



FRANS TIMMERMANS
First Vice-President

Strasbourg, 07.07.2015
Ares (2015)

Dear Mr Angel,

On behalf of the Commission, I am pleased to send you the Commission's official reply to the Contribution of the LIII COSAC adopted in Riga on 2 June.

Although I was unable to attend the COSAC meeting on this occasion, I know from reports that the exchange of views on the issues on the agenda were as ever useful and constructive and I would also like to take this opportunity to express my thanks to Ms Čigāne and her colleagues for the excellent manner in which they conducted the Latvian COSAC Presidency.

Looking back over the first six months of this year, the Commission has been making good on its promise to 'be big on big things and small on small things'. The notable adoption of the European Energy Union and Digital Single Market packages will make a real difference to European citizens and businesses, and the political agreement reached on the European Fund for Strategic Investments will enable projects to move ahead and give a much needed boost to investment, jobs and growth in Europe.

More will come in the second half of the year with several important legislative proposals planned. I am looking forward to discussing these proposals and other future initiatives with national Parliaments under the Luxembourgish COSAC Presidency, beginning with the upcoming Chairpersons' meeting which I will attend on behalf of the Commission.

I am also looking forward on that occasion to discussing ways in which relations between the Commission and national Parliaments can be further strengthened.

Yours faithfully,

Frans Timmermans
First Vice-President

cc: *Ms Lolita Čigāne,*
Chairperson of the European Affairs Committee
of the Saeima of the Republic of Latvia

Reply of the European Commission
to the Contribution of the LIH COSAC
Riga, 31 May – 2 June 2015

1. EU Energy and Climate Policy

As recognised by the Commission's Framework Strategy for the Energy Union¹, European electricity and gas transmission systems, notably cross-border connections, are currently not sufficient to make the internal energy market work properly and to link the remaining energy islands to the main electricity and gas network. Work on infrastructure projects has accelerated in recent years, even more so in light of recent events at the European Union's Eastern border. In 2013, the European Union identified 248 energy infrastructure Projects of Common Interest (PCIs). The list will be reviewed and updated by the end of 2015 and then again every other year. In 2014, the European Energy Security Strategy identified 33 infrastructure projects which are essential to improve security of supply and better connect energy markets.

A specific minimum interconnection target has been set for electricity at 10% of the installed electricity production capacity of the Member States, which should be achieved by 2020. The necessary measures to achieve this 10% target were set out in a Commission Communication in February 2015. The regulatory and financial framework that has recently been put in place through the TEN-E Regulation and the Connecting Europe Facility is showing first results. What is needed now is political determination by the Member States and all other actors to meet the objectives. This means for example an intensification of the work in the Regional Groups set up under the TEN-E Regulation, while the Commission will continue to promote regional cooperation. In 2016, the Commission will report on the necessary measures to reach a 15% target by 2030.

Domestically produced energy contributes to decreasing Europe's energy import dependence. This includes notably renewables, needed for decarbonisation, as well as conventional and - for those Member States that choose it - non-conventional fossil resources. Producing oil and gas from unconventional sources in Europe such as shale gas is an option, provided that issues of public acceptance and environmental impact are adequately addressed. The choice between different energy sources is however the prerogative of the Member States. With regard to indigenous fossil fuels, the role of the EU is notably to provide high standards for the safe and environmentally sound exploration and exploitation of those resources, and ensuring that permitting and licensing procedures are competitive.

¹ COM(2015) 80 final.

2. Parliamentary Scrutiny of EU Affairs

The Commission fully agrees with COSAC that the involvement of national Parliaments in the European decision-making process strengthens the overall democratic legitimacy of the EU. The Commission has followed with interest the discussions held by national Parliaments on their role in EU affairs and is pleased to note the general willingness of the chambers to play a stronger role in the EU through full and efficient use of the existing mechanisms in full compliance with the EU Treaties and the current interinstitutional balance.

The Commission attaches great importance to forging a new partnership with national Parliaments and is pleased to reaffirm its commitment to make Members of the Commission available to visit national Parliaments to discuss major legislative proposals and/ initiatives wherever possible.

It should be underlined that the Commission also gives high priority to the written political dialogue and is currently exploring ways in which it can best respond to the opinions it receives from national Parliaments, providing a political reply to the key issues as well as more detailed comments on technical aspects raised. The Commission is also aiming to reply in a more expeditious manner in order to ensure the efficiency and usefulness of the dialogue.

The Commission has taken note of the wish of national Parliaments to make constructive, non-binding suggestions regarding policy or legislative proposals to the Commission. As already confirmed in its reply to the Dublin COSAC Contribution, the Commission would be interested in national Parliaments' views concerning possible subjects for legislation or review of legislation. In full respect of the roles and prerogatives of all national and European actors including the European institutions, the Commission will be ready to consider whether there is a need for new or modified rules in a policy field. It can therefore confirm its readiness to consider in the framework of an enhanced political dialogue any constructive proposals that national Parliaments bring forward that respect the existing legal and institutional framework, with due regard to the strength of support amongst national Parliaments for the proposal.

National Parliaments have also signalled their intention to enhance their cooperation and exchange of views with the EU institutions on the Commission's annual and multiannual planning. The Commission warmly welcomes this interest and confirms its readiness to discuss its planning and priorities with national Parliaments. In this context, it also reiterates its invitation to national Parliaments to contribute early in the process for the preparation of new legislative proposals.

3. EU Trade Policy and the Role of Parliaments

The Commission aims to present a new trade policy Communication in the autumn. This new Communication is planned as a response to changes in the global economy, with its new centres of global growth; changes in the EU economy, with its fitful recovery from the crisis; changes in trade policy, with new and complex issues and the rapid

proliferation of trade agreements; and changes in the EU political landscape, with the active and unprecedented public debate on trade policy.

The new strategy will address, among other things, the economic impact of trade, that is to say how trade affects people's lives in Europe and around the world, by creating jobs, growth and sustainable development; the EU's bilateral free trade agreements, covering both its geographic and thematic negotiating agenda; the WTO, the Doha round, and work towards a post-Doha agenda for the WTO; sustainable development; relations with strategic partners; and transparency and implementation, or how to boost the legitimacy of trade policy and also ensure that it delivers benefits for all.

The Commission welcomes the public debate on EU trade policy priorities and is fully committed to strong engagement and policy dialogue with national Parliaments in the area of international trade and investment policy. It is a priority for the Commission to hear the views of national Parliaments from the outset of any negotiation in which interest is expressed, taking into account the different methods of national Parliaments to scrutinise individual EU trade and investment agreements with third countries.

The Commission is negotiating the Transatlantic Trade and Investment Partnership (TTIP) with the aim of achieving higher economic growth and more jobs for EU citizens, through increased access to the US market. As frequently emphasised by political leaders in the EU and in the US (including by President Obama), TTIP will facilitate EU-US trade relations without lowering in any way the high standards of protection in place in the EU, whether they relate to consumers, the environment, health or other policy areas. Neither side will be required to give up its right to regulate in the future or to safeguard the level of protection that its citizens choose.

The Commission is committed to transparency and will continue to make the EU's work on TTIP as visible and transparent as possible. Moreover, the Commission agrees with COSAC that the Governments of EU Member States should also intensify their efforts to communicate the potential benefits of TTIP and other free trade agreements.

The European Globalisation Adjustment Fund (EGF) was created to provide support for a broad range of workers made redundant due to trade related globalisation. Shifts in the labour market – if any – as a consequence of TTIP would benefit from the fund. However, in the Commission's view, TTIP should have a positive impact on jobs and wages in the EU² and any movement of jobs between sectors as a result of TTIP is likely to be much less than that caused by normal shifts in the economy.

More open trade with the rest of the world leads to overall benefits for growth and employment, but it can also cost jobs, particularly in vulnerable sectors and among lower-skilled workers. This is why the Commission first proposed setting up a fund to help those adjusting to the consequences of globalisation. Since starting operations in 2007, the EGF has received 136 applications. Some EUR 550 million has been requested to help more than 128,000 workers.

² http://trade.ec.europa.eu/doclib/docs/2013/september/tradoc_151787.pdf

The Fund continues during the 2014-2020 period as an expression of EU solidarity, with further improvements to its functioning. Up to 2020, the EGF has a maximum annual budget of EUR 150 million (2011 prices) and can fund up to 60% of the cost of measures designed to help workers made redundant due to globalisation find another job or set up their own businesses. Under the conditions laid down in the legislation, such workers could be eligible for EGF funding and be assisted to find new jobs.

4. Fight against Terrorism and EU-Wide Passenger Name Record Framework

The Commission fully agrees with the view that existing measures, both legislative and non-legislative, should be implemented and exploited to their full potential, before new measures or tools are considered.

The Commission strongly emphasises that each and every counter-terrorism measure should fully respect the Fundamental Rights and freedoms as enshrined in the Treaties and in the EU Charter of Fundamental Rights. Moreover, these measures should pass the triple test of legality, necessity and proportionality.

The Commission stresses that the newly adopted European Agenda on Security (EAS), which will form the basis for the new EU Internal Security Strategy, underlines the importance of increased transparency and accountability on security and counter-terrorism policies and measures. In this regard, the Commission will update the European Parliament and the Council twice a year on the implementation of the EAS. To further enhance transparency and participation the Commission will set-up a European Security Consultative Forum bringing together Member States, EU Institutions, Agencies, stakeholders, academia etc. In addition, a renewed dialogue will be launched with national Parliaments and the European Parliament. Common performance indicators will be developed. This should lead to a shared understanding of the threats posed by terrorism to the security of our citizens, societies and democracies; it should also help in the development of appropriate responses owned by all relevant actors.

These new endeavours will build upon the Commission's reporting and evaluation work performed in the past: the "Stock-taking communication" from 20 July 2010 listed and reviewed all counter-terrorism measures in force at EU level at the time; the Commission also presented three reports on the implementation of the first internal security strategy adopted in November 2010.

One should also bear in mind the in-depth analyses carried out in the context of the impact assessment prepared ahead of each Commission proposal. All counter-terrorism measures in force at EU level underwent a careful analysis of the necessity, proportionality and impact of each proposal.

Finally, it should be recalled that most counter-terrorism measures are and will remain the responsibility of the Member States. The nature of these measures and the fact that not all of them are made public (which would defeat their very purpose) will have to be taken into account when conducting evaluations. Security is a public good, requiring measures and programmes, including financial actions that do not always lend themselves to a simple cost/benefit analysis.

The Agenda on Security recognises the crucial role of the EU agencies in supporting operational cooperation. The Agenda calls on Member States to make full use of the support of the agencies to tackle crime through joint action. In particular Eurojust and Europol should also enhance their operational coordination.

The Commission has done its utmost to promote the resumption of discussions in the European Parliament on its proposal for a Directive on the use of Passenger Name Records (PNR). It will continue to make every effort to facilitate the reaching of compromises between the co-legislators, whilst upholding the highest standards of data protection, in line with the priorities it set itself in its European Agenda on Security.

5. Security Concerns in the Middle East and North African Region

Following up on the Statement of the European Council on 23 April 2015 and as announced in the European Agenda on Migration of 13 May 2015, the Commission together with the Frontex Agency has taken a series of measures aiming at reinforcing the Joint Operation Triton in the Central Mediterranean and Poseidon Sea in the Eastern Mediterranean.

The Commission has proposed to reinforce the Frontex budget for these Joint Operations by EUR 71.25 million for the years 2015 and 2016.

Given the urgency, the Commission has already made available EUR 20 million to the Agency, enabling Frontex to make financial commitments required for timely deployment of the additional resources to the operational area.

Meanwhile Frontex has prepared – in cooperation with Italy and Greece – the revised operational plans and launched a call to other Member States for contributions.

The dual objectives of the joint operations are to ensure effective control at the external borders of the EU whilst assisting Member States in situations involving humanitarian emergencies and rescue at sea.

The extended patrolling area of Joint Operation Triton goes beyond the previous Mare Nostrum operation which was carried out by the Italian Navy. Moreover, these assets intervene anywhere outside of the patrolling area where migrants' lives are in danger, following the instructions of the Rescue Coordination Centre.

In addition, the recently launched EUNAVFOR Med, which is a military Common Security and Defence Policy (CSDP) operation, is designed to disrupt the business model of human smuggling and trafficking networks and thus contribute to preventing further loss of life at sea. The mission was launched on 22 June 2015 and is intended to last 12 months once it has reached Full Operational Capacity.

Preventing and countering migrant smuggling is a priority for the EU. The European Commission adopted on 27 May 2015 an Action Plan against migrant smuggling as announced in the European Agenda on Migration of 13 May 2015. The Action Plan sets out concrete actions to tackle this phenomenon, while ensuring the protection of the human rights of migrants. The Action Plan envisages strong cooperation between

relevant actors at national, EU and international level. One of the pillars of the Action Plan is strong cooperation with third countries, in particular countries of origin and transit, to prevent migrant smuggling, and to bring to justice the criminal networks involved in it. Cooperation with countries along the entire migratory route is essential to end impunity for smugglers, and to transform migrant smuggling from a low risk, high profit operation into a low profit, high risk one.

The EU is actively engaged in support to African partners for the fight against money laundering and also for the development of regional capacities to identify freeze and confiscate financial criminal assets. These actions are closely supported by EU Member States' expertise and the Europol CARIN network³, in close coordination with the United Nations Office on Drugs and Crime (UNODC) efforts, in particular in Western Africa under EDF⁴ regional and IcSP⁵ long term funding.

For the EU, migration is a multifaceted phenomenon, involving aspects of economic and political stability, human rights, security, crisis management, humanitarian and development policy as well as other challenges such as for example climate change.

Therefore in order to address it, the EU applies a balanced, comprehensive approach, based on solidarity and responsibility. The EU bilateral and multilateral actions to be undertaken build on already very solid EU engagement, in terms of political dialogue, crisis response (with tools ranging from humanitarian aid to CSDP) and development cooperation. For example, more than EUR 1 billion has been spent on more than 400 projects on migration between 2004 and 2014, and more than half of those projects are in support of our African partner countries. The world's leading donor, the EU provides 55% of the world's Official Development Aid. With regard to the African, Caribbean and Pacific (ACP) countries in particular, the 11th European Development Fund (2014-2020) amounts to EUR 30.5 billion. Further illustration of our engagement in the EU's enlarged southern neighbourhood, seven CSDP missions and operations are deployed on the African continent for actions ranging from assisting partner countries in enhancing the capacity of their security and defence forces to combating piracy.

The Global Approach on Migration and Mobility (GAMM) adopted in 2011 provides the general framework for the EU engagement in migration and identifies four domains: legal migration and mobility; the fight against irregular migration; asylum and international protection; migration and development.

The EU Agenda on Migration, adopted on 13 May 2015, provides a comprehensive framework for future EU action in this area.

The new European Agenda on Migration provides a comprehensive approach to the global migration challenge, which combines both internal and external policies and instruments. In this context, it will be essential to step up cooperation with third countries

³ Camden Asset Recovery Inter-Agency Network (CARIN).

⁴ European Development Fund (EDF).

⁵ The Instrument contributing to Stability and Peace (IcSP).

and to address the root causes of irregular migration and forced displacement, such as political and economic instability, human rights violations, fragility, conflict, extreme poverty and climate change. The European Commission remains committed to addressing the root causes of irregular migration and forced displacement. To this end, it will be important to more systematically mainstream migration into the programming of development cooperation and into national and regional development strategies.

The EU's international engagement on migration is therefore multi-fold. It builds on the commitment to address the root causes of displacement and forced migration via the use of foreign policy tools, including prevention and resolution of conflicts, enhancing the nexus between migration and development and mainstreaming migration into development programmes, while continuing to address human rights abuses and strengthening migrants and refugee rights via the EU human rights policy

By highlighting the importance of the Middle East and North Africa (MENA) region and considering that migration originating in or transiting through it is a global and complex phenomenon, COSAC calls for a holistic EU approach towards tackling the roots of regional instability, such as poverty, inequality, ethnic, religious, political and other conflicts, making recourse to military means terrorism, oppression, illiteracy, youth unemployment and radicalisation by strengthening the coherence of its common foreign and security policy, development policy and migration policy. The Commission shares the view that a holistic approach is needed, as it has proposed in its European Agenda for Migration.

6. Outcomes of the Eastern Partnership Summit

The next reports by the European Commission on the progress made by Georgia and Ukraine respectively in the implementation of their Visa Liberalisation Action Plans (VLAPs) are planned for December 2015. It is too early to make any predictions on the conclusions of these reports, as the visa liberalisation process is a merits- and fact-based process.

The Commission remains committed to supporting the Georgian and Ukrainian authorities in fulfilling the recommendations in the progress reports.

The progress report of 8 May 2015 revealed that Georgia had not yet fulfilled the VLAP benchmarks in areas such as asylum, migration, trafficking in human beings, anti-corruption, money-laundering and drugs. In the case of Ukraine, shortcomings were registered in areas, such as anti-corruption, organised crime, law enforcement cooperation, drugs and trafficking in human beings.