

April 2016

## Outcome of the European Council of 17-18 March 2016

*The European Council of 17-18 March 2016 was dominated by discussion of the migration crisis and in particular on the EU-Turkey agreement. Turkish and EU leaders agreed on the return of all new irregular migrants coming from Turkey to the EU, the resettlement of Syrians from Turkey to the EU, the acceleration of the visa liberalisation roadmap and an additional €3 billion for the Facility for Refugees in Turkey. EU leaders endorsed the 2016 Annual Growth Survey and discussed the economic recovery in the EU with ECB President, Mario Draghi. Heads of State or Government also addressed the issues of climate and energy, urging the speedy ratification of the Paris Agreement and highlighting the importance of energy security.*

### 1. Migration

As indicated in the [invitation letter](#) of European Council President, Donald Tusk, the European Council meeting was 'dominated by the migration crisis'. EU leaders [confirmed](#) their comprehensive strategy to tackle the migration crisis and stressed that priority will continue to be given to regaining control of the EU's external borders.

In the context of the Joint Action Plan with Turkey, Heads of State or Government called for enhancing work on the hotspots, providing emergency support to Greece to cope with the humanitarian situation, and the use of all means to support the capacity of Greece for returning irregular migrants to Turkey and accelerating relocations from Greece. At the same time, the European Council stressed that the EU-Turkey Statement does not lead to any new commitments for Member States as far as relocation and resettlement are concerned. EU Heads of State or Government reiterated their expectations that Turkey will 'respect the highest standards when it comes to democracy, rule of law, [and] respect of fundamental freedoms, including freedom of expression'. European Parliament President Martin Schulz strongly [condemned](#) 'the verbal and physical attacks, and the increasing use of defamation and anti-terror legislation against journalists and academics [in Turkey]'.

The European Council also took note of the European Commission's Communication, '[Next operational steps in EU-Turkey cooperation in the field of migration](#)', which sets out how the six principles, agreed at the [informal meeting of the EU Heads of State or Government with Turkey](#) of 7 March 2016, should be taken forward, in order to deliver on the full potential of EU-Turkey cooperation while respecting European and international law.

European leaders reaffirmed their previous conclusions on the various elements of the comprehensive strategy, and called for the European Border and Coast Guard proposal to be adopted as soon as possible. Work will also be taken forward on the future architecture of the EU's migration policy, including the existing framework for a common asylum policy (the [Dublin Regulation](#)). These issues will most likely be discussed at the June 2016 European Council, together with a presentation by the European Investment Bank (EIB) on 'a specific initiative aimed at rapidly mobilising additional financing in support of sustainable growth, vital infrastructure and social cohesion in Southern Neighbourhood and Western Balkans countries'. European leaders also called for strengthened cooperation with the Western Balkans, and reaffirmed their support to Jordan and Lebanon.

## EU-Turkey statement

Meeting for the third time since November 2015, following the [meeting of Heads of State or Government with Turkey on 29 November 2015](#) and the [informal meeting of the EU Heads of State or Government with Turkey of 7 March 2016](#), the members of the European Council and the Turkish Prime Minister, Ahmet Davutoğlu, convened on 18 March 2016 to address the migration crisis and the deepening of Turkey-EU relations. Based on the Turkish proposal of 7 March 2016,<sup>1</sup> the EU and Turkey [agreed](#) that:

- 1) All new irregular migrants crossing from Turkey to the Greek islands as of 20 March 2016 will be returned to Turkey, in full accordance with EU and international law. The EU will cover the cost of the return operations of irregular migrants;
- 2) For every Syrian returned to Turkey from the Greek islands, another Syrian will be resettled from Turkey to the EU. Priority will be given to migrants who have not previously entered or tried to enter the EU irregularly. In order to implement this part of the EU-Turkey agreement, the European Commission [proposed](#) on 23 March 2016 to amend a Council Decision of 22 September 2015 [to relocate people in need of international protection from Italy and Greece](#). With this amendment, 54 000 places, which were planned for relocation, will now be available for the purpose of resettling Syrians from Turkey to the EU;
- 3) Turkey will take any necessary measures to prevent the creation of new sea or land routes for irregular migration from Turkey to the EU;
- 4) Once irregular crossings between Turkey and the EU are ending or have been substantially and sustainably reduced, a [Voluntary Humanitarian Admission Scheme](#) will be activated, to which EU Member States will contribute voluntarily;
- 5) The fulfilment of the visa-liberalisation roadmap will be accelerated with a view to lifting the visa requirements for Turkish citizens at the latest by the end of June 2016, provided that all benchmarks have been met. Regarding this point, European Parliament President Martin Schulz [asked](#) the European Council 'to hold itself out of legislative detail', as 'the final decision lies between the European Parliament and the Justice and Home Affairs Ministers in the Council';
- 6) The EU, in close cooperation with Turkey, will further speed up the disbursement of the initially allocated €3 billion under the [Facility for Refugees in Turkey](#). Once these resources are close to being used in full, and provided that the above commitments are met, the EU will mobilise additional funding for the Facility of up to an additional €3 billion up to the end of 2018;
- 7) The EU and Turkey welcomed the ongoing work on the upgrading of the Customs Union;
- 8) The EU and Turkey reconfirmed their commitment to re-energise the accession process, as set out in their joint statement of 29 November 2015. They agreed to open Chapter 33 during the Dutch Presidency of the Council of the European Union. Preparatory work on the opening of other chapters will continue at an accelerated pace without prejudice to Member States' positions;
- 9) The EU will work with Turkey in any joint endeavour to improve humanitarian conditions inside Syria, in particular in certain areas near the Turkish border, which would allow for the local population and refugees to live in areas that will be safer.

While believing that this is a 'balanced proposal', European Council President Donald Tusk also [stressed](#) that it is not a silver bullet, but rather only 'one pillar of the European Union's comprehensive strategy', which can only work if the other pillars are also implemented. These include strengthening the EU's

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<sup>1</sup> For a detailed analysis of the conception of the Turkish proposal see [Eurocomment](#) Pre-summit Briefing 2016/3.

external borders, keeping the Western Balkans route closed and 'getting back' to [Schengen](#). Turkish Prime Minister, Ahmet Davutoğlu, also [considered](#) this a balanced agreement and a historic day for Turkey and the EU. European Commission President Jean-Claude Juncker [highlighted](#) that the agreement complies with all EU and international laws. Refugees and asylum-seekers will go through an individual scrutiny process, against which they can appeal, fully respecting the [principle of non-refoulement](#). European Parliament President Martin Schulz [stressed](#) that while 'the restarting of the accession process with Turkey is a positive development, ... the accession path and the refugee crisis need to be dealt with separately.'

## Next steps

In April 2016 the Commission will put forward a proposal to open [Chapter 33: Financial and budgetary provisions](#) as part of the accession negotiations. If Turkey fulfils all of the remaining requirements of the visa-liberalisation roadmap, the European Commission will make a proposal by the end of April 2016 to lift visa requirements for Turkish citizens, on the basis of which the European Parliament and Council can make a final decision.

## 2. Jobs, growth and competitiveness

EU leaders endorsed the [2016 Annual Growth Survey](#) (AGS), in the framework of the European Semester for fiscal and economic policy coordination. It highlights priorities to bolster economic recovery and employment across the EU for the coming year, focusing on a three-pillar strategy based on growth-friendly fiscal consolidation, boosting investment and the implementation of structural reforms. Member States, in close consultation with national parliaments and social partners, will prepare and submit their Stability and Convergence Programmes and National Reform Programmes to the Commission by mid-April, taking into account the challenges identified in the 2016 [Country Reports](#) and the EU priorities set out in the 2016 AGS. Based on assessment of these programmes, the Commission will issue a new set of Country Specific Recommendations (CSRs) in May 2016, to be endorsed subsequently by the European Council in June and then adopted by the Council in July 2016.

ECB President Mario Draghi – who joined EU leaders for a discussion on the economy – [explained](#) that the economic recovery continues, albeit at a moderate pace, mostly driven by monetary policy and low oil prices. In order to support growth, the ECB President called on euro-area leaders to address structural weaknesses inherent to Economic and Monetary Union (EMU) by implementing reforms, boosting public investment and using the potential fiscal space to cut taxes. Finally, he firmly encouraged governments to set out a clear path forward for the euro area. The European Council will review progress made towards the completion of EMU at its June 2016 meeting, although a specific [discussion](#) on the completion of [Banking Union](#) might be ruled out due to Germany's concerns. In terms of further completion of the European Single Market, the European Council announced its intention to adopt 'an Agenda for the implementation of all aspects of the Single Market' during its June 2016 meeting. The implementation of the Commission's [Single Market](#), [Digital Single Market](#) and [Capital Markets Union](#) strategies were mentioned in particular.

In addition, EU leaders addressed several aspects related to competitiveness issues, touching upon the European steel industry and farmers. They also welcomed the Commission's intention to publish, in the coming weeks, a communication on an action plan on value-added tax (VAT), which will include a proposal for more flexibility regarding reduced VAT rates.

## 3. Climate and energy

The European Council [urged](#) speedy ratification of the [Paris Agreement](#) by the EU and its Member States. The Paris Agreement on post 2020 climate policy under the United Nations Framework on Climate Change (UNFCCC) was adopted at the 21st Conference of the Parties (COP21), in Paris in December 2015, and subsequently [welcomed by the European Council](#). It will be opened for signature in New York on 22 April

2016 and will enter into force after at least 55 parties, representing at least 55 per cent of global greenhouse gas emissions, have ratified it.

In [December 2015](#), the European Council invited the Commission and the Council to assess the implications of the COP 21 outcome on EU policies, by March 2016. Consequently, EU leaders welcomed the Commission's communication, '[Road from Paris](#)', underlined the EU's commitment to objectives agreed in the 2030 climate and energy framework and recalled that its implementation is a matter of priority.

In relation to the Energy Union, the European Council highlighted the importance of energy security, recalling its previous [conclusions of March](#) and December 2015. Moreover, it welcomed the Commission's [energy security package](#) of 16 February 2016, and encouraged the legislators to step up their work on energy security.

## 4. Other issues

In his post-summit [remarks](#), Donald Tusk underlined that the European Council deplored the illegal detention in Russia of [Ukrainian citizens](#). On behalf of the EU he called to immediately 'release Nadiya Savchenko along with Oleh Sentsov and all other Ukrainian citizens held in illegal detention'. Nadiya Savchenko, a former military pilot and a Member of the Ukrainian Parliament, was accused of causing the death of two Russian journalists during the fighting in eastern Ukraine and sentenced in Russia to 22 years in prison in March 2016, Oleg Sentsov, a Ukrainian film-maker and opponent of the annexation of Crimea by the Russian Federation was arrested on suspicion of terrorist activity and sentenced to 20 years in prison in September 2015. The illegal detention in Russia of [Ukrainian citizens](#) was neither set out as an item on the [provisional agenda](#) nor included in the summit [conclusions](#). The European Parliament has adopted two resolutions, in [April 2015](#) and [September 2015](#), condemning the illegal detention in Russia of Nadiya Savchenko and Oleg Sentsov.

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