agree on a term sheet for the further development of the ESM by December 2018.

3. The Eurogroup will further discuss all the items mentioned in the letter by the Eurogroup President.
4. The Euro Summit will come back to these issues in December 2018.

The Euro Summit welcomes the Eurogroup Statement of 21 June 2018 on the final disbursement of ESM financing to Greece and on the medium-term debt relief measures, which successfully complete the financial assistance to Greece.

Cover photos

Above from left: World leaders at the G7 meeting in Charlevoix, Canada, June 2018;
the European Council at meeting in the Europa building in Brussels; President Donald Tusk
Below: the PESCO meeting in the Europa building in Brussels, December 2017

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