**SUMMARY OF:**

[Directive (EU) 2019/633 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32019L0633)

**WHAT IS THE AIM OF THE DIRECTIVE?**

* It sets out a minimum list of **prohibited unfair trading practices** between buyers and suppliers in the agricultural and food supply chain and lays down minimum enforcement rules.
* It aims to stop larger businesses exploiting small and medium-sized suppliers because of their weaker bargaining position, and to avoid the costs of such practices being passed on to primary producers.

**KEY POINTS**

The rules protect small and medium-sized suppliers, as well as larger suppliers with an annual turnover not exceeding €350 million. The protection depends on the relative size of the supplier and the buyer in terms of annual turnover. These suppliers are divided into 5 sub-categories by turnover:

* up to €2 million;
* €2-10 million;
* €10-50 million;
* €50-150 million; and
* €150-350 million.

**Prohibition of unfair trading practices**

The directive prohibits the following **unfair trading practices** in any circumstances:

* [payment](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:mi0074) later than 30 days for perishable agricultural and food products;
* payment later than 60 days for other agricultural and food products;
* short-notice cancellations of perishable agricultural and food products;
* unilateral changes to the terms of the supply agreement by the buyer;
* payments requested by the buyer that are not related to the sale of an agricultural and food product;
* payments requested by the buyer for the deterioration or loss of agricultural and food products where such deterioration or loss is not caused by the negligence or fault of the supplier;
* refusal by the buyer to provide a written confirmation of a supply agreement, despite the supplier’s request;
* misuse of the supplier’s trade secrets by the buyer;
* commercial retaliation actions by the buyer against the supplier if the supplier exercises their contractual or legal rights;
* transferring costs for examining customer complaints to the supplier’s products despite the absence of negligence or fault on the part of the supplier.

The directive prohibits the following **unfair trading practices** unless the supplier and the buyer **have agreed to it** in clear and unambiguous terms:

* the buyer returns unsold agricultural and food products to the supplier without paying for those unsold products or without paying for the disposal of those products, or both;
* the supplier is charged payment as a condition for stocking, displaying or listing its agricultural and food products, or of making such products available on the market;
* the buyer asks the supplier to pay for discounts on agricultural and food products sold by the buyer as part of a promotion;
* the buyer asks the supplier to pay for the advertising or marketing by the buyer of agricultural and food products;
* the buyer charges the supplier for staff for fitting out premises used for the sale of the supplier’s products.

**Complaints and confidentiality**

EU countries designate **national enforcement authorities**. Suppliers can complain to the enforcement authority of their own country or the country of the buyer suspected of a prohibited trading practice.

If asked, the enforcement authority must take the necessary measures to protect the identity of the complainant and of any other information considered harmful to the interests of the complainant or suppliers.

**Powers of the competent authorities**

Enforcement authorities must have the powers and expertise to:

* initiate and carry out investigations;
* require information from buyers and suppliers;
* carry out unannounced on-site inspections;
* order that a prohibited practice cease, where appropriate;
* impose or initiate proceedings for the imposition of fines and other penalties and interim measures against the business which committed the infringement;
* publish decisions.

EU countries may promote effective alternative voluntary dispute resolution mechanisms.

EU countries must ensure that enforcement authorities cooperate effectively with each other and with the Commission and assist each other in cases with a cross-border dimension.

The [European Commission](http://eur-lex.europa.eu/summary/glossary/european_commission.html) is assisted by the [Committee for the Common Organisation of the Agricultural Markets](http://ec.europa.eu/agriculture/committees/cmo_en) set up under Regulation (EU) No 1308/2013 (see summary [The common organisation of agricultural markets in the EU](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:0302_1)).

**FROM WHEN DOES THE DIRECTIVE APPLY?**

It has to become law in the EU countries by 1 May 2021. EU countries have to apply the measures by 1 November 2021.

**SUMMARY OF:**

[Conclusions — Developing media literacy and critical thinking through education and training](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52016XG0614(01))

**WHAT IS THE AIM OF THESE CONCLUSIONS?**

* These conclusions draw attention to the many benefits and opportunities brought by the internet and social media, but also highlight the potential threats and dangers these can present.
* They stress the importance of education and training in helping young people to become media-literate and responsible citizens of the future, and in helping to prevent violent extremism and radicalisation.

**KEY POINTS**

* A key element of the education and training is to instil in young people fundamental values, such as those enshrined in the [Treaty on European Union](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:12016M002), while promoting their ability to think independently and critically.
* Educators and training staff should be supported so controversial issues can be openly discussed in the classroom and staff can keep up to date with knowledge and skills needed to access, interpret, produce and use media content in a responsible manner. Exchanges of good practices on media literacy and critical thinking should be further promoted within the context of the [ET2020 strategic framework](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:ef0016).
* In order to promote media literacy and critical thinking, EU funds and programmes, such as [Erasmus+](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:150102_1), the [Connecting Europe Facility](http://eur-lex.europa.eu/summary/glossary/connecting_europe_facility.html), the [European Structural and Investment Funds](http://eur-lex.europa.eu/summary/glossary/structural_cohesion_fund.html), [Horizon 2020](http://eur-lex.europa.eu/summary/glossary/horizon_2020.html), [Creative Europe](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:1002_1) and [Europe for Citizens](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:130106_2), should be utilised by EU countries and the [European Commission](http://eur-lex.europa.eu/summary/glossary/european_commission.html).

**BACKGROUND**

* Media literacy, which refers to the ability of people to access, understand, create and critically evaluate different types of media, is a key to active engagement in democratic life.
* Digital competence, which encompasses the confident, creative and critical use of information and communications technology, is a crucial component of media literacy. However, 40% of EU citizens have no digital skills.

**SUMMARY OF:**

* [European Parliament resolution: Towards an EU strategy on the rights of the child (2007/2093(INI))](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52008IP0012)

**WHAT IS THE AIM OF THIS RESOLUTION?**

* The resolution is a wide-ranging prospectus of actions and policies put forward by the [European Parliament](http://eur-lex.europa.eu/summary/glossary/european_parliament.html) aimed at protecting children's rights, building upon the communication ‘[Towards an EU Strategy on the Rights of the Child](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52006DC0367)’ prepared by the [European Commission](http://eur-lex.europa.eu/summary/glossary/european_commission.html) in 2006.

**KEY POINTS**

* The resolution welcomes the Commission’s initiative recognising a political will that children must enjoy the rights set out in the [United Nations Convention on the Rights of the Child](http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx).
* The resolution calls for **the rights of children to be at the heart of all EU policies and external actions** and all international agreements to include a legally binding clause respecting the rights of the child.
* The strategy should recognise **the importance of the family** as a basic institution of society for the survival, protection and development of the child, and calls for monitoring, financial resources and annual reports.
* Not all EU countries have appointed an **ombudsman** to uphold children's rights.

**Child participation**

* Children and young people have the right to express their views, with the equal participation of girls and boys.

**Violence**

* Legislation and preventive action is urged to deal with violence, sexual abuse, humiliating punishment and harmful traditional practices, such as genital mutilation or forced marriages. It condemns all forms of physical, psychological and sexual violence, torture, exploitation, taking hostage, trafficking or sale of children or their organs.

**Sexual exploitation**

* The sexual exploitation of children should be considered ‘rape’ when applying legal sanctions, and payment for sex with a minor should be a crime. There should be a more effective legal child protection framework, through institutions such as [Europol](http://eur-lex.europa.eu/summary/glossary/europol.html) and [Eurojust](http://eur-lex.europa.eu/summary/glossary/eurojust.html), to combat sex tourism, child trafficking and paedophilia. EU citizens committing sex tourism crimes outside the EU should be dealt with under a single set of EU criminal laws.

**Children at risk**

* The EU should define any child in a social situation endangering their mental or physical integrity as ‘**in danger**’. Any child witnessing domestic violence is considered a victim of a crime. Multiple initiatives (information campaigns, sharing of best practices, etc.) are proposed to cover such things as the sale of alcohol and drugs.

**Harmful media content**

* In seeking to prohibit harmful media content, including cyber bullying and violent video games, the resolution acknowledges the growing phenomenon of sharing child pornography or sexual abuse images via mobile messaging. It also calls for the blocking of websites related to sexual abuse.

**Juvenile delinquency**

* Parliament asks for a comprehensive response to ‘juvenile delinquency’ at national and EU level, through prevention programmes and the social integration of young offenders in addition to legal intervention. It also calls for a youth crime prevention plan to address bullying in schools and gangs, and promotes alternatives to prison.

**Child poverty and social exclusion**

* As part of the strategy to fight family poverty, focusing on malnutrition and disease prevention and abuse linked to parents’ social or legal situation, the EU should work to ensure that there are no homeless children or street children in the EU.

**Child labour**

* Children working legally must be paid equally for work of equal value. Slavery, debt bondage and work detrimental to health and safety are condemned.

**Adoption**

* The quality of information, preparation for and processing of international adoptions, and post-adoption services must be improved. Adoption should be allowed in the child’s country or internationally, with residential institutions only a temporary solution.

**Migrant children and children in armed conflicts**

* Special attention should be given to refugee, asylum-seeking and migrant children so that they can claim their rights regardless of the legal status of their parents. Unaccompanied minors are often victims of exploitation by organised crime. Measures are also called for to protect Roma children, as well as child soldiers and the victims of war.

**Education and registration**

* Improvement in the training and education of children, especially girls, and better care for young children are called for. Every child should be registered, respecting the right to receive a nationality or an identity at birth.

**EU COUNTRIES' CONTRIBUTIONS TO THE EU'S BUDGET**

* The European Union has adopted rules on methods and procedures to be followed by EU countries in regard to their contributions to the EU’s [budget](http://eur-lex.europa.eu/summary/glossary/budget.html), which are known as the [EU’s own resources](http://eur-lex.europa.eu/summary/glossary/community_own_resources.html).

**ACT**

* Council Regulation (EU, Euratom) No [609/2014](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32014R0609) of 26 May 2014 on the methods and procedure for making available the traditional, VAT and GNI-based own resources and on the measures to meet cash requirements (Recast)

**SUMMARY**

* The European Union has adopted rules on methods and procedures to be followed by EU countries in regard to their contributions to the EU’s [budget](http://eur-lex.europa.eu/summary/glossary/budget.html), which are known as the [EU’s own resources](http://eur-lex.europa.eu/summary/glossary/community_own_resources.html).

**WHAT DOES THIS REGULATION DO?**

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| --- | --- | --- | --- | --- | --- | --- | --- |
| — | It lays down the rules setting the methods and procedures by which EU countries make available to the European Commission the EU’s own resources. Own resources constitute **the vast majority of income that finances the EU’s budget and comprise**:   |  |  | | --- | --- | | — | duties charged on imports from outside the EU and taxes on sugar production within the EU, |  |  |  | | --- | --- | | — | revenue based on a share of the [value-added tax](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:l31057) (VAT) collected by EU countries, |  |  |  | | --- | --- | | — | revenue based on each EU country’s gross national income\* (GNI). | |

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| --- | --- |
| — | It also defines the measures to meet, where appropriate, cash requirements (i.e. cash flow needs). |

**KEY POINTS**

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| — | The own resources need to be available to the European Commission so that it can make the necessary payments agreed in the budget. |

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| — | EU countries have to keep accounts and documentation regarding the own resources that they collect and to be able to produce these for the Commission at all times. |

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| — | Each EU country must credit own resources to the account opened in the name of the Commission with its Treasury or the body it has appointed. |

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| — | EU countries have to keep separate accounts for entitlements which have not been recovered. They must provide details about these accounts and submit quarterly statements to the Commission. This enables the Commission to monitor the action taken by EU countries to collect own resources, particularly those compromised by fraud or irregularities. |

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| — | To ensure that the EU’s budget can be financed in all circumstances, EU countries must make available to the EU, in the form of constant monthly twelfths, the own resources entered in the budget. They may subsequently adjust the amounts made available in accordance with the actual base of the VAT-based own resource and the relevant changes to GNI as soon as they are fully known. |

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| — | The impact of modifications in the GNI data made after the end of each financial year on the financing of gross reductions (the reductions in certain EU countries’ GNI-related contributions) should be clarified. |

**WHEN DOES THIS REGULATION APPLY?**

* From 1 January 2014.

**BACKGROUND**

* Regulation (EU, Euratom) No [609/2014](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32014R0609) is one of 3 legal acts making up what is known as the ‘own resources’ package linked to the EU's [multiannual financial framework](http://eur-lex.europa.eu/summary/glossary/multiannual_financial_framework.html) - the EU's budget for the 2014-2020 period. The 2 other acts in the package are:

|  |  |
| --- | --- |
| — | Council [Decision 2014/335/EU, Euratom](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:0601_3) on the system of own resources of the European Union, |

|  |  |
| --- | --- |
| — | Council [Regulation (EU, Euratom) No 608/2014](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:0601_4) of 26 May 2014 laying down implementing measures for the system of own resources of the European Union. |

**GUIDELINES ON THE EFFECT ON TRADE CONCEPT**

**SUMMARY OF:**

[Guidelines on the effect on trade concept contained in Articles 101 and 102 of the Treaty on the Functioning of the European Union (TFEU)](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52004XC0427%2806%29)

**WHAT IS THE AIM OF THE GUIDELINES?**

* [Article 101](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:12016E101) TFEU (ex Article 81 of the Treaty establishing the European Community (TEC)) bans cartels[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:l26113&from=EN#keyterm_E0001) and behaviour that prevents, restricts or distorts competition (vertical[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:l26113&from=EN#keyterm_E0002) and horizontal agreements[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:l26113&from=EN#keyterm_E0003)) with certain exceptions (specified under Article 101(3)).
* [Article 102](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:12016E102) TFEU (ex Article 82 of the Treaty establishing the European Community (TEC)) outlaws abuses by companies with a dominant position.
* The two articles apply only when it can be established that agreements and practices are capable of ***appreciably* affecting trade between EU countries**.
* These [European Commission](http://eur-lex.europa.eu/summary/glossary/european_commission.html) guidelines seek to explain and set out the methodology for applying the concept of the **effect on trade** between EU countries with regard to competition cases, thus reflecting case law handed down by the [Court of Justice of the European Union](http://eur-lex.europa.eu/summary/glossary/eu_court_justice.html).

**KEY POINTS**

* In the case of **Article 101 TFEU**, if the agreement as a whole is capable of affecting trade between EU countries, the entire agreement is subject to EU law, including any parts of the agreement that individually do not affect trade between EU countries. In cases where the contractual relations between the same parties cover several activities, these activities must, in order to form part of the same agreement, be directly linked and form an integral part of the same overall business arrangement. If not, each activity constitutes a separate agreement.
* In the case of **Article 102 TFEU**, it is the abuse that must affect trade between EU countries. Conduct that forms part of an overall strategy pursued by the dominant firm must be assessed in terms of its overall impact. Where a dominant firm adopts various practices in pursuit of the same aim (e.g. seeking to eliminate or foreclose competitors), for Article 102 TFEU to be applicable to all the practices forming part of this overall strategy, it is sufficient that at least one of these practices is capable of affecting trade between EU countries.
* The guidelines focus on 3 main aspects and seek to clarify:
  + the **concept of trade between EU countries** as not being restricted to traditional exchanges of goods and services across borders. It is a wider concept, covering all cross-border economic activity including establishment[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:l26113&from=EN#keyterm_E0004). The concept implies that there must be an impact on cross-border economic activity involving at least (parts of) 2 EU countries;
  + the meaning of the words **‘may affect’** which define the nature of the required impact on trade between EU countries. According to the standard test developed by the Court of Justice, it must be possible to anticipate with a **sufficient degree of probability**, on the basis of a set of objective factors of law or fact, that the agreement or practice may have an influence, direct or indirect, actual or potential, on the pattern of trade between EU countries. In cases where the agreement or practice is liable to affect the competitive structure inside the EU, EU law jurisdiction is established;
  + the notion of **‘appreciability’**: the effect on trade criterion incorporates a **quantitative element**, limiting EU law jurisdiction to agreements and practices that are capable of having effects of a certain magnitude. Appreciability can be assessed in particular by reference to the position and the importance of the relevant firms on the market for the products concerned. This assessment depends on the circumstances of each individual case, in particular the nature of the agreement and practice, the nature of the products covered and the market position of the firms concerned.
* The Commission considers that in principle agreements are **not** capable of appreciably affecting trade between EU countries when 2 conditions are simultaneously satisfied:
  + the **aggregate market share** of the parties within the relevant market in the EU does not exceed 5%; and
  + in the case of **horizontal agreements**, the **aggregate annual turnover** of the firms in the products concerned does not exceed €40 million. In the case of **vertical agreements**, the **aggregate turnover of the supplier** in the products covered concerned does not exceed €40 million.
* The guidelines include an analysis of various forms of agreements and practices providing an indication of how the trade effect concept should be applied in practice.
* The effect of trade criterion is an autonomous EU law jurisdictional criterion. It must be assessed separately in each case and is a distinct assessment from that of the restriction of competition.

**FROM WHEN DO THE GUIDELINES APPLY?**

They have applied since 27 April 2004.

**ACCESS TO THE EUROPEAN COMMISSION FILE IN MERGER AND ANTI-TRUST CASES**

**SUMMARY OF:**

[Commission Notice on the rules for access to the Commission file in merger and anti-trust cases](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52005XC1222%2803%29)

**WHAT IS THE AIM OF THE COMMISSION NOTICE?**

It contains rules for access to the [European Commission](http://eur-lex.europa.eu/summary/glossary/european_commission.html) file by parties involved in [merger](http://eur-lex.europa.eu/summary/glossary/merger.html) and [antitrust](http://eur-lex.europa.eu/summary/glossary/antitrust.html) cases. The notice aims to improve the transparency of [competition](http://eur-lex.europa.eu/summary/glossary/competition.html) procedures and underlines the Commission’s commitment to due process and parties’ rights of defence.

**KEY POINTS**

Access to the file is intended to enable the effective exercise of the rights of defence against any objections by the Commission in cases brought under [Article 101](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:12016E101) and [Article 102](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:12016E102) of the Treaty on the Functioning of the European Union and and in cases under the [Merger Regulation](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:l26096), which covers the procedure for controlling certain merger operations between companies.

**Article 101** (ex Article 81 of the EC Treaty) prohibits agreements between undertakings and associations of undertakings which restrict competition, such as price-fixing or market sharing. **Article 102** (ex Article 82 of the EC Treaty) prohibits firms abusing a dominant market position, for example by charging unfair prices, limiting production, or refusing to innovate.

**Who is entitled to access to the file?**

File access is granted, on request, to the persons, undertakings or associations of undertakings to which the Commission has addressed objections. The notice clarifies who has the right to request access to the file and under what circumstances. Persons, undertakings or associations of undertakings that receive a **Statement of Objections**[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:l10106&from=EN#keyterm_E0001) have the right to see **all the evidence**, whether it is incriminating or exonerating, in the Commission’s investigation file.

The notice recognises a separate right, granting **limited access** to specific documents on the file to complainants in antitrust cases and other involved parties in merger cases. These rights are dealt with separately since their scope, nature and timing are different from the right of access to file given to addressees of a Statement of Objections.

The right of access to the file in competition cases is **distinct** from the [general right of access to documents](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:l14546) under Regulation (EC) No 1049/2001. The right of access to documents was established for a different purpose and is subject to different rules.

**Accessible and inaccessible documents**

The **Commission file** includes **all documents that are part of the specific procedure** on which the Statement of Objections has been based. The notice identifies the types of documents that are accessible and those that are not. **Only 2 types of information are not accessible**:

* internal documents, identified as including both internal documents of the Commission and documents exchanged between the Commission and other public authorities;
* business secrets and other confidential information where disclosure could result in serious harm to a person or undertaking. Where possible, the Commission will grant access to non-confidential versions of the original information.

**Responsibilities of parties submitting information**

To ensure the protection of business secrets and other confidential information, any person submitting information to the Commission must:

* clearly identify any material which they consider confidential;
* provide a separate non-confidential version;
* in antitrust proceedings, provide a concise description of each piece of deleted information.

**Confidentiality claims**

The notice describes the criteria the Commission uses for the assessment of **confidentiality claims**. It also foresees that the need to safeguard the rights of defence may outweigh the concern to protect confidential information.

It confirms that the Commission may grant access either in electronic form or in paper form.

**BACKGROUND**

For more information, see:

* [Antitrust legislation](http://ec.europa.eu/competition/antitrust/legislation/legislation.html) (*European Commission*)
* [Mergers legislation](http://ec.europa.eu/competition/mergers/legislation/legislation.html) (*European Commission*).

**KEY TERMS**

**Statement of objections:** the Commission’s explanation of its preliminary view that addressees may have broken competition rules.

**STRENGTHENING EU CONSUMER RIGHTS**

**SUMMARY OF:**

[Directive 2011/83/EU on consumer rights](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32011L0083)

[Directive (EU) 2019/2161 amending Directive 93/13/EEC and Directives 98/6/EC, 2005/29/EC and 2011/83/EU as regards the better enforcement and modernisation of EU consumer protection rules](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32019L2161)

**WHAT IS THE AIM OF THE DIRECTIVES?**

**Directive 2011/83/EU** seeks to:

* increase consumer protection by harmonising several key aspects of national legislation on contracts between customers and sellers;
* encourage trade between EU countries, particularly for consumers buying online;

The directive replaced the distance selling directive ([97/7/EC](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:31997L0007)) and the doorstep selling directive ([85/577/EEC](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:31985L0577)).

**Directive (EU) 2019/2161** on better enforcement and modernisation of EU consumer protection rules amends Directive 2011/83/EU. The amendments increase protection for EU consumers in several areas such as purchases through online marketplaces, transparency of price personalisation[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:0904_4&from=EN#keyterm_E0001) and ranking of online offers and consumer rights when using ‘free’ online services.

**KEY POINTS**

**Scope**

* With some exceptions such as [package travel and holidays](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:090405_1) or financial services, such as [consumer credit](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:co0001) and [insurance](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:24040301_1), **Directive 2011/83/EU**, as amended by Directive (EU) 2019/2161, covers a broad range of contracts concluded between traders and consumers, namely **sales contracts**[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:0904_4&from=EN#keyterm_E0002), **service contracts**[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:0904_4&from=EN#keyterm_E0003), **contracts for online digital content** and **contracts for the supply of water, gas, electricity and district heating**). It applies to contracts concluded in shops and to contracts concluded off-premises (e.g. at the consumer’s home) or at distance (e.g. online).
* **Amending Directive (EU) 2019/2161** extends the scope of Directive 2011/83/EU to cover contracts under which the trader supplies or undertakes to supply **digital service**[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:0904_4&from=EN#keyterm_E0004) or **digital content**[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:0904_4&from=EN#keyterm_E0005) to the consumer, and the consumer provides or undertakes to provide **personal data**[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:0904_4&from=EN#keyterm_E0006). It also clarifies the situation of products offered to consumers in **online marketplaces**[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:0904_4&from=EN#keyterm_E0007), where both the provider of the online marketplace and the third-party supplier are involved in providing the **pre-contractual information** required by Directive 2011/83/EU.

**Information obligations**

* Before concluding a contract, traders must provide to consumers, in clear, understandable language, information, such as:
  + their **identity and contact details**;
  + the **product’s main characteristics**; and
  + the **conditions that apply**, including payment terms, delivery time, performance and duration of the contract and termination conditions.
* In **shops**, only information which is not already obvious must be provided.
* Information requirements, particularly on the right of withdrawal, are **more detailed** for contracts concluded at distance (such as via post, telephone or online) and for contracts concluded off premises (e.g. where a trader visits a consumer’s home).
* Amending Directive (EU) 2019/2161 includes a new article dealing with **specific information requirements** for contracts concluded on online marketplaces. Online marketplaces are required to inform consumers whether the third-party supplier is a trader or non-trader (a consumer), warn the consumer about the non-applicability of EU consumer-protection rules to contracts concluded with non-traders and explain who is responsible for the performance of the contract: the third-party trader or the online marketplace itself.
* Also, amending Directive (EU) 2019/2161 requires traders to inform consumers whether the price was personalised on the basis of automated decision-making.

**Right of withdrawal**

* Consumers can withdraw from **distance and off-premises contracts** within 14 days of the delivery of the goods[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:0904_4&from=EN#keyterm_E0008) or the conclusion of the service contract, subject to certain exceptions, without any explanation or cost. A standard withdrawal form provided by the seller suffices. If the consumers are not made aware of their rights, the withdrawal period is extended by 12 months.
* **Exemptions** apply in several circumstances, for example, for rapidly perishable goods, sealed goods opened by the consumer which cannot be returned for health or hygiene reasons, and hotel reservations or car rentals which are tied to specific dates. Exceptions also apply, under certain circumstances, for **contracts for the supply of digital content** which is not supplied on a tangible medium if the performance has begun.
* When consumers withdraw from a contract, they must refrain from using the **digital content** or **digital service** and from making it available to third parties.

**No unjustified payment costs or additional charges**

* Traders must not charge consumers fees that are more than the cost borne by the trader for the type of payment involved.
* When phoning a trader to enquire or complain about the contract concluded, the consumer must not pay more than the basic telephone rate.
* Traders must have a consumer’s express consent when offering additional paid-for services. Pre-ticked boxes on an order form may not be used for such payments.

**Penalties**

* **Amending Directive (EU) 2019/2161** requires EU countries to introduce effective, proportionate and dissuasive penalties to punish traders who break national rules transposing the directive.
* The amending Directive (EU) 2019/2161 introduces a list of criteria to be applied when imposing the penalties. It also requires EU countries to provide for the possibility to impose fines up to at least 4% of a trader’s turnover, or €2 million where information about the trader’s turnover is unavailable when, working together, they identify major cross-border infringements affecting consumers in several EU countries.

**FROM WHEN DO THE DIRECTIVES APPLY?**

**Directive 2011/83/EU** has applied since 12 December 2011 and had to become law in the EU countries by 13 December 2013. It applies to contracts concluded after 13 June 2014.

**Amending Directive (EU) 2019/2161** has to become law in the EU countries by 28 November 2021 and applies from 28 May 2022.

**BACKGROUND**

For more information, see:

* [Consumer protection](http://ec.europa.eu/info/policies/consumers/consumer-protection_en) (*European Commission*)
* [Factsheet — New Deal: What benefits will I get as a consumer?](http://ec.europa.eu/info/files/factsheet-new-deal-what-benefits-will-i-get-consumer_en) (*European Commission*).

**KEY TERMS**

**Price personalisation:** where a seller/service provider can set prices that are personalised to different customers. This is increasingly being made possible with the development of big data and analytics, and is a form of price discrimination (where a seller can sell an identical product at different prices to different segments of the market). Personalised pricing occurs when firms set different prices for individual consumers, or individually tailor products given consumers’ preferences.

**Sales contract:** any contract under which the trader transfers or undertakes to transfer ownership of goods to the consumer, including any contract having as its object both goods and services.

**Service contract:** any contract other than a sales contract under which the trader supplies or undertakes to supply a service to the consumer and the consumer pays or undertakes to pay the price thereof.

**Digital service:**

* a service that allows the consumer to create, process, store or access data in digital form; or
* a service that allows the sharing of or any other interaction with data in digital form uploaded or created by the consumer or other users of that service.

**Digital content:** data which are produced and supplied in digital form.

**Personal data:** any information that relates to an identified or identifiable person.

**Online marketplace:** a service using software, including a website, part of a website or an application, operated by or on behalf of a trader which allows consumers to conclude distance contracts with other traders or consumers.

**Goods:**

* any physical movable items, including water, gas and electricity when sold in a limited volume or a set quantity;
* any physical movable items that incorporate or are inter-connected with digital content or a digital service in such a way that the absence of that digital content or digital service would prevent the goods from performing their functions (‘goods with digital elements’).

**International cultural relations — an EU strategy**

**SUMMARY OF:**

[Joint Communication (JOIN (2016)29 final) — international cultural cooperation strategy](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52016JC0029)

[Article 6 of the Treaty on the Functioning of the European Union (TFEU)](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:12016E006)

**WHAT IS THE AIM OF THE COMMUNICATION AND ARTICLE 6 TFEU?**

* The communication proposes a strategy for more effective international cultural relations, (i.e. the exchange of ideas, views and opinions between different cultures) to support the [European Commission](http://eur-lex.europa.eu/summary/glossary/european_commission.html) priority to make the EU a stronger global participant, a better international partner and a more important contributor to sustainable growth.
* It puts forward a **model for cultural cooperation** between EU countries, national cultural organisations, and private and public bodies using ‘cultural diplomacy’ to promote a global order based on peace, the [rule of law](http://eur-lex.europa.eu/summary/glossary/rule_of_law.html), freedom of expression, mutual understanding and respect for fundamental values.
* Although culture policy is primarily a matter for EU countries themselves, Article 6 TFEU states that the EU can play a part in supporting, coordinating and supplementing EU countries’ activities in the field.

**KEY POINTS**

Culture is not just about the arts or literature. It spans a wide range of activities, from inter-cultural dialogue[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:4298957&from=EN#keyterm_E0001) to tourism, from education and research to the creative industries, from protecting heritage to promoting new technologies, and from artisanship to development cooperation.

It also plays an important role in **EU foreign policy**where cultural cooperation counters stereotypes and prejudice, and dialogue can prevent conflicts and foster reconciliation. It helps in responding to global challenges such as integrating refugees, countering violent radicalisation and protecting the world’s cultural heritage.

Culture can also be a tool to deliver important **social and economic benefits,**such as citizen participation and tourism revenues, both within and outside the EU.

The strategy builds upon and updates previous communications on [culture and the EU's international relations](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:cu0002) and [culture's role in EU development cooperation](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:11010202_3), and focuses on strengthening cultural cooperation in **3 main areas**:

* **Driving sustainable social and economic development**, by strengthening cultural and creative industries and supporting the role of local authorities. Examples of this in action are:
  + the Asia-Europe Foundation’s [Creative Networks Programme](http://www.asef.org/projects/programmes/2955-asef-creative-networks);
  + EU support in the southern Mediterranean for a project to develop clusters in the cultural and creative industries with [UNIDO (United Nations Industrial Development Organisation)](http://www.unido.org/);
  + a [European Network of Creative Hubs](http://creativehubs.eu/), which involves all countries participating in the [‘Creative Europe’ programme](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:1002_1) (including Serbia, Moldova, Turkey, Georgia and Ukraine).
* Promoting peaceful relations between communities and peoples with diverse religious beliefs. Dialogue can help promote fair, peaceful, inclusive societies that respect human rights and take account of local sensitivities, with action tailored to particular cultural contexts and interests. This includes:
  + programmes to promote culture within the [Eastern Partnership](https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/eastern-partnership_en), involving Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine;
  + support for the [Anna Lindh Foundation](http://www.annalindhfoundation.org/) and its network of organisations throughout the 42 countries of the [Union for the Mediterranean](http://ufmsecretariat.org/).
* **Improving cooperation on cultural heritage**, by promoting research, combating illicit trafficking in cultural goods, and supporting the protection of heritage sites. Rehabilitating and promoting cultural heritage attracts tourism and boosts economic growth. Examples include:
  + research under [Horizon 2020](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:2701_3) to find new ways to preserve and manage cultural heritage threatened by climate change and in which non-EU countries can participate;
  + combating trafficking of heritage, including support for training customs officers at border controls to aid the early detection of stolen artefacts;
  + working with [UNESCO](http://en.unesco.org/) to set up a **rapid reaction mechanism** for the protection of cultural heritage sites. The [EU Regional Trust Fund in Response to the Syrian Crisis](https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/syria/madad_en) will also contribute to protecting cultural heritage and promoting cultural diversity.

EU cooperation on culture encompasses both EU and developing countries and can be enhanced by:

* pooling resources and working together in non-EU countries;
* better cooperation with national cultural institutes within the EU;
* making increased use of EU embassies in non-EU countries ([delegations](https://ec.europa.eu/neighbourhood-enlargement/about/eu-delegations_en));
* establishing European culture houses, designed to provide services to the local population, engage in joint projects and offer scholarships, and cultural and educational exchanges;
* joint EU cultural events;
* focus on strategic international partners;
* exchanges of students, researchers and alumni between EU and non-EU countries.

This cultural strategy can be promoted making use of existing resources, such as:

* [Partnership Instrument](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:28_1) (EU outreach tool)
* [European Instrument for Democracy and Human Rights](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:1302_1)
* [Instrument contributing to Stability and Peace](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:110102_3)
* [Creative Europe Programme](https://eacea.ec.europa.eu/creative-europe_en) (promoting cultural heritage)
* [EU enlargement policy](http://eur-lex.europa.eu/summary/glossary/enlargement.html) (includes cultural policies)
* [European Neighbourhood Policy](http://eur-lex.europa.eu/summary/glossary/neighbourhood_policy.html) (relations with 16 neighbouring countries)
* [Development Cooperation Instrument](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:110102_1)
* [Cotonou Agreement](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:r12101) (EU cooperation with African, Caribbean and Pacific countries).

**INFORMATION TECHNOLOGY FOR CUSTOMS PURPOSES**

**SUMMARY OF:**

[Decision 2009/917/JHA on the use of information technology for customs purposes](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32009D0917)

**WHAT IS THE AIM OF THE DECISION?**

* It replaces and updates the 1995 [customs information system convention (CIS convention)](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:41995A1127%2802%29) and brings it into line with Regulation (EC) No [766/2008](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32008R0766) which amends Regulation (EC) No [515/97](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:31997R0515) (see [summary](http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=LEGISSUM:l11037)) on cooperation between EU countries and the [European Commission](http://eur-lex.europa.eu/summary/glossary/european_commission.html) to ensure the law on customs and agriculture is correctly applied.
* The CIS aims to assist in preventing, investigating and prosecuting serious contraventions of national laws by making information available more rapidly, increasing the effectiveness of EU countries’ customs cooperation and control procedures.

**KEY POINTS**

The CIS consists of a **central database**, accessible from every EU country. It comprises exclusively data necessary to achieve its aim, including personal data, in the following areas:

* commodities (products that can be bought or sold);
* means of transport;
* businesses;
* persons;
* fraud trends;
* availability of expertise;
* items detained, seized or confiscated;
* cash detained, seized or confiscated.

**Data protection**

* Directive (EU) [2016/680](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32016L0680) applies to data protection unless otherwise provided for in this decision.
* The CIS contains the data (including that of a personal character) necessary to achieve the system’s objective through activities such as sighting and reporting, discreet surveillance, specific checks and strategic and operational analysis.
* This decision respects the fundamental rights and adheres to the principles recognised in particular by the [Charter of Fundamental Rights of the European Union](http://eur-lex.europa.eu/summary/glossary/charter_fundamental_rights.html). It does not prevent EU countries from applying their constitutional rules relating to public access to official documents.
* Only the EU countries supplying the information to the CIS database have the right to amend, add or erase that data.
* Data will be kept only for the time necessary to achieve the purpose for which it was entered. The need for retention is reviewed at least annually by the supplying country.

**Customs files identification database**

* A special database known as the customs files identification database was set up, allowing national authorities to know whether persons or businesses they are investigating are also being investigated or have been investigated in other EU countries. For the purpose of this database EU countries share among themselves, as well as with [Europol](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum:23040102_1) and [Eurojust](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:4369105), a list of serious contraventions of national laws: those punishable by.at least a 12-month custodial sentence or a fine of at least €15,000.
* An EU country is not obliged to share information with this special database where this would harm public policy or other essential interests.
* Data is retained for 3 years if it has not been established that an infringement has taken place, with data erased 12 months after the most recent investigative act. This is extended to 6 years where there is an infringement that has not led to a conviction or 10 years where there has been a conviction.

**Supervision and administration**

* Each EU country designates a national supervisory authority or authorities responsible for personal data protection to carry out independent supervision of data covered by the decision. A joint supervisory authority was also set up, consisting of 2 representatives from each EU country’s respective national supervisory authority.
* The [European Data Protection Supervisor](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum:0102_11) oversees the activities of the Commission regarding the CIS.
* A committee consisting of representatives from the customs administrations of the EU countries, with the involvement of the Commission, is responsible for the implementation and correct application of this decision (based on unanimity) and the proper technical and operational functioning of the CIS (decisions by two-thirds majority).

**FROM WHEN DOES THE DECISION APPLY?**

It has applied since 27 May 2011

# EU DEVELOPMENT POLICY

**SUMMARY OF:**

[Article 4 of the Treaty on the Functioning of the European Union (TFEU)](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:12016E004)

[Article 208 of the Treaty on the Functioning of the European Union (TFEU)](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:12016E208)

[Article 21(2)(d) of the Treaty on European Union (TEU)](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:12016M021)

## EU DEVELOPMENT POLICY IN THE TREATIES OF THE EUROPEAN UNION

[Article 4 TFEU](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:12016E004) gives the EU the competence to carry out activities and conduct a common policy in the area of [development cooperation](http://eur-lex.europa.eu/summary/glossary/development_aid.html). EU countries may also exercise their own [competences](http://eur-lex.europa.eu/summary/glossary/competences.html) in the field.

The primary objective of EU development policy, as laid down in [Article 208 TFEU](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:12016E208), is the reduction and, in the long term, eradication of poverty. Article 208 also requires the EU and EU countries to honour commitments made in the context of the [United Nations](https://www.un.org/en/) (UN) and other competent international organisations.

EU development policy also pursues the objectives of EU external action, in particular those set out in [Article 21(2)(d)](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:12016M021) of the Treaty on European Union (TEU) of fostering the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty.

In line with the objectives set out in Article 21(2) TEU, development policy also contributes, among other things, to supporting democracy, the rule of law and human rights, to preserving peace and preventing conflict, to improving the quality of the environment and the sustainable management of global natural resources, to assisting populations, countries and regions confronting natural or man-made disasters, and to promoting an international system based on stronger multilateral cooperation and good global governance.

## KEY POINTS

**Global commitments**

*The EU as a stronger global actor*

The EU seeks to bring together all available means from the EU and the EU countries to work towards a more peaceful and prosperous world. The full implementation of the [EU global strategy (EUGS)](http://eeas.europa.eu/topics/eu-global-strategy_en) on [foreign and security policy](http://eur-lex.europa.eu/summary/glossary/foreign_security_policy.html) started in 2017. This strategy sets out the EU’s core interests and principles for engagement and provides a vision for a more credible, responsible and responsive EU in the world. The UN's Sustainable Development Goals (SDGs) will be cross-cutting elements in the implementation of the EUGS.

The EU and EU countries together are the largest donor of official development assistance (ODA). The [**European Development Fund (EDF)**](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:1103_1)is the EU’s main instrument for providing development aid to 79 African, Caribbean and Pacific (ACP) countries and to [overseas countries and territories](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:1105_1) under the [Cotonou Agreement](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=LEGISSUM:r12101).

Through its [Development Cooperation Instrument](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:110102_1), the EU aims to reduce poverty in developing countries, as well as to promote sustainable economic, social and environmental development, democracy, the rule of law, human rights and good governance.

*The 2030 Agenda for Sustainable Development and the European Consensus on Development*

The [2030 Agenda for Sustainable Development](http://sustainabledevelopment.un.org/post2015/transformingourworld) and its 17 [SDGs](http://www.un.org/sustainabledevelopment/sustainable-development-goals/), adopted by the 193 UN member states in 2015, is the new global framework to eradicate poverty and achieve worldwide sustainable development by 2030.

In line with the EUGS, the EU in its 2017 [New European Consensus on Development](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:42017Y0630%2801%29) sets out the principles for EU institutions and EU countries in their cooperation with developing countries towards contributing to the achievement of the 2030 Agenda for Sustainable Development and the [Addis Ababa Action Agenda](http://www.un.org/esa/ffd/wp-content/uploads/2015/08/AAAA_Outcome.pdf), agreed by the UN in 2015, and the [Paris Agreement on climate change](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:20010104_1).

The consensus aligns the EU’s development action to the SDGs and is structured around the 5 Ps framing the 2030 agenda (people, planet, prosperity, peace and partnership).

*Financing for sustainable development*

The EU is party to the Addis Ababa Action Agenda, an agreement reached by a partnership of 193 UN member countries at the **UN Third International Conference on Financing for Development**. It is an integral part of the 2030 agenda and sets a new paradigm for implementation through effective use of financial and non-financial means and by placing domestic actions and sound policies at the forefront. It action areas include:

* domestic public resources
* domestic and international private business and finance
* international development cooperation
* international trade as an engine for development
* debt and debt sustainability
* systemic issues
* science, technology, innovation and capacity-building.

*External Investment Plan*

To help achieve the SDGs and leverage both public and private investment, the EU set up the [European Fund for Sustainable Development (EFSD)](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:4314965) and the EFSD Guarantee in 2017. These are part of the [EU External Investment Plan (EIP)](http://ec.europa.eu/commission/eu-external-investment-plan_en) which addresses the sustainable development challenges faced in Sub-Saharan Africa and also transition through reforms in the EU’s [Neighbourhood](http://ec.europa.eu/neighbourhood-enlargement/neighbourhood/overview_en) region.

*Post-Cotonou*

[Negotiations](http://europa.eu/rapid/press-release_IP-18-3930_en.htm) are under way to redefine the EU’s future relationship with the ACP countries. Currently, it is defined by the Cotonou agreement which comes to an end in 2020. The agreement has helped to reduce poverty, increase stability and integrate the ACP countries into the global economy.

*Development effectiveness and joint programming — working better with EU countries*

The EU is committed to ensuring that development aid is spent as effectively as possible to achieve the SDGs. In this regard, it has endorsed several international agreements, including:

* the [2005 Paris Declaration and the 2008 Accra Agenda for Action](http://www.oecd.org/dac/effectiveness/34428351.pdf);
* the [2011 Busan Outcome Document](http://effectivecooperation.org/wp-content/uploads/2016/03/OUTCOME_DOCUMENT_-_FINAL_EN.pdf); and
* the [2016 Nairobi Outcome Document](http://effectivecooperation.org/wp-content/uploads/2016/12/OutcomeDocumentEnglish.pdf).

The key principles of **development effectiveness**, redefined at the Nairobi High-Level Meeting in 2016, are:

* ownership of development priorities by developing countries;
* transparency and mutual accountability;
* development cooperation focused on results; and
* all stakeholders being involved in inclusive development partnerships.

These principles are put into practice in programmes and projects as well as by means of [**joint programming**](http://ec.europa.eu/europeaid/policies/eu-approach-aid-effectiveness/joint-programming_en), with the various EU development partners (the EU and EU countries) working in a partner country planning the development cooperation together.

*Policy coherence for development (PCD)*

Through [policy coherence for development (PCD)](http://ec.europa.eu/europeaid/policies/policy-coherence-development_en), the EU seeks to minimise the negative spillover effects of its policies on developing countries. This aims to:

* promote synergies between different EU policies to benefit partner countries and support SDGs;
* increase the effectiveness of development cooperation.

To ensure it remains relevant in pursuit of the SDGs, the EU has integrated PCD in the overall Commission work on the implementation of the 2030 agenda. EU countries also have their own mechanisms in place to ensure PCD in their national policies. The [2019 EU report on policy coherence for development](http://ec.europa.eu/europeaid/sites/devco/files/swd_2019_20_pcdreport.pdf) looks at the progress made by EU institutions and countries on PCD over the period 2015-2018.

**People**

*Poverty and reducing inequalities*

[SDG 1](http://www.un.org/sustainabledevelopment/poverty/), eradicating poverty, and [SDG 10](http://www.un.org/sustainabledevelopment/inequality/), tackling inequalities and discrimination, are central to EU development policy.

Preliminary results of research analysing inequality launched by the Commission in 2017 indicate:

* within developing countries, the level of income inequality is high and, on average, higher than 30 years ago;
* income inequality appears to have decreased in some countries of Latin America (Brazil, Peru, Mexico), while it has increased in some Asian countries (China and Vietnam); and
* Latin America and Sub-Saharan Africa are the most unequal regions in the world.

Inequality at the national level remains an important obstacle to fast growth and poverty reduction. Although extreme poverty continues to shrink worldwide, it is still widespread in Africa, especially Sub-Saharan Africa.

*Human development*

Priorities of the EU’s development policy include eradicating poverty ([SDG 1](http://www.un.org/sustainabledevelopment/poverty/)), tackling inequalities and discrimination ([SDG 10](http://sustainabledevelopment.un.org/sdg10)) and leaving no one behind. The [human development approach](http://ec.europa.eu/europeaid/sectors/human-development_en) focuses on people, their opportunities and choices. The EU supports partner countries’ societies and economies in becoming more inclusive and sustainable, so that everyone benefits from development and no one is left behind.

*Gender equality and women’s empowerment*

Gender equality is an EU fundamental value (Article 2 TEU) and a policy objective enshrined in the Treaty on the Functioning of the European Union (Article 19 TFEU). By promoting [gender equality and women’s empowerment](http://ec.europa.eu/europeaid/sectors/human-rights-and-governance/gender_en), the EU contributes to the realisation of [SDG 5](http://www.un.org/sustainabledevelopment/gender-equality/) and the overall 2030 agenda, as also underlined in the 2017 European Consensus on Development.

Gender equality is an essential precondition for equitable and inclusive sustainable development, given that women and girls are half the world’s population. The EU aims to ensure that women and girls can fully and equally participate in social, economic, political and civil life. In particular, it supports the removal of obstacles to gender equality, such as discriminatory laws, unequal access to services and justice, education and health, jobs and economic empowerment, and political participation, and the elimination of sexual and gender-based violence, including by addressing social norms and gender stereotypes and supporting women's movements and civil society.

The EU gender action plan (2016-2020) sets the framework for the realisation of these priority objectives worldwide, through EU external relations policies. In 2017, the [European Commission](http://eur-lex.europa.eu/summary/glossary/european_commission.html) issued its first implementation [report](http://ec.europa.eu/transparency/regdoc/rep/10102/2017/EN/SWD-2017-288-F1-EN-MAIN-PART-1.PDF) of the [EU gender action plan 2016-2020](http://ec.europa.eu/europeaid/eu-gender-action-plan-ii-gender-equality-and-womens-empowerment-transforming-lives-girls-and-women-0_en).

One flagship EU initiative is the €500 million [Spotlight Initiative](http://ec.europa.eu/europeaid/sectors/human-rights-and-democratic-governance/gender-equality/spotlight-initiative_en), a unique partnership with the UN to eliminate violence against women and girls. The initiative brings together partner governments and civil society from Asia, Sub-Saharan Africa, Latin America, the Caribbean and the Pacific.

*Migration, forced displacement and asylum*

While the topics of migration and mobility are not new, the number of international migrants has increased in recent years, reaching 258 million in 2017 (up from 220 million in 2010 and 173 million in 2000). Most of the world’s international migrants are citizens of developing countries and developing countries host more than 85% of the world’s forcibly displaced persons.

Migration challenges continue to be at the top of the European agenda. In 2017 the European Commission continued to proactively address the development-migration nexus, in line with the 2030 agenda and the consensus on development. EU development cooperation played a crucial role in contributing to the overall EU efforts to address migration, in the context of the [European Agenda on Migration](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52015DC0240), the [Valletta declaration](http://www.consilium.europa.eu/media/21841/political_decl_en.pdf), the [partnership framework on migration](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52016DC0385) and the new EU approach to [forced displacement](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52016DC0234), in full compliance with development objectives and principles.

Through a range of development instruments, for instance through the [emergency trust fund for Africa](http://ec.europa.eu/europeaid/regions/africa/eu-emergency-trust-fund-africa_en) and the EU regional [trust fund for Syria](http://ec.europa.eu/trustfund-syria-region/content/home_en), but also under regular geographical instruments, the European Commission implemented actions in partner countries addressing both short- and long-term challenges and opportunities arising from migration.

In particular three aspects were in focus:

* 1) addressing the drivers/root causes of irregular migration/forced displacement;
* 2) enhancing partners' capacities for improved migration/refugee management;
* 3) maximising the development impact of migration.

Through this comprehensive approach, the support in 2017 contributed to both strengthening the dialogue and partnership with partner countries in the area of migration and achieving tangible results in improving migration management, providing protection to vulnerable migrants and refugees and maximising the positive development impact of migration.

Among other achievements, in 2017, the EU:

* committed €3 billion to the [Facility for Refugees in Turkey](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:4300997); and
* developed a [€90 million programme](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52017JC0004) to provide protection and assistance to those in need in Libya and as support to stabilise host communities, with a shift of focus to the Central Mediterranean route;
* approved, as of 31 December 2017, a total of 143 projects worth €2,388 million under the EU trust fund for Africa;
* adopted, in Asia, Afghanistan, Bangladesh, Pakistan and Iraq, a special measure of €196 million via the Commission in September 2017 to address challenges posed by protracted forced displacement and migration in Asia and the Middle East.

*Culture, education and health*

The EU recognises the role of [culture](http://ec.europa.eu/europeaid/sectors/human-development/culture_en) in economic growth and as an important component and enabler to facilitate:

* social inclusion
* freedom of expression
* identity building
* civil empowerment
* conflict prevention.

In 2017, the EU adopted:

* conclusions on an [EU strategic approach to international cultural relations](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52017XG0615%2803%29);
* a number of programmes such as [Investing in Culture and Creativity](http://ec.europa.eu/europeaid/sites/devco/files/commission-implementing-decision_c2017_-_8725_-_annex_2_en.pdf), which aims to:
  + improve cultural governance in partner countries;
  + stimulate job-creation; and
  + reinforce cultural heritage.

The objective of [SDG 4](http://www.un.org/sustainabledevelopment/education/) is to ensure inclusive and equitable quality education and promote lifelong learning opportunities for all by 2030. [Education](http://ec.europa.eu/europeaid/sectors/human-development/education_en) is a fundamental human right and a public good. It also plays an important role in achieving other SDGs through learning, skills and awareness.

In 2017, the EU:

* supported more than 45 countries in their efforts to strengthen education systems;
* worked with the [Global Partnership for Education](http://www.globalpartnership.org/), which supports basic education, focusing on the poorest countries and/or those in fragile situations;
* adopted a €21 million programme with the objective to support education needs in protracted crisis, focusing on improving quality of education in safe learning environments and building a global evidence base to inform future support.

To achieve [SDG 3](http://www.un.org/sustainabledevelopment/health/) on health and well-being, the EU continued to work in the [health](http://ec.europa.eu/europeaid/sectors/human-development/health_en) area supporting the [Global Fund](http://www.theglobalfund.org/en/) and [GAVI, the Vaccine Alliance](http://www.gavi.org/), as well as conducting research into fighting **poverty-related and neglected infectious diseases**. It also supported regional initiatives, like the second [European and Developing Countries Clinical Trials Partnership programme](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:270301_1), and other multinational initiatives.

Working with the [United Nations Population Fund](http://www.unfpa.org/), the EU supports efforts to increase the availability of quality **reproductive health** and **maternal health services**.

*Food and nutrition security and sustainable agriculture*

With one in nine people suffering from [food and nutrition insecurity](http://ec.europa.eu/europeaid/sectors/food-and-agriculture/food-and-nutrition-security_en), [SDG 2](http://www.un.org/sustainabledevelopment/hunger/) seeks to end hunger, achieve food security and improve nutrition and promote sustainable agriculture by 2030.

Sustainable agriculture, together with sustainable fisheries and aquaculture, is indispensable to ending hunger and ensuring food security and remains a key driver for poverty eradication and sustainable development. Both agriculture and food security are crucial factors in achieving good nutrition outcomes.

The EU was one of the major movers behind the publication in 2017 of the [Global Report on Food Crises](http://ec.europa.eu/europeaid/global-report-food-crises-2017_en) which, indicating that nearly 108 million people were in a food crisis or emergency situation, identified the need:

* to analyse the main drivers of food insecurity; and
* for efforts to tackle the challenges.

The EU has several initiatives in place to help reduce the number of stunted children under the age of 5 by at least 7 million by 2025, with a €3.5 billion allocation over the 2014-2020 period.

Sustainable agriculture, from economic, social and environmental perspectives, is a central topic of the EU's development cooperation agenda with its partner countries. The EU focuses its work in this sector on:

* investing in small-scale farms;
* supporting governmental initiatives and programmes that encourage sustainability and innovation in the agricultural sector;
* promoting agricultural practices and technologies that raise rural income while being sustainable in terms of water, soils and ecosystems, and biodiversity;
* improving farmers’ access to productive assets, such as land, capital, etc., notably by encouraging local cooperation and partnerships between farmers;
* leveraging more private investments in the agricultural sector;
* empowering women in agriculture.

**Planet**

*Climate change*

The EU is committed to contributing to the global fight against [climate change](http://ec.europa.eu/europeaid/sectors/environment/climate-change-disaster-risk-reduction-and-desertification/climate-change_en) in line with the 2015 Paris Agreement and [SDG 13](http://www.un.org/sustainabledevelopment/climate-change/). We are putting the implementation of the nationally determined contributions at the core of the policy dialogue with our partner countries to integrate climate change in our policies, strategies, investment plans and projects so that they fully contribute to the Paris Agreement and SDG 13. Our work on climate change and the 2030 agenda must go hand in hand.

The EU has upped its efforts to manage risks and build resilience and adaptability to change, consistent with the [Sendai Framework for Disaster Risk Reduction](http://www.unisdr.org/we/coordinate/sendai-framework). The EU also supports the shift towards a low-emission, climate-resilient, green economy, consistent with [SDG 8](http://www.un.org/sustainabledevelopment/economic-growth/) on growth and [SDG 12](http://www.un.org/sustainabledevelopment/sustainable-consumption-production/) on sustainable consumption and production. Climate change is related to almost all SDGs.

Over the 2014-2018 period, the EU invested €8.2 billion to support climate action. The biggest share of EU climate funding went to adaptation actions (41%), followed by synergy actions addressing both adaptation and mitigation (31%) and by mitigation actions (28%). Our aim is to promote such actions contributing to both adaptation and mitigation.

*Environment and sustainable management of natural resources*

The environment and natural resources, like land, water resources, forests, [fish stocks](http://ec.europa.eu/dgs/maritimeaffairs_fisheries/magazine/en/places/making-difference-how-fisheries-contribute-sustainable-development-around-globe) and biodiversity, are key to developing countries’ economies and their citizens’ livelihoods. Their protection and sustainable management are essential to meeting the 2030 sustainable development agenda (including SDGs [6](http://www.un.org/sustainabledevelopment/water-and-sanitation/), [12](http://www.un.org/sustainabledevelopment/sustainable-consumption-production/), [14](http://www.un.org/sustainabledevelopment/oceans/) and [15](http://www.un.org/sustainabledevelopment/biodiversity/)), to eradicating poverty and hunger and ensuring health, well-being, access to clean water and sanitation and sustainable growth, while preserving ecosystems and fighting climate change. The EU supports partner countries in improving environmental and natural resource governance, sustainably managing land, water, forests and other natural resources, protecting biodiversity, tackling pollution and promoting inclusive green economies.

*Sustainable energy*

Access to modern and sustainable energy services is one of the key target areas of EU development assistance. In 2017, the Commission issued a [paper](http://data.consilium.europa.eu/doc/document/ST-15866-2017-INIT/en/pdf) showing that cooperation on sustainable energy contributes to the implementation of the European Consensus on Development.

Under the 2014-2020 financial perspective, €3.7 billion have been allocated to sustainable energy cooperation for development to contribute to the three EU objectives with a deadline of 2020: providing access to energy to about 40 million people, increasing renewable energy generation by about 6.5 gigawatts and contributing to fighting climate change, by saving about 15 million tons of CO2/year.

For example, the EU aims to deliver its contribution to the [Africa Renewable Energy Initiative](http://ec.europa.eu/europeaid/tags/africa-renewable-energy-initiative-arei_en) objectives and reach 5 GW of renewable energy generation capacity by 2020 while bringing access to sustainable energy to 30 million people in Africa and saving 11 million tons of CO2 per year.

**Prosperity**

*Working with the private sector*

Because investment needs in partner countries are substantial and donor funds from governments and international organisations are insufficient to meet them, the EU makes use of **blending**, where EU grants are combined with loans or equity from public and private financiers, thereby contributing to [SDG 17](http://www.un.org/sustainabledevelopment/globalpartnerships/) (strengthen the means of implementation and partnerships for the goals). The EU blending framework consists of the following regional blending facilities:

* [Latin America Investment Facility](http://ec.europa.eu/europeaid/node/7336);
* [Asia Investment Facility](http://ec.europa.eu/europeaid/regions/asia/asian-investment-facility-aif_en);
* [Investment Facility for Central Asia](http://ec.europa.eu/europeaid/regions/central-asia/investment-facility-central-asia-ifca_en);
* [Caribbean Investment Facility](http://ec.europa.eu/europeaid/regions/latin-america/caribbean-investment-facility_en);
* [Investment Facility for the Pacific](http://ec.europa.eu/europeaid/regions/pacific/investment-facility-pacific-ifp_en);
* [EU-Africa Infrastructure Trust Fund](http://ec.europa.eu/europeaid/regions/africa/eu-africa-infrastructure-trust-fund-eu-aitf_en);
* [Africa Investment Platform](http://ec.europa.eu/europeaid/regions/africa-investment-facility_en) and the [Neighbourhood Investment Platform](http://ec.europa.eu/neighbourhood-enlargement/neighbourhood/neighbourhood-wide/neighbourhood-investment-platform_en) (managed by the [Directorate-General for Neighbourhood and Enlargement Negotiations (NEAR)](http://ec.europa.eu/neighbourhood-enlargement/about/directorate-general_en)), that are both integrated into the EFSD as part of the first pillar of the EIP (see External Investment Plan section above).

A major innovation, the EFSD Guarantee uses limited public funds to leverage in particular private investment for viable projects that would otherwise struggle to get off the ground or expand, while focusing on sustainable development objectives in partner countries. The EIP as a whole focuses on removing constraints to sustainable private investment and supporting priority reforms through a strengthened dialogue with the private sector and relevant stakeholders. Boosting sustainable investment and job creation (SDG 8) is also one of the main objectives of the Africa-Europe Alliance for Sustainable Investment and Jobs launched in September 2018.

On trade, in November 2017, the EU adopted a new Aid for Trade strategy, [achieving prosperity through trade and investment](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52017DC0667), jointly with EU countries. The strategy seeks to encourage better mobilisation of [EU Aid for Trade](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum:dv0006) with a view to helping developing countries to take full developmental advantage of various EU policy instruments, notably EU trade agreements and preferential schemes (including [Economic Partnership Agreements](http://ec.europa.eu/trade/policy/countries-and-regions/development/economic-partnerships/) and the [Generalised Scheme of Preferences](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:cx0003)), in a sustainable and inclusive manner.

*Agricultural growth*

Two-thirds of the world’s poor depend on agriculture for their livelihoods and many developing countries remain highly dependent on trade in just a few commodities.

The EU is convinced that accelerated levels of responsible investments domestic and international, public and private in agriculture and agribusinesses need to be achieved to create the required dynamics for sustainable growth and resilience across the rural areas of developing countries. Consistent with this approach, in September 2018, President Jean-Claude Juncker announced the new Africa-Europe Alliance for Sustainable Investment and Jobs.

Private-sector investments need to be stimulated by creating a well-regulated and serviced business environment; the public sector has a key role to play in achieving this. However, elevated risk levels, linked to production, financing and market risks, remain key constraints to stepping up private-sector investments. The EU helps reduce such risks through the European External Investment Plan (EIP). The EU supports land governance actions in about 40 countries with a total budget of almost €240 million. In Peru and Honduras, EU-funded actions protect the land rights of indigenous peoples and secure basic assets for them (contributing to SDG 2).

*Infrastructure, cities and digitalisation*

Progress towards the 2030 agenda requires:

* building resilient infrastructure;
* promoting inclusive and sustainable industrialisation; and
* fostering innovation ([SDG 9](http://www.un.org/sustainabledevelopment/infrastructure-industrialization/)).

The ongoing **digital transformation** provides opportunities to increase job creation and accelerate access to quality basic services, improve transparency and accountability of governments and enhance democracy. The precondition is to have good connectivity and adapted regulation to support the achievement of SDG 9.

The EU helps coordinate the [joint Africa-EU infrastructure agenda](http://www.africa-eu-partnership.org/sites/default/files/documents/agenda_jaes_rgi_2018.pdf) and is involved in the board of the Africa Transport Policy Programme, supporting policy and strategy for African governments and Regional Economic Communities.

**Rapid urbanisation**, particularly in Asia and Africa, poses major development challenges. The year 2017 saw the development of the [International Urban Cooperation programme](http://ec.europa.eu/regional_policy/sources/cooperate/international/pdf/iuc_leaflet_en.pdf) that shares urban best practices between EU cities and cities in strategic partner countries, such as India and China, and the inclusion under the EIP of a specific investment window for ‘sustainable cities’ ([SDG 11](http://www.un.org/sustainabledevelopment/cities/)).

**Peace**

*Democracy, human rights, good governance*

The EU is founded upon the fundamental values of respect for democracy, the rule of law and human rights ([Article 2](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:12016M002) TEU). The promotion of these values is a key external relations priority ([Article 21](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:12016M021) TEU), which has been translated into the EU’s Global Strategy (EUGS. The EU supports partner countries in implementing [SDG 16](http://www.un.org/sustainabledevelopment/peace-justice/) on [democracy](http://ec.europa.eu/europeaid/applications/eom/index.cfm%3Ffuseaction%3Dc.show_update_observer_cv_en), access to justice, anti-corruption, [human rights](http://ec.europa.eu/europeaid/sectors/human-rights-and-governance/human-rights_en) and good governance through its development aid programming. Activities in partnership with third-country governments include electoral assistance and democracy support, justice and anti-corruption reforms, and the promotion of media independence and fundamental freedoms.

In addition, the EU plays a leading global role through its dedicated [European Instrument for Democracy and Human Rights](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:1302_1). The instrument's priorities are informed by the EU action plan on human rights and democracy (2014-2019). It focuses on strengthening human rights international bodies and courts and is chiefly addressed to civil society and independent oversight bodies to ensure the promotion and protection of human rights and democracy.

For instance, the European Instrument for Democracy and Human Rights allows emergency measures and confidential projects to protect human rights organisations and human rights activists who operate in the most difficult environments.

Targeted support to EU delegations is provided to **build capacity in the promotion of human rights**. For instance, on **freedom of expression**, this is done via two programmes:

* Supporting Democracy; and
* [Media4Democracy](http://epd.eu/media4democracy/).

*Fragility and resilience*

In 2017, the EU adopted a [multi-sectorial commitment on resilience](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52017JC0021). A pilot process in six countries (Chad, Iraq, Myanmar, Nigeria, Sudan and Uganda) was launched to test a broader humanitarian/development/peace nexus approach in fragile contexts.

During 2017, work on resilience and tackling fragilities also progressed in the following 4 areas.

* Strengthening the resilience framework, notably with the adoption of the joint communication ‘A strategic approach to resilience in the EU's external action’.
* Developing and implementing an [integrated approach to external conflicts and crises](http://europa.eu/globalstrategy/en/integrated-approach-conflicts). The integrated approach brings together the relevant EU institutions and instruments as well as EU countries to have more coordinated and coherent external action. The overall objective is to strengthen the EU’s impact in helping prevent, manage and resolve conflicts and crises.
* Reinforcing the importance of resilience in conflict and crises, including with the reform of the state and resilience building contracts as part of our budget support operations.
* Giving support to the [International Dialogue on Peacebuilding and Statebuilding](http://www.pbsbdialogue.org/en/), led by the fragile countries' governments and [civil society organisations](http://eur-lex.europa.eu/summary/glossary/civil_society_organisation.html) (CSOs) themselves.

*Security*

The [Instrument contributing to Stability and Peace regulation (IcSP)](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:110102_3) is the main financial instrument of the Commission dedicated to improving stability, peace and resilience in partner countries. The global scope and security focus of the IcSP makes it complementary to other financial tools; in particular, where geographical or thematic instruments tied to official development assistance criteria cannot be used, but also to address issues of trans-regional or global nature. Under the programmable part of the IcSP managed by the [Directorate-General for International Cooperation and Development](http://ec.europa.eu/europeaid/general_en) (DEVCO), more than 260 projects are ongoing, benefiting 70 countries. Partner countries' and EU countries' agencies implement these projects jointly.

The projects cover a wide range of issues, for instance: countering violent extremism; technical assistance to law enforcement communities to fight terrorism, chemical, biological, radiological and nuclear threats, organised crime, drug trafficking or money laundering; capacity-building to improve justice systems; or protection of critical infrastructures. Supporting tools may include 'train the trainer', on-site assistance, tabletop and real-life cross-border field exercises, as well as the development of national action plans based on needs and risk assessments. Since January 2018, the EU has been able to support capacity-building for security and development (CBSD). Training and equipment can be provided to partner country militaries for activities in support of development objectives in exceptional circumstances.

With a multidimensional approach addressing intentional (terrorism, crime) but also accidental (Seveso, Fukushima) and environmental (Ebola) security, the IcSP contributes to several UN SDGs and key areas of the European Consensus on Development, including key priority actions in the EU neighbourhood.

*Nuclear safety*

The European Commission does not promote nuclear energy, which is the sole responsibility of the government of a state, but it does promote nuclear safety. Any nuclear accident has a global effect on societies, therefore nuclear safety cooperation is of utmost importance for the safety and security of European citizens and the environment.

With a multidimensional approach addressing nuclear safety, health, the environment, and related issues, the [Instrument for Nuclear Safety Cooperation programme](http://ec.europa.eu/europeaid/funding/funding-instruments-programming/funding-instruments/instrument-nuclear-safety-cooperation_en) contributes to many key areas of the European Consensus on Development, including key priority actions in the EU neighbourhood, Central Asia and Iran.

Challenges exist in countries in the EU neighbourhood. These challenges primarily relate to countries deciding to use nuclear energy, like Belarus and Turkey, extending reactor lifespans, such as Armenia and Ukraine, and decommissioning and managing radioactive waste.

**Partnerships**

[SDG 17](http://www.un.org/sustainabledevelopment/globalpartnerships/) refers to partnership in development and underlines the importance of inclusive, multi-stakeholder platforms as a means of implementing the 2030 agenda effectively. The EU is committed to achieving SDG 17, both through its own external actions and resources and by facilitating implementation by others. The EU continues to be engaged in UN development-related processes, in particular the [Global Partnership for Effective Development Co-operation (GPEDC)](http://effectivecooperation.org/), which currently undertakes a development effectiveness-monitoring exercise at country level.

*Cooperation with civil society*

With the adoption of the [2012 Communication](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52012DC0492), the European Commission recognised civil society organisations (CSOs) as actors in governance, not just service providers. The EU also takes an inclusive, whole of society approach’ to the implementation of the SDGs, by broadening engagement to unconventional CSOs, such as foundations, diaspora, trade unions, business associations, etc. Foundations, in particular, play a growing and influential role.

The European Commission has fostered dialogue with and the consultation of CSOs, particularly through the Policy Forum on Development, which provides a space for multi-stakeholder exchange on development policies. It has signed 25 Framework Partnership Agreements with international and regional civil society networks, to support CSOs in contributing to regional and global policymaking, particularly related to the successful implementation of the SDGs.

At country level, the EU has elaborated 107 roadmaps for engagement with civil society. Roadmaps are a country's strategic and comprehensive framework to encompass all the support from the EU, including the delegations and the EU countries, towards civil society. Conceived as a joint initiative between the European Union and its countries, roadmaps were introduced to strengthen Europe’s engagement with civil society.

The EU has allocated €1.4 billion for 2014-2020 to support CSOs at global and country level through the CSO local authorities programme that focuses on participation, partnership and multi-stakeholder dialogues to reflect the core values of Agenda 2030.

The 2017 [report on EU engagement with civil society](http://ec.europa.eu/europeaid/report-eu-engagement-civil-society_en) outlines the many forms and examples in which this support is taking place and how Europe is strengthening its engagement with civil society.

*Cooperation with donor community*

Collectively, the the European Union and its countries are the world's [leading provider of official development assistance](http://europa.eu/rapid/press-release_IP-19-2075_en.htm). European development assistance represents almost 57% of the total global development assistance by donors from the Organisation for Economic Co-operation and Development's Development Assistance Committee. The EU also works collectively on common policies and at country level to deploy common approaches, including [joint programming](http://ec.europa.eu/europeaid/policies/eu-approach-aid-effectiveness/joint-programming_en).

Besides, in the logic of partnership for the implementation of the 2030 agenda and the Addis Ababa action agenda, as well as to strengthen multilateralism, the European Commission engages in regular **development dialogue with non-EU partners**, such as Australia, Canada, Japan, Korea and the US. Its circle of partners is constantly enlarging through engagement with new or emerging donors, such as those from the Arab world.

*Cooperation with international organisations*

The EU also engages strategically with the UN and other international organisations and international financial institutions. Besides substantial assistance being channelled through these organisations and institutions, regular high-level strategic dialogues take place. The EU is notably actively engaged:

* in development-related **UN processes**, including the High-level Political Forum and the Finance for Development Forum, as well as showing support to the UN, notably through the renewed [EU-UN partnership in development (2018)](http://eeas.europa.eu/delegations/guyana_en/51265/EU-UN%20renewed%20partnership%20in%20development);
* in discussions and deliberations of the [Organisation for Economic Co-operation and Development](http://www.oecd.org/development/) through participation in the Development Assistance Committee (DAC);
* in the **G20** and the **G7**, making sure to underline its commitment to the implementation of the 2030 agenda and its SDGs;
* in strengthening its **partnerships with international financial institutions**, such as the World Bank Group (WBG) and the International Monetary Fund (IMF), as well as other international and **European financial institutions and regional development banks**.

**WHAT IS THE AIM OF THE COMMUNICATION AND THE TREATY ARTICLES ON ECONOMIC AND MONETARY POLICY?**

The communication sets out the measures that should be taken to complete the first stage of the [economic and monetary union (EMU)](http://eur-lex.europa.eu/summary/glossary/economic_monetary_union.html), which began on 1 July 2015, by early 2017. It has since been followed by a more forward-looking European Commission [reflection paper on deepening the EMU](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52017DC0291).

Articles 119, 120 and 121 of the Treaty on the Functioning of the European Union concern the EU’s economic and monetary policy. Under these articles, EU countries agree to:

* coordinate their economic policies,
* work towards achieving convergence of their economic performance, and
* act in accordance with the principles of an open market economy.

**KEY POINTS**

The communication calls for:

* **a revamped** [European semester](http://eur-lex.europa.eu/summary/glossary/european_semester.html)[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:1402_4&from=EN#keyterm_E0001) by:
  + integrating [euro area](http://eur-lex.europa.eu/summary/glossary/eurozone.html) and national policies more closely,
  + giving stronger focus to employment and social policies,
  + promoting economic convergence by using benchmarking and best practice,
  + using EU [Structural and Investment Funds](http://eur-lex.europa.eu/summary/glossary/structural_cohesion_fund.html) and technical assistance to support economic reforms;
* **improved** [economic governance](http://eur-lex.europa.eu/summary/glossary/economic_governance.html) by:
  + reducing the complexity and increasing the transparency of fiscal rules,
  + strengthening procedures to tackle [macroeconomic imbalances](http://eur-lex.europa.eu/summary/glossary/mip.html),
  + creating national competitiveness boards to provide independent expertise,
  + establishing an advisory [European Fiscal Board](http://ec.europa.eu/economy_finance/graphs/2016-10-20_european_fiscal_board_en.htm) to improve fiscal surveillance of the euro area;
* **stronger external representation** of the euro by encouraging euro area countries to speak as one on the international stage, particularly in the [International Monetary Fund](http://www.imf.org/external/index.htm);
* **moves towards a financial union**, notably by:
  + completing a [banking union](http://eur-lex.europa.eu/summary/glossary/europe_banking_union.html),
  + approving a common [European deposit insurance scheme](http://ec.europa.eu/info/business-economy-euro/banking-and-finance/banking-union/european-deposit-insurance-scheme_en),
  + putting in place a [capital markets union](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:2405_5);
* more effective **democratic legitimacy** by strengthening European parliamentary oversight of EMU developments and developing closer involvement of national parliaments.

In May 2017, the Commission, building on the 2015 communication, published a reflection paper on deepening the EMU. This endorsed **4 principles** to strengthen the single currency and jointly tackle issues of common interest that go beyond national borders. These are:

* **jobs**, **growth**, **social fairness**, **economic convergence**and**financial stability**, which are the EMU’s main goals;
* **responsibility**and **solidarity**, and **risk reduction**and **risk sharing**, which are closely connected;
* **EMU membership**, which is open to all EU countries (except the United Kingdom ([1](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:1402_4&from=EN#BREXIT)) and Denmark, having [opt-outs](http://eur-lex.europa.eu/summary/glossary/opting_out.html)) — the single market is key for a well-functioning single currency and its integrity must be preserved;
* **decision-making**, which should become more transparent and democratically accountable.

The paper highlighted the need for progress in **3 areas**:

* completing a **genuine financial union**, especially by making the banking sector more resilient;
* achieving a **more integrated economic and fiscal union**by improving macroeconomic stabilisation in the euro area;
* strengthening the EMU architecture through **greater sharing of national competences and decisions**on euro area matters within a common legal framework.

**BACKGROUND**

In June 2015, the presidents of the Commission, the [European Parliament](http://eur-lex.europa.eu/summary/glossary/european_parliament.html), the [European Central Bank](http://eur-lex.europa.eu/summary/glossary/european_central_bank.html), the Euro Summit and the [Eurogroup](http://eur-lex.europa.eu/summary/glossary/eurogroup.html) presented their report ([‘Five presidents’ report’](http://ec.europa.eu/commission/sites/beta-political/files/5-presidents-report_en.pdf)) on completing the EMU. The communication elaborates on the Stage 1 roadmap that their report contained.

The Commission’s EMU reflection paper is part of a series launched by its White Paper on the future of Europe in March 2017, which includes:

* a reflection paper on the [social dimension of Europe](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52017DC0206) and
* a reflection paper on the [future of EU finances](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52017DC0358).

**WHAT IS THE AIM OF THE REGULATION?**

It establishes a common framework on statistical standards for the production of harmonised data in the area of education and lifelong learning.

**KEY POINTS**

The regulation covers the following domains:

* 1.

education and training systems;

* 2.

other statistics on education and lifelong learning (such as statistics on human capital and on the social and economic benefits of education).

The production of statistics at European Union (EU) level is implemented by individual statistical actions including:

* for the first domain, regular and timely delivery of statistics by EU countries;
* within the scope of the second domain, the use of supplementary variables and indicators from other statistical information systems and surveys;
* developing, improving and updating standards and manuals that define frameworks, concepts and methods;
* improving data quality within the context of the quality framework.

The [European Commission](http://eur-lex.europa.eu/summary/glossary/european_commission.html) will take into consideration the available capacities of EU countries with regard to the above actions. For the collected data, consideration will be given to regional and gender aspects whenever possible.

The Commission ([Eurostat](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:4301897)) will also collaborate with the [United Nations Educational, Scientific and Cultural Organisation’s (UNESCO) Institute for Statistics](http://www.uis.unesco.org/Pages/default.aspx), the [Organisation for Economic Cooperation and Development](http://www.oecd.org/) (OECD) and other international organisations to ensure the comparability and avoid the duplication of data at international level.

**Education systems (UOE)**

From school year 2012/2013 onwards: Commission Regulation (EU) No [912/2013](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32013R0912) of 23 September 2013 as regards statistics on education and training systems.

**Adult education survey (AES)**

2016 AES: Commission Regulation (EU) No [1175/2014](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32014R1175) of 30 October 2014 as regards statistics on the participation of adults in lifelong learning.

**FROM WHEN DOES THE REGULATION APPLY?**

Regulation (EC) No 452/2008 has applied since 24 June 2008.

Amending Regulation (EU) 2019/1700 applies from 1 January 2021.

**WHAT IS THE AIM OF THE REGULATION?**

* It establishes:
  + a European fund for strategic investments (EFSI);
  + an EU guarantee fund;
  + a European investment advisory hub; and
  + a European investment project portal.
* It specifies their operating conditions.

**KEY POINTS**

The EFSI, which can shoulder risks for the [European Investment Bank (EIB)](http://eur-lex.europa.eu/summary/glossary/european_investment_bank.html) through its EU guarantee, supports investment and increased access to finance for companies with up to 3.000 employees. Particular emphasis is given to [**small and medium-sized enterprises (SMEs)**](http://eur-lex.europa.eu/summary/glossary/sme.html) and small **middle-capitalisation**[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:1701_3&from=EN#keyterm_E0001) companies.

The EFSI’s governance consists of:

* a Steering Board;
* a Managing Director;
* a deputy Managing Director; and
* an Investment Committee.

The management of the EFSI is based on an agreement between the [European Commission](http://eur-lex.europa.eu/summary/glossary/european_commission.html) and the EIB.

In principle, the EFSI supports projects which carry a higher risk than those the EIB normally backs, and which aim to create jobs and sustainable economic growth.

To be **eligible** for EFSI support, projects must be:

* economically and technically viable;
* make the best use of private sector investment;
* be consistent with EU policies; and
* provide **additionality**[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:1701_3&from=EN#keyterm_E0002) by addressing market failures or sub-optimal investment situations.

**EU guarantee and guarantee fund**

The guarantee may be used to support objectives such as:

* research, development and innovation, through, for example
  + projects in line with [Horizon 2020](http://eur-lex.europa.eu/summary/glossary/horizon_2020.html)
  + research infrastructure
  + knowledge and technology transfer;
* development of the energy sector (e.g. energy efficiency, renewables), transport infrastructure and equipment, as well as environmental protection and resource efficiency;
* development and deployment of information and communication technologies;
* human capital (education), culture and creative industries, and health (more effective medicines);
* financial support to companies with up to 3.000 employees (for example, working capital and risk finance).

The guarantee may be used to cover EIB loans or other forms of financing or credit, including in favour of national [promotional banks](http://www.eib.org/about/partners/npbis/index.htm) or institutions, investment platforms or funds. EIB funding or guarantees to the [European Investment Fund (EIF)](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:o10007) are also eligible for guarantee coverage.

The EU guarantee may not be more than **€16 billion**.

The EU guarantee fund is financed from the general [EU budget](http://eur-lex.europa.eu/summary/glossary/budget.html) and other sources of income, such as returns on the investment it makes.

**European investment advisory hub**

* The [hub](http://www.eib.org/eiah/index.htm) provides advisory support to identify, prepare and develop investment projects.
* It acts as a **single point of entry** for technical assistance in the areas relevant for the EFSI, especially energy efficiency and transport infrastructure.
* The EU contributes up to €20 million annually towards its costs until the end of 2020.

**European investment project portal**

This is a publicly accessible, user-friendly [database](http://ec.europa.eu/priorities/european-investment-project-portal-eipp_en) containing details of current and future investment projects in the EU.

**Agreement between the**[**European Parliament (EP)**](http://eur-lex.europa.eu/summary/glossary/european_parliament.html)**and the EIB**

In spring 2017, the EP and the EIB signed an [agreement](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:22017A0519%2801%29) under Regulation (EU) 2015/1017 (Article 17). It concerns the detailed arrangements for sharing information between the EP and the EIB, including on the selection procedure for the EFSI Managing Director and the EFSI Deputy Managing Director.

At the EP’s request, the Chairperson of the EFSI Steering Board and the Managing Director are to report to it on the performance of the EFSI. This may include participating in hearings before the EP, issuing reports and responding to questions.

**Extension of EFSI**

As the EFSI was created for an initial period of 3 years, Regulation (EU) 2015/1017 was amended in December 2017 by Regulation (EU) [2017/2396](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32017R2396) which:

* extends the life of the EFSI until the end of the current [multiannual financial framework](http://eur-lex.europa.eu/summary/glossary/multiannual_financial_framework.html) to enable the mobilisation of at least **€500 billion** of private and public investment by 2020;
* increases the **EU guarantee** to **€26 billion**;
* increases the **EIB’s contribution** to **€7.5 billion** for the full investment period;
* adjusts the **target rate of the EU guarantee fund to 35%** of the total EU guarantee obligation to provide an adequate level of protection;
* allows for a transfer from the allocation to the [Connecting Europe Facility (CEF)](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:3207_2) under Regulation (EU) No 1316/2013, as well as from the receipts and repayments under the [CEF’s lending instrument](http://ec.europa.eu/info/business-economy-euro/growth-and-investment/financing-investment/connecting-europe-facility-cef-financial-instruments_en) and the [2020 European Fund for Energy, Climate Change and Infrastructure (Marguerite Fund)](http://www.marguerite.com/about-us/background/) to partially finance the contribution from the EU’s general budget to the EU guarantee fund for additional investments.

**FROM WHEN DOES THE REGULATION APPLY?**

It has applied since 4 July 2015.

**BACKGROUND**

For more information, see:

* [Investment plan for Europe](http://ec.europa.eu/commission/priorities/jobs-growth-and-investment/investment-plan_en) (*European Commission*)
* [European Fund for Strategic Investments (EFSI)](http://www.eib.org/efsi/index.htm) (*European Investment Bank*).

**KEY TERMS**

**Middle-capitalisation:** although there is no common EU definition, these companies, also known as mid-caps, are broadly said to have between 250 and 3.000 employees.

**Additionality:** in this context, any funding from EFSI may not replace national spending by an EU country, financing under an EU programme or standard EIB operations.

**High-performance, low-cost, low-carbon and sustainable energy**

The EU’s strategy for innovation and energy technology is an integral part of the EU’s energy policy. It aims to further develop energy technology and innovation.

**ACT**

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Energy technologies and innovation ([COM(2013) 253 final](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52013DC0253) of 2 May 2013)

**SUMMARY**

The EU’s strategy for innovation and energy technology is an integral part of the EU’s energy policy. It aims to further develop energy technology and innovation.

**WHAT DOES THIS COMMUNICATION DO?**

It lays out a strategy that complements existing legislation to ensure the EU continues to have a leading technology and innovation sector that can tackle the energy challenges for 2020 and beyond.

It aims to bring [high performance, low-cost, low-carbon and sustainable energy](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:180101_2) technologies to the market, thus achieving objectives of the [Europe 2020](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:em0028) strategy for smart, sustainable and inclusive growth.

**KEY POINTS**

This communication encapsulates the principles of:

* looking at the whole energy system when setting priorities (i.e. how an individual technology impacts on the entire energy system);
* strengthening the link between innovation and energy policy;
* pooling financial resources for research and innovation; and
* focusing on technologies for post-2020.

The European Commission, alongside stakeholders in the EU’s [strategic energy technology (SET) plan](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:en0019)\*, seeks to ensure the development (under the guidance of the SET plan steering group) of an integrated roadmap that:

* 1. consolidates technology roadmaps of the SET plan;
* 2. covers the entire research and innovation chain (from basic research to market roll-out); and
* 3. identifies clear roles and tasks for the various stakeholders, such as the [European Energy Research Alliance](http://www.eera-set.eu/) (EERA) and the [European Institute of Innovation and Technology](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:2702_1) (EIT).

Furthermore, an action plan of joint and individual investments in support of the integrated roadmap is to be defined.

The Commission and EU countries are to strengthen the reporting and monitoring of the [integrated roadmap and the action plan](https://setis.ec.europa.eu/set-plan-process/integrated-roadmap-and-action-plan) by means of the [strategic energy technologies information system](https://setis.ec.europa.eu/about-setis) (SETIS) of the SET plan.

The Commission is to establish a coordination structure (under the steering group of the SET plan) to promote investments in research and innovation on energy efficiency.

The communication calls on the European Parliament and the European Council to:

* reaffirm their support of the SET plan;
* endorse the key principles and developments needed for energy technology and innovation across the EU; and
* support aligning EU, national and private resources to contribute to this strategy.

**BACKGROUND**

Low-carbon technologies (i.e. solar power, wind power or carbon capture and storage) have great potential in [reducing greenhouse gas emissions](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:2001_10) (GHG), improving sustainable energy, creating jobs, economic growth and decreasing European reliance on external energy suppliers. However, innovation in this field is generally expensive, risky and slow, which is why a strategy for its development is needed.

## WHAT DOES THIS COMMUNICATION DO?

Each year the [European Commission](http://eur-lex.europa.eu/summary/glossary/european_commission.html) adopts its ‘Enlargement package’ — a set of documents explaining its policy on EU [enlargement](http://eur-lex.europa.eu/summary/glossary/enlargement.html).

This package includes the [Enlargement Strategy Paper](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52015DC0611) which sets out the way forward and takes stock of the progress made by each [candidate country](http://eur-lex.europa.eu/summary/glossary/applicant_countries.html) and each potential candidate country. The strategy paper is accompanied by detailed reports about each of the countries.

## KEY POINTS

In addition to the overall strategy, the package contains the following reports discussing the progress of each candidate and potential candidate country over the previous year, as well as setting out guidelines on reform priorities:

* [Montenegro Report 2015](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52015SC0210)
* [Former Yugoslav Republic of Macedonia Report 2015](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52015SC0212)
* [Albania Report 2015](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52015SC0213)
* [Serbia Report 2015](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52015SC0211)
* [Turkey Report 2015](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52015SC0216)
* [Bosnia and Herzegovina Report 2015](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52015SC0214)
* [Kosovo\* Report 2015](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52015SC0215)

**\*** This designation is without prejudice to positions on status, and is in line with [UNSCR 1244/99](http://daccess-ods.un.org/access.nsf/Get?Open&DS=S/RES/1244%20(1999)&Lang=E&Area=UNDOC) and the [ICJ Opinion on the Kosovo declaration of independence](http://www.icj-cij.org/en/case/141).

## BACKGROUND

* For more information, see [‘Check current status’](http://ec.europa.eu/enlargement/countries/check-current-status/index_en.htm) on the European Commission's website.

**WHAT IS THE AIM OF THE DECISION?**

It aims to ensure:

* that the EU’s financial instruments which support [small and medium sized enterprises (SMEs)](http://eur-lex.europa.eu/summary/glossary/sme.html) can provide a fast response by creating a model of the funding agreement to ensure uniform conditions and equal treatment for, and amongst, participating EU countries using the resources;
* consistent rules for the contribution of these resources to any individual funding agreement to be entered into by participating EU countries and the [European Investment Bank (EIB)](http://eur-lex.europa.eu/summary/glossary/european_investment_bank.html) or the [European Investment Fund (EIF)](http://www.eif.org/) as well as for those contained in the delegation agreements regarding other sources under the competitiveness of enterprises and small and medium-sized enterprises ([COSME](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:1901_3)) and [Horizon 2020](http://eur-lex.europa.eu/summary/glossary/horizon_2020.html) programmes.

**KEY POINTS**

**Scope**

The decision sets out the model of the funding agreement for the financial contribution:

* of the [European Regional Development Fund (ERDF)](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum:2602_3) and the [European Agricultural Fund for Rural Development](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum:0301_1);
* to **joint uncapped guarantee**[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:4340536&from=EN#keyterm_E0001) and **securitisation**[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:4340536&from=EN#keyterm_E0002) financial instruments in favour of SMEs; and
* concluded between the EIB or the EIF and each participating EU country.

**Rules**

The rules for the model funding agreement are set out in the annex to the decision. They cover a number of elements, including:

* eligibility and exclusion criteria of the new debt finance[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:4340536&from=EN#keyterm_E0003);
* general principles related to the implementation and management of the two financial instruments;
* territorial coverage;
* minimum leverage effects, milestones and penalties;
* tasks and obligations of the EIF;
* selection of financial intermediaries and operational agreements;
* governance;
* contributions.

**FROM WHEN DOES THE DECISION APPLY?**

It has applied since 13 September 2014.

**BACKGROUND**

For more information, see:

* [Rural development 2014-2020](http://ec.europa.eu/agriculture/rural-development-2014-2020_en) (*European Commission*)
* [European Regional Development Fund](http://ec.europa.eu/regional_policy/en/funding/erdf/) (*European Commission*)
* [System for fund management in the European Union — ERDF](http://ec.europa.eu/sfc/en/2014/fund/erdf) (*European Commission*).

**KEY TERMS**

**Joint uncapped guarantee:** provides uncapped portfolio guarantees and envisaged partial capital relief to banks building up new portfolios of loans. In return, the originators transfer benefits of the instrument to SMEs in the form of the acceptance of higher-risk clients, reduced collateral requirements, and/or reduced pricing.

**Securitisation:** backed by a portfolio of existing loans. In return, originators explicitly agree to undertake new EU financing to SMEs in the relevant regions in line with the eligibility criteria that the EU funds contributed in the structure.

**New debt finance:** new loans, leases or guarantees to final recipients originated by the financial intermediary no later than 31 December 2023 pursuant to the terms and conditions set out in the operational agreements.

## WHAT IS THE AIM OF THE REGULATION?

* This regulation, the Monitoring Mechanism Regulation (MMR), significantly expands and improves the previous mechanism for monitoring greenhouse gas (GHG) emissions in the [EU](https://eur-lex.europa.eu/summary/glossary/eu_union.html).
* It aims to enhance the monitoring and reporting procedures and rules for GHG emissions.
* It incorporates new reporting and monitoring requirements arising from the EU’s [2020 Climate and Energy Package](http://ec.europa.eu/clima/policies/strategies/2020_en) and from recent decisions adopted by the [United Nations Framework Convention on Climate Change](http://unfccc.int/2860.php) (UNFCCC), and replaces the old monitoring mechanism set up under Decision [280/2004/EC](https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32004D0280).

## KEY POINTS

The regulation:

* enhances the **monitoring, reporting and review** procedures and rules, which allows for the implementation of domestic and international commitments;
* sets up an EU-wide **greenhouse gas inventory**[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:2001_11&from=EN#keyterm_E0001) system that aims to improve the transparency and completeness of EU [Member States](https://eur-lex.europa.eu/summary/glossary/member_states.html)’ GHG inventories;
* incorporates Member States’ information on their **planning and strategies for adaptation to climate change**, covering aspects such as flooding, droughts and extreme temperatures;
* improves the reporting by the EU and Member States on **financial and technological support** provided to developing countries;
* ensures the **timeliness, transparency, accuracy, comparability and completeness of data** reported by the EU and Member States.

**Repeal**

Regulation (EU) No 525/2013 has been repealed and replaced by Regulation (EU) [2018/1999](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32018R1999) (see [summary](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:4372643)) as of 30 December 2020, although some transitional measures are still in force.

## FROM WHEN DOES THE REGULATION APPLY?

It has applied since 8 July 2013.

## BACKGROUND

* Following various international climate negotiations and new UNFCCC requirements, and taking into account new EU legislation, Decision 280/2004/EC, which contained less stringent measures to monitor EU GHG emissions and implement the [Kyoto Protocol](https://eur-lex.europa.eu/summary/glossary/kyoto_protocol.html), needed to be significantly improved.
* In 2013, the EU adopted the MMR repealing Decision 280/2004/EC. This ensured that it has in place a robust reporting mechanism on EU projections, policies and measures with regard to greenhouse gas emissions.
* Every year, the [European Commission](http://eur-lex.europa.eu/summary/glossary/european_commission.html) publishes its climate action progress report. It also reports regularly to the UN.
* For more information, see:
  + [Emissions monitoring and reporting](http://ec.europa.eu/clima/policies/strategies/progress/monitoring_en) (*European Commission*)
  + [Climate change mitigation](https://www.eea.europa.eu/themes/climate) (*European Environment Agency*).

## KEY TERMS

**Greenhouse gas inventory:** this is an emissions inventory that keeps track of 7 different greenhouse gases coming from all sectors, including energy, industrial processes, waste, agriculture, and land use, land use change and forestry (LULUCF). The EU’s greenhouse gas inventory is prepared each year by the European Commission, assisted by the European Environment Agency.

**WHAT IS THE AIM OF THE DECISION?**

* It finalises the Regional Convention on pan-Euro-Mediterranean preferential rules of origin[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:rx0014&from=EN#keyterm_E0001).
* This convention enables countries of the pan-Euro-Mediterranean zone (listed in key points below) to benefit from common rules and preferential customs treatment.
* It aims to promote deeper economic integration and stronger trade links in the area.

**KEY POINTS**

A regional convention on the origin of goods traded in the pan-Euro-Mediterranean zone was signed on behalf of the EU in April 2011. The convention brings together in a **single legal instrument** all the rules regarding the origin of goods traded in the context of approximately 60 bilateral free-trade agreements (FTAs) between countries of the pan-Euro-Mediterranean area including the EU’s [Stabilisation and Association process (SAP)](https://ec.europa.eu/neighbourhood-enlargement/policy/glossary/terms/sap_en).

**Contracting parties**

Besides the EU, the contracting parties to this convention are:

* the [European Free Trade Association (EFTA)](http://www.efta.int/) States: Iceland, Liechtenstein, Norway and Switzerland;
* signatories to the [Barcelona declaration](http://www.eeas.europa.eu/archives/docs/euromed/docs/bd_en.pdf): Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, the Palestinian Authority, Syria, Tunisia and Turkey;
* the Faroes;
* participants in the SAP process: Bosnia-Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Albania, Montenegro and Serbia, as well as Kosovo (1);
* the Republic of Moldova, Georgia and Ukraine.

**Originating products**

For tariff preferences to be applied, the origin of goods has to be established. Goods are considered as products originating in the pan-Euro-Mediterranean cumulation zone if they are:

* wholly obtained (e.g. mined, harvested or, in the case of live animals, born and raised) in the territory of a contracting party;
* composed of materials originating in countries that are not signatories to the convention (non-originating materials), but which have been sufficiently worked or processed in the territory of a contracting party (Annex II of Appendix I);
* imported from the [European Economic Area (EEA)](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:em0024) and exported to another contracting party.

**Pan-Euro-Mediterranean cumulation zone**

The convention operates on the basis of an **accumulation system** whereby contracting parties can use originating products from each other as though they were domestically produced. Under the pan-Euro-Mediterranean cumulation of origin system, a system of [diagonal cumulation](http://www.wcoomd.org/en/topics/origin/instrument-and-tools/comparative-study-on-preferential-rules-of-origin/specific-topics/study-annex/cum-dia.aspx) operates between the EU and many of the countries in question.

**Proof of origin**

* Customs authorities of the exporting country issue **movement** **certificates** [EUR.1](https://www.chamber-international.com/exporting-chamber-international/documentation-for-export-and-import/eur-1-certificates/) or EUR-MED as proof of claims of origin. This allows importers in other contracting parties to benefit from the preferential tariff arrangements.
* An **origin declaration** or an origin declaration EUR-MED may also be given by an approved exporter.

**Arrangements for administrative cooperation**

The parties’ customs authorities will coordinate with one another (e.g. by sharing specimen impressions of stamps used for the issue of movement certificates EUR.1 and EUR-MED or for verifying proofs of origin.)

**Management and implementation**

A joint committee made up of representatives of all the contracting parties ensures the management and implementation of the convention.

(1) This designation is without prejudice to positions on status and is in line with [United Nations Security Council Resolution 1244](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N99/172/89/PDF/N9917289.pdf?OpenElement) and the [International Court of Justice Opinion](http://www.icj-cij.org/files/case-related/141/16012.pdf) on the Kosovo Declaration of Independence.

**FROM WHEN DOES THE DECISION APPLY?**

It has applied since 26 March 2012.

**WHAT IS THE AIM OF THE REGULATION?**

It lays down the basic principle that the export of products from EU countries to other countries is not subject to quantitative restrictions. It also sets out rules regarding a procedure for taking protective measures.

**KEY POINTS**

The regulation applies to all products, whether industrial or agricultural.

**Protective measures**

* In order to prevent a critical situation from arising due to a shortage of essential products, the [European Commission](http://eur-lex.europa.eu/summary/glossary/european_commission.html) may make the export of a good subject to the production of an export authorisation. The measures may be limited to exports to certain countries or to exports from certain regions of the EU. They will not, however, affect products already on their way to the EU frontier.
* For instance, in the context of the outbreak of COVID-19 for example, Implementing Regulation (EU) [2020/402](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32020R0402), for a limited period of time, required certain personal protective equipment — whether or not it originated in the EU — to be authorised by EU countries’ competent authorities for export outside the EU, other than to countries in the [European Free Trade Association](http://eur-lex.europa.eu/summary/glossary/european_free_trade_association.html), territories dependent on EU supply chains (e.g. Andorra) and certain [overseas territories](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:1105_1). The measure sought to ensure that personal protective equipment was available in EU countries to prevent the spread of COVID-19. The [implementing act](http://eur-lex.europa.eu/summary/glossary/implementing_acts.html) laid down the procedure to request the authorisation and its Annex I listed the products requiring authorisation (protective glasses and visors, gloves, protective garments, mouth-nose-protection equipment and face shields).
* The Commission must adopt any protective measures in the interests of the EU with due regard for existing international obligations (for example, stemming from the EU’s membership of the [World Trade Organization](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:r11010)).

**Information and consultation**

* If an EU country considers that protective measures might be necessary due to unusual developments on the market, it must notify the Commission. The latter then advises the other EU countries.
* The Commission may request EU countries to supply statistical data on market trends in a particular product in order to assess the economic and commercial situation as regards that product.

**Implementation**

The Committee on Safeguards comprising EU countries’ representatives, set up under Regulation (EU) [2015/478](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32015R0478) on [common rules for imports](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:070202_3), assists the Commission in implementing the regulation.

**FROM WHEN DOES THE REGULATION APPLY?**

It has applied since 16 April 2015. It repeals Regulation (EC) No [1061/2009](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32009R1061) with immediate effect.

**BACKGROUND**

The regulation [codifies](http://eur-lex.europa.eu/summary/glossary/codification.html) of Council Regulation (EC) No 1061/2009, which had been substantially amended on previous occasions. It is part of the EU’s common commercial policy, which is based on uniform principles for all EU countries.

# European Anti-Fraud Office — investigation rules

## SUMMARY OF:

[Regulation (EU, Euratom) No 883/2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF)](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32013R0883)

[Regulation (EU, Euratom) 2020/2223 amending Regulation (EU, Euratom) No 883/2013, as regards cooperation with the European Public Prosecutor’s Office and the effectiveness of the European Anti-Fraud Office investigations](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32020R2223)

## WHAT IS THE AIM OF THE REGULATIONS?

Regulation (EU, Euratom) No 883/2013 aims to:

* reinforce the independence of the [European Anti-Fraud Office (OLAF)](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:l34008), set up under Decision [1999/352/EC, ECSC, Euratom](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:31999D0352) to combat fraud, corruption and any illegal activity which could harm the [EU](http://eur-lex.europa.eu/summary/glossary/eu_union.html)’s financial interests[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:4401811&from=EN#keyterm_E0001);
* make OLAF investigations more effective;
* improve cooperation between the different institutions and bodies involved;
* strengthen the rights of individuals covered by investigations.

Amending Regulation (EU, Euratom) 2020/2223 seeks to:

* adapt the operation of OLAF to the establishment of the [European Public Prosecutor’s Office (EPPO)](http://eur-lex.europa.eu/summary/glossary/european_prosecutor.html), set up under Regulation (EU) [2017/1939](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32017R1939) (see [summary](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:4319113)) to ensure maximum complementarity; and
* enhance the effectiveness of OLAF’s investigative function as regards a number of specific issues, including:
  + new rules for carrying out on-the-spot checks and inspections
  + access to bank account information
  + establishing a controller of procedural guarantees
  + access to the final report by the person concerned
  + the strengthened role of the anti-fraud coordination services in the EU countries and
  + new rules to improve the follow-up of investigations.

## KEY POINTS

**OLAF:**

* conducts internal and external investigations;
* provides assistance to EPPO based on close cooperation, exchange of information, complementarity and avoidance of duplication;
* helps EU countries to organise close cooperation between their anti-fraud authorities;
* develops EU anti-fraud policies as a [European Commission](http://eur-lex.europa.eu/summary/glossary/european_commission.html) service;
* contributes to the design and development of anti-fraud and anti-corruption strategies to protect the EU’s financial interests;
* promotes and coordinates sharing of operational experience and best procedural practices;
* participates, where necessary, in [joint investigation teams](http://www.eurojust.europa.eu/judicial-cooperation/eurojust-role-facilitating-judicial-cooperation-instruments/joint-investigation-teams);
* supports joint national anti-fraud activities.

**Internal investigations**

**OLAF:**

* carries out administrative investigations within EU institutions, bodies, offices and agencies, and at the premises of economic operators[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:4401811&from=EN#keyterm_E0002);
* enjoys immediate and unannounced access to any relevant information and data, relating to the matter under investigation;
* may request oral and written information from officials, other staff and heads of offices and agencies;
* informs the [institutions](http://eur-lex.europa.eu/summary/glossary/eu_institutions.html), bodies, offices and [agencies](http://eur-lex.europa.eu/summary/glossary/eu_agencies.html) if an investigation concerns their employees and consults them, where necessary, if precautionary administrative measures should be taken to protect the EU’s financial interests.

Amending Regulation (EU, Euratom) 2020/2223 allows OLAF, during its investigations, access to privately owned devices used for work purposes, if OLAF has reasonable grounds for suspecting that their content may be relevant for the investigation. Access would be based on internal rules to be adopted by each institution, body, office or agency concerned in respect of its staff and members.

**External investigations**

**OLAF:**

* carries out on-the-spot checks and inspections and other investigative activities in EU countries, non-EU countries, the premises of international organisations and on economic operators, according to the rules laid down in Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No [2185/96](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:31996R2185), and to the terms of cooperation and mutual assistance agreements;
* may transmit to EU countries’ competent national authorities information about fraud, corruption or any other illegal activity affecting the EU’s financial interests to enable them to take appropriate action.

Under amending Regulation (EU, Euratom) 2020/2223, in external investigations, access to privately owned devices used for work purposes would take place under the same conditions and to the same extent as they do for national authorities in the relevant country.

**Investigations procedure**

**OLAF’s director-general:**

* decides whether, if there is sufficient suspicion, to open an external or internal investigation, either on the director-general’s own initiative or following a request from an EU institution, body, office or agency, or from an EU country;
* may send any relevant information to the EU institution, body, office or agency or the EU country concerned if the director-general decides not to open an investigation;
* directs the conduct of investigations on the basis of written instructions, where appropriate;
* reports to the [Supervisory Committee](http://europa.eu/supervisory-committee-olaf/) if an investigation cannot be closed within 12 months and every 6 months thereafter;
* may transmit to national judicial authorities any information obtained during an internal investigation coming under their jurisdiction.

**OLAF staff:**

* conducts investigations objectively and impartially, respecting the regulation’s procedural guarantees and the presumption of innocence;
* seeks evidence for and against the person concerned;
* may, with suitable notice, interview an individual or a witness any time during the investigation — this person has the right to avoid self-incrimination and to be assisted by a person of choice;
* writes up a record of the interview and gives a copy to the interviewee;
* provides the person concerned with an opportunity to comment on facts concerning them;
* treats all information transmitted or obtained during external and internal investigations as confidential;
* cooperates with EPPO, [Eurojust](http://eur-lex.europa.eu/summary/glossary/eurojust.html), [Europol](http://eur-lex.europa.eu/summary/glossary/europol.html) and competent authorities of the EU countries, non-EU countries and international organisations.

**Access to bank account information**

Under amending Regulation (EU, Euratom) 2020/2223, OLAF’s investigative powers are strengthened. OLAF can request information on bank accounts and, where strictly necessary, on transactions, with the cooperation of national authorities. This would be under the same conditions as those applicable to competent national authorities and subject to a written request explaining its appropriateness and proportionality.

**Controller of procedural guarantees**

The independent position of controller of procedural guarantees is created under amending Regulation (EU, Euratom) 2020/2223. Administratively attached to the Supervisory Committee, the controller would be responsible for handling complaints from the persons concerned and could make recommendations to OLAF on how to resolve the problem raised in the complaint.

**Close collaboration between OLAF and EPPO**

OLAF and EPPO have **complementary roles** in protecting the EU’s financial interests and will work in close cooperation. Under amending Regulation (EU, Euratom) 2020/2223, OLAF remains an administrative body conducting **administrative investigations**, which may lead to financial, administrative, disciplinary and judicial recommendations, EPPO’s mandate, which covers 22 of the 27 EU countries, focuses on **criminal investigations** to establish the criminal responsibility of persons involved in fraud, corruption or other criminal offences affecting the EU’s financial interests falling under its competence.

When acting in support of EPPO and to protect the admissibility of evidence, as well as [fundamental rights](http://eur-lex.europa.eu/summary/glossary/fundamental_rights.html) and procedural guarantees, EPPO and OLAF must cooperate closely to ensure that procedural safeguards of Regulation (EU) 2017/1939 are observed.

**Final report**

Drawn up under the director-general’s authority upon completion of the investigation, the final report contains:

* + the legal basis for the investigation
  + procedural steps followed and guarantees respected
  + facts established and their preliminary classification in law
  + estimated financial impact and
  + conclusions of the investigation;
* is accompanied, where appropriate, by the director-general’s recommendations on whether or not action, whether disciplinary, administrative, financial or judicial, should be taken and estimated amounts should be recovered;
* is sent to the EU country or the institution, body, office or agency concerned.

**EU countries:**

* establish an anti-fraud coordination service ([AFCOS](http://ec.europa.eu/anti-fraud/investigations/afcos_en)) to facilitate effective cooperation and the sharing of information with OLAF;
* provide or coordinate the necessary assistance for OLAF to carry out its tasks effectively.

**EU institutions, bodies, offices and agencies:**

* adopt rules requiring their staff to cooperate with and supply information to OLAF;
* ensure the confidentiality of internal investigations;
* may not begin a parallel inquiry into the same facts when the OLAF director-general has opened or is considering opening an investigation;
* send OLAF, without delay, any information on possible cases of fraud, corruption or other illegal financial activity.

**Repeal**

Regulation (EU, Euratom) No 883/2013 repeals Regulation (EC) No [1073/1999](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:31999R1073) and Regulation (Euratom) No [1074/1999](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:31999R1074).

## FROM WHEN DO THE REGULATIONS APPLY?

* Regulation (EU, Euratom) No 883/2013 has applied since 1 October 2013.
* Amending Regulation (EU, Euratom) 2020/2223 entered into force on 17 January 2021.

**WHAT IS THE AIM OF THESE ARTICLES?**

They establish the EU’s legal powers to negotiate and conclude international agreements, and its [competence](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum:ai0020), whether exclusive or shared, to enter into such agreements.

**KEY POINTS**

**International agreements (conventions, treaties)**

* International agreements with non-EU countries or with international organisations are an integral part of EU law. These agreements are separate from primary law and secondary legislation and form a *sui generis* category. According to some judgments of the CJEU, they can have [direct effect](http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=LEGISSUM:l14547) and their legal force is superior to secondary legislation, which must therefore comply with them.
* They are treaties under public international law and generate rights and obligations for the contracting parties.
* Unlike [unilateral acts](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum:l14528), conventions and agreements are not the result of a legislative procedure or the sole will of an institution.
* [Article 216 TFEU](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:12016E216) cites the cases in which the EU is authorised to conclude such agreements.
* After having been negotiated and signed, and depending on the subject matter concerned, they may require ratification by an act of secondary legislation.
* International agreements must be applied throughout the EU. They have a legal force superior to unilateral secondary acts, which must therefore comply with them.
* In addition, [Article 207 TFEU](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:12016E207) governs the EU’s [trade policy](http://eur-lex.europa.eu/summary/glossary/eu_trade_policy.html) — a key external competence of the EU and a central element of its relations with the rest of the world.

**EU external competences**

* The EU has [legal personality](http://eur-lex.europa.eu/summary/glossary/union_legal_personality.html) and is therefore a **subject of international law** which is capable of negotiating and concluding international agreements on its own behalf, i.e. it has competences (or powers) in this field conferred on it by the treaties.
* If the subject matter of an agreement does not fall under the exclusive competence of the EU, EU countries also have to sign the agreement. These are known as **‘mixed agreements’**.

**Exclusive competence and shared competence**

* The [**distribution of competences**](http://eur-lex.europa.eu/summary/glossary/competences.html) between the EU and EU countries also applies at international level. Where the EU negotiates and concludes an international agreement, it has either **exclusive competence** or **competence which is shared with EU countries**.
* Where it has **exclusive competence**, the EU alone has the power to negotiate and conclude the agreement. [Article 3](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:12016E003) TFEU specifies the areas in which the EU has exclusive competence to conclude international agreements, including trade agreements.
* Where its competence is **shared** with EU countries, the agreement is concluded both by the EU and by EU countries. It is therefore a mixed agreement to which EU countries must give their consent. Mixed agreements may also require that an internal EU act is adopted to share out the obligations between the EU countries and the EU. [Article 4](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:12016E004) TFEU sets out which competences are shared.

**WHAT IS THE AIM OF THESE TREATY ARTICLES?**

They aim to provide the EU with the necessary instruments to provide assistance to, cooperate with and develop relations and partnerships with non-EU countries, including through [international agreements](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:ai0034), as well as with international, regional or global organisations, in pursuit of the objectives of the EU’s external action as set out in [Article 21](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:12016M021) TEU.

**KEY POINTS**

Article 21 TEU sets out the principles on which the [EU’s external action](http://eur-lex.europa.eu/summary/glossary/external_responsibilities.html) is based and its goals which include:

* safeguarding its values, fundamental interests, security, independence and integrity;
* consolidating and supporting democracy, the [rule of law](http://eur-lex.europa.eu/summary/glossary/rule_of_law.html), [human rights](http://eur-lex.europa.eu/summary/glossary/human_rights.html) and the principles of [international law](http://www.un.org/en/sections/what-we-do/uphold-international-law/);
* preserving peace, prevent conflicts and strengthening international security.

Article 21 also requires the EU to ensure consistency between EU external action and other policy areas.The EU’s external action covers 6 domains:

1. **Common foreign and security policy** (including the common security and defence policy) — Articles 23-46 TEU

* The [High Representative of the Union for foreign affairs and security policy](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:ai0009) is responsible for:
  + carrying out the EU’s [common foreign and security policy](http://eur-lex.europa.eu/summary/glossary/foreign_security_policy.html) (Articles 24-41) and [common security and defence policy](http://eur-lex.europa.eu/summary/glossary/foreign_security_policy.html) (Articles 42-46);
  + contributes to their development through proposals; and
  + ensures implementation of the decisions adopted by the [European Council](http://eur-lex.europa.eu/summary/glossary/european_council.html) and the [Council](http://eur-lex.europa.eu/summary/glossary/eu_council.html).
* The [European External Action Service](http://eur-lex.europa.eu/summary/glossary/eu_external_action_service.html) supports the High Representative in the fulfilment of his/her mandate.

2. **Development** **cooperation** — Articles 208-211 TFEU

* The main long-term aim of EU [development cooperation](http://eur-lex.europa.eu/summary/glossary/development_aid.html) is to eradicate poverty in the world by promoting the sustainable economic, social and environmental development of developing countries.

3. **Humanitarian Aid** — Article 214 TFEU

* EU [humanitarian aid](http://eur-lex.europa.eu/summary/glossary/humanitarian_aid.html) operations are designed to provide *ad hoc* assistance and relief and protection for people in non-EU countries who are victims of natural or man-made disasters.

4. **Assistance** — Articles 212-213 TFEU

* The EU can provide assistance, including financial assistance, to non-EU countries other than developing countries. Such action must be consistent with EU development policy.

5. **Trade** — Articles 205-207 TFEU

* The EU’s common [trade policy](http://eur-lex.europa.eu/summary/glossary/eu_trade_policy.html) is an exclusive EU [competence](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:ai0020).
* The [European Parliament](http://eur-lex.europa.eu/summary/glossary/european_parliament.html) is co-legislator with the Council on trade matters.
* The EU [customs union](http://eur-lex.europa.eu/summary/glossary/customs_union.html) must contribute to:
  + the harmonious development of world trade;
  + the progressive abolition of restrictions on international trade and on foreign direct investment; and
  + the lowering of customs and other barriers.

6. **Solidarity clause** — Article 222 TFEU

The [solidarity clause](http://eur-lex.europa.eu/summary/glossary/solidarity_clause.html) provides the basis for arrangements allowing the EU and the EU countries to act jointly and use the instruments at their disposal:

* to prevent the terrorist threat in the territory of an EU country;
* to protect an EU country from any terrorist attack and assist them in such event;
* to provide assistance to an EU country which is the victim of a natural or man-made disaster.
* **WHAT DOES THIS REGULATION DO?**
* It creates a dedicated, EU-level body for fundamental rights - the Agency - and lays down its main tasks and objectives, functioning and internal governance.
* **KEY POINTS**
* The regulation defines the Agency’s activities as the following:

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| — | **supplying expertise to EU institutions and EU countries** on fundamental rights, so they can make sure any action they take or laws they pass complies with these rights, |

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| — | **formulating opinions** for EU institutions and governments either on its own initiative or at their request (for example on whether their actions or legislative proposals are compatible with fundamental rights), |

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| — | collecting, analysing and distributing **reliable and comparable information** on the specific effects of EU action on people’s fundamental rights, |

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| — | undertaking scientific **research and surveys** on fundamental rights, |

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| — | issuing publications on **specific topics** or on the implementation of fundamental rights law by EU institutions and governments, |

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| — | publishing an **annual report** on the issues covered by its remit, highlighting examples **of best practice,** |

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| — | **designing communication strategies or campaigns** and promoting dialogue with civil society to **raise public awareness** of fundamental rights, |

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| — | suggesting mechanisms for enforcing these rights. |

* The Agency does not, however, deal with individual complaints.
* **5-yearly activity plans**
* The Agency’s activities are based on a Multiannual Framework adopted by the EU Council which identifies the specific issues it will work on over a 5-year period, in line with the EU’s overall priorities.
* These must include ‘**racism, xenophobia** and related intolerance’.
* **Cooperation with other bodies**
* The Agency must maintain close links with:

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| — | the [EU institutions](http://europa.eu/about-eu/institutions-bodies/index_en.htm), |

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| — | EU countries’ governments and civil society groups, such as the [Fundamental Rights Platform](http://fra.europa.eu/en/cooperation/civil-society/about-frp), |

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| — | equality bodies (e.g. [EU Institute for Gender Equality](http://eige.europa.eu/) or the [UN coordinating committee for National Human Rights Institutions](http://www.ohchr.org/EN/Countries/NHRI/Pages/NHRIMain.aspx)), |

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| — | international organisations ([Council of Europe](http://www.coe.int/en/), [United Nations](http://www.un.org/en/index.html), [Organization for Security and Co-operation in Europe](http://www.osce.org/), |

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| — | [candidate countries](http://ec.europa.eu/enlargement/countries/check-current-status/index_en.htm) to the EU. |

**WHAT DOES THE COMMUNICATION DO?**

It sets out the strategy for a digital single market, one of the European Commission’s [10 policy priorities](http://ec.europa.eu/priorities/docs/pg_en.pdf#page=6) in its [agenda for jobs, growth, fairness and democratic change](http://www.eesc.europa.eu/resources/docs/jean-claude-juncker---political-guidelines.pdf).

**KEY POINTS**

The strategy sets out **16 targeted actions** based on **3 pillars**.

* 1. **Better access for consumers to digital goods and services across Europe**. Under this pillar the Commission will propose:
  + rules to make cross-border [e-commerce](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:l24204) easier;
  + a review of the [Regulation on Consumer Protection Cooperation](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:l32047) to enforce consumer rules more quickly and consistently;
  + more efficient and affordable cross-border parcel delivery;
  + to end unjustified geo-blocking\* thus increasing choice and access for European online consumers;
  + to identify potential competition concerns affecting European e-commerce markets;
  + a modern, more European [copyright law](http://ec.europa.eu/internal_market/copyright/index_en.htm);
  + a review of the [Satellite and Cable Directive](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:l26031) to assess whether its scope should be broadened to include broadcasters’ online transmissions;
  + reduce the administrative burden to businesses caused by different VAT regimes.
* 2. **Creating the right conditions and a level playing field for digital networks and innovative services to flourish**. The Commission proposes:
  + an overhaul of [EU telecoms rules](http://ec.europa.eu/digital-agenda/en/telecoms-rules);
  + to review the [audiovisual media](http://eur-lex.europa.eu/summary/glossary/audiovisual.html) framework to make it fit for the 21st century;
  + analyse the role of online platforms such as search engines, social media etc., in the digital single market and assess how to tackle illegal content;
  + increase trust and security in digital services, particularly the handling of [personal data](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:l14042). This will include a review of the [e-Privacy Directive](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:l24120);
  + a partnership with industry on [cybersecurity](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:si0010) covering technologies and online network security.
* 3. **Maximising the growth potential of the digital economy**. The Commission will:
  + propose a ‘free flow of data initiative’ to promote the free movement of data in the EU as well as a [‘European cloud’](https://ec.europa.eu/digital-agenda/node/609#Article) initiative;
  + define priorities for standards and interoperability of devices, applications, data repositories, services and networks which are critical to the digital single market;
  + support an inclusive digital society where citizens have the right skills to seize the opportunities of the internet and boost their chances of getting a job.

The Commission will complete these actions by the end of 2016.

For more information, see [digital single market on the European Commission's website](http://ec.europa.eu/priorities/digital-single-market/).

**INTRODUCTION**

The Treaty on the Functioning of the European Union (TFEU), as a result of the Lisbon Treaty, was developed from the Treaty establishing the **European Community** (TEC or EC Treaty), as put in place by the [Treaty of Maastricht](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum:xy0026). The EC Treaty itself was based on the Treaty establishing the [**European Economic Community**](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum:xy0023) (TEEC), signed in Rome on 25 March 1957. The creation of the European Union by means of the Treaty of Maastricht (7 February 1992) marked a further step along the path to the political unification of Europe.

However, the European Union did not replace the European Communities but instead placed it under the same umbrella based on the ‘3-pillar’ structure:

* **The 1st pillar** consisted of the European Communities (the EC, the [European Coal and Steel Community](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum:xy0022) (ECSC) until 2002, and [Euratom](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum:4301853)).
* **The 2nd pillar** consisted of the cooperation between the EU countries under the [common foreign and security policy](http://europa.eu/european-union/topics/foreign-security-policy_en).
* **The 3rd pillar**covered cooperation between the EU countries in the field of [justice](http://eur-lex.europa.eu/summary/glossary/justice.html) and home affairs.

Every new treaty leads to the renumbering of the articles. The [Treaty of Lisbon](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:ai0033), signed on 13.12.2007 and entered into force on 1.12.2009, in turn renamed the TEC as the TFEU which merged the 3 pillars into the reformed EU and was once again renumbered.

The TFEU is one of 2 primary treaties of the EU, alongside the [Treaty on European Union](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:4301855) (TEU). It forms the detailed basis of EU law by defining the principles and objectives of the EU and the scope for action within its policy areas. It also sets out organisational and functional details of the EU institutions.

**WHAT IS THE AIM OF THE TREATY?**

As stated already in its former preamble, the aim of the TEC was to ‘lay the foundations of an ever closer union among the peoples of Europe’. That wording is still present in the preamble of the current TFEU as well as of the TEU. These treaties have in fact brought a more political and democratic dimension to European integration beyond the original economic objective of creating a single market.

**KEY POINTS OF THE CONSOLIDATED TREATY**

* Part 1 — **Principles:**
  + describes the scope of the treaty and its link to the TEU (Article 1);
  + outlines the EU competences according to the level of EU powers in each area (Articles 2, 3, 4, 5 and 6);
  + sets out general principles governing the action of the EU (Articles 7 to 17).
* Part 2 — **Non-discrimination and citizenship of the EU:**
  + outlaws nationality-based discrimination (Article 18);
  + states the EU will ‘combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation’ (Article 19);
  + establishes and defines citizenship of the EU and the related rights (Articles 20 to 24).
* Part 3 — the largest (Articles 26 to 197), it brings the legal basis for the **EU policies and internal actions** in the following areas:
  + the [internal market](http://ec.europa.eu/growth/single-market_en) (Title I);
  + the [free movement of goods](http://ec.europa.eu/growth/single-market/goods/free-movement-sectors_en) (Title II), including the [customs union](http://europa.eu/european-union/topics/customs_en);
  + the [common agricultural policy](http://eur-lex.europa.eu/summary/glossary/agricultural_policy.html) and the [common fisheries policy](http://eur-lex.europa.eu/summary/glossary/fisheries.html) (Title III);
  + the free movement of workers (and [people](http://ec.europa.eu/justice/citizen/move-live/index_en.htm) in general), [services](http://ec.europa.eu/growth/single-market/services_en) and [capital](http://ec.europa.eu/info/business-economy-euro/banking-and-finance/financial-markets/capital-movements_en) (Title IV);
  + the [area of freedom, justice and security](http://eur-lex.europa.eu/summary/glossary/freedom_and_security.html) (Title V), including [police and justice cooperation](http://eur-lex.europa.eu/summary/glossary/police_judicial_cooperation.html);
  + [transport](http://europa.eu/european-union/topics/transport_en) (Title VI);
  + [competition](http://eur-lex.europa.eu/summary/glossary/competition.html), [taxation](http://eur-lex.europa.eu/summary/glossary/taxation.html) and the [harmonisation of legislation](http://ec.europa.eu/environment/archives/guide/part1.htm) (Title VII);
  + [economic and monetary policy](http://europa.eu/european-union/topics/economic-monetary-affairs_en) (Title VIII), including articles on the euro;
  + [employment policy](http://eur-lex.europa.eu/summary/glossary/employment.html) (Title IX);
  + [social policy](http://eur-lex.europa.eu/summary/glossary/social_policy.html) (Title X), with reference to the [European Social Charter](http://www.coe.int/en/web/turin-european-social-charter) (1961) and the [Community Charter of the Fundamental Social Rights of Workers](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:c10107) (1989) — Title XI establishes the [European Social Fund](http://eur-lex.europa.eu/summary/glossary/european_social_fund.html);
  + [education](http://eur-lex.europa.eu/summary/glossary/education.html), [vocational training](http://eur-lex.europa.eu/summary/glossary/training.html), [youth](http://eur-lex.europa.eu/summary/glossary/youth.html) and [sport](http://europa.eu/european-union/topics/sport_en) policies (Title XII);
  + [culture](http://eur-lex.europa.eu/summary/glossary/culture.html) (Title XIII);
  + [public health](http://eur-lex.europa.eu/summary/glossary/public_health.html) (Title XIV);
  + [consumer protection](http://eur-lex.europa.eu/summary/glossary/consumer_protection.html) (Title XV);
  + [trans-European networks](http://eur-lex.europa.eu/summary/glossary/ten.html) (Title XVI);
  + [industrial policy](http://europa.eu/european-union/topics/enterprise_en) (Title XVII);
  + [economic, social and territorial cohesion](http://eur-lex.europa.eu/summary/glossary/economic_social_cohesion.html) — in other words, reducing disparities in development (Title XVIII);
  + [research and development](http://eur-lex.europa.eu/summary/glossary/research_and_development.html) and [space policy](http://europa.eu/european-union/topics/space_en) (Title XIX);
  + [environmental policy](http://eur-lex.europa.eu/summary/glossary/environment.html) (Title XX);
  + [energy policy](http://eur-lex.europa.eu/summary/glossary/energy.html) (Title XXI);
  + [tourism](http://ec.europa.eu/growth/sectors/tourism_en) (Title XXII);
  + [civil protection](http://eur-lex.europa.eu/summary/glossary/civil_protection.html) (Title XXIII);
  + [administrative cooperation](http://ec.europa.eu/taxation_customs/business/tax-cooperation-control/administrative-cooperation_en) (Title XXIV).
* Part 4 — **Association of the**[**overseas countries and territories**](http://ec.europa.eu/europeaid/regions/octs_en) (Articles 198 to 204) describes the special relations between the EU and the overseas territories of some EU countries which, contrary to outermost regions, are not part of the EU.
* Part 5 — **EU external action** (Articles 205 to 222) describes:
  + the common commercial ([external trade](http://europa.eu/european-union/topics/trade_en)) policy;
  + [cooperation on development and humanitarian aid](http://europa.eu/european-union/topics/development-cooperation_en) for non-EU countries;
  + relations with non-EU countries (international treaties, [sanctions](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:25_1) and [solidarity](http://eur-lex.europa.eu/summary/glossary/solidarity_clause.html) between EU countries) and international bodies;
  + the establishment of EU delegations;
  + that external actions must be in accordance with the principles laid out in Chapter 1, Title 5 of the TEU regarding the common foreign and security policy (Article 205).
* Part 6 — **Institutional and financial provisions** elaborates on:
  + [EU institutions](http://europa.eu/european-union/about-eu/institutions-bodies_en) (Articles 223 to 227);
  + EU consultative bodies (Articles 300 to 307);
  + the European Investment Bank (Articles 308 and 309);
  + legislative [acts](http://europa.eu/european-union/eu-law/legal-acts_en) (regulations, directives, etc.) and [procedures](http://europa.eu/european-union/eu-law/decision-making/procedures_en) of the EU (Articles 288 to 299);
  + the EU [budget](http://europa.eu/european-union/about-eu/money_en) (Articles 310 to 325);
  + [enhanced cooperation](http://eur-lex.europa.eu/summary/glossary/enhanced_cooperation.html) between EU countries (Articles 326 to 334).
* Part 7 — **General and final provisions** (Articles 335 to 358) deals with specific legal points such as the legal capacity of the EU, territorial and temporal application, the seat of institutions, immunities and the effect on treaties signed before 1958 or the date of accession.

**FROM WHEN DOES THE TREATY APPLY?**

Signed by 27 EU countries (Croatia did not join the EU until 2013) on 13 December 2007, the TFEU entered into force on 1 December 2009.

**A VISION FOR THE INTERNAL MARKET FOR INDUSTRIAL PRODUCTS**

The European Commission has produced a policy paper setting out its vision for the future of the EU’s internal market for industrial products.

**ACT**

Communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee: A vision for the internal market for industrial products ([COM(2014) 25 final](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52014DC0025) of 22 January 2014 - not published in the Official Journal).

**SUMMARY**

EU legislation on industrial products sets out the essential requirements relating to safety, health and other public interests that businesses must comply with when putting products on the EU market, including the affixing of the CE marking. This legislation also sets out the compulsory steps to be taken to demonstrate that the product complies with EU law before it can carry the CE marking.

The overall conclusion of an online public consultation and assessment in this area is that the EU’s internal market legislation for products is relevant to meeting EU objectives relating to the need for technical harmonisation measures with high levels of protection of health and safety and consumers, and to the environment. Therefore, it is not only a key factor for the competitiveness of European industry but also for consumer and environmental protection.

Certain points for improvement were also identified in the policy paper known as a communication. Whilst the Commission seeks to keep up with the pace of technological challenges in the 21st century, it also wishes to take account of European industry’s demand for periods of regulatory stability without any major overhaul of the rules.

The policy paper identified the following priorities.

**Strong enforcement mechanisms**

This means stepping up the Commission’s efforts to ensure that EU law is respected to safeguard important public interests such as health and safety; the protection of the environment and security; and the protection of consumers. The Commission is looking into the possibility of drafting a legislative proposal on how to streamline and harmonise economic sanctions of an administrative or civil nature where EU law is not respected.

**Cross-sector legislation on products**

The Commission will assess the need to adopt horizontal (i.e cross-sector) legislation setting out common elements across sectors.

**Innovation and the digital future**

The Commission will take into account innovation and technological developments when it is developing new legislative proposals relating to industrial products. It will also launch an initiative on e-compliance whereby companies can demonstrate their compliance with EU legislation electronically.

**The blurring distinction between products and their connected services**

Manufacturing firms are increasingly offering services (e.g. maintenance and training) along with their traditional products. The Commission will examine how to improve the way in which this blurring distinction between products and services is handled.

**More regulations, fewer directives**

Subject to a case-by-case assessment, the Commission will give priority to regulations as a source of EU law rather than directives because, being directly applicable in EU countries, they lead to more certainty for business.

**A business-friendly approach to product rules**

Currently, businesses are faced with many laws applying to the same products/manufacturers and the boundaries between many of the laws are sometimes unclear. When carrying out a periodic review of sectoral legislation, the Commission will consider whether EU law on industrial products can be brought together with other legislation applicable to the same category of products.

**The global market**

The EU should continue to promote international convergence of legislation and technical standards for industrial products while ensuring a high level of protection of public interests. The Commission should ensure more focus on the impact of EU regulation on the international competitiveness of EU businesses.

**Monitoring scheme for the EU’s border-free area**

This law creates a framework for a specific monitoring mechanism designed to verify the application of the European Union's so-called ‘Schengen’ legislation. It aims to ensure that high uniform standards are applied in practice by those European Union countries in the Schengen area - an area comprising 26 countries, 22 of which are EU countries and four of which are non-EU. In this area, no internal border controls are applied.

**ACT**

Council Regulation (EU) No [1053/2013](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32013R1053) of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen acquis and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen.

**SUMMARY**

The main objective of the evaluation and monitoring mechanism is to ensure a **high level of mutual trust between countries** belonging to the ‘Schengen area’ in respect of their capacity to properly implement the relevant rules in all fields of the [Schengen EU legislation](https://eur-lex.europa.eu/legal-content/EN/TXT/schengen_agreement) (the ‘Schengen *acquis* ’).

**SCOPE OF THE MECHANISM**

The evaluation mechanism covers all aspects of the legislation in this field. As regards borders, it aims to cover both the efficiency of the border controls at external borders and the absence of internal border controls.

EU countries and the Commission are to assume joint responsibility for the implementation of the whole mechanism, with the Commission providing the overall coordination.

**ANNOUNCED AND UNANNOUNCED INSPECTIONS**

To implement the evaluation mechanism, a multiannual (5-year) and an annual programme of inspections is to be set up under the coordination of the Commission. These evaluations should take place regularly on the territory of all the Schengen states in the form of **announced and unannounced inspections**.

**ACTION PLAN TO ADDRESS DEFICIENCIES**

On-site evaluations must be carried out by specially trained experts appointed by the EU countries and selected in a neutral manner, based on a **risk analysis** by the [Frontex](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:l33216) agency (relating to external borders) and the support of [Europol](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:jl0025), [Eurojust](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=uriserv:l33188) and other relevant EU bodies in the areas covered by their mandates.

Following this analysis and the findings of the on-site inspection, a report is prepared by the experts under the coordination of the Commission. A range of recommendations may then be sent to the EU country inspected. Where that country’s implementation of the legislation is considered lacking or there is serious neglect of its obligations, it must submit an **action plan** addressing these issues.

**MONITORING AND FOLLOW-UP**

A report on the implementation of such an action plan must be submitted every 6 months to the Commission and other EU countries to confirm that the EU country monitored has taken the **required measures and steps** to remedy the weaknesses. A range of other regular reports may follow to track the implementation of the measures. If necessary, the Commission may set up new control inspections.

**WHAT IS THE AIM OF THIS REGULATION?**

* It aims to ensure that management, conservation and control rules of the convention area of the [South Pacific Regional Fisheries Management Organisation (SPRFMO)](http://www.sprfmo.int/) are fully incorporated into EU law.
* The regulation works alongside the [EU fisheries control system](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:pe0012) for the checking, inspection and enforcement by national authorities of the rules of the [common fisheries policy](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:02020101_1).

**KEY POINTS**

**SPRFMO**

* SPRFMO is an inter-governmental organisation committed to the long-term conservation and sustainable use of the fishery resources of the South Pacific Ocean.
* The EU is a contracting party.

**Scope and application**

* The regulation applies to:
  + EU fishing vessels operating in the SPRFMO convention area;
  + EU fishing vessels transshipping[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum%3A4353955#keyterm_E0001) fishery products caught in the SPRFMO convention area;
  + non-EU country fishing vessels upon requesting access to, or being the object of an inspection in, EU ports and carrying fishery products harvested in the SPRFMO convention area.
* It applies without prejudice to:
  + Regulation (EC) No [1005/2008](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32008R1005) (see [summary](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:pe0005));
  + Regulation (EC) No [1224/2009](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32009R1224) (see [summary](http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=LEGISSUM:pe0012));
  + Regulation (EU) [2017/2403](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32017R2403) (see [summary](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:4326429)).

**Rules**

* requires EU countries to ensure a minimum 10% scientific observer coverage in the jack mackerel fishery and stop fishing when they have reached 100% of its catch limit;
* requires EU vessels to observe rules to protect **seabirds** including the use of bird scaring lines;
* to protect vulnerable marine ecosystems[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum%3A4353955#keyterm_E0002), prohibits EU vessels from engaging in bottom fishing[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum%3A4353955#keyterm_E0003) or exploratory fishing[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum%3A4353955#keyterm_E0004) without authorisation from SPRFMO and on the basis of a bottom fishing assessment evaluated by the SPRFMO Scientific Committee;
* requires at least 10% of observer coverage for long-liners fishing for bottom fishing species and to cease from bottom fishing activities within 5 nautical miles of the area where any encounter with vulnerable marine ecosystems exceeds the threshold levels;
* bans the use of large scale pelagic drifting nets (gillnets or combinations of nets exceeding 2.5 kilometres in length), and all deepwater gillnets[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum%3A4353955#keyterm_E0005) throughout the SPRFMO convention area;
* requires the notification of transshipment of jack mackerel and demersal species and its monitoring when an observer is on board;
* requires EU vessels intending to transit the convention area while carrying **gillnets** to notify the SPRFMO Secretariat at least 36 hours before entering the area and to ensure that the vessels flying their flag operate a [vessel monitoring system](http://ec.europa.eu/fisheries/cfp/control/technologies/vms_en) reporting once every 2 hours while in the SPRFMO convention area;
* requires EU countries to submit to the Commission, by 15 November each year, a list of fishing vessels flying their flag authorised to fish in the SPRFMO convention area for the following year, including the information contained in Annex V. The Commission forwards that list to the SPRFMO Secretariat;
* EU countries whose vessels fish in the SPRFMO must set up observer programmes to collect data on fish caught to be submitted to the Commission.

**FROM WHEN DOES THE REGULATION APPLY?**

It has applied since 19 July 2018.

**Boosting entrepreneurship of European SMEs — COSME programme**

**SUMMARY OF:**

[Regulation (EU) No 1287/2013 — establishing a programme for the competitiveness of enterprises and small and medium-sized enterprises (COSME) (2014–20)](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32013R1287)

**WHAT IS THE AIM OF THE REGULATION?**

It establishes a European Union (EU) programme that seeks to boost support for small and medium-sized enterprises (SMEs) by improving conditions under which entrepreneurship can thrive.

**KEY POINTS**

* SMEs are the **main contributors to economic growth and employment** in the EU. Under the competitiveness of enterprises and small and medium-sized enterprises ([COSME](http://ec.europa.eu/growth/smes/cosme_en)) programme, it is now easier for SMEs to stay competitive through access to finance and markets, the simplification of regulation and the promotion of entrepreneurship.
* COSME will provide a **direct channel for communication** between European SMEs and the [European Commission](http://eur-lex.europa.eu/summary/glossary/european_commission.html).

**Better business conditions**

* COSME will support actions that **improve access to finance** for SMEs from start-up to growth phases. Financial instruments include equality and loan guarantee facilities. In some cases, these can be used along with national financial instruments for regional policy and the [Horizon 2020 programme](http://eur-lex.europa.eu/summary/glossary/horizon_2020.html) for research and innovation.
* The programme will also grant **better access to markets inside and outside the EU**. The programme will provide information on areas such as:
  + available business opportunities,
  + barriers to market entry in areas outside the EU,
  + advice on legal and customs practices.
* Support services on **intellectual property rights**, including assisting cross-border business cooperation, technology and R & D transfer and innovation partnerships, will also be provided.

**Promoting competition**

* In order to maintain the competitiveness and sustainability of businesses, the programme aims to **improve the design and implementation** of existing policies that affect SMEs. It will also promote **cross-border collaboration** and support the **development of products and services and technologies**.
* SMEs will also be encouraged to operate in an **environmentally sustainable way** and demonstrate **social corporate responsibility**.

**A culture of entrepreneurship**

* The programme will also focus on promoting entrepreneurship. It aims to create an entrepreneurial culture in the EU **by removing barriers** that make it hard for small businesses to grow, including changing regulatory burdens already placed on SMEs.
* The programme will pay particular attention to **young female entrepreneurs,** as well as other specific target groups, such as **older people and entrepreneurs belonging to socially disadvantaged communities**.

**Funding**

The programme has a budget of €2.3 billion over 7 years, and runs from 2014 to 2020. It will be managed by the [Executive Agency for Small and Medium-sized Enterprises](https://ec.europa.eu/easme/).

**FROM WHEN DOES THE REGULATION APPLY?**

It has applied since 23 December 2013.

**WHAT IS THE AIM OF THE DIRECTIVE?**

It aims at ensuring fair taxation of payments made between associated companies[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:l31039&from=EN#keyterm_E0003) in different EU countries, while avoiding double-taxation between EU countries. It applies to:

* interest payments[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:l31039&from=EN#keyterm_E0001);
* royalty payments[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:l31039&from=EN#keyterm_E0002)

**KEY POINTS**

The purpose of the directive is to abolish taxes levied at the EU country of source, while the EU country of receipt taxes the same payment.

Therefore, the main aim is to ensure that the payments are not taxed in more than one country (double taxation).

Interest and royalty payments arising in an EU country are exempt from any taxes imposed on those payments in that country provided that the beneficial owner[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:l31039&from=EN#keyterm_E0004) of the interest or royalties is:

* a company of another EU country[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:l31039&from=EN#keyterm_E0005)
* or a permanent establishment[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:l31039&from=EN#keyterm_E0006) situated in another EU country.

The **annex** to the directive includes a **list of the types of companies** to which the directive applies. The directive has been amended to take into account the types of companies in the countries that joined the EU in 2004, 2007 and 2013.

Where an associated company or permanent establishment pays excess tax on interest or royalties in an EU country that is not its own, it must apply for a **refund**. The country must repay the excess tax withheld within 1 year following receipt of an application and any supporting information that it may reasonably ask for from the company or permanent establishment. If the tax withheld has not been refunded within that period, the company or permanent establishment is entitled (on expiry of the year in question) to interest on the tax which is refunded. This interest is calculated at a rate corresponding to the national interest rate to be applied in comparable cases under the domestic law of the country in question.

This directive will not rule out the application of domestic or agreement-based rules required for the **prevention of fraud or abuse**. EU countries may withdraw the benefits of this directive or refuse to apply it in the case of transactions for which the principal motive or one of the principal motives is tax evasion, tax avoidance or abuse.

Certain countries benefited for a period from **transitional rules** whereby the application of the directive was delayed.

The [International Bureau of Fiscal Documentation](http://www.ibfd.org/) conducted a [survey](http://ec.europa.eu/taxation_customs/sites/taxation/files/resources/documents/common/publications/studies/survey_ir_dir.pdf) on the directive’s implementation for the [European Commission](http://eur-lex.europa.eu/summary/glossary/european_commission.html) in 2006 and the Commission published its own [report](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52009DC0179) on its operation in 2009. In 2011, the Commission adopted a [proposal](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:52011PC0714) to [recast](http://eur-lex.europa.eu/summary/glossary/legislation_recasting.html) the directive with a view to expanding its scope and to avoid situations where tax relief is granted but the corresponding income is not effectively subject to tax (double non-taxation).

**FROM WHEN DOES THE DIRECTIVE APPLY?**

The directive has applied since 26 June 2003 and had to become law in the EU countries by 1 January 2004.

**BACKGROUND**

For more information, see:

* [Taxation of cross-border interest and royalty payments in the EU](http://ec.europa.eu/taxation_customs/business/company-tax/taxation-crossborder-interest-royalty-payments-eu-union_en) (*European Commission*).

**KEY TERMS**

**Interest payment:** income from debt-claims of every kind, whether or not they are secured by mortgage and whether or not carrying a right to participate in the debtor’s profits. Examples include income from bonds or debentures (long-term bonds which yield a fixed rate of interest, issued by a company and secured against assets), and premiums and prizes relating to those bonds or debentures. Penalty charges for late payment are not regarded as interest.

**Royalty payment:** payments of any kind received for the use of or the right to use any copyright of literary, artistic or scientific work, including:

* cinematograph films and software,
* any patent,
* trade mark,
* design or model,
* plan,
* secret formula or process or for information concerning industrial, commercial or scientific experience.

Payments for the use of, or the right to use, industrial, commercial or scientific equipment are regarded as royalties.

**Associated companies:** 2 companies are regarded as associated companies:

* when one has a direct minimum holding of 25% in the capital of the other, or
* when a third company has a direct minimum holding of 25% in the capital of both companies.

**Beneficial owner:** the company that receives those payments for its own benefit and not as an intermediary, such as an agent, trustee or authorised signatory, for some other person.

In case of a permanent establishment, when the payment is effectively connected with that permanent establishment.

**Company of another EU country:** this company must meet the 3 following criteria:

* it was formed in accordance with the law of an EU country (i.e. it has its registered office, central administration or principal place of business within the EU and its activities present an effective and continuous link with the economy of that country);
* it is resident in that EU country;
* it is subject to corporation tax.

**Permanent establishment:** a fixed place of business situated in a Member State through which the business of a company of another Member State is wholly or partly carried on.

**WHAT IS THE AIM OF THE REGULATION?**

* Part of a package of legislation on air traffic management to establish the Single European Sky under Regulation (EC) No [549/2004](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32004R0549) (see [summary](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:l24020)), the regulation seeks to optimise the use of European airspace, thus reducing delays and promoting the growth of air transport.
* The regulation was amended by Regulation (EC) No [1070/2009](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32009R1070) in view of the plan to extend the competences of the [European Union Aviation Safety Agency](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:4359400) to include air traffic management safety. This amendment permits the [European Commission](http://eur-lex.europa.eu/summary/glossary/european_commission.html) to update measures due to technical or operational developments, as well as to lay down the basic criteria and procedures for the exercise of certain network management functions.

**KEY POINTS**

**Creation of the Single European Sky**

This seeks to:

* provide tools to manage fluctuations in air traffic capacity;
* improve safety: ensure the same levels of safety are observed in air traffic control systems and procedures in all EU countries;
* reduce the fragmentation of air traffic service provision: varying national approaches to air traffic management and its organisation lead to inconsistencies and shortcomings, with an adverse effect on the internal air transport market;
* improve the integration of military systems into the organisation of air traffic control;
* facilitate the introduction of new technology.

**Network management and design**

To support initiatives both on a national level and on the level of functional airspace blocks, air traffic management network functions will allow optimal use of airspace and ensure that airspace users can operate preferred trajectories, while permitting maximum access to airspace and air navigation services.

**Flexible use of airspace**

Coordination will be increased between the civilian and military authorities, in particular for the allocation and efficient use of airspace for military purposes, including the criteria and principles which should govern allocation and use, and in particular access for civilian flights.

**FROM WHEN DOES THE REGULATION APPLY?**

It has applied since 20 April 2004.

**WHAT ARE THE AIMS OF THE AGREEMENTS AND OF THE DECISIONS?**

The agreements aim to promote:

* **regular political and security dialogue** to foster mutual understanding, cooperation and common initiatives;
* **economic, trade and financial cooperation**, including:
  + the progressive liberalisation of trade in goods;
  + the facilitation of trade in services and the movement of capital to achieve liberalisation as soon as conditions are met;
  + the sustainable development of the Mediterranean region; and
  + regional integration;
* **social, cultural and educational cooperation**, notably through intercultural dialogue, migration control, skills development, promotion of labour law or gender equality.

The decisions conclude the agreements on behalf of the EU.

**KEY POINTS**

**Euro-Mediterranean partnership**

* The agreement between the EU and the southern Mediterranean countries are based on the Euro-Mediterranean Partnership.
* This political, economic and social partnership is based on the principles of reciprocity, solidarity and co-development.

The Partnership was replaced in 2008 by the [Union for the Mediterranean (UfM)](http://eeas.europa.eu/diplomatic-network/union-mediterranean-ufm/329/union-for-the-mediterranean-ufm_en).

* UfM’s mission is to enhance regional cooperation, dialogue and the implementation of projects and initiatives with tangible impact on citizens, with an emphasis on young people and women, to address the 3 strategic **objectives** of the region:
  + stability;
  + human development; and
  + integration.
* in the area of trade, the UfM promotes:
  + enhanced trade relations among its members;
  + reduced barriers to trade;
  + regional integration initiatives; and
  + greater business cooperation.
* The EU has association agreements with all of the partners with the exception of **Libya**.
* An agreement with [Syria](http://eeas.europa.eu/headquarters/headquarters-homepage_en/6769/EU-Syria%20relations,%20factsheet) has been drafted but not signed.

**Scope**

Each agreement is adapted to the specificities of the non-EU country concerned. However, they all share in principle the same basic structure covering:

* political dialogue;
* free movement of goods;
* establishment of services;
* payments, capital, [competition](http://eur-lex.europa.eu/summary/glossary/competition.html) and other economic measures;
* economic cooperation;
* cooperation in social and cultural matters;
* cooperation on environmental protection;
* financial cooperation;
* institutional and general rules.

**Objectives**

The bilateral agreements all share a number of goals in particular:

* encouraging intra-regional cooperation of the Mediterranean countries, as a factor of peace, stability, economic and social development;
* establishing a free trade area.

**Establishing a free trade area**

* The agreements set out the basis for establishing a free trade area in the Mediterranean in compliance with [World Trade Organisation](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:r11010) rules.
* A free trade area must be established after a transitional period of 12 years following the entry into force of the agreements.
* Free movement of goods between the EU and the Mediterranean countries must result from:
  + gradual elimination of **customs duties**;
  + the prohibition of **quantitative restrictions** on exports and imports (with exceptions in certain cases), as well as all measures having equivalent or discriminatory effect between the parties.
* The parties reaffirm their commitments under the [General Agreement on Trade in Services (GATS)](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:r11012).
* The non-EU country partners must achieve full liberalisation of the **capital sector** as soon as sufficient conditions are in place.
* A dispute settlement mechanism needs to be gradually put in place.

**Institutional arrangements**

The agreements set up an institutional structure including:

* an **Association Council**, organised at ministerial level, which takes decisions and makes recommendations so that fixed objectives can be attained,
* an **Association Committee** which manages the agreement and settles differences regarding its application and interpretation.

**DATE OF ENTRY INTO FORCE**

Association agreements came into force on the following dates:

* 1 July 1997 — Interim agreement with Palestine[\*](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum%3Ar14104#keyterm_E0001)
* 1 March 2000 — Morocco
* 1 June 2000 — Israel
* 1 May 2002 — Jordan
* 1 June 2004 — Egypt
* 1 September 2005 — Algeria
* 1 April 2006 — Lebanon
* 1 March 1998 — Tunisia.

**BACKGROUND**

* [Euro-Mediterranean Partnership](http://ec.europa.eu/trade/policy/countries-and-regions/regions/euro-mediterranean-partnership/) (*European Commission*).

**MAIN DOCUMENTS**

Council Decision [2006/356/EC](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32006D0356) of 14 February 2006 concerning the conclusion of the Euro-Mediterranean Agreement establishing an association between the European Community and its Member States of the one part, and the Republic of Lebanon, of the other part (OJ L 143, 30.5.2006, p. 1)

[Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:22006A0530%2801%29) — Protocol 1 concerning arrangements applicable to imports into the Community of agricultural products originating in Lebanon referred to in Article 14(1) — Protocol 2 concerning arrangements applicable to imports into Lebanon of agricultural products originating in the Community referred to in Article 14(2) — Protocol 3 on trade between Lebanon and the Community in processed agricultural products referred to in Article 14(3) — Protocol 4 concerning the definition of the concept originating products and methods of administrative cooperation — Protocol 5 on mutual administrative assistance in customs matters (OJ L 143, 30.5.2006, pp. 2-188)

Successive amendments to the agreement have been incorporated into the original text. This [consolidated version](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:02006A0530%2801%29-20150209) is of documentary value only.

Council Decision [2005/690/EC](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32005D0690) of 18 July 2005 on the conclusion of the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People’s Democratic Republic of Algeria, of the other part (OJ L 265, 10.10.2005, p. 1)

[Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:22005A1010%2801%29) — Annexes — Protocols — Final Act — Declarations (OJ L 265, 10.10.2005, pp. 2-228)

See [consolidated version](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:02005A1010%2801%29-20170201).

Council Decision [2004/635/EC](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32004D0635) of 21 April 2004 concerning the conclusion of a Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part (OJ L 304, 30.9.2004, p. 38)

[Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:22004A0930%2803%29) — Protocols — Final Act — Declarations Agreement in the form of an Exchange of Letters between the Community and Egypt concerning imports into the Community of fresh cut flowers and flowers and flower buds falling within subheading 0603 10 of the Common Customs Tariff (OJ L 304, 30.9.2004, pp. 39-208)

See [consolidated version](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:02004A0930%2803%29-20160201).

Council and Commission Decision [2002/357/EC,ECSC](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32002D0357) of 26 March 2002 on the conclusion of the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part (OJ L 129, 15.5.2002, pp. 1-2)

[Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:22002A0515%2802%29) — Protocol 1 concerning the arrangements applicable to the importation into the Community of agricultural products originating in Jordan — Protocol 2 concerning the arrangements applicable to the importation into Jordan of agricultural products originating in the Community — Protocol 3 concerning the definition of the concept of ‘originating products’ and methods of administrative cooperation — Protocol 4 on mutual assistance between administrative authorities in customs matters — Joint Declarations — Final Act (OJ L 129, 15.5.2002, pp. 3-176)

See [consolidated version](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:02002A0515%2802%29-20181204).

Decision of the Council and the Commission [2000/384/EC, ECSC](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32000D0384) of 19 April 2000 on the conclusion of a Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part and the State of Israel, of the other part (OJ L 147, 21.6.2000, pp. 1-2)

[Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:22000A0621%2801%29) — Protocol 1 concerning the arrangements applicable to the importation into the Community of agricultural products originating in Israel — Protocol 2 concerning the arrangements applicable to the importation into Israel of agricultural products originating in the Community — Protocol 3 concerning plant protection matters — Protocol 4 concerning the definition of ‘originating products’ and methods of administrative cooperation — Protocol 5 on mutual assistance between administrative authorities in customs matters — Joint Declarations — Agreement in the form of an Exchange of Letters concerning outstanding bilateral issues — Agreement in the form of an Exchange of letters relating to Protocol 1 and concerning imports into the Community of fresh cut flowers and flower buds falling within subheading 0603 10 of the Common Customs Tariff — Agreement in the form of an Exchange of Letters regarding the implementation of the Uruguay Round Agreements — Declarations by the European Community — Declaration by Israel (OJ L 147, 21.6.2000, pp. 3-172)

See [consolidated version](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:02000A0621%2801%29-20130701).

Council and Commission Decision [2000/204/EC, ECSC](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32000D0204) of January 26 2000 on the conclusion of the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part (OJ L 70, 18.3.2000, p. 1)

[Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:22000A0318%2801%29) — Protocol 1 on the arrangements applying to imports into the Community of agricultural products originating in Morocco — Protocol 2 on the arrangements applying to imports into the Community of fishery products originating in Morocco — Protocol 3 on the arrangements applying to imports into Morocco of agricultural products originating in the Community — Protocol 4 concerning the definition of originating products and methods of administrative cooperation — Protocol 5 on mutual assistance in customs matters between the administrative authorities — Final Act — Joint Declarations — Agreements in the form of an Exchange of Letters — Declaration by the Community — Declarations by Morocco (OJ L 70, 18.3.2000, pp. 2-204)

See [consolidated version](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:02000A0318%2801%29-20190719).

Decision of the Council and the Commission [98/238/EC, ECSC](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:31998D0238) of 26 January 1998 on the conclusion of a Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part (OJ L 97, 30.3.1998, p. 1)

[Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:21998A0330%2801%29) — Protocol No 1 on the arrangements applying to imports into the Community of agricultural products originating in Tunisia — Protocol No 2 on the arrangement applying to imports into the Community of fishery products originating in Tunisia — Protocol No 3 on the arrangements applying to imports into Tunisia of agricultural products originating in the Community — Protocol No 4 concerning the definition of originating products and methods of administrative cooperation — Protocol No 5 on mutual assistance in customs matters between the administrative authorities — Joint Declarations — Declarations (OJ L 97, 30.3.1998, pp. 2-183)

See [consolidated version](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:01998A0330%2801%29-20130101).

Council Decision [97/430/EC](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:31997D0430) of 2 June 1997 concerning the conclusion of the Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip (OJ L 187, 16.7.1997, pp. 1-2)

[Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:21997A0716%2801%29) — Protocol 1 on the arrangements applying to imports into the Community of agricultural products originating in the West Bank and the Gaza Strip — Protocol 2 on the arrangements applying to imports into the West Bank and the Gaza Strip of agricultural products originating in the Community — Protocol 3 concerning the definition of the concept of ‘originating products’ and methods of administrative cooperation — Final Act — Joint Declarations — Declaration by the European Community (OJ L 187, 16.7.1997, pp. 3-135)

See [consolidated version](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:01997A0716%2801%29-20160301).

\* This designation should not be construed as a recognition of a State of Palestine and is without prejudice to the individual positions of Member States on this issue.