

Outcome of the informal European Council meeting of 12 February 2015

The informal meeting of the European Council on 12 February generated a statement on anti-terrorism measures, a discussion on improving economic policy in the eurozone following a presentation by Commission President Jean-Claude Juncker, an assessment of the result of the Minsk talks in the presence of Ukrainian President Poroshenko, and a report by Eurogroup President Dijsselbloem on Greece. Mario Draghi, President of the European Central Bank also attended the meeting.

1. European Council statement of 12 February 2015 on anti-terrorism measures

As foreseen in the [EPRS outlook for this informal European Council meeting](#), the EU Heads of State and Government issued a [statement on anti-terrorism measures](#), which vowed to reinforce action against terrorist threats in the coming months, by ensuring the security of citizens, preventing radicalisation and safeguarding values, as well as cooperating with the European Union's international partners.

Ensuring the security of citizens involves focusing on detecting and disrupting the activities of [foreign terrorist fighters](#), notably by reinforcing control at external Schengen borders through systematic coordinated checks on individuals, increased cooperation and sharing of information between Member States' law enforcement and judicial authorities, and their national security services, as well as measures to cut off terrorists' financial resources, and combatting the illegal trafficking of firearms.

Measures to prevent radicalisation and safeguarding values are seen as key elements in the fight against terrorism and should include detecting and removing internet content promoting terrorism or extremism, in accordance with national constitutions; and communication strategies to promote tolerance, as well as initiatives regarding education, social integration and rehabilitation in the judicial context to address factors contributing to radicalisation.

International cooperation focuses on the alignment of the internal and external policies of the European Union in the fight against terrorism and radicalism, and engaging more with third countries on security issues and counter-terrorism, as well as continuous and coordinated international engagement with the UN and the [Global Counterterrorism Forum](#).

One upcoming initiative, expected by April, will be a European Commission proposal for a comprehensive European Agenda on Security. The June European Council will take stock of the detailed implementation of these orientations, based on a Council report.

The day before the informal European Council, the European Parliament adopted a resolution on anti-terrorism measures, which was supported by the four largest groups in the Parliament (EPP, S&D, ECR and ALDE). European Parliament President Martin Schulz presented the EP's view on this issue in his speech at the informal European Council. Issues raised in the Parliament's resolution and during the debates in committee and in plenary were taken up by the members of the European Council in the final statement on anti-terrorism measures, notably giving a voice to victims of terrorism and focusing on radicalisation in prisons.

The statement by the Heads of State and Government also included a call to EU legislators to urgently adopt a strong and effective European Passenger Name Record directive, including solid data protection safeguards. In his speech, EP President Schulz confirmed that the Parliament was working together with the Council and is committed to finalise work on the EU PNR Directive by the end of 2015. Since the European Parliament already committed itself to working towards the finalisation of an EU PNR Directive by the end of the year, this is expected to further speed up the discussions. The draft report by Timothy Kirkhope MEP, seeking to amend the 2011 Commission proposal, is to be presented on 26 February. President Schulz reiterated that the Parliament would accept a proposal that both helps law-enforcement authorities to assess the nature of threats and is also 'legally sound, proportionate and contains strong safeguards of fundamental rights'.

2. Situation in Ukraine

After the 12 February European Council, President Tusk stated that President Poroshenko had briefed the heads of State or Government on the current situation in Ukraine and 'gave a sobering assessment' of the Minsk cease-fire agreement reached the same morning. He also thanked German Chancellor Angela Merkel and French President François Hollande for their efforts and emphasised the importance of respecting the ceasefire. He underlined that the whole post-1989 geopolitical order in Europe was now at stake, not just the independence and territorial integrity of Ukraine. He reiterated that Europe stands ready and united in the case of both positive and negative developments, and that the EU is also ready to take the necessary steps in the case of the latter.

President Schulz re-emphasised that the results of the Minsk talks should be treated with caution and stressed that there is now a clear timetable for the implementation of the Minsk agreement concerning, inter alia, elections, border controls and the exchange of prisoners. He said that the EU had a crucial role in this situation and must therefore maintain its unity and further support Ukraine to build a reformed, effective, corruption-free system.

The European Council will discuss the situation in Ukraine and the EU's relations with Russia at its March meeting.

After agreeing on a set of additional listings for asset freezes and travel bans relating to 19 persons and 9 entities involved in actions against the territorial integrity of Ukraine on 9 February, the Foreign Affairs Council put the entry into force of these measures on hold until 16 February, to allow for on-going diplomatic efforts to be completed. The Council also endorsed and supported the political process leading up to the Minsk meeting.

3. Better economic governance in the euro area

Based on the presentation of an analytical note prepared by Commission President Juncker, in close cooperation with the Presidents of the European Council, the ECB and the Eurogroup, the European Council also spoke about improving economic policy in the eurozone. This note highlights the weaknesses of the current EMU design and what has been done since the onset of the sovereign debt crisis to address the problem. It also presents potential steps forward to improve the functioning of the EMU. In the short term, the implementation of structural reforms is crucial to boosting growth and employment prospects in the euro area. The establishment of a fully-functional Capital Markets Union by 2019 is also a priority to bolster investment and is aimed at supplementing the Banking Union. In this regard, the Commission has just released a Green Paper and is expected to adopt an Action Plan later this year. On the longer term, further measures are envisaged aimed at strengthening common governance, in line with the 2012 Four Presidents' report and the Commission's Blueprint, in order to complete the EMU framework. The European Council will return to this issue next June, once the new Four Presidents' report is finalised. The European Parliament's President will contribute to its preparation.

4. Greece

Although the Greek debt situation was not on the agenda of this informal European Council, and according to a press statement of President Donald Tusk, the European Council did not enter into negotiations on the Greek debt situation, Eurogroup President Jeroen Dijsselbloem was, exceptionally, invited to join the informal European Council meeting on Thursday, 12 February, in order to brief the European Council on the extraordinary Eurogroup meeting held the previous day, 11 February¹. Discussions there were described as intense and constructive. However, there was no agreement: a statement was drafted but not approved.

Greek Prime Minister Alexis Tsipras and Eurogroup President Dijsselbloem asked the institutions to prepare a technical assessment before the already scheduled Eurogroup meeting on the following Monday, with a view to preparing further discussions between Greece and its creditors. That second Eurogroup meeting on 16 February also failed to find a way forward. The Greek Finance Minister, Yanis Varoufakis, and the President of the Eurogroup, Mr Dijsselbloem, both emphasized that they were nonetheless ready to continue their dialogue.

On 20 February, the Eurogroup reached a political agreement granting Greece a four-month extension of financial assistance, subject to the approval of a list of reforms. This list was subsequently submitted by the Greek government on 23 February and approved by the Eurogroup on 24 February.

5. Reporting obligations to the European Parliament

The President of the European Council is required to present a report to the European Parliament after each meeting of the European Council (Article 15(6)d TEU) and, as analysed in the recent

¹ The three Euro Group meetings brought together Euro Area Finance Ministers, Commissioner Moscovici and the Managing Director of the International Monetary Fund, Christine Lagarde.

EPRS publication The European Council and its President, former European Council President Hermann van Rompuy's track record in fulfilling his reporting duty to the European Parliament was generally good. However, Mr van Rompuy did not consider it his duty to report to the Parliament on informal European Council meetings.²

Neither the Treaty of Lisbon nor the rules of procedure of the European Council distinguish between informal and formal meetings of the European Council. Both speak of the possibility of *special meetings*, but do not stipulate different rules for them. It has become less relevant to link the informal European Council format to orientation debates (where policy options can be discussed more freely) or to single-issue summits, since the distinction is increasingly blurred. This has led some to conclude that, since the entry into force of the Treaty of Lisbon, the distinction between formal and informal European Council meetings has vanished.³

The main distinction between formal and informal European Council meetings at present is their *output*. Formal meetings are always followed by official conclusions, often with specific policy requests and timetables, while at informal meetings there are no such official conclusions. Over the years, there have been examples of statements made after informal European Councils, where recommendations were made similar to those in the official conclusions of a formal meeting.⁴ A statement following an informal European Council is always made by the members of the European Council, whereas conclusions at the outcome of formal meetings are made by the European Council as an institution.

With regard to the 12 February 2015 informal European Council, it should be noted that (i) issues of major importance were dealt with, (ii) leading to a detailed statement on terrorism with clear timetables and instructions to other institutions, and (iii) others took part in the meeting, notably a foreign, i.e. non EU Head of State, as well as the President of the Eurogroup and the President of the European Central Bank. According to European Council President Donald Tusk, although this was an informal meeting, real progress was made. In line with his reporting duty laid down in the Treaty, it is therefore appropriate for him to report to the Parliament, as will be the case on Wednesday 25 February.

²The statement was made before the European Parliament in 2010 after an informal European Council. The reason for the Mr van Rompuy's appearance before Parliament was the start his mandate, rather than giving a briefing of the informal European Council.

³Frederic Eggermont (2012), *The Changing Role of the European Council in the Institutional Framework of the European Union*, Intersentia, and Uwe Puetter (2014), *The European Council and the Council: New Intergovernmentalism and Institutional Change*, Oxford University Press.

⁴Statement of the Members of the European Council, 'Towards growth-friendly consolidation and job-friendly growth', 30 January 2012; Statement of the Members of the European Council on Ukraine, 27 May 2014; Statement of the Members of the European Council on anti-terrorism measures, 12 February 2015.

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