



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2018) 2251 final

- English language version of the French text which is authentic –

Brussels, 2 May 2018

TEXTE EN

MINUTES

of the 2251st meeting of the Commission

held in Strasbourg

(Winston Churchill)

on Tuesday 17 April 2018

(afternoon)

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Single sitting: Tuesday 17 April 2018 (afternoon)

The sitting opened at 13.54 with Mr JUNCKER, President, in the chair.

Present:

Mr JUNCKER	President	
Ms MOGHERINI	High Representative / Vice-President	Items 1 to 7
Mr DOMBROVSKIS	Vice-President	
Mr KATAINEN	Vice-President	
Mr OETTINGER	Member	Items 1 to 7 (in part)
Mr HAHN	Member	Items 1 to 7
Ms MALMSTRÖM	Member	
Mr MIMICA	Member	
Mr ARIAS CAÑETE	Member	
Mr VELLA	Member	
Mr ANDRIUKAITIS	Member	
Mr AVRAMOPOULOS	Member	Items 1 to 7
Mr STYLIANIDES	Member	
Mr HOGAN	Member	
Ms BULC	Member	
Ms BIENKOWSKA	Member	
Ms JOUROVÁ	Member	
Mr NAVRACSICS	Member	
Ms CREȚU	Member	
Ms VESTAGER	Member	
Mr MOEDAS	Member	
Sir Julian KING	Member	
Ms GABRIEL	Member	Items 7 (in part) to 15/20 (in part)

Absent:

Mr TIMMERMANS	First Vice-President
Mr ANSIP	Vice-President
Mr ŠEFČOVIČ	Vice-President
Ms THYSSEN	Member
Mr MOSCOVICI	Member

(17 April 2018)

The following sat in to represent absent Members of the Commission:

Ms SUTTON	Deputy Chef de cabinet to Mr TIMMERMANS	
Ms KLOC	Deputy Chef de cabinet to Mr ANSIP	
Mr SZAPIRO	A member of Mr ŠEFČOVIČ's staff	Items 1 to 15/20 (in part)

The following also sat in:

Ms MARTÍNEZ ALBEROLA	Chef de cabinet to the PRESIDENT	
Mr ROMERO REQUENA	Director-General, Legal Service	
Mr PESONEN	Director-General, DG Communication	
Mr SCHINAS	Head of the Spokesperson's Service and Chief Spokesperson of the Commission	
Mr SWIEBODA	European Political Strategy Centre	
Mr SZOSTAK	Deputy Chef de cabinet to the PRESIDENT	
Ms SILLAVEE	PRESIDENT's Office	
Mr KARNITSCHNIG	Chef de cabinet to Mr HAHN	Items 1 to 7
Mr ROSSIDES	A member of Mr AVRAMOPOULOS's staff	Items 8 to 14
Ms NIKOLAY	Chef de cabinet to Ms JOUROVÁ	Items 1 to 14
Ms DEKA	A member of Sir Julian KING's staff	Items 8 to 14
Mr SNELS	Secretariat-General	
Ms ANDREEVA	Commission Spokesperson's Service	

Secretary: Mr SELMAYR, Secretary-General, assisted by Mr AYET PUIGARNAU,
Director in the Secretariat-General.

1. AGENDAS

(OJ(2018) 2251/FINAL; SEC(2018) 2251/FINAL)

The Commission took note of that day's agenda and of the tentative agendas for forthcoming meetings.

2. WEEKLY MEETING OF CHEFS DE CABINET

(RCC(2018) 2251)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 16 April 2018.

3. APPROVAL OF THE MINUTES OF THE 2248TH, 2249TH AND 2250TH MEETINGS OF THE COMMISSION (21 AND 28 MARCH, AND 11 APRIL 2018)

(PV(2018) 2248; PV(2018) 2248, 2ND PART; PV(2018) 2249; PV(2018) 2249, 2ND PART)

The Commission approved the minutes of its 2248th and 2249th meetings and decided to hold over approval of the minutes of its 2250th meeting for a later meeting.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2018) 53)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 13 April 2018 (RCC(2018) 53).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

i) Trilogues

(point 3.1 of the IRG record)

- Mutual recognition of freezing and confiscation orders (Regulation) – GRIESBECK report – 2016/0412 (COD)

The Commission approved the line set out in SI(2018) 176.

- Enforcement of Directive 2006/123/EC on services in the internal market, laying down a notification procedure for authorisation schemes and requirements related to services, and amendment of Directive 2006/123/EC and Regulation (EU) 1024/2012 on administrative cooperation through the Internal Market Information System (Directive) – GUTIÉRREZ PRIETO report – 2016/0398 (COD)

The Commission approved the line set out in SI(2018) 178/2.

- Establishment of a single digital gateway to provide information, procedures, assistance and problem solving services, and amendment of Regulation (EU) 1024/2012 (Regulation) – MIZZI report – 2017/0086 (COD)

The Commission approved the line set out in SI(2018) 183.

- Laying-down of rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmissions of television and radio (Regulation) – WÖLKEN report – 2016/0284 (COD)

The Commission approved the line set out in SI(2018) 181.

ii) European Parliament dossiers – April 2018 part-session

(point 3.2 of the IRG record)

Ordinary legislative procedure – First reading

- Approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Regulation) – DALTON report – 2016/0014 (COD)

The Commission approved the line set out in SP(2018) 194/2, further to document SP(2018) 194, which it had already approved on Wednesday 11 April 2018.

- Amendment of Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing and amendment of Directive 2009/101/EC (Directive) – KARINŠ & SARGENTINI report – 2016/0208 (COD)

The Commission approved the line set out in SP(2018) 195/2, further to document SP(2018) 195, which it had already taken note of on Wednesday 11 April 2018.

Special legislative procedure

- Guidelines for the employment policies of the Member States (Council Decision) – MITROFANOVS report – 2017/0305 (NLE)

The Commission approved the line set out in SP(2018) 250.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iii) Programming of Council business

(SI(2018) 197)

The Commission took note of the information in SI(2018) 197 on the Council meetings between 19 April and 2 May 2018.

iv) Non-legislative dossiers

(point 4.1 of the IRG record)

- European Union Membership and Representation in the Internet Corporation for Assigned Names and Numbers (ICANN)

The Commission approved the line set out in SI(2018) 182 and /2.

- Facility for Refugees in Turkey – C(2016) 855

The Commission approved the line set out in SI(2018) 184.

v) Preparations for Council meeting (Foreign Affairs) (Brussels, 16 April 2018)

(point 4.2.1 of the IRG record)

- Future of external financing instruments – Exchange of views

The Commission approved the line set out in SI(2018) 180.

4.3. RELATIONS WITH PARLIAMENT

vi) Non-legislative dossier – April 2018 part-session

(point 5.1 of the IRG record)

- 2016 Discharge (53 reports) – ZELLER, VAUGHAN, GRÄSSLE, VALLI, KAPPEL, STAES, TARAND and HAYES reports

The Commission approved the line set out in SP(2018) 223 and /2.

vii) Action taken on the legislative opinions and non-legislative resolutions adopted by Parliament at its March 2018 part-session

(point 5.6.1 of the IRG record)

The Commission approved documents SP(2018) 242 and /2 on the action taken on the legislative opinions and non-legislative resolutions adopted by Parliament at its March 2018 part-session, for transmission to Parliament.

4.4. OTHER BUSINESS

viii) European Union parallel and coordinated crisis management exercise 2017 (EU PACE 2017) – Final exercise report
(point 7 of the IRG record)

The Commission took note of the information in SI(2018) 57.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED **(SEC(2018) 187 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 9 and 13 April 2018.

5.2. EMPOWERMENT **(SEC(2018) 188 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 9 and 13 April 2018.

5.3. DELEGATION / SUBDELEGATION OF POWERS **(SEC(2018) 189 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 9 and 13 April 2018, as archived in Decide.

5.4. SENSITIVE WRITTEN PROCEDURES**(SEC(2018) 190 AND /2)**

The Commission took note of the sensitive written procedures for which the time limit expired between 16 and 20 April 2018 and of the finalisation written procedures initiated following the weekly meeting of Chefs de cabinet on Monday 16 April 2018.

6. COMMISSION DECISION ON A PROCEEDING UNDER ARTICLE 106(3) OF THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION (CASE AT.38700 – GREEK LIGNITE AND ELECTRICITY MARKET) (C(2018) 2104 AND /2; RCC(2018) 56)

The Commission:

- adopted, in the authentic language (Greek), the decision in C(2018) 2104, on legal remedies in a proceeding under Article 106(3) of the Treaty on the Functioning of the European Union concerning the maintaining by the Hellenic Republic of rights granted to *Public Power Corporation S.A.* for the extraction of lignite, taking note of corrective measures proposed by the Hellenic Republic on 19 January 2018 and to make them binding;
- decided to notify the decision in C(2018) 2104 to the Hellenic Republic and inform the undertaking concerned;
- decided that a summary of the decision would be published in the official languages of the Union in the Official Journal of the European Union (with business secrets and other confidential information removed);
- decided to make the decision (with business secrets and other confidential information removed) available on the internet;

- decided to empower the Member of the Commission in charge of competition to take, in agreement with the PRESIDENT, the decisions required to implement the obligations resulting from decision C(2018) 2104.

**7. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – 2018 COMMUNICATION ON EU ENLARGEMENT POLICY
(COM(2018) 450 TO /4; SWD(2018) 150 AND /2; SWD(2018) 151 AND /2; SWD(2018) 152 AND /2; SWD(2018) 153 AND /2; SWD(2018) 154 TO /3; SWD(2018) 155 AND /2; SWD(2018) 156 AND /2; RCC(2018) 54)**

At the invitation of the PRESIDENT, Ms MOGHERINI and Mr HAHN presented to the College the 2018 Communication on EU enlargement policy that they were tabling for its approval, accompanied by the individual reports for the Western Balkans – Montenegro, Serbia, the former Yugoslav Republic of Macedonia, Albania, Bosnia and Herzegovina, Kosovo¹ – and Turkey. This set of documents assessed the implementation of EU enlargement policy on the basis of established criteria and fair and rigorous conditionality.

Ms MOGHERINI pointed out that progress towards accession to the European Union was an objective and merit-based process that depended on the concrete results achieved by each of the candidate or potential candidate countries. This process gave absolute priority to reforms in the areas of the rule of law, human rights and democratic institutions. A credible enlargement perspective needed both

¹ This designation is without prejudice to positions on status, and is in line with UN Security Council Resolution 1244/1999 and the International Court of Justice Opinion on the Kosovo declaration of independence.

sustained efforts and irreversible reforms in these fields, as well as in public administration, economic development and competitiveness.

She stressed that EU enlargement was an investment in peace, security and stability in Europe, since the prospect of EU membership always had a powerful transformative effect and embedded positive democratic, political, economic and social changes in the candidate countries.

With regard to the Western Balkans, Ms MOGHERINI explained that she had put significant efforts into developing relations between the Union and the partners in the region that aspired to become members. She was returning there that very day as part of a visit following on from the historic meetings in February with the main Western Balkan leaders in which she had taken part alongside the PRESIDENT and Mr HAHN. On that occasion the Commission had reaffirmed the Union's continued commitment to the European perspective in the region.

More generally, in a context of regional power struggles, she felt that it was expedient to promote the candidate countries' geopolitical perspectives and respond to their aspirations to join the Union. The forthcoming EU-Western Balkans summit in Sofia on 17 May should be an important step from that standpoint by setting out the next stages of the Union's enlargement policy.

Turning to the key message in the documents being presented that day, Ms MOGHERINI said the Commission proposed recommending to the Council to decide that accession negotiations be formally opened with Albania and the former Yugoslav Republic of Macedonia, and that the enlargement process be continued with the other partners in the Western Balkans that aspired to join the Union.

She emphasised that this positive recommendation from the Commission to the Council was not only justified in view of the progress made by the two countries concerned but would also encourage the whole region to continue the reforms set out in the enlargement policy.

Ms MOGHERINI also noted that the last assessment of the enlargement policy in 2016 already indicated the prospect of negotiations being opened with these two countries, provided that the reforms agreed on with the Union were implemented. She also mentioned the strategy for the Western Balkans adopted by the Commission on 6 February, whose main aim was to offer the region a credible enlargement perspective and a renewed EU commitment to these countries. Lastly, she referred to the most recent meeting of the 'Foreign Affairs' Council on 16 April, at which the Member States had expressed expectations concerning the Commission recommendations on which they were to take a decision.

She stressed that the first effects of the EU's enlargement policy in the region itself were already positive, with a real improvement in relations and the ongoing efforts to settle the disputes between the partners that made it up.

In the case of Albania, she noted the country's systematic alignment with EU foreign and security policy and its contribution to the Union's missions and operations in this strategic area. In the long term, moreover, Albania's accession to the Union should make it possible to restore a balance in the climate of ethnic and religious tensions that had long affected the region.

Mr HAHN reviewed the background to these developments and emphasised that, for the first time, the Commission was publishing, together with the set of documents on enlargement policy, its annual assessments of the Economic Reform Programmes for the region of the Western Balkans and Turkey (DTS/2018/2400, DTS/2018/2401, DTS/2018/2402, DTS/2018/2403, DTS/2018/2404, DTS/2018/2405 and DTS/2018/2406). He thanked Mr MOSCOVICI and Ms THYSEN for their cooperation, which had made it possible to synchronise the preparation of these reports, which highlighted the importance of a viable economy in order to move forward towards accession to the Union.

The Economic Reform Programmes played a key role in improving economic policy programming and in steering reforms aimed at boosting competitiveness and promoting inclusive growth and job creation. Moreover, the aim of these

programmes was to help the partner countries meet the economic criteria for accession and prepare for participation in the European Semester of economic and budget policy coordination in the EU after accession.

Mr HAHN referred more specifically to the assessment of Turkey's progress towards accession. He pointed to a number of serious retrograde steps, particularly in the key area of the rule of law. While he regretted this development, he reminded the meeting that there had already been adjustments to the pre-accession aid granted by the Union to Turkey, which had led to a moderate reaction on the part of the Turkish government.

As regards the recommendations on the former Yugoslav Republic of Macedonia and Albania, Mr HAHN noted that, according to the Commission's assessments, the substantial progress made by these two countries was seen as a significant step forward. At the same time, he believed that they still needed to remedy a number of structural shortcomings, particularly in the area of the rule of law. These shortcomings justified pursuing more vigorously the reforms aimed at lasting reinforcement of the effectiveness of their justice systems, their mechanisms for fighting corruption and organised crime, their public administrations and their economies.

He, too, stressed that enlargement policy had contributed to considerable progress being made in relations within the region itself, examples being the signing of a historic friendship treaty between Bulgaria and the former Yugoslav Republic of Macedonia and the possibility, in the coming months, of resolving the question of the latter's name as part of a positive dialogue which had been started with Greece. He noted that no less than 25% of the population of the former Yugoslav Republic of Macedonia were of Albanian origin and the prospect of launching access negotiations would be a good way of both promoting inter-ethnic stability and maintaining pressure on the country's government to quickly conclude an agreement with Greece on the question of the country's name.

More generally, Mr HAHN felt that the recommendation to the Council to open accession negotiations with the former Yugoslav Republic of Macedonia and Albania also represented an incentive for these two countries not to depart from the path that had been set out for their accession to the Union. He believed that if the Council approved the recommendations proposed by the Commission, the formal accession negotiations could begin after the elections to the European Parliament in 2019 and take whatever time was needed, according to the strict criteria that had been established. He concluded his presentation by referring to the strategic importance of simultaneously pursuing the gradual enlargement of the European Union and its consolidation, in parallel.

In the course of the discussion that followed, the Commission raised the following main points:

- the need for a regular, detailed assessment of the progress made by the candidate or potential candidate countries so that they could get a clear idea of their prospect of joining the European Union, given the political, economic and strategic importance of such a prospect;
- in this context, the importance of the undertakings on both sides being honoured, by candidate or potential candidate countries and the Union alike, and effectively acted on once the requisite progress was found to have been made;
- the common interest of the Union and the countries concerned in pursuing the enlargement process in order to build a continent of cohesion, stability and peace;
- the hope that the Commission's comments in the regular assessment of the progress achieved would always try to encourage all of the partners of the Western Balkans and Turkey, whatever stage they had reached in the process, in order to reinforce their motivation to implement the reforms needed to accede to the Union;

- the need to tackle each obstacle on the way to accession objectively, constructively and dispassionately;
- the vital role of the Western Balkans in Europe’s history and the European Union’s duty to help ensure the stability of the region and prevent the emergence of new ethnic or religious tensions;
- the contribution of the partners in the region to the Union’s security, thanks to the cooperation that had been established, particularly in matters of border controls and the fight against organised crime;
- the geographical position of the region as an enclave within the Union and at the heart of Europe, which in the long term justified its integration on the basis of the accession process that had been launched;
- the need to maintain relations with Turkey, which remained an important partner of the Union, despite the regression identified in the assessment of its progress on the road to accession;
- the importance of ensuring that EU citizens took ownership of the strategy that had been set out with regard to the Western Balkans and of convincing them of the need to integrate the region in the European Union for historical and also strategic, political and economic reasons; similarly, the need to broaden support for enlargement policy among the Member States so that the accession of each candidate country would ultimately be supported by the European Union as a whole.

The PRESIDENT noted the broad support of the Commission Members for the communication and the recommendations for decisions to be proposed to the Council, which he welcomed.

He proposed two final changes to the communication and its annex to specify (i) that it was for the Council to adopt the decision to formally open accession negotiations with Albania and the former Yugoslav Republic of Macedonia and

(ii) that the two countries must continue their efforts in the key area of the rule of law and, in the case of Albania, that the re-evaluation of judges and prosecutors must continue to deliver concrete and tangible results.

In conclusion, the PRESIDENT noted the agreement of the College to confirming the following amendments to the English-language version of the communication distributed as COM(2018) 450/4:

- **the first sentence of the last paragraph of point 7 on page 12 would read as follows:**

‘In light of the progress achieved, the Commission recommends that the Council decides that accession negotiations be opened with the former Yugoslav Republic of Macedonia, maintaining and deepening the current reform momentum on the urgent reform priorities, decisive for the country’s further progress.’

- **the first sentence of the third paragraph of point 8 on page 12 would read as follows:**

‘In light of the progress achieved, the Commission recommends that the Council decides that accession negotiations be opened with Albania, maintaining and deepening the current reform momentum in the key field of the rule of law, in particular across all five key priorities, and continuing to deliver the concrete and tangible results in the re-evaluation of judges and prosecutors (vetting).’

He also noted the agreement of the College to confirming the following amendments to the English-language version of Annex 1 to the communication distributed as COM(2018) 450/4:

- **the third and fourth sentences of the first paragraph on page 13 of Annex 1 would read as follows:**

‘The re-evaluation of all judges and prosecutors (vetting process) has started and

is delivering first tangible results. This process has cross-party support, is carried out by an independent authority, is subject to international monitoring and its compatibility with the European Convention on Human Rights has been confirmed by the Venice Commission.’

- **the last sentence of the first paragraph on page 13 of Annex 1 was deleted.**

Following this discussion, and subject to a final general clean-up of the text, the Commission approved the communication in COM(2018) 450/4 for transmission to Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and, for information, to the national parliaments, together with the 2018 reports on Montenegro, Albania, Serbia, Turkey, the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina and Kosovo², in staff working documents SWD(2018) 150/2, SWD(2018) 151/2, SWD(2018) 152/2, SWD(2018) 153/2, SWD(2018) 154/3, SWD(2018) 155/2 and SWD(2018) 156/2, the contents of which were noted.

8. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL – FOURTEENTH PROGRESS REPORT TOWARDS AN EFFECTIVE AND GENUINE SECURITY UNION

(COM(2018) 211 TO /4; RCC(2018) 57)

9. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE MARKETING AND USE OF EXPLOSIVES PRECURSORS, AMENDING ANNEX XVII TO REGULATION (EC) 1907/2006 AND REPEALING REGULATION (EU)

² This designation is without prejudice to positions on status, and is in line with UN Security Council Resolution 1244/1999 and the International Court of Justice Opinion on the Kosovo declaration of independence.

**98/2013 ON THE MARKETING AND USE OF EXPLOSIVES PRECURSORS
(COM(2018) 209 AND /2; SWD(2018) 104 AND /2; SWD(2018) 105;
SEC(2018) 193; RCC(2018) 57)**

**10. COMMISSION RECOMMENDATION ON IMMEDIATE STEPS TO
IMPROVE SECURITY OF EXPORT, IMPORT AND TRANSIT MEASURES
FOR FIREARMS, THEIR PARTS AND ESSENTIAL COMPONENTS AND
AMMUNITION**

(COM(2018) 2197 AND /2; RCC(2018) 57)

**11. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT
AND OF THE COUNCIL ON STRENGTHENING THE SECURITY OF
IDENTITY CARDS OF UNION CITIZENS AND OF RESIDENCE
DOCUMENTS ISSUED TO UNION CITIZENS AND THEIR FAMILY
MEMBERS EXERCISING THEIR RIGHT OF FREE MOVEMENT**

**(COM(2018) 212 AND /2; SWD(2018) 110; SWD(2018) 111; SEC(2018) 195;
RCC(2018) 57)**

**12. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT
AND OF THE COUNCIL ON EUROPEAN PRODUCTION AND
PRESERVATION ORDERS FOR ELECTRONIC EVIDENCE IN CRIMINAL
MATTERS**

**(COM(2018) 225 TO /3; SWD(2018) 118; SWD(2018) 119; SEC(2018) 199;
RCC(2018) 57)**

**13. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND
OF THE COUNCIL LAYING DOWN HARMONISED RULES ON THE
APPOINTMENT OF LEGAL REPRESENTATIVES FOR THE PURPOSE OF
GATHERING EVIDENCE IN CRIMINAL PROCEEDINGS**

**(SEC(2018) 226; SWD(2018) 118; SWD(2018) 119; SEC(2018) 199;
RCC(2018) 57)**

**14. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL LAYING DOWN RULES FACILITATING THE USE OF FINANCIAL AND OTHER INFORMATION FOR THE PREVENTION, DETECTION, INVESTIGATION OR PROSECUTION OF CERTAIN CRIMINAL OFFENCES AND REPEALING COUNCIL DECISION 2000/642/JHA
(COM(2018) 213 AND /2; SWD(2018) 114; SWD(2018) 115; SEC(2018) 197; RCC(2018) 57)**

Ms JOUROVÁ and Sir Julian KING briefly presented the salient points of the initiatives proposed in the set of documents accompanying the 14th report on the Security Union. The aim of these documents was to complete the initiatives already taken to fight terrorism and to respond to citizens' concerns about security and cybersecurity.

In addition to the proposed obligation to introduce biometric identity cards to combat the use of false or multiple identities, they emphasised the new rules proposed in order to give the police forces and judicial authorities in the Member States suitable means of reacting effectively to acts of criminals benefiting from fast and advanced technologies. In particular, a judicial authority would be able to obtain electronic evidence in criminal matters from any service provider in the Union by means of a European Production Order, regardless of the location of the data, and they would be able to do so significantly faster than at present. Currently it could take up to ten months, but this would be reduced to ten days or even six hours in urgent cases whilst giving solid guarantees on personal data protection and privacy.

Ms JOUROVÁ also mentioned the American Clarifying Lawful Overseas Use of Data Act (Cloud Act), which paved the way for agreements on cross-border access to evidence held by American digital service providers. With a view to signing such agreements, she felt the Union should work to formulate a common approach on the international stage. There was a risk that bilateral agreements between the USA and

certain Member States could lead to fragmentation and unequal treatment detrimental to the Union.

Also, Sir Julian KING pointed out that the Commission would, at the end of May, consider whether to propose new measures to combat terrorist content online.

Following these presentations, the Commission:

- approved the report in COM(2018) 211/4, for transmission to Parliament, the European Council and the Council and, for information, to the national parliaments;
- adopted the proposal for a Regulation in COM(2018) 209/2 for transmission to the European Parliament, the Council, the European Economic and Social Committee and the national parliaments, and, for information, to the Committee of the Regions, together with the impact assessment, the summary thereof and the opinion of the Regulatory Scrutiny Board in SWD(2018) 104/2, SWD(2018) 105 and SEC(2018) 193, the contents of which were noted;
- adopted the recommendation set out in C(2018) 2197/2 and decided to notify it to the Member States;
- adopted the proposal for a Regulation in COM(2018) 212/2 for transmission to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the national parliaments, together with the impact assessment, the summary thereof and the opinion of the Regulatory Scrutiny Board in staff working documents SWD(2018) 110, SWD(2018) 111 and SEC(2018) 195, the contents of which were noted;
- adopted the proposal for a Regulation in COM(2018) 225/3 for transmission to the European Parliament, the Council, the European Economic and Social Committee and the national parliaments, and, for information, to the Committee of the Regions, together with the impact assessment, the summary thereof and

the opinion of the Regulatory Scrutiny Board in SWD(2018) 118, SWD(2018) 119 and SEC(2018) 199, the contents of which were noted;

- adopted the proposal for a Directive in COM(2018) 226 for transmission to the European Parliament, the Council, the European Economic and Social Committee and the national parliaments, and, for information, to the Committee of the Regions, together with the impact assessment, the summary thereof and the opinion of the Regulatory Scrutiny Board in SWD(2018) 118, SWD(2018) 119 and SEC(2018) 199, the contents of which were noted;
- adopted the proposal for a Directive in COM(2018) 213/2 for transmission to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the national parliaments, together with the impact assessment, the summary thereof and the opinion of the Regulatory Scrutiny Board in SWD(2018) 114, SWD(2018) 115 and SEC(2018) 197, the contents of which were noted.

15. PROPOSAL FOR A COUNCIL DECISION ON THE CONCLUSION OF THE ECONOMIC PARTNERSHIP AGREEMENT BETWEEN THE EUROPEAN UNION AND JAPAN

(COM(2018) 192; RCC(2018) 55)

16. PROPOSAL FOR A COUNCIL DECISION ON THE SIGNING, ON BEHALF OF THE EUROPEAN UNION, OF THE ECONOMIC PARTNERSHIP AGREEMENT BETWEEN THE EUROPEAN UNION AND JAPAN

(COM(2018) 193; RCC(2018) 55)

17. PROPOSAL FOR A COUNCIL DECISION ON THE CONCLUSION OF THE FREE TRADE AGREEMENT BETWEEN THE EUROPEAN UNION AND THE REPUBLIC OF SINGAPORE

(COM(2018) 196; RCC(2018) 55)

- 18. PROPOSAL FOR A COUNCIL DECISION ON THE SIGNING, ON BEHALF OF THE EUROPEAN UNION, OF THE FREE TRADE AGREEMENT BETWEEN THE EUROPEAN UNION AND THE REPUBLIC OF SINGAPORE**
(COM(2018) 197; RCC(2018) 55)
- 19. PROPOSAL FOR A COUNCIL DECISION ON THE CONCLUSION OF THE INVESTMENT PROTECTION AGREEMENT BETWEEN THE EUROPEAN UNION AND ITS MEMBER STATES, OF THE ONE PART, AND THE REPUBLIC OF SINGAPORE, OF THE OTHER PART**
(COM(2018) 194; RCC(2018) 55)
- 20. PROPOSAL FOR A COUNCIL DECISION ON THE SIGNING, ON BEHALF OF THE EUROPEAN UNION, OF THE INVESTMENT PROTECTION AGREEMENT BETWEEN THE EUROPEAN UNION AND ITS MEMBER STATES, OF THE ONE PART, AND THE REPUBLIC OF SINGAPORE, OF THE OTHER PART**
(COM(2018) 195; RCC(2018) 55)

Mr KATAINEN and Ms MALMSTRÖM gave a brief presentation of the three agreements it was proposed that the Union conclude and sign, namely an Economic Partnership Agreement with Japan and two agreements with the Republic of Singapore covering free trade and investment protection respectively.

They emphasised the historical importance of these agreements in a number of respects. Firstly, from an economic perspective, the agreement with Japan would constitute the most extensive bilateral agreement ever negotiated by the European Union, since it would give rise to a free trade area corresponding to one-third of world gross domestic product. In addition, it would open up a great many economic opportunities for both parties, *inter alia*, in agriculture, as confirmed by Mr HOGAN.

Secondly, they discussed the geopolitical significance of these agreements. On the

one hand, they stressed the strategic role which Japan aimed to play on the international stage and, on the other, they emphasised that the Republic of Singapore was the first member of the Association of Southeast Asian Nations (ASEAN) to sign a trade agreement with the European Union, which might lead to the negotiation of similar deals with other ASEAN member countries.

Thirdly, they pointed out that these were so-called new generation agreements, which, by including provisions on, *inter alia*, sustainable development, the protection of workers and human rights, reflected the increasingly comprehensive and integrated nature of the common commercial policy.

Fourthly, they indicated that the partnership envisaged with the Republic of Singapore would, in legal terms, result in two distinct agreements. The trade agreement would come entirely within the European Union's exclusive competences, under the common commercial policy, whereas the investment protection agreement came under the competences shared between the EU and the Member States. This set-up reflected the clarification provided by the Court of Justice of the European Union, at the Commission's request, in its Opinion No 2/2015 of 16 May 2017 with respect to the division of external competences between the European Union and the Member States following the entry into force of the Treaty of Lisbon.

Mr KATAINEN AND Ms MALMSTRÖM expected the three agreements to be signed rapidly and to enter into force during the first quarter of 2019. With respect to the agreement with Japan, Ms MALMSTRÖM pointed out that it should be signed at the EU-Japan summit scheduled for July 2018 in the presence of the Japanese Prime Minister Shinzo Abe.

The PRESIDENT congratulated Mr KATAINEN and Ms MALMSTRÖM on this excellent outcome and said that the proposals would be adopted by the finalisation written procedure, which was due to expire at 9.00 on Wednesday 18 April 2018.

Following these presentations, the Commission, on a proposal by the PRESIDENT,

(17 April 2018)

confirmed the formal adoption of the documents in COM(2018) 192, COM(2018) 193, COM (2018) 196, COM(2018) 197, COM(2018) 194 and COM(2018) 195, by finalisation written procedure, the deadline for which was set at 9.00 on Wednesday 18 April 2018 (PE/2018/2149, PE/2018/2148, PE/2018/2144, PE/2018/2145, PE/2018/2151 and PE/2018/2146).

21. OTHER BUSINESS

OUTCOME OF THE 72ND SESSION OF THE INTERNATIONAL MARITIME ORGANIZATION'S TECHNICAL BODY THE MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC 72) (LONDON, 9 TO 13 APRIL 2018)

Ms BULC informed the Commission of the adoption on 13 April 2018 by the International Maritime Organization of a quantified strategy aimed at reducing greenhouse gas emissions in the maritime transport sector, a sector that was not bound by the objectives of the Paris Agreement signed in December 2015 at the 21st Conference of the Parties to the United Nations Framework Convention on Climate Change (COP21). She praised the unified stance shown by the Member States during these difficult negotiations.

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The meeting closed at 15.10.