
The Juncker Commission's ten priorities

An end-of-term
assessment



IN-DEPTH ANALYSIS

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This publication provides an up-to-date overview and assessment of the delivery by the European Commission of the various legislative and other political initiatives flowing from the ten priorities defined by its President, Jean-Claude Juncker, when the Commission took office in 2014.

The paper draws on a wide range of EPRS publications and updates a previous edition, [The Juncker Commission's ten priorities – State of play in autumn 2018](#), published in September 2018. It has been compiled and edited by Isabelle Gaudeul-Ehrhart, with contributions from across the Members' Research Service and the Directorate for Impact Assessment and European Added Value of EPRS. The following policy analysts, in particular, contributed to the analysis: Didier Bourguignon and Angelos Delivorias on priority 1, Tambiama Madiaga, Marcin Szczepanski and Shara Monteleone on priority 2, Gregor Erbach on priority 3, Nora Milotay on priority 4, Christian Scheinert on priority 5, Jana Titievskaia on priority 6, Shara Monteleone and Sofija Voronova on priority 7, Anja Radjenovic on priority 8, Elena Lazarou on priority 9, and Laura Tilindyte on priority 10.

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Executive summary

This edition closes the cycle of the European Parliamentary Research Service's bi-annual monitoring of the Juncker Commission's ten priorities. After the last plenary session of the 2014-2019 European Parliament, it assesses the extent to which President Juncker, together with the college of Commissioners as a whole, has delivered on what he announced when he took office, and subsequently through the Commission's annual work programmes and his State of the Union addresses. It also considers the progress made by the twin branches of the EU legislature – namely the Council and the European Parliament – on the basis of the Commission's proposals.

What is the state of play of the various legislative and other initiatives announced by the Commission since taking office in 2014? How many of the commitments made have led to formal proposals? And how many of those proposals – whether in the form of legislation, other major political initiatives, or international agreements – have been brought to fruition, thus demonstrating that the EU institutions have collectively 'delivered'?

The statistical breakdown indicates that, overall, six months before the end of its mandate, the Commission had tabled nine out of ten of the proposals foreseen. At the end of this legislature, two thirds of the Commission's proposals had been fully agreed, if not yet formally adopted, by the co-legislators. The exact situation is set out on page 2 of the text that follows. Of the 547 proposals foreseen, 512 have been submitted (94 per cent), of which 361 have been adopted (66 per cent). There are 151 proposals (28 per cent) which have not so far been adopted, and where the outcome may depend on the institutional transition this year. Of these, 115 (21 per cent) have been proceeding normally through the legislative process, while 36 (7 per cent) have either been proceeding slowly or are blocked.

The qualitative evaluation explains what lies behind these figures, from rapid adoptions to lengthy negotiations and disagreements between or within institutions, and assesses them in the broader context of the challenges faced by the European Union in 2019. In some areas, the European Commission transformed difficulties into opportunities (this is the case with achievements in the area of trade, and in security and defence, for example). In others, the evaluation suggests that its proposals lacked the necessary ambition or complexity to meet the challenges (the digital single market and the economic and monetary union come to mind), were tabled too late (for example on the single market), or progressed on one aspect at the expense of stepping back on another (as was the case with some aspects of migration policy or the union of democratic change).

On the eve of the May 2019 European elections, this paper seeks to provide an independent, objective and authoritative tool for all those interested in assessing the performance of the current Commission and the follow-up given to its initiatives. It is both exhaustive – in covering all the ten priority areas that the Commission set itself – and selective – as it focuses, for each priority, on the main initiatives and their latest developments. It aims to be both quantitative and qualitative: for each of the ten priorities, it offers a quantitative snapshot of the various initiatives at the key stages of their adoption, complemented by a qualitative assessment of the situation. These graphs are regularly updated on the '[Legislative Train Schedule](#)', which features on the European Parliament's website.

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Terminology used in this analysis

Proposals foreseen for the term: Legislative proposals, and to a lesser extent initiatives such as communications and action plans, announced by the European Commission in its annual work programmes or State of the Union addresses.

Proposals not submitted: Legislative proposals, and to a lesser extent initiatives such as communications and action plans, announced by the European Commission in its annual work programmes or State of the Union addresses, but which had not been tabled by 18 April 2019 (the final day of the last plenary part-session before the elections).

Proposals submitted: European Commission initiatives that have been submitted to the co-legislators – European Parliament and Council.

Proposals not yet adopted; progress now pending transition to new legislature: this ‘unfinished business’ category includes:

- **Proposals proceeding normally:** Proposals under consideration by the European Parliament and Council in the normal course of the legislative procedure;

- **Proposals proceeding slowly or blocked:** Initiatives blocked by an institution or under negotiation for more than two years; or legislative initiatives or legislative proposals announced by the European Commission but with no follow-up for more than nine months.

NB: While ‘unfinished business’ automatically lapses with the end of the legislature, the new Parliament can decide to continue work on any such proposal. Moreover, even when a first-reading position has been adopted, the new Parliament may invite the Commission to refer specific proposals to it anew.

Legislation adopted: Legislative proposals finalised and adopted by the two co-legislators. For the purposes of this final edition, the figures include legislative proposals agreed by the co-legislators and adopted by Parliament as of 18 April, but still awaiting formal adoption by the Council and/or final signature before the end of June 2019.

Proposals submitted but subsequently withdrawn: Legislative proposals withdrawn by the European Commission.

Proposals requested by the European Parliament but not yet proposed: European Parliament requests for legislative action, notably in the context of legislative initiative reports in the policy fields covered by the Juncker Commission's ten priorities, but not yet followed up by the Commission.

1. Introduction

As the European Parliament reaches the end of its 2014-2019 mandate and the European Commission approaches the end of its term, it is timely to look back at the commitments made by the Juncker Commission when it took office in 2014 and assess to what extent it has delivered. Since 2014, this biannual publication has regularly assessed, quantitatively and qualitatively, the Juncker Commission's performance on the basis of its own standards. This final issue in the series covers the past semester and before, reporting on the Juncker Commission's term as a whole, examining what the EU institutions have been able – or not – to collectively enact.

The 2014 priorities

Prior to his election as President of the European Commission in July 2014, Jean-Claude Juncker set out the policy priorities that would serve as the political mandate for his term in office. The aim was to make a difference and deliver concrete results for citizens, on each of the following 10 priorities:

1. A new boost for jobs, growth and investment
2. A connected digital single market
3. A resilient energy union with a forward-looking climate change policy
4. A deeper and fairer internal market with a strengthened industrial base
5. A deeper and fairer economic and monetary union (EMU)
6. A reasonable and balanced free trade agreement with the United States
7. An area of justice and fundamental rights based on mutual trust
8. Towards a new policy on migration
9. Europe as a stronger global actor
10. A union of democratic change.

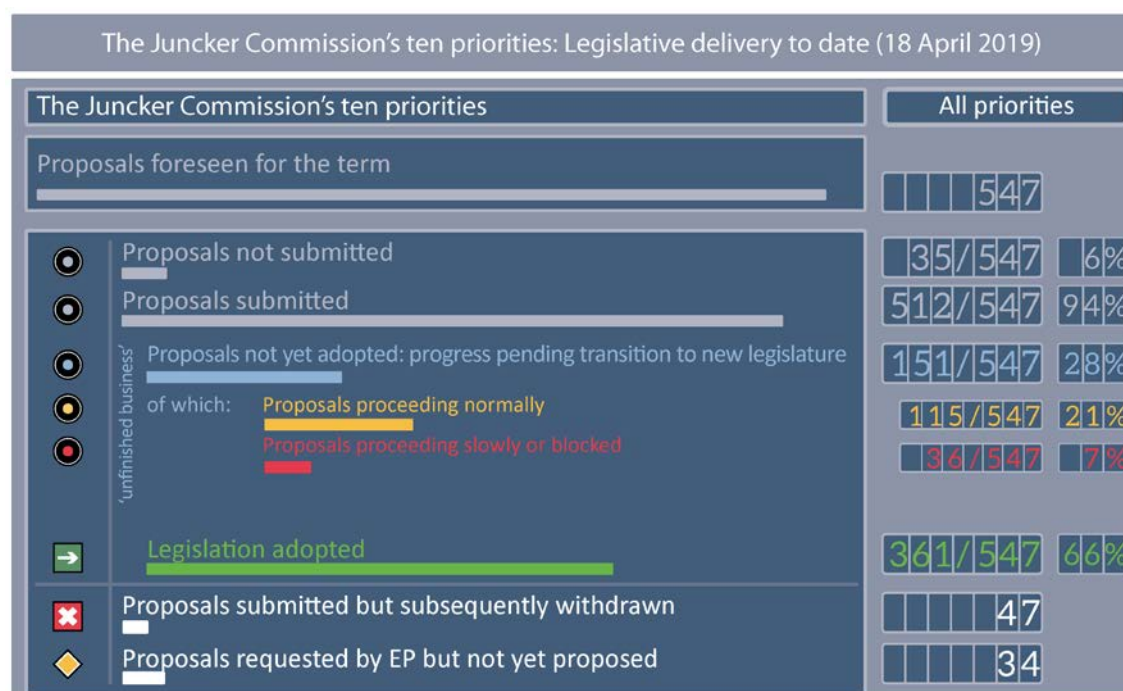
Changes and challenges every year

Since President Juncker and the college of commissioners took office in November 2014, every year has brought its share of changes and challenges, some unexpected in their extent, others in their nature. To name just a few, 2015 started with a series of terrorist attacks that were to spread during that year and in subsequent ones and lead to a strengthened focus on security. Later that year, the record-high number of migrants and asylum seekers arriving in the European Union had a significant impact on both policy delivery and political balances at national and European levels. In 2016, the result of the Brexit referendum on the one hand, and the election of a new administration in the United States on the other, compelled the European Union to adapt its priorities, both internally and externally, with major impact in several key areas, from security and defence to trade. While these developments have continued to unfold, they have been joined by additional challenges – such as ensuring energy independence, guaranteeing the respect of the rule of law in each Member State, or strengthening the economic and monetary union – each affecting many, if not all, of the others, and ultimately leading to a reshuffling of the agenda.

As a political player, the European Commission was faced with two imperatives: on the one hand, continue to deliver what it had announced and committed to tabling, and on the other hand, adapt its response and initiatives to an ever-changing environment. It did so through its annual work programmes and the announcements made in the State of the Union addresses. This publication assesses the Commission's delivery with regards to both initial and subsequent sources of commitments.

To what extent has the European Commission delivered?

Overall, this in-depth analysis reveals that while two thirds of the proposals tabled by the European Commission were adopted by the end of the legislature, almost one third had not reached agreement and one out of ten had been withdrawn. Progress varies from one policy field to another. With regard to the tabling of proposals, the rate is the highest in areas such as internal market, migration, and the union of democratic change. As for adoption of proposals by the co-legislators, in some priority areas, such as the digital single market, the internal market, justice and fundamental rights, and Europe as a stronger global actor, almost three quarters of the proposals submitted have been adopted; in others, such as jobs, growth and investment, or trade, progress was much slower (around one third adopted). Overall, however, evidence suggests that, step by step, the European institutions have collectively enacted the 'Juncker plan'.



How to read this paper

Assessing five years of action at European level, covering almost 550 proposals and initiatives announced, requires a few words of caution. Quantitative monitoring should be read – and especially compared – with care, in conjunction with the qualitative insight provided by the European Parliamentary Research Service policy analysts in the individual sections.

Our research is presented for both complete and selective reading: the various chapters can be read separately and in any order. To go deeper, hyperlinks lead to more specific websites and pages. A section on main references gathers useful sources. Important issues that do not necessarily fall under one of the ten priorities – such as Brexit, the multiannual financial framework or other [challenges for the European Union in 2019](#) – are extensively covered in other EPRS publications available on the EP Think Tank website. Detailed EPRS material on specific legislative files referred to below can also be found on the [EP Think Tank](#). In addition, the latest state of play on individual initiatives falling under the ten priorities can be monitored via the regularly updated [Legislative Train Schedule](#) on the Parliament's website.

2. Main developments in the implementation of the ten political guidelines

Priority 1: A new boost for jobs, growth and investment

Under the first priority of its 2014 [political guidelines](#), entitled 'jobs, growth and investment', the European Commission encompassed three main elements: the [European Semester](#), the [investment plan for Europe](#), and the [circular economy package](#). Later in its mandate, the Commission added several other measures (such as the investment plan for Africa and the EU neighbourhood, or the European solidarity corps) as well as the proposals for the 2021-2027 [multiannual financial framework](#) (MFF). While the link between the title of the priority and the elements it contains is not always immediately obvious, many of the initiatives completed during the mandate could be seen as contributing towards the achievement of this aim.

The European Semester

The European Semester is the framework for economic and fiscal policy coordination within the EU. Created in 2010 in the wake of the financial, and sovereign debt crises and [revamped](#) by the current Commission in 2015, it [starts](#) each November, when the Commission sets the priorities for the year to come, and ends in October of the following year, when Member States incorporate the recommendation into the draft budgetary plans they submit.

In this context and for the latest such exercise, the European Commission adopted in November 2018 the [annual growth survey 2019](#), the [alert mechanism report 2019](#), a recommendation for a [Council recommendation on the economic policy of the euro area](#), a [draft joint employment report](#), and a communication on the [2019 draft budgetary plans of the euro area](#). In addition, in February 2019, it adopted [country reports](#), i.e. EU recommendations for individual Member States, the main elements of which are summarised in the [communication on country reports](#).

The next steps until the summer are for the Commission to examine and assess the national reform programmes and stability/convergence programmes submitted by the Member States. Then, following the assessment of the programmes, the Commission will draft (and the Council is expected to agree and – after endorsement by the European Council – adopt) country-specific recommendations (CSRs) for each Member State, along with a communication on these CSRs.

On its dedicated webpage, the Commission judges the overall exercise since it took office to have been [broadly positive](#). Indeed, partly as a result of the Member States' prudent fiscal policies (which themselves are the product of their coordination), the overall economic situation in the euro area has been improving, with unemployment, public deficits and sovereign debt decreasing. As a result, today only one Member State remains in the [excessive deficit procedure](#), as opposed to 11 in 2014, while, in August 2018, [Greece](#) entered the European Semester framework for the first time. On the other hand, this economic rebound has been set in the wider context of [global economic improvement](#) during that same period and is not due to structural reforms alone. In addition, Member State [implementation of the CSRs](#) has been [modest](#) and [uneven](#), and has [worsened in recent years](#), especially among countries experiencing an excessive imbalance. Certain CSRs (relating, for example, to education or childcare) are not relevant for macroeconomic or financial imbalances, and the recommendations are often less clear than the underlying analysis.

The investment plan for Europe

The purpose of the European Commission's investment plan is to mobilise and support investment. This is achieved mainly through the European Fund for Strategic Investment (EFSI) proposed in January 2015, but also through initiatives such as the [digital single market](#), the [energy union](#) and the [capital markets union](#) (see below, priorities 2, 3 and 4).

Originally endowed with €16 billion in guarantees from the EU budget and €5 billion from the European Investment Bank (EIB), EFSI aims to [encourage](#) private investors to participate in new investment projects focused on developing infrastructure and innovation – managed by the EIB – and on providing support for small- and medium-sized enterprises (SMEs) – managed by the European Investment Fund (EIF). By taking on part of the risk through a first-loss liability, EFSI was meant to allow more than €315 billion of additional investment to be mobilised during a three-year investment period, thereby helping to create [2.1 million jobs](#). To that end, the EU budget included [€2.038 billion](#) in commitments for EFSI in 2018 and €186.7 million in 2019 (the provisioning of the guarantee fund being almost completed).

As of February 2019, deals approved under EFSI amounted to €71.4 billion in financing and are expected to trigger [€379.8 billion](#) in investments in 28 Member States, mainly in the areas of SMEs (32 %), research (23 %) energy (18 %), and digitalisation (11 %), [adding 0.6 %](#) to the EU gross domestic product (GDP) by November 2018 and expected to reach 1.3 % by 2020. This positive trend in investment, which was already visible in summer 2016, encouraged the EU institutions to extend its duration until 2020 and to increase its financial capacity to €500 billion of investments, by increasing the guarantees to €26 billion and the EIB contribution to €7.5 billion. Lastly, for the period after 2020, the programme would continue under an expanded scope and a new name: '[InvestEU](#)'. Like other MFF proposals with budgetary implications or of horizontal nature, these aspects have been set aside and excluded from the partial agreement, pending further progress on the MFF.

The implementation of EFSI has been closely monitored, already in the first year of operations in 2016 – when there were evaluation reports by the [Commission](#) and the [EIB](#) and an independent evaluation published by [Ernst & Young](#) – and also later (for example, the 2018 [independent evaluation](#) conducted by consulting company ICF and partners). Most recently, the European Court of Auditors published a [special report](#) on EFSI in January 2019. All evaluations broadly concluded that EFSI was successful in raising finance to support additional investment in the EU. However, a number of issues were raised in some of these evaluations, relating – among other things – to transparency in the methodology used to measure EFSI's economic impact, to [additionality](#) (support of operations that could not have been carried out without EFSI support) over volume, and to a better geographic spread of supported investment.

Towards a circular economy

The Commission's [circular economy](#) strategy aims at enhancing EU competitiveness, fostering sustainable economic growth, generating new jobs and protecting the environment. This should be achieved by preserving resources (and thus saving costs), helping businesses to deliver and export clean products and services, and creating local low- and high-skilled jobs. According to the Commission, the transition could increase the gross domestic product (GDP) by one to seven percentage points between 2015 and 2030 and have an overall positive impact on employment, although jobs in specific sectors could be threatened. The 2015 circular economy package contained four [legislative proposals on waste](#) and an [action plan](#) mapping out 54 actions relating to a number of themes and focusing on five priority areas (plastics, food waste, critical raw materials, construction and demolition, and biomass and bio-based products).

Under the action plan, the EU has adopted several pieces of legislation related to the circular economy. Updated legislation on waste, introducing new requirements and setting new 2030 targets, was adopted in 2018. In addition, three pieces of legislation were adopted by April 2019: a directive on [port reception facilities](#) for waste from ships, a new regulation on [fertilising products](#) promoting the recycling of nutrients in agriculture, and a directive on [marine litter from single-use plastics](#) seeking to reduce the impacts of such plastics on the environment. A legislative proposal on [minimum requirements for water reuse](#) has not reached trilogue negotiations.

Non-legislative actions initiated by the European Commission in relation to the circular economy include: identifying actions to enable the recovery of [critical raw materials](#), clarifying the role of [waste-to-energy](#) processes, identifying options to ensure the [non-toxicity of recycled materials](#), establishing a [monitoring framework](#) on progress towards a circular economy, and actively involving stakeholders. In a 2019 [report](#), the Commission indicated that over the 2016-2020 period, the EU has provided over €10 billion funding to support innovation and adapt the industrial base. Actions have been particularly intense on [plastics](#). In January 2018, the Commission published a [strategy for plastics](#) presenting its 'vision for Europe's new plastics economy' according to which, among other things, all plastic packaging should be designed to be recyclable or reusable by 2030. Announced actions included boosting recycled content, reducing marine litter from single-use plastics, banning oxo-degradable plastics, and curbing micro-plastics pollution. On other aspects, for instance harnessing eco-design and green public procurement to stimulate a circular economy, progress has been more limited, as actions repeated older initiatives announced in [previous communications](#), in particular the 2014 communication on the circular economy (subsequently withdrawn) and even the 2011 roadmap to a resource-efficient Europe.

Overall, in the past years, the European Union has adopted key legislation to improve waste management. The circular economy action plan has promoted for the first time a systemic approach across value chains. According to the 2019 Commission report mentioned above, the 54 actions envisaged under the action plan have been completed or are being implemented. However, the actions taken so far are only a first step towards a circular economy. Key remaining issues include addressing [material use](#), dealing with dangerous [chemicals](#), and fostering a large-scale transition.



Priority 2: A connected digital single market

To succeed in the completion of the digital single market (DSM), the Commission adopted the [digital single market strategy](#) and put forward legislative proposals and policy initiatives to achieve the [digitalisation of the EU](#) and facilitate cross-border electronic exchanges within the EU. The DSM strategy has been successful in terms of the number of legislative files adopted and initiatives launched. The achievements of the EU in the digital field also match the policy goals suggested by the [OECD](#) in 2016, such as harmonising the rules for online purchases and consumer protection as well as EU-wide spectrum coordination. However, some voices have been more critical, claiming that the strategy has failed to live up to its initial [promise](#), sometimes lacking boldness and watering down more politically difficult solutions that may have achieved more in terms of market integration. Although a lot of effort has been made in the digital policies area, progress towards the achievement of the DSM has often been [patchy](#). In addition, [non-digital barriers](#) to cross-border business have hampered the expansion of the digital economy. Importantly, the latest OECD economic outlook underlines the differences between frontrunners and laggards in Europe and stresses that access to funding for digital businesses, and investment in infrastructure, continue to be problematic. Similarly, the Commission's [2018 digital economy and society index](#) indicates that, despite the EU's rising efforts to boost digitalisation, this progress is not yet sufficient to catch up with the global leaders. While the DSM strategy was definitely a step in the right direction, it lacked focus on encouraging 'digital convergence' in Europe. Furthermore, its link to boosting digital skills, which is crucial to the deepening of the DSM, has been rather weak. [Further initiatives](#) are needed especially in the areas of [artificial intelligence](#), [cybersecurity](#), supercomputing, digital public services, and advanced digital skills, in line with the new [Digital Europe](#) funding programme proposed for the 2021-2027 period.

E-commerce, consumer protection and online platforms

A set of new rules has been passed to limit geo-blocking practices and other geographically-based restrictions and facilitate cross-border e-commerce in the EU. The Regulation on [Cross-Border Portability](#) adopted in 2017 enables consumers to access their online subscriptions for content services when they travel across the EU and are temporarily outside their Member State of residence. The Regulation on [Unjustified Geo-blocking and Discrimination Practices](#) adopted in February 2018 prevents traders from discriminating between online customers based on their nationality, place of residence, or place of establishment within the EU. Parliament has been instrumental in introducing a review clause in the new legislation, opening up the possibility also to prohibit geo-blocking and discriminatory practices for copyright-protected content (e.g. audio-visual), which – despite the wishes of many – is not covered by the regulation.

EU consumer law has also been largely revamped to improve consumer protection when shopping online and to help EU businesses boost their online sales. The new EU rules [on digital content](#) and on the sales of goods harmonise key contractual rights such as the remedies available to consumers and the ways to use them. To better address cross-border infringements and increase consumer trust in e-commerce, the co-legislators have adopted a Regulation reforming [Consumer Protection Cooperation](#), which aims to [increase the powers](#) of national authorities to better reinforce consumer rights. They have also adopted a Regulation on Cross-Border Delivery of [Parcel Services](#), to enhance price clarity and improve regulatory oversight in the sector. In addition, the new simplified [VAT rules](#) to support e-commerce and online businesses were [adopted](#) to streamline tax procedures for distance sales. However, Commission proposals aiming to ensure a level playing field for businesses, contained in the fair [taxation](#) of the digital economy package, are unlikely to be adopted by the [Council](#), due to differing positions of the Member States which could not be reconciled.

Furthermore, the EU has passed a series of pieces of legislation to tackle the new policy and regulatory challenges inherent to online platforms (e.g. social media, e-commerce platforms). To address 'fake news' and disinformation, the Commission adopted in 2018 a [recommendation on illegal content online](#) and a [communication on tackling online disinformation](#). Furthermore, a regulation was adopted in April 2019 to ensure more fairness and transparency for business users of online intermediation services. The EU has taken a more assertive stance towards [platforms regulation](#) that has eventually led to growing tensions with US tech giants.

Audiovisual and copyright

Modernising the rules governing the media and creative sectors has become a necessity, given the way in which digital technologies are changing the way music, films, TV, radio, books and the press are produced, distributed and accessed in the EU today. The [Audiovisual Media Services Directive](#) (AVMS), adopted in 2018, revised the rules applicable to TV broadcasting, which apply now to video-sharing platforms. In addition, the EU has adopted a comprehensive [legislative package](#) to further harmonise EU copyright rules and adapt them to the digital dimension. Parliament and Council agreed on a new directive laying down rules for facilitating the [cross-border provision of online TV and radio content](#) in the EU. Furthermore, after protracted negotiations, a new directive was agreed to further harmonise the [copyright](#) rules in the EU and achieve a more balanced relationship between internet platforms and the creative industry. The reform was very [controversial](#) and it remains to be seen if such rules will provide all the necessary legal certainty once implemented.

Data protection and privacy

Data protection and privacy rights play an important role in the digital world. A comprehensive General Data Protection Regulation ([GDPR](#)) was [adopted](#) by the EU in 2016 and became fully applicable in May 2018 (see priority 7 below). While the GDPR is generally considered a success, establishing European rules on data protection and privacy as a worldwide standard, revamping privacy rules applicable to e-communications has proved difficult. To complement the GDPR and close the undesirable legal gap, the Commission adopted in January 2017 a [proposal](#) for an e-privacy regulation. The review aims primarily to enhance security and confidentiality of e-communications by extending the legislative scope to 'over the top' services (e.g. Skype or WhatsApp), clarifying rules on tracking tools such as cookies and achieving greater harmonisation between Member States. While the European Parliament adopted its [position](#) in October 2017, [discussions](#) are still ongoing in the Council (in particular on the legitimate grounds for processing data, including [metadata](#)), to find a balance between privacy protection and current online business models. Despite numerous calls from the Parliament and [civil society organisations](#) to promptly adopt the new e-privacy rules, interinstitutional negotiations did not start under the 2014-2019 legislature, pending Council's position. Some Council amendments have been criticised for potentially [weakening](#) the text.

Electronic communications and cybersecurity

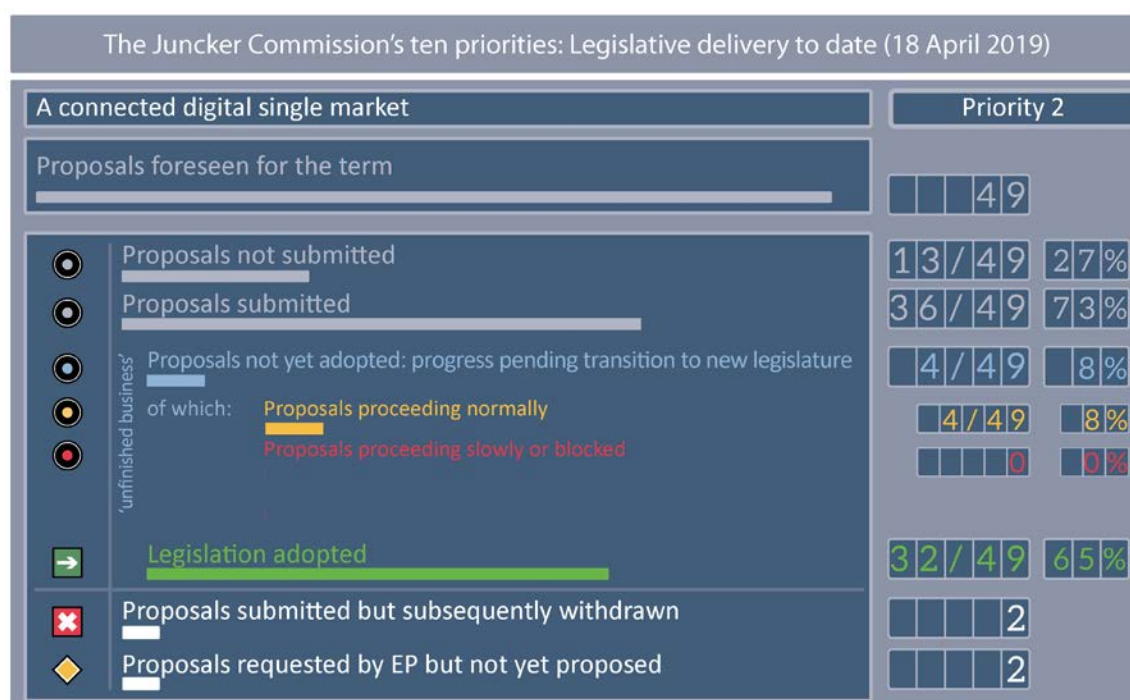
Since 15 June 2017, after years of gradual [progress](#) and enabled by the new rules on the [wholesale roaming markets](#), consumers have been able to '[roam like at home](#)' when travelling in the EU. Main policy efforts of the Union have focused on improving connectivity according to a set of measures laid out under the [gigabit society](#) initiative. Consequently, the EU adopted the new European electronic communications [code](#), the biggest reform of the telecommunications framework since 2009, and reformed the Body of European Regulators of Electronic Communications ([BEREC](#)). Further important initiatives are [WIFI4EU](#), to promote internet connectivity in local communities and public spaces and a [5G action plan](#), to make the next generation mobile communications a reality in Europe. The co-legislators also adopted a [decision](#) for a long-term strategy for the use of the

470-790 MHz [frequency band](#), reallocating bandwidth to mobile internet services, rather than television broadcasting.

Cybersecurity held a prominent place in EU activities during the 2014-2019 legislature. First, co-legislators finally adopted rules on a high common level of network and information security ([NIS](#)) first proposed in 2013. Next, a [cybersecurity package](#) launched important [initiatives](#) to support the development of technology and industrial capabilities in [cybersecurity](#), namely a permanent mandate and more resources for the EU agency for cybersecurity ([ENISA](#)) and a voluntary EU-wide cybersecurity certification framework for ICT products and services.

Digitalisation of the economy and the society

The Commission launched its [strategy](#) for digitalising European industry in 2016 and implemented it mainly through a rising number of coordinated [national initiatives](#), an increasing number of [digital innovation hubs](#) and supporting next-generation [digital industrial platforms](#). This has been complemented by a new [European interoperability framework](#) and efforts to advance the information and communication technologies ([ICT](#)) [standardisation](#). While a 2018 [assessment](#) by the Commission indicated rising uptake of digital technologies by European companies, it also showed that significant differences persist among the Member States. To build a competitive data and knowledge economy in Europe, the Commission adopted the [European cloud initiative](#) and a proposal to establish a [European high performance computing joint undertaking](#) for creating world-class supercomputing capability in Europe. Further actions, which would allow better use and circulation of data across borders, include new rules on the [free flow of non-personal data](#) and on [re-use of public sector information](#). With respect to the modernisation of public services, some initiatives have been achieved under the ongoing EU e-government [action plan](#) for 2016-2020 and a [single digital gateway](#). The [Estonian Council presidency](#) made a push for digitalisation of the public sector, and a Commission [report](#) shows steady improvement in e-government benchmarks. However, digital borders still exist as the availability of online services to non-national users is lagging behind.



Priority 3: A resilient energy union with a forward-looking climate change policy

In line with the EU's commitment to provide its citizens and businesses with secure and affordable energy, while also addressing the causes of climate change, the European Commission launched its [European energy union strategy](#) in February 2015. The strategy has five inter-related dimensions covered in the sections below. It builds on the [2030 policy framework](#) for climate change and energy agreed in October 2014 by the European Council, which laid down three key targets for the EU to meet by 2030: a minimum 40 % cut in greenhouse gas emissions compared to 1990; at least a 27 % market share for renewable energy; and an improvement in energy efficiency of not less than 27 %. The energy union strategy was endorsed by the European Council in March 2015.

The Commission fully carried out the actions outlined in the energy union strategy, following the guidelines set by the European Council. This happened mainly through a series of legislative packages, which put in place the climate and energy framework for the period up to 2030. The legislative proposals relating to the energy union were adopted or agreed by the co-legislators, often with more ambitious targets than the Commission proposals and European Council guidelines. A Regulation on the [governance of the energy union](#) aims to ensuring coherence in the implementation of the policies by Member States. On the international scene, the Commission played a leading role in negotiations leading to the Paris Agreement and its implementation and other agreements (see text box). The [fourth report on the state of the energy union](#) takes stock of the achievements of EU climate and energy policies and points out areas where more efforts are needed.

To conclude its term, the Commission analysed scenarios for long-term decarbonisation in its '[clean planet for all](#)' strategy, initiating a debate on the transformation towards an emission-neutral economy. In April 2019, it presented [options](#) for moving towards qualified majority voting in matters of energy taxation and launched an expert group to prepare a revision of the Euratom Treaty.

International climate change agreements

The European Union played a leading role in the negotiations leading to the [Paris Agreement](#), a global climate agreement concluded in December 2015 at the UN Climate Change Conference (COP21). A European Parliament delegation took part in these negotiations. The Paris Agreement entered into force in November 2016. The operational rulebook for the Paris Agreement was adopted by [COP24](#) in December 2018.

In 2016, international agreements to reduce greenhouse gas emissions were also concluded in the International Civil Aviation Organization ([ICAO](#)) for the aviation sector, and under the [Montreal Protocol](#) for fluorinated greenhouse gases. In April 2018, the International Maritime Organization ([IMO](#)) adopted an initial strategy on the reduction of greenhouse gas emissions from ships.

Energy security, solidarity and trust

To ensure that intergovernmental agreements (IGA) with non-EU countries in the field of energy are compatible with EU law, the [decision](#) on [IGAs](#), requiring Member States to submit draft IGAs for an ex-ante check, came into force in May 2017. In April 2019, the co-legislators adopted a Commission [proposal](#) to amend the Gas Directive to extend common EU gas rules to import pipelines. With respect to energy security, the [Regulation](#) on [the Security of Gas Supply](#) was adopted by Parliament and Council in October 2017 and the November 2016 legislative [proposal](#) on [risk preparedness](#) in the electricity sector was agreed by the co-legislators and is awaiting formal adoption.

Fully integrated European energy market

In July 2015, the Commission adopted an initial set of proposals to deliver a [new deal for energy consumers](#). The 2016 [Regulation on Energy Price Statistics](#) aims at improving the collection and comparability of gas and electricity price statistics in Member States.

A European energy market needs physical interconnections to transport gas and electricity between Member States. In February 2015, the Commission issued a [communication](#) on electricity interconnections describing measures needed to reach the target of 10 % electricity interconnection by 2020. The third list of projects of common interest ([PCI](#)) – key energy infrastructure projects that receive financial support from the Connecting Europe Facility (CEF) and the European Fund for Strategic Investment (EFSI) – was adopted in November 2017. A [communication](#) on strengthening Europe's energy networks calls on all stakeholders to maintain commitment and accelerate the building of key energy networks.

As part of the clean energy package, the Commission adopted legislative proposals for a new electricity market design in November 2016, in the form of a [proposal](#) for a [directive](#) and a [proposal](#) for a [regulation](#), as well as a [proposal](#) for a [recast regulation](#) on the role of the European Agency for the Cooperation of Energy Regulators (ACER). These files have been agreed by the co-legislators and are awaiting formal adoption. The agreed legislation strengthens customer rights and facilitates cross-border electricity trade, regional coordination and the integration of renewables, storage and flexible demand.

Energy efficiency contributing to moderation of demand

The European Commission promotes 'energy efficiency first' as a principle, meaning that energy efficiency should be given consideration before taking steps to expand production, import or transport capacity. To make energy labels easier for consumers to understand, a [Regulation on energy efficiency labelling](#) was adopted in June 2017. At the same time, the European Commission adopted an [eco-design working plan](#) and implementing legislation on verification procedures, eco-design requirements for air heating and cooling products, and guidelines on industry self-regulation. To target the energy efficiency potential in buildings, the revision of the [Energy Performance of Buildings Directive](#) was adopted in May 2018. A revision of the general instrument, the [Energy Efficiency Directive](#), was adopted in December 2018. It raises the target for energy efficiency improvements to 32.5 % by 2030.

Decarbonising the economy

This priority is focused on the transition towards a low-carbon economy to meet the EU's climate targets. A revised [EU Emissions Trading System \(ETS\) Directive](#), in line with the EU's 2030 greenhouse gas reduction target, was adopted in March 2018. Regulations on [effort-sharing](#) for greenhouse gas reduction in the sectors outside the ETS, and on new rules for accounting for and reducing greenhouse gas emissions from [land use and forestry](#) were adopted in May 2018. In December 2018, the co-legislators adopted a revision of the [Renewable Energy Directive](#) that increases the 2030 target for renewable energy market share to 32 %. The February 2017 proposal for a [regulation](#) concerning post-2020 emissions trading for the aviation sector, taking account of the development of a global market-based measure in the ICAO, was adopted in December 2017.

The Commission's October 2018 [progress report](#) on climate action, entitled 'EU and the Paris Climate Agreement', estimates that the EU legislation adopted in 2018 would result in a 45 % emission reduction by 2030. In November 2018, the Commission adopted the '[clean planet for all](#)' strategy, aiming for a prosperous, modern, competitive and climate-neutral economy by 2050.

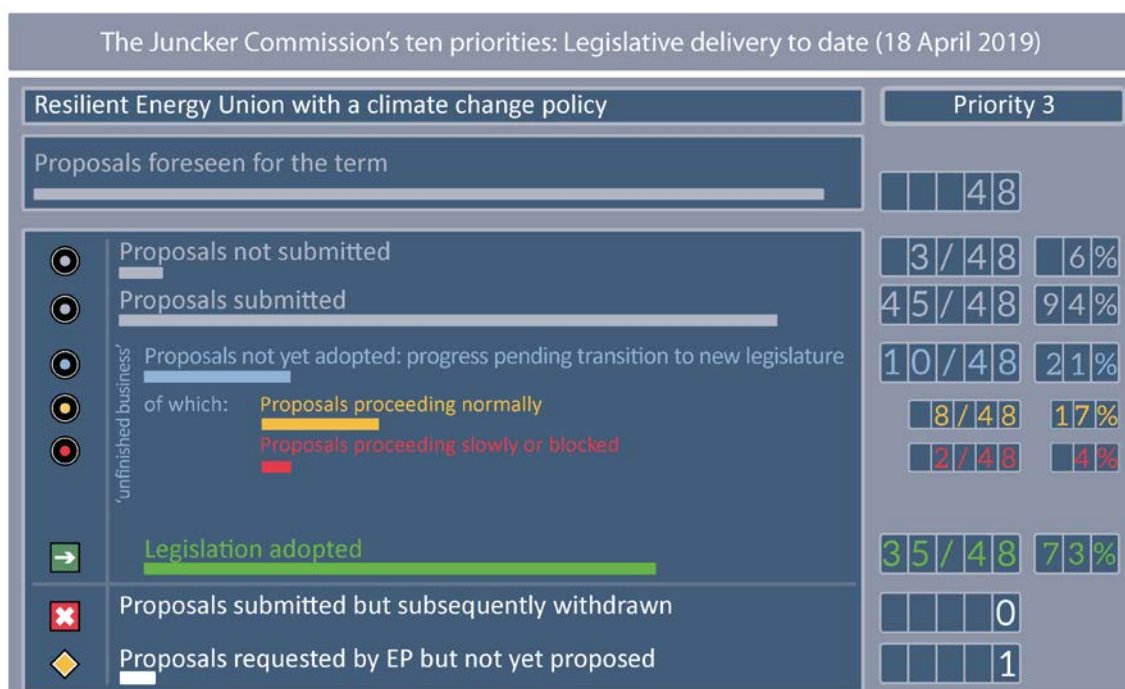
To decarbonise the transport sector, the Commission presented a European strategy for [low emission mobility](#) in July 2016 and a European strategy on [cooperative, intelligent transport systems](#) in November 2016. In November 2017, the Commission adopted an [action plan](#) for alternative fuels infrastructures. A [regulation](#) on monitoring and reporting of CO₂ emissions from heavy-duty vehicles, proposed in May 2017 as part of its 'Europe on the move' package, entered into force in July 2018. A regulation setting [post-2020 CO₂ targets for cars and vans](#) was adopted in April 2019. Finally, a regulation setting the first-ever [CO₂ targets for heavy-duty vehicles](#) and a revised directive on [promoting public procurement of clean vehicles](#) have been agreed by the co-legislators but are awaiting formal adoption.

Research, innovation and competitiveness

The Commission revised the [strategic energy technology \(SET\) plan](#) to promote research and innovation in September 2015. In November 2016, it presented a communication on accelerating [clean energy innovation](#). As part of its [renewed EU industrial policy strategy](#), the Commission launched the [EU battery alliance](#) in October 2017 to establish a full value chain of batteries in Europe.

European Parliament position

The Parliament set out its views on the energy union in its [resolution](#) of December 2015, reiterating its calls for more ambitious targets for energy efficiency and renewable energy. It adopted resolutions on delivering a [new deal for energy consumers](#) in May 2016; on the [renewable energy progress report](#) in June 2016; on [EU strategy on heating and cooling](#) in September 2016; and on an [EU strategy for liquefied natural gas and gas storage](#) in October 2016. In addition, the Parliament set out its positions ahead of certain major legislative proposals through own-initiative reports: on [energy efficiency](#), in June 2016; and [energy market design](#), in September 2016. A parliamentary delegation participated in the UN climate conferences in Lima, Paris, Marrakesh, Bonn and Katowice. In October 2018, the Parliament adopted a [resolution on COP24](#), advocating a 1.5°C global warming target and calling for a 55 % emission reduction in the EU by 2030. In March 2019, the Parliament adopted a [resolution on climate change](#), welcoming the Commission's 'clean planet strategy' and calling for an overarching approach towards achieving net zero emissions by 2050.



Priority 4: A deeper and fairer internal market with a strengthened industrial base

Completing the single market – supporting innovation, digitalisation and industrial transformation, embracing the challenges of artificial intelligence and the need for clean and sustainable energy supply, while focusing on people – requires a multi-faceted approach. Complex policies around the internal market have particularly strong links with other policy priorities, such as the deepening of the economic and monetary union, jobs, growth and investment and the digital single market. Divergence – rather than convergence – of economic and institutional capabilities and ambitions of Member States have led to fragmented outcomes in some important areas of the internal market.

Upgrading the single market

Upgrading the single market being one of the most comprehensive areas of EU policy making, the Commission has addressed it with several packages, such as the [single market strategy](#) and the [digital single market strategy](#), as well as packages related to [road transport](#), the [circular economy](#) and [intellectual property rights](#). The [services package](#) was supposed to give new impetus to further opening up the services markets. The [compliance package](#) was to provide access to high-quality information, online administrative procedures, and assistance services, through a single digital entry point. The [renewed EU industrial policy strategy](#), with a holistic approach to industry, combining existing and new horizontal and sector-specific initiatives, is expected to be an important step towards [a comprehensive and long-term industrial policy strategy](#), including an action plan to strengthen EU industry competitiveness. In addition, the [blueprint for sectoral cooperation on skills](#) initiative, established as part of the [new skills agenda](#), was extended towards key industry sectors.

According to the Commission's November 2018 [stocktaking](#), of all the relevant proposals tabled, two thirds were still with the Council or the Parliament. However, Parliament expressed regret, in its December 2018 [resolution](#) on the single market package, that many proposals had been put forward too late by the Commission for the co-legislators to be able to work on them properly and adopt them by the end of the mandate. A number of obstacles continue to hamper the single market. This implies the need for the proper implementation of the policies as well as further integration in areas such as services, products, taxation and networks of industries. The latest [evaluation](#) based on the single market [scoreboard](#) shows that Member States have improved in the recognition of professional qualifications, the transposition of the single market-related rules and the development of tools supporting the good functioning of the single market on the ground. But there are problems around openness to cross-border trade in goods and services, fairness of public procurement systems and the number of open infringement proceedings. The [high-level expert group](#) set up by the European Parliament's Internal Market and Consumer Protection Committee (IMCO) put forward a comprehensive strategy on how to update the single market. This included not only concrete steps to its further integration, but also a call for a strategic vision of and political leadership to re-frame the discourse on the single market.

Capital markets union

To finance the real economy, fixing the banking sector, encouraging private investment, fostering environmentally-friendly projects, and thus further integrating capital markets, have been among the flagship initiatives of the Juncker Commission. They have aimed to improve and diversify access to funding for businesses, especially small- and medium-sized enterprises (SMEs), and to increase the European economy's shock-absorption capacity. However, European businesses are still heavily dependent on banks for their funding, and much less so on capital markets. While the banking union

has advanced, but still lacks its third pillar, the [capital markets union](#) (CMU) is far from being completed.

The [banking union](#) is aimed at placing Europe's banking industry on a sounder footing, whilst ensuring that unviable banks are resolved without using taxpayers' money. In relation to risk-reduction, agreement was reached on the [comprehensive package](#) of November 2016. The amendments to the 2014 legislation that spell out the rules on the recovery and resolution of failing institutions and establish a single resolution mechanism were adopted in April 2019. The same goes for the proposal to amend the 2013 legislation that sets out prudential requirements for credit institutions (banks) and investment firms and rules on governance and supervision. On the risk-sharing side, the Commission's proposal to establish a [European deposit insurance scheme](#), as the third pillar of the banking union, has failed to reach an agreement due to lack of political support from the Member States.

The [capital markets union action plan](#) and the communication on [completing the CMU by 2019](#) included all 13 legislative proposals, excluding the three related to [sustainable finance](#). The co-legislators have reached an agreement on or have formally adopted ten of them. The remaining three were still being discussed by the Parliament and Council in April 2019. In the context of the CMU [mid-term review](#), the Commission adopted a package of measures helping to reorient private capital flows towards more [sustainable investments](#), such as clean transport, and help finance the transition to a [low-carbon economy](#). Two of these proposals have already been adopted by the co-legislators. The one on [establishing a framework](#) to put environmental and social governance (ESG) at the heart of the financial support system is still under negotiation.

Tax measures

To ensure a more stable business environment, including sustainable revenues and public budget, everybody needs to contribute their fair share. Addressing tax evasion and tax fraud is a necessity and a major element of good governance of tax systems, and has been central to the current Commission's activities. It has delivered a great deal in this field. Since September 2014, close to thirty legislative proposals relating to tax matters have been put forward. More than half of them have since been agreed and adopted. However, work needs to be done in the future around their implementation, including the possibility for scrutiny at European level.

Parliament has [played](#) a very important role in tax matters, notably through its special committees, which have identified a [number of flaws](#) in tax provisions.

In addition, while, according to the treaties, tax policy is principally a national matter, due to new [issues and challenges](#), it requires increasing cooperation and coordination across borders. In January 2019, the Commission adopted a [communication](#) on moving towards more efficient and democratic decision-making in EU tax policy. It proposes a way forward from unanimity towards qualified majority voting (on a case-by-case basis) under the ordinary legislative procedure.

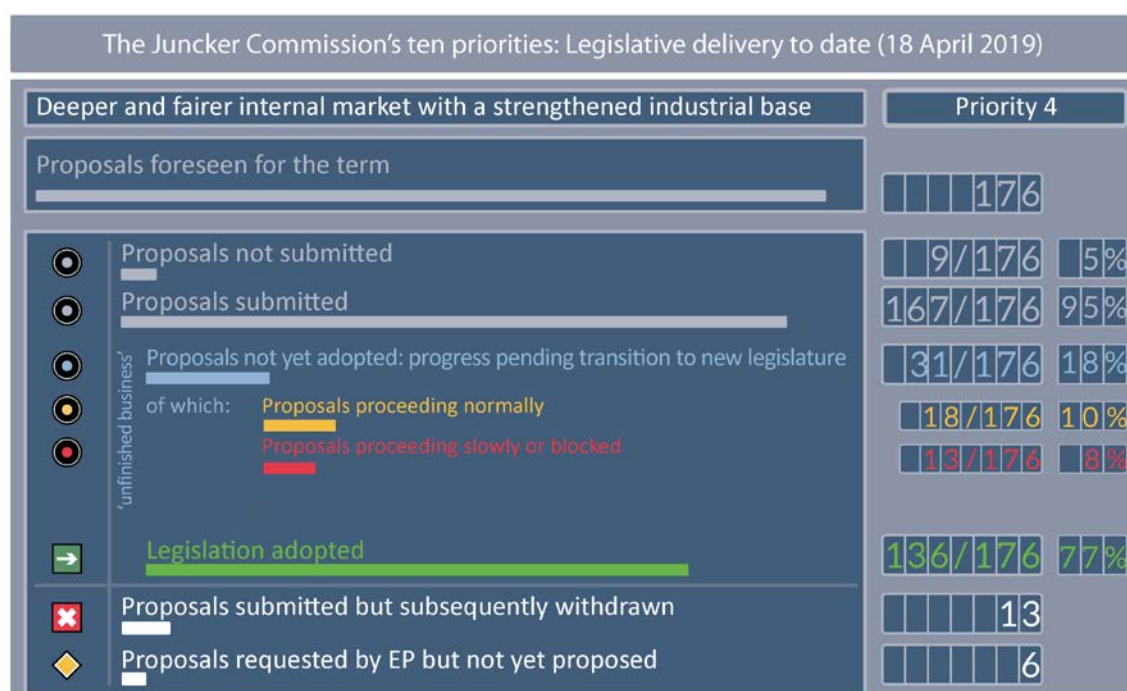
With regard to upgrading cross-border cooperation mechanisms, the 2011 [Directive on Administrative Cooperation \(DAC\)](#) has been amended five times. A connected proposal is still pending, which aims to establish public [country-by-country reporting](#) in order to more easily identify companies that do not report their profits in the country where they make them with a view to reducing their taxation. Seven legislative proposals were put forward relating to [corporate taxation](#). The ones on anti-tax avoidance and on the double-taxation dispute resolution mechanism have been adopted. The two proposals relating to the [common consolidated](#) corporate tax base are still being discussed by the co-legislators, as are the proposals on the corporate taxation of a digital [presence](#) and [services](#). The Commission put forward [more than ten legislative proposals](#) regarding

the value added tax (VAT) framework, covering the four pillars of the [VAT action plan](#). The proposals cover the update of both the VAT framework and of administrative cooperation between Member States in this area. More than half of these had been agreed by the co-legislators by April 2019.

Labour mobility package

Enabling labour mobility to counterbalance skills mismatches is imperative to reach the full potential of the single market. Labour mobility needs to go hand in hand with fair labour markets and equal social rights for all workers. By proposing to achieve a '[social triple A](#)' as a tool to contribute to fair and balanced growth, decent jobs and labour protection, this Commission has made considerable efforts to strengthen the [social dimension](#) of the EU and to update the legislative framework of the EU labour markets and the welfare states. In April 2019, it also [launched a debate](#) on moving from unanimity to qualified majority voting in the Council in certain areas of social policy, to broaden the [limited space](#) of EU competence, including that of Parliament.

The three proposals of the labour mobility package were important steps in this direction: (i) supporting labour mobility and tackling abuse by means of better [social security system coordination](#) (not yet adopted by the co-legislators); (ii) the targeted review of the [Posting of Workers Directive](#); and (iii) enhanced European employment services ([EURES](#)) that are intended to facilitate the freedom of movement of workers within the EU (both adopted). The [joint proclamation](#) on the European Pillar of Social Rights signed by the Commission, Council and Parliament should serve as a compass for policies on updating the labour market and the welfare states. The implementation of the Social Pillar is for the Member States, in cooperation with social partners and with the support of the EU. However, several [evaluations](#) point to its potential to bring about a new policy dynamic. The [social scoreboard](#) accompanying the social pillar contributes to strengthening the social aspects of the European Semester process. [Several legislative initiatives](#) have been launched and adopted in relation to its implementation, which focused on adjusting [working conditions](#) and [social protection](#) systems, including [work-life balance](#), to the new realities of work. In addition, proposals on the establishment of a [European Labour Authority](#) and the long-awaited [Accessibility Act](#) to make goods and services accessible to the disabled were also agreed and adopted by the co-legislators.



Priority 5: A deeper and fairer economic and monetary union

The fifth priority aims, through the completion of EU economic and monetary union (EMU), to build a stronger and more efficient European economy, prepare for the global challenges that lie ahead, and provide conditions for Member States to prosper.

Completion of economic and monetary union

During the tenure of the previous European Commission, led by President José Manuel Barroso, the EU was severely hit by the [European sovereign debt crisis](#). As a consequence, the EMU's architecture was adapted, with a plethora of new or modified pieces of legislation being adopted, centred on the [Six-Pack](#). New instruments, such as the European Stability Mechanism ([ESM](#)), helped to end the crisis. Although systemic risks could be substantially lowered, many fear they remain unsettlingly high. Ever since the crisis, there have been numerous calls to undertake additional steps to 'complete EMU'.

In line with the 2014 [political guidelines](#), European Commission President, Jean-Claude Juncker, in close cooperation with the presidents of the European Council, the Eurogroup, the European Central Bank and the European Parliament, prepared a [report](#) in 2015 on completing Europe's economic and monetary union (the 'Five Presidents' Report'). It provides ideas on to how to deepen EMU, and advises on possible stages for implementation, with the final stage, a fully-fledged EMU, to be reached at the latest by 2025.

The European Commission ponders, then proposes

Despite its initial ambitions, the Commission's deliveries at the beginning of its term were largely limited to an initial '[revamp](#)' of the European Semester, which mainly streamlined procedure deadlines but failed to address most of the complexity and opacity of the semester, and to a communication outlining additional [flexibility](#) in the application of the Stability and Growth Pact ([SGP](#)). The Commission tabled several proposals from October 2015 to May 2018, keeping most of the substantial ones for the end. The establishment of an independent advisory [European fiscal board](#) inside the Commission and the creation of [national productivity boards](#) within the euro area brought two quick successes. Important early initiatives were a proposal to create a European deposit insurance scheme ([EDIS](#)), as well as a proposal for a [unified representation of the euro area](#) at the International Monetary Fund (IMF). However, three years later, these two dossiers have yet to make any progress with the legislators. In March 2016, the Commission launched a debate on a [European pillar of social rights](#) for the euro area, the [proclamation](#) of which was signed in November 2017 (see also priority 4).

After that, the Commission switched to a low gear. Documents, such as a [white paper](#) proposing five options for the future of Europe, in March 2017, and a [reflection paper](#) on deepening EMU, in May 2017, discussed possible options but stopped short of providing concrete answers. It was not until three years into its term, in September 2017, that the Commission became more specific, with President Juncker's [State of the Union speech](#) and the accompanying [letter of intent](#). The broad lines were the following: integration of intergovernmental treaties in EU law, giving the EU budget a strong EMU dimension, considerably strengthening the Commission's role in EMU, further strengthening the banking union, possibly creating euro-area safe assets (a common issuance of bonds) by 2025, and using the Treaty's '[passerelle clause](#)' to move from unanimity to majority voting in fields such as taxation. A number of proposals were made, the most ambitious ones being the transformation of the ESM into a European Monetary Fund ([EMF](#)) under EU law, establishing a

euro area budget that includes a European investment stabilisation function ([EISF](#)), and the [integration of the Treaty on Stabilisation, Coordination and Growth \(TSCG\)](#) into EU law.

Parliament aims high but remains politically divided

The European Parliament's contributions largely reflected its previous positions, in particular those set out in its [resolution](#) of June 2015 on 'review of the economic governance framework: stocktaking and challenges'. In this resolution, Parliament placed particular emphasis on the democratic legitimacy and accountability of the European Semester, and the proposal for a fiscal capacity within the euro area. The Parliament furthermore demanded that the ESM and the fiscal compact (the fiscal part of the TSCG) 'be fully integrated into the Community framework', making it formally accountable to Parliament. In February 2017, the European Parliament [adopted](#) a resolution on a budgetary capacity for the euro area.

It is to be noted that once confronted with concrete EMU proposals, fundamental divergences emerged inside the European Parliament, both between political groups and amongst national delegations. Finding majorities on EMU dossiers proved to be difficult, not least following the changes in the makeup of the Parliament after the 2014 elections and the ideological differences existing in the specific field of EMU amongst political groups that might normally find common ground. Also, on EMU, the Parliament is not always a co-legislator as several key dossiers concern intergovernmental treaties rather than EU law. At the present juncture, EMU is a field where decision-making is predominantly in Council's hands.

Council wakes up and shakes up

If 2017 was the Commission's year of soul searching, so was 2018 for the Council. In September 2017, French President Emmanuel Macron, mainly through his Sorbonne [speech](#), advocated a novel approach that comprised strong intergovernmental elements, such as a separate parliament for the euro and a dedicated budget for the euro area, to be created outside the existing EU budget. Initial plans for that additional budget hinted at a size of about two to three times that of the EU budget. These ideas were deemed too radical by most governments, including by Macron's closest allies. In June 2018, France and Germany published a common position – the [Meseberg declaration](#) – with the aim of giving guidance in the discussion. A euro area budget would be created and economic stabilisation would be performed through a European unemployment stabilisation fund and the existing precautionary instruments of the ESM, i.e. a credit line involving conditionality. The ESM would remain intergovernmental, carry out new tasks, such as serving as a backstop to the single resolution fund ([SRF](#)), and assume a role in fiscal surveillance.

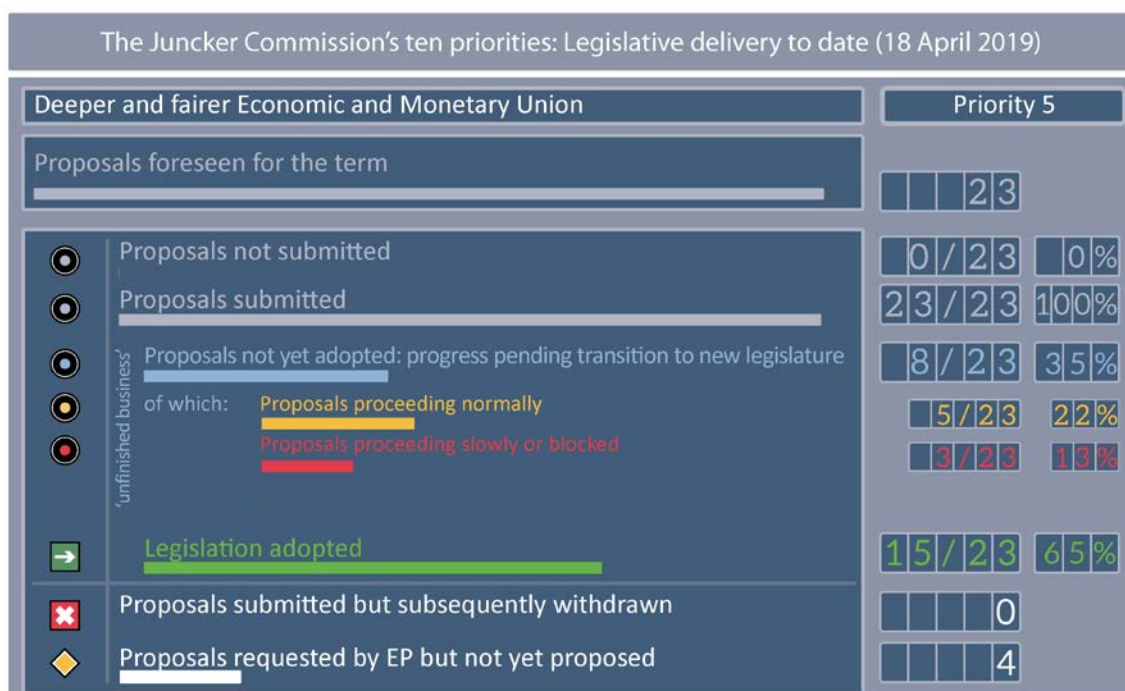
However, under the leadership of the Netherlands, a growing number of countries, known as the [New Hanseatic League](#), strongly opposed plans for a specific euro-area budget. Council displays a clear lack of consensus about the nature and aims of EMU, and thus concerning the instruments with which it should be equipped. That absence of consensus has tended to cast a shadow over many of the Commission's proposals, not only those concerning new funds, but also those involving possible risk-sharing, such as with EDIS. Much of the discussion centres on choosing between better enforcement of existing rules vs. adding new instruments. Another essential point of contention concerns the link between, or the sequencing of, the reduction of liabilities (banking as well as sovereign), on the one hand, and a possible mutualisation of risk on the other. In addition, Member States are not willing to provide the Commission with new prerogatives. Plans that had been floated at Council level, such as the creation of a European unemployment (re-)insurance and a 'rainy day' fund, did not muster support from a majority of governments.

A string of Eurogroup meetings failed to show palpable progress and the same was true for European Council meetings. Finally, at the Eurosummit of December 2018, it was [decided](#) to create a small euro area budget *within* the EU budget to support convergence and competitiveness, but it would not perform economic stabilisation. The ESM will be kept intergovernmental and given a backstop function for the SRF. This minimal consensus approach effectively means that a number of key Commission proposals will not come to fruition, including the transformation of the ESM into an EMF, or the creation of EISF. Commission proposals on the integration of the TSCG into EU law, and for the creation of sovereign bond backed securities ([SBBS](#)) are no longer being discussed at Council level. Nor does it show any appetite for creating a [European minister of economy and finance](#), or having the Eurogroup being chaired by a Commissioner. Moving to majority voting in taxation matters is not high on Council's agenda either.

Progress has been made, however, on several banking union [dossiers](#), as well as on improving EMU's [statistical framework](#).

Concerning the third intergovernmental treaty that was expected to be brought under EU law, the [Euro Plus Pact](#), which fosters competitiveness, the Commission has not presented a proposal, despite this having been suggested in the 'five Presidents' report' and [requested](#) by the Parliament.

Overall, behind the quantitative data, qualitative analysis reveals a striking lack of progress in the field of EMU, with almost every one of the Commission's most ambitious projects either having stalled during the period under review or being seriously curtailed. In most cases, this may well have been due, arguably, to an incorrect assessment of the mood in Council, where no visible consensus exists about the future architecture of the euro area. At the time of writing, considerably diverging views are being voiced in Council, including on the purpose of the euro area budget, financing and operational decision-making. In addition, in the absence of other legal bases under the treaties as they stand, the Commission has had to resort to legal constructions that may be either challenged or difficult to implement due to unanimity requirements, in view of an already divided Council, limiting all the more the prospect of success.



Priority 6: A balanced and progressive trade policy to harness globalisation

A new narrative

President Juncker's sixth priority originally focused on the Transatlantic Trade and Investment Partnership (TTIP) with the United States. However, following the failure of TTIP in the second half of 2017, the Commission decided to update this priority and make it geographically neutral. The updated priority has since been to pursue a [balanced and progressive](#) trade policy to harness globalisation, and encompassed EU entire trade policy. Several documents reflect the Commission's rationale behind, and move towards, updating this priority: the 2015 [communication 'Trade for all – Towards a more responsible trade and investment policy'](#), the 2017 [reflection paper](#), and the subsequent [communication](#) in September 2017 outlining a number of new initiatives in EU trade policy (the [September 2017 trade package](#)). The Commission's deliverables on trade agreements, trade-related legislation and implementation of its 'trade for all' strategy are set out below. On balance, the new priority was successfully mainstreamed throughout the EU's trade policy, which became more visibly value-based, progressive, and inclusive in terms of both trade agreements and trade-related legislative instruments in this term.

The state of play of trade negotiations

Two of the Juncker Commission's biggest achievements for this priority area so far have been the [provisional entry into force](#) of the EU-Canada Comprehensive Economic and Trade Agreement ([CETA](#)) in September 2017 and the entry into force of the EU-Japan Economic Partnership Agreement ([EPA](#)) in February. The EU-Japan EPA forms the [largest trade zone](#) in the world with 600 million people and a third of the global gross domestic product (GDP). With [Singapore](#), the Free Trade Agreement (FTA) was the subject of a Court of Justice of the EU (CJEU) [opinion](#) in May 2017, resulting in a decision to [split](#) the agreement into a Trade Agreement (TA) and an Investment Protection Agreement (IPA). The Council adopted decisions [to sign](#) both agreements in October 2018. The new agreements support sustainable development and pay special attention to making trade more inclusive, for instance for small and medium enterprises (SMEs).

Since the World Trade Organization (WTO) was no longer delivering on the EU's need to facilitate and open international trade, the EU has decided to pursue bilateral trade agreements. The Juncker Commission has continued this approach with a [number of trade partners](#). [Negotiations](#) were formally launched in June 2018 with [Australia](#) and [New Zealand](#). The Commission [reached](#) an agreement in principle with [Mexico](#) in April 2018 on the trade part of the [modernisation](#) of the 2000 Global Agreement, but there remain technical details to be resolved. With [Mercosur](#), negotiations advanced a great deal too, but due to political changes in the region, agreement before the end of the Juncker Commission is unlikely. Negotiations for an FTA with [Indonesia](#), the [Philippines](#) and [Chile](#) have been launched and pursued during the Juncker Commission. The EU's planned EPAs with [West African countries](#) have not been signed by some African countries (negotiations were finalised back in 2014). With regards to the EPA between the EU and the [East African Community](#) (EAC), at their February 2019 Summit, the EAC Heads of State agreed that countries can individually decide whether or not to sign the EPA and pursue implementation without needing the approval of all EAC countries. The Commission is also working on finalising the FTA and IPA with [Vietnam](#), but the agreements are unlikely to enter into force before the end of the Juncker Commission.

Largely in line with the new priority to ensure a progressive trade policy that takes into account the effects of globalisation, the Juncker Commission has made significant progress on delivering on

investment protection. In response to public opposition to investor-state dispute settlement (ISDS) mechanisms in FTAs, including from the [European Parliament](#), the Commission proposed the creation of a new [investment court system](#) (ICS), which has since been embedded into FTAs. Since 2018, the Commission has been negotiating a convention establishing a permanent [multilateral investment court](#) that builds on ICS innovations with the talks making good progress under the United Nations Commission on International Trade Law (UNCITRAL). The Commission has also held [bilateral investment negotiations](#) with [China](#).

In 2018, trade negotiations with the US re-emerged on the agenda. The EU-US trade talks come in the context of several trade conflicts with the Trump administration: the US [tariffs on steel and aluminium](#) imports from the EU and other partners, the investigation into [tariffs on cars and car parts](#), and the US [blockage of nominations](#) to the WTO Appellate Body. President Juncker managed to reach a tentative [deal](#) with President Trump in July 2018 to avoid further escalation. Building on the Juncker-Trump deal, in January 2019, the Commission presented [two negotiating directives](#) to the Council for a trade agreement on industrial goods and an agreement on conformity assessment. These agreements do not reflect the original sixth priority of the Juncker Commission on TTIP as the Commission is not seeking a comprehensive agreement and will exclude agricultural products.

The EU has also been spearheading the efforts to achieve a [reform of the WTO](#) in line with its commitment to a multilateral rules-based system and joined 48 other WTO members who agreed to launch negotiations on [e-commerce](#) at the January 2019 World Economic Forum in Davos.

The state of play of legislative files

Under the Juncker Commission, the co-legislators adopted a [regulation](#) in November 2016 amending a 2005 [regulation](#) on export of goods that could be used for [capital punishment and torture](#), and a new [regulation](#) on [trade in conflict minerals](#) in May 2017. The Commission also adopted a proposal on a new anti-dumping calculation methodology in November 2016, which was [approved](#) by the co-legislators in late 2017. This proposal is complementary to a 2013 Commission [proposal](#) on a complete [modernisation](#) of EU [trade defence instruments](#) (TDI), which remained blocked in the Council until December 2016, when a compromise was achieved between the Commission, Council and the Parliament. The regulation entered into force in [June 2018](#) and includes [social and environmental](#) standards as prerequisite considerations. The [proposal](#) for a regulation on the apportionment of tariff rate quotas in the EU's WTO schedule following the UK's expected withdrawal was successfully adopted and will apply from the day after Brexit. The proposal for a [regulation](#) on a [European framework to screen foreign direct investment](#) (submitted as part of the Commission's September 2017 trade package) was adopted by the Council in March 2019. The [proposal](#) on the [import of cultural goods](#) (put forward by the [Commission](#) in July 2017) was adopted by the co-legislators in April 2019.

Implementation of the 'trade for all' strategy

In September 2017, the Juncker Commission adopted a [report](#) on the implementation of its 'trade for all' strategy. The Commission managed to introduce several [new issues](#) in some of the EU's FTAs. These include energy and raw materials in its agreements with Vietnam and the Ukraine, the inclusion of the ICS in several agreements, and mobility of professionals in CETA and the EU-Japan EPA. In November 2017, the Commission also released its annual [report on the implementation of FTAs](#), which comes on top of existing annual implementation reports on specific FTAs.

In relation to the effectiveness of EU trade policy, the [Commission](#) tackled a number of trade barriers via the [Market Access Partnership](#) through which it coordinates its activities with Member States

and businesses. For example, the Commission [resolved](#) 45 trade barriers affecting €8.2 billion worth of EU exports in 2017 and another 20 cases affecting €4.2 billion in exports in 2016. In the WTO, it is currently pursuing about [two dozen complaints](#) against 10 different trading partners on behalf of the EU, which aim to bring about fairer trading conditions. Recent cases concern [US steel and aluminium tariffs](#) and [China's technology transfer practices](#).

This Commission has made considerable progress with regard to transparency of trade policy, launching a '[transparency in action](#)' [website](#) containing all published documents on the negotiations (although market access offers will remain confidential). The Commission also [set up](#) an [advisory group](#) on EU trade agreements in order to foster an inclusive trade policy. The Commission decided to publish its recommendations for Council negotiating directives. This is in line with repeated calls from the [Parliament](#) to increase transparency at all stages of trade negotiations.

Regarding values in EU trade policy, the Commission initiated a debate in July 2017 on trade and [sustainable development \(TSD\) chapters](#) in its FTAs. Based on the subsequent discussions, it published a [non-paper](#) in February 2018 with 15 actions to revamp TSD chapters. The Commission has also suggested the launch of a [review](#) of TSD provisions in CETA. In December 2018, the EU formally [requested consultations over labour commitments](#) in line with the TSD provisions of the EU-South Korea FTA. This is the first time that the EU has used this instrument under a trade agreement. The planned modernisation of the agreement with Mexico will include new chapters on [cooperation in animal welfare and anti-microbial resistance](#) as well as [anti-corruption](#), and the Commission has proposed [similar provisions](#) and a new chapter on [trade and gender equality](#) in its negotiations with Chile. In its talks with Indonesia, the Commission has also [tabled](#) a first text on data flows. It has suspended negotiations with Thailand because of fundamental rights concerns.

In sum, this Commission, not least thanks to the leadership of Commissioner for trade, Cecilia Malmström, has made its trade policy more progressive and balanced, in developing stronger sustainable development provisions and ensuring that trade benefits a broader group of constituents.



Priority 7: An area of justice and fundamental rights based on mutual trust

President Juncker's 2014 [political guidelines](#) were ambitious in relation to strengthening justice and fundamental rights across the EU as well as safeguarding the rule of law. However, with major security challenges facing the EU during his mandate, security issues became increasingly dominant among the Commission's priorities. It can be [argued](#) that the security rationale prevailed in the Commission's action in the area of freedom, security and justice, with the development of the security union concept. While the list of adopted security measures is quite impressive, progress in the area of justice and fundamental rights has been much slower, despite some key achievements, such as the data protection reform or the creation of the European Public Prosecutor's Office (EPPO).

Towards an effective and genuine security union

In April 2015, the Commission adopted a [European agenda on security](#), hinged on three priorities: terrorism and radicalisation, organised crime, and cybercrime. One year later, the Commission brought forward the idea of moving beyond cooperation to protect national internal security, to the concept of protecting the collective security of the Union as a whole, giving birth to the [security union](#). These strategic documents were complemented by specific [action plans](#) in various areas: firearms and explosives, terrorist financing, travel document fraud, protection of public spaces or preparedness against chemical, biological, radiological and nuclear security risks (CBRN). The adopted measures (both hard and soft law) focused mainly on harmonising national legislation, enhancing cooperation and strengthening the competent EU agencies, as described below.

The [Directive on Combating Terrorism](#) is one of the main [counter-terrorism](#) instruments approximating legislation across the EU. It aims to implement new international standards as regards the criminalisation of a wide range of terrorism-related actions, such as travelling for terrorist purposes, providing and receiving terrorist training, or providing financial means for terrorist activities. The legal framework to fight terrorist financing has been reinforced with the adoption of the [fifth Anti-Money-Laundering Directive](#) as well as specific measures regarding the harmonisation of [criminal sanctions for money laundering](#), [controls on cash entering or leaving the Union](#) and the [mutual recognition](#) of criminal asset freezing and confiscation orders.

New rules have been introduced to reinforce the control of legally held firearms, with the adoption of a [revised Firearms Directive](#), and to better regulate access to [explosive precursors](#) in order to prevent the production of home-made bombs. Another regulation improves the [security of identity cards](#) and residence permits in EU countries, to curb the use of fraudulent documents. To better detect suspicious travel (in relation to the foreign fighters' phenomenon), the [Passenger Name Records \(PNR\) Directive](#) puts in place an EU system for the collection of passenger data, applying since May 2018.

With a view to better information-sharing, significant progress has been achieved in improving the existing [EU information systems](#) and developing new complementary tools. The security dimension of border management has been reinforced with the adoption of the Regulation on a European Travel Information and Authorisation System (ETIAS), the Entry-Exit System (EES) and the Schengen information system (SIS) [package](#), including a [regulation](#) in the field of police and judicial cooperation in criminal matters. Rules were also introduced to systematically [check](#) all travellers – including EU citizens – against relevant security databases at external borders. Moreover, the co-legislators agreed rules for [interoperability](#) of the EU information systems for borders and security.

The competent EU agencies have been upgraded to carry out new tasks. The [mandate](#) of the EU agency for the operational management of large scale IT systems (eu-LISA) has been strengthened to allow the agency to manage new and existing databases and develop the [interoperability solutions](#). Moreover, to enhance external borders' protection, Frontex has been upgraded into a European Borders and Coast Guard Agency, with its own operational capacities. The European agency for law enforcement cooperation – Europol – has seen its [role](#) reinforced, in particular in the area of counter-terrorism, with the creation, within its structure, of the European Counter-Terrorism Centre (ECTC) in January 2016 and the entry into force of the new [Europol Regulation](#) in May 2017. The ECTC pools and streamlines Europol's resources and expertise in terrorism travel and financing, illegal arms trafficking, and countering online terrorist propaganda. As for the latter, the creation of the [EU Internet Referral Unit](#) (EU IRU), which is part of the ECTC, and of the [EU Internet Forum](#), bringing together Europol, national governments, and technology companies to counter terrorist content and hate speech online, were the main soft-law developments. In April 2019, Parliament adopted in first reading its position on legislation on [terrorist content online](#), requiring platforms to remove such content within one hour. Preventing radicalisation and countering terrorist propaganda, both online and offline, have been high on the Commission agenda throughout its mandate. In its efforts to tackle radicalisation, the Commission reinforced the [Radicalisation Awareness Network](#) (RAN), setting up the RAN centre of excellence and more recently a dedicated high-level expert group on radicalisation ([HLCEG-R](#)), which published a [final report](#) in May 2018.

Developments in the area of justice and fundamental rights

The will to reinforce the institutional set up has also been notable in the area of judicial cooperation in criminal matters. After lengthy negotiations, and despite the lack of unanimous agreement in the Council, 20 Member States decided to create the European Public Prosecutor's Office (EPPO) under enhanced cooperation in October 2017 (two other Member States joined later). A key achievement of the current Commission, the EPPO is expected to start operating as of late 2020 or early 2021. It will investigate, prosecute and bring to judgment by national courts the perpetrators of offences defined by the [directive](#) on the fight against fraud to the Union's financial interests by means of criminal law ('PIF Directive'). The EPPO will work in close cooperation with Eurojust whose new [mandate](#) was adopted in 2018. In September 2018, the Commission proposed to extend the competences of the EPPO to cross-border terrorist crimes, to be decided by the European Council.

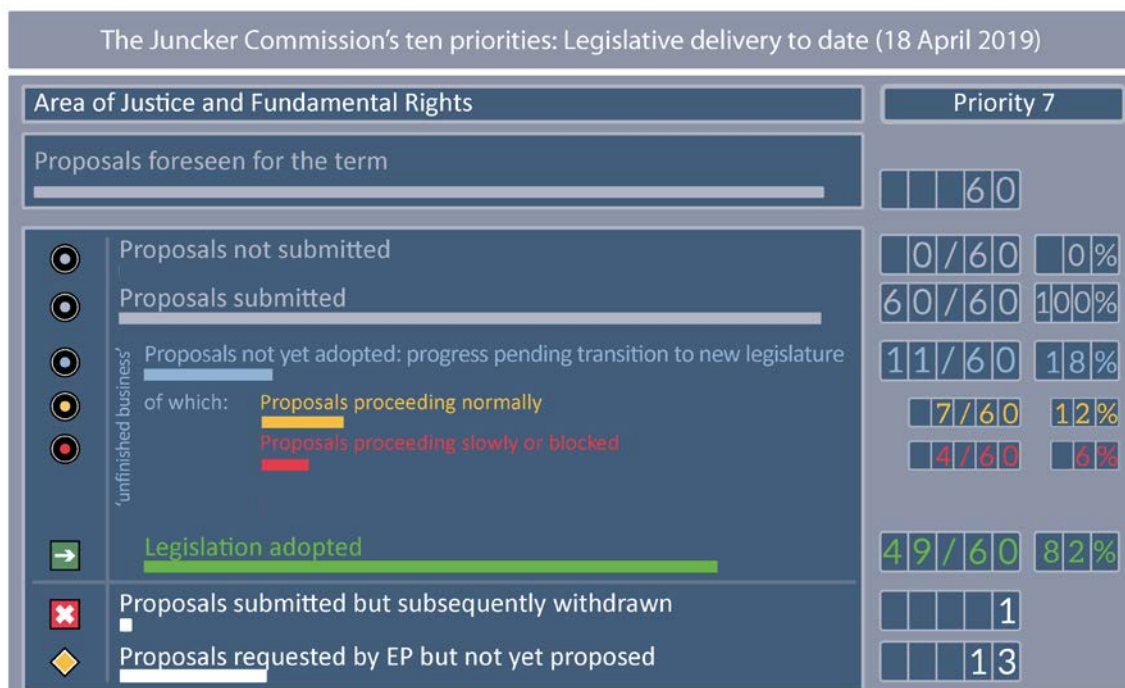
The Commission brought forward several other measures to enhance investigation and prosecution of terrorist and other serious crimes. For example, the [European criminal records information system](#) (ECRIS) has been upgraded, with the creation of a centralised system for the identification of convicted third-country nationals (ECRIS-TCN). In April 2018, the Commission presented legislative proposals on [access to financial information in criminal investigations](#) and on [cross-border access to electronic evidence](#). The co-legislators have reached agreement only on the use of financial data.

Another highlight of the Commission's achievements is the reform of the [EU data protection rules](#) (including the General Data Protection [Regulation](#) (GDPR) and the Police Data Protection [Directive](#)), which apply fully since May 2018. [Most Member States](#) have adapted their laws accordingly. In order to have a coherent legal framework and while, in parallel, the [proposal](#) for an e-privacy regulation has advanced slowly (see priority 2), a [regulation](#) on data processed by EU institutions and agencies was adopted in October 2018, aimed at updating the previous one ([Regulation \(EC\) No 45/2001](#)) and reducing administrative burden. [Parliament](#) succeeded in strengthening individual rights and including in the final text general rules on operational data processed by Union agencies when carrying out activities in the field of police and judicial cooperation.

Regarding transatlantic [data transfer for commercial purposes](#), following the [Schrems case](#) and the adoption by the Commission of its [adequacy decision](#) on the EU-US 'Privacy Shield', while improvements were recognised in the second [joint EU-US review](#) of the new framework, [unresolved issues](#) remained. The Parliament has expressed its concerns on several [occasions](#), including in a July 2018 [resolution](#) adopted in the broader context of the Facebook/Cambridge Analytica scandal, calling for the suspension of the Shield until the US authorities are fully compliant.

Apart from data protection, little progress was made in relation to other fundamental rights. The proposed [anti-discrimination directive](#) is still blocked in the Council after 10 years of negotiations and progress is rather slow on [gender equality](#). There is as yet no breakthrough on the proposal on [gender balance on boards](#) and the EU has still not ratified the Council of Europe's [Istanbul Convention](#) on fighting violence against women and domestic violence, which it [signed](#) in June 2017. Parliament has repeatedly called for EU accession to this convention without any limitations, and for its ratification by Member States (as of March 2019, all EU Member States have signed, but only 21 have ratified it). In April 2019, [Parliament](#) decided to seek an opinion from the European Court of Justice (CJEU) on the compatibility with the Treaties of the accession proposals, questioning the choice of legal basis and the decision-making procedure. As for the [accession](#) of the EU to the European Convention of Human Rights, this was blocked by a CJEU negative opinion. Work is ongoing to review the draft agreement and relaunch the accession process.

This Commission's term was challenging on the rule of law. For the first time, the Commission activated its [Rule of Law Framework](#) and triggered the Article 7(1) of the Treaty on European Union (TEU) procedure (preventive mechanism) against one of its Member States – [Poland](#), followed by Parliament triggering it against [Hungary](#). Council is yet to decide on both procedures. Parliament also called on the Commission to put in place an [EU mechanism on democracy, the rule of law and fundamental rights](#) to monitor and assess Member States' compliance with the EU values and the Charter of Fundamental Rights. Although the Commission did not follow Parliament's call, it is currently [exploring](#) possibilities to strengthen the rule of law within the EU. Moreover, its [legislative proposal](#) aiming to protect the EU budget in case of generalised deficiencies as regards the rule of law in Member States was agreed by the co-legislators and is awaiting formal adoption.



Priority 8: Towards a new policy on migration

Since taking office in 2014, the European Commission, on the basis of its [2014 political guidelines](#) and especially the [European agenda on migration](#), has been taking concrete actions to deliver on its priority of what it calls an effective, fair and robust EU migration policy. Although record-high [migratory flows](#) to the EU witnessed during 2015 and 2016 had [subsided](#) by the end of 2017 and in 2018, the migratory pressure is likely to continue. The Commission not only implemented or proposed immediate (emergency) measures to deal with the peak flows, but also proposed longer-term measures in order to establish a resilient and balanced approach to dealing with regular (legal) and irregular immigration. It did so by focusing on the internal and external dimensions of the EU's migration policy, the EU's external borders and on the legal aspects of migration. The concrete actions, scattered over many legal and policy instruments, included reducing the incentives for irregular migration, saving lives and securing external borders, establishing a strong EU asylum policy, and providing more legal pathways for asylum-seekers and more efficient legal channels for regular migrants. By the end of its mandate, the Commission has achieved relative success when it comes to securing external borders, reducing the flows of irregular migrants, and showing solidarity and increasing cooperation with third countries. However, it has encountered more difficulties in achieving solidarity and responsibility-sharing for asylum-seekers among the EU Member States, in establishing a solid EU asylum system that provides genuine protection and in providing more safe and legal pathways for people in need of protection.

Reducing the incentives for irregular migration

There are many reasons why people migrate irregularly. In order to prevent the loss of lives and ensure a credible migration policy, also to appease [public opinion](#), the Commission has been trying to reduce those incentives by mostly focusing on three main levers: partnership with third countries through development cooperation and humanitarian assistance, ensuring an effective return and re-admission policy, and fighting migrant smuggling and trafficking.

Mainstreaming migration in development cooperation policies, which the European Parliament addressed in its April 2017 [resolution](#), has become one of the top priorities in EU relations with third countries and one of the instruments to reduce incentives for irregular migration. Although the relationship between [development conditions and migration flows](#) is far from clear, the EU set up several [financial instruments and projects](#), aimed at tackling challenges along the [main migratory routes](#), including addressing the root causes of irregular migration, improving reception conditions for refugees and their families closer to home, and helping communities that host the largest share of displaced people. The EU also established dialogues and [partnerships](#) with key countries of origin and transit, including [Libya](#) and [Turkey](#), although it has been [criticised](#) by the [United Nations](#) Mission in Libya, [NGOs](#) and [academia](#) for contributing to the violations of migrants' human rights.

An ineffective system of return of irregular migrants and criminal networks of smugglers can, according to the Commission, act as a pull factor for irregular migration. Therefore, the EU has been focusing on improving its [own capacities](#) for return and has been concluding re-admission agreements or practical arrangements (currently [23](#) in place) with countries of origin and transit from Africa and Asia. In the fight against migrant smuggling, the Commission, and more specifically the EU's external action service, also launched [partnership framework](#) with third countries, established a series of [naval operations](#), increased tasks of relevant EU agencies, such as Europol, and, despite criticism by several NGOs, including the [Human Rights Watch](#), and academia, collaborated with third countries along the Mediterranean.

Saving lives and securing external borders

The [unprecedented arrival](#) of asylum-seekers and irregular migrants in the EU in 2015 exposed a series of deficiencies and gaps in EU policies on external borders. It affected the functioning of the Schengen rules, leading to the [re-introduction of border checks](#) by several Member States. In response to these challenges, as well as to the surge in terrorist and serious cross-border crime activities, the Commission has embarked on a broader process of reform aimed at strengthening its external borders by reinforcing the links between border controls and security.

On the one hand, measures for protecting the EU's external borders have focused on [reinforcing EU border management rules](#) and strengthening and upgrading the mandates of relevant EU agencies, such as the [European Border and Coast Guard Agency](#). On the other hand, in connection with a number of key shortcomings in the EU's information systems, efforts were made to strengthen these systems and technologies for security, criminal records, and border and migration management ([Schengen information system](#), [visa information system](#)), to establish new systems ([European travel information and authorisation system](#), [entry/exit system](#)) and to improve their interoperability.

The operational support for improved border management was also provided under the [hotspot approach](#) in Member States at the external borders and through [strengthening the capacity](#) of countries in North Africa to intervene and save lives of migrants in distress. While since 2015, more than [14 000](#) migrants have died in the Mediterranean, almost [730 000](#) were rescued at sea. However, the EU has been much [criticised](#) by the [UNHCR](#), [Amnesty International](#) and [other NGOs](#) for prioritising border controls over migrants' human rights and for facilitating the return of some of the rescued migrants to third countries that have a [poor record](#) on human rights and might not respect the principle of *non-refoulement*.

Establishing a strong EU asylum policy

While EU Member States and the Commission showed considerable unity as regards addressing migration through partnerships with third countries and securing the EU's external borders, they were bitterly divided when it came to finding compromises on internal aspects of the EU's asylum policy. To alleviate the migratory pressure on Greece and Italy, the Commission tried to ensure a fair and balanced distribution and sharing of responsibility for asylum-seekers already present in the EU. However, despite most Member States' willingness to [relocate](#) asylum-seekers (almost [35 000](#) since 2015), the Czech Republic, Hungary and Poland objected to their participation in the scheme. The Commission [referred](#) them to the Court of Justice of the EU (CJEU) for non-compliance with their legal obligations on relocation, an analysis confirmed by the CJEU [judgement](#) of September 2017.

The migratory pressure also exposed deficiencies in the common European asylum system ([CEAS](#)), which prompted the Commission to launch its reform. Almost three years after the introduction of two [packages](#) of proposals, three files reached partial provisional agreement between the institutions, but later did not receive the final support in the Council. For two other files, the Council was also unable to find a common position. The Commission therefore, despite treating the asylum reform as a package, [urged](#) both institutions to adopt one or several of the proposals separately. The EU leaders failed to achieve a breakthrough on internal aspects of migration and the EU's asylum policy, showing remaining differences as regards, in particular, the reform of the [Dublin Regulation](#). Discussions in the Council to determine the Member State responsible for examining an application by an asylum seeker (the [Dublin system](#)), have been at a stage of consultations between Member States for almost three years. The most controversial issue involves reaching a compromise on the principles of solidarity and fair sharing of responsibility for asylum seekers.

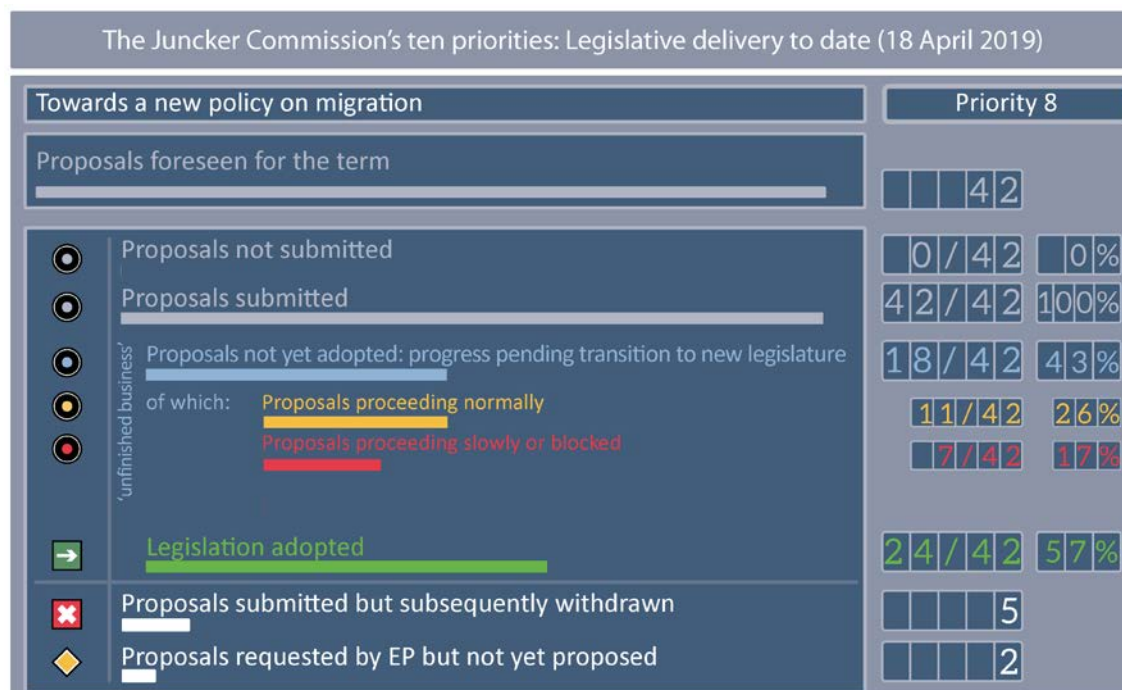
This prompted the Commission to suggest the introduction of [temporary arrangements](#) of solidarity and responsibility for refugees and migrants rescued during search and rescue operations on their way to Europe. If implemented, these would serve as a bridge until the new Dublin Regulation and the rest of CEAS package become applicable.

Providing more legal pathways for migrants

Migration is not only a challenge but also an [opportunity](#) for the EU. In view of the future challenges in terms of an ageing population and an economy that is increasingly dependent on highly-skilled jobs, migration will be an important tool to enhance the sustainability of EU countries' welfare systems and to ensure sustainable growth of the EU economy. Hence, the Commission proposed a revision of the current system – in place since 2009 – with the aim of offering more flexible admission conditions, improved admission procedures and enhanced rights for [highly qualified workers](#). The Parliament and the Council adopted their respective positions on the file, but the negotiations stalled. No agreement was reached by the end of the legislature.

According to the Commission, attracting migrants is not enough and should be accompanied by measures for their effective integration into the host societies. For this purpose, it adopted an [action plan](#) and is providing [funding](#) to support EU countries in tapping into the economic, social and cultural potential of third-country nationals, including of asylum-seekers and refugees.

The Commission also called [for enhancing legal pathways](#) to Europe for humanitarian purposes. The aim is to show that there are alternatives to irregular migration. To support the most vulnerable in need of international protection and help them find a safe pathway to Europe, the Commission, together with Member States, established several resettlement mechanisms, such as the [emergency scheme](#), which ended in 2017, and the [current scheme](#), which expires in October 2019. Although not all pledges have yet materialised, and a proposal on establishing a [Union-wide resettlement framework](#) remains blocked in the Council, more than 50 000 people have been [resettled](#) to the majority of the EU Member States since 2015.



Priority 9: A stronger global actor

Throughout the duration of its mandate, the Juncker Commission has maintained a strong focus on foreign policy and on presenting a united EU front externally with the aim of boosting the EU's global presence and achieving the goals of its external action as defined by the Treaty on European Union. Actions under the ninth priority of the Juncker Commission – a stronger global actor – have been introduced and implemented in several areas, including relations with neighbours, development policy, and security and defence. While important steps have been taken in all these areas to boost the EU's presence and action on the global scene, [further progress](#) remains to be made in coming years as the nature of threats and challenges in the global environment becomes more complex. The work of the Juncker Commission has undoubtedly boosted the EU's capabilities on the path of strengthening its foreign policy and role in international affairs.

Neighbourhood policy and enlargement

A review of the EU Neighbourhood policy (ENP) was one of the first actions introduced by the Juncker Commission. Following a [joint consultation](#) on the future of the [ENP](#) in March 2015 and the European Parliament's consecutive [resolution](#) in July 2015, the Commission adopted a [communication](#) on review of the ENP. The Council, in its December 2015 [conclusions](#), invited the High Representative for Foreign Affairs and Security Policy/Vice-President (HR/VP) of the European Commission, Federica Mogherini, and the Commission to provide regular reporting to track developments in the neighbourhood. Instead of systematic annual reports on each ENP country, the European External Action Service and the European Commission now issue reports depending on the context, such as the 2018 report on [Tunisia](#).

As a means of strengthening the ENP, in 2018 the Commission proposed a new financing instrument in the broader context of the next multiannual financial framework (MFF). So far, the [European Neighbourhood Instrument](#) (ENI) has been the main financial instrument for implementing the ENP, with a budget of €15.4 billion for the 2014-2020 period. The new [proposed](#) Neighbourhood, Development and International Cooperation Instrument ([NDICI](#)), with a tentative budget of €89.2 billion over the 2021-2027 period, would transform the financing of external action. Among other things, NDICI consists of geographic programmes that would focus on good governance, democracy, rule of law and human rights, poverty eradication, the fight against inequalities, human development, migration and mobility, environment and climate change, inclusive and sustainable growth and decent employment, and security, stability and peace. Neighbourhood countries would in addition benefit from enhanced political cooperation, support for the implementation of association agreements, promotion of people-to-people contacts, support for regional cooperation and progressive integration into the Union's internal market and enhanced sectoral and cross-sectoral cooperation. Within this context, the European Neighbourhood would be allocated €22 billion. Currently, the discussions on the NDICI are ongoing in the Council at the level of the ad hoc working group, which is expected to complete its work by end June 2019. In March 2019, the European Parliament adopted its [position](#) on this proposal, emphasising the necessity to link funds with the promotion of democracy, peace and security and the need for more parliamentary oversight and accountability. No agreement was reached by the end of the legislature.

In his [2014 political guidelines](#), Jean-Claude Juncker declared that while ongoing negotiations would continue, notably with the Western Balkans, no further enlargement would take place during his mandate. On this matter, 2018 was a key year. The 2018 [Commission work programme](#) (CWP) prioritised the accession of Serbia and Montenegro as frontrunner candidates in the Western Balkans. In February 2018, the Commission published its new [enlargement strategy](#) for the Western Balkans, focusing on six flagship initiatives. In May 2018, in the EU-Western Balkans summit in Bulgaria, EU leaders agreed on the [Sofia declaration](#), with which these partners have aligned themselves.

Development

The focus on development has been a consistent element of the Commission's actions during the mandate of this Commission. In 2015, the UN Conference in [Addis Ababa](#) provided a basis for implementing the global [sustainable development agenda](#), which world leaders adopted in September 2015. In the run-up to the conference, the Commission adopted a [communication](#) on a global partnership for poverty eradication and sustainable development after 2015, which was welcomed by [Parliament](#) and [Council](#), although the former regretted a certain lack of commitment concerning the timeline for future financial targets.

In anticipation of the expiration of the [Cotonou Partnership Agreement](#) in 2020, the Commission has been [engaged](#) since September 2018 in the negotiations for the future [renewed partnership](#) with the African, Caribbean and Pacific Group of States (ACP). In December 2018, the EU and ACP countries concluded the first round of [negotiations](#) to modernise their relations. The European Parliament has [called](#) in particular for the inclusion in the new agreement of a strong focus on Agenda 2030 and poverty eradication, a detailed list of human rights abuses to be combated, stronger political dialogue and better involvement of national parliaments, local authorities and civil society.

In 2016, the Commission also adopted the communication entitled '[Proposal for a new European consensus on development – our world, our dignity, our future](#)' and aimed at integrating the Agenda 2030 sustainable development goals (SDGs) into the EU development framework. The [new consensus on development](#) was signed in June 2017. As [insisted](#) by Parliament, poverty eradication remains the main objective of EU development policy, which should also contribute to the overall objectives of EU external action, including building resilience and addressing the root causes of migration.

Boosting investment in developing countries, with the help of the new European external investment plan (EIP), will be one of the ways to tackle those issues. In this vein, in September 2017, the co-legislators [adopted](#) the Regulation establishing the European Fund for Sustainable Development (EFSD). The aim is to scale up resources in order to address the root causes of migration and to contribute to the achievement of the SDGs based on existing facilities. In March 2018, the co-legislators adopted an amendment to the [Guarantee Fund for External Actions](#), which contains ancillary provisions for the functioning of the EIP, and more specifically a private sector lending mandate for the European Investment Bank (EIB). In 2018, the Commission presented a strategy for a new [EU-Africa alliance for sustainable investment and jobs](#).

Security and defence

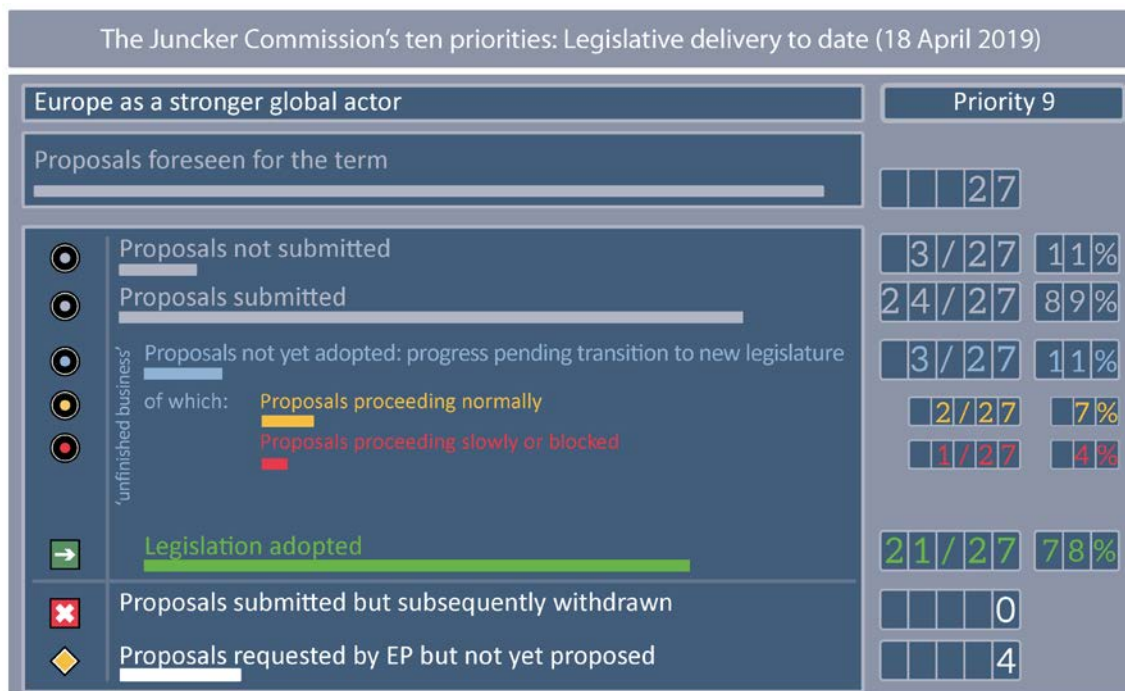
There is [widespread agreement](#) that remarkable progress has been made in the area of EU security and defence under the Juncker Commission, within the context of strengthening the Union's capacity to act and to defend its citizens. The release of the Global Strategy: [shared vision, common action: a stronger Europe](#) (EUGS), in 2016, which was [welcomed](#) by the European Council, was a landmark on that path. Based on the EUGS, the HR/VP presented an [implementation plan](#) on security and defence aspects of the Global Strategy. This, together with the Commission's 2016 European Defence Action Plan ([EDAP](#)) and the progress made in EU-NATO relations through two Joint Declarations in 2016 and 2018, constitutes the basis of the accomplishments achieved so far.

Through the EDAP, in 2017, the Commission proposed a [European Defence Fund](#) to support the European defence industry by (co-)funding – for the first time ever – collaborative research projects and joint development of defence capabilities, including through support for small- and medium-sized enterprises (SMEs) and cross-border opportunities in defence supply chains. In June 2018, the Commission put forward a [proposal](#) for the establishment of the European Defence Fund within the next multi-annual financial framework (MFF).

Several steps towards more cooperation and coordination in defence, including in the development of capabilities, were made in 2017 and 2018. These include: the creation of a military planning and conduct capability (MPCC) within the EU military staff (EUMS) to assume command of EU non-executive military missions; the establishment in 2017 of permanent structured cooperation (PESCO) by 25 EU Member States in the field of defence; the launch of the trial run of the coordinated annual review on defence (CARD), and the presentation of the [joint communication on military mobility](#) from the HR/VP and the Commission.

Strengthening peace and stability through the support of third countries has also been part of the Commission's work. Notably, in 2016, the Commission and the HR/VP proposed an [EU-wide strategic framework for supporting security sector reform](#) (SSR) and, in 2017, the co-legislators agreed on a proposal to [amend](#) the 2014 Regulation establishing an instrument contributing to stability and peace. The aim was to adapt it to the new realities of official development assistance (ODA) on peace and security, and to strengthen the EU's role as a security provider by providing new funding opportunities for military capacity building in third countries. In June 2018, the HR/VP presented a proposal for a [European Peace Facility](#) (EPF), an off-budget instrument designed to allow financing of all common foreign and security policy (CFSP) external actions with military and defence implications. While the Foreign Affairs [Council](#) took note of the proposal in June 2018 and invited the relevant Council preparatory bodies to take the work forward and to present concrete recommendations, no agreement has been reached to date to launch the facility.

The European Parliament has consistently supported the development of a strong common foreign and security policy as well as steps towards a [European defence union](#). Most recently, it has emphasised this through resolutions on [EU-NATO](#) relations, on [military mobility](#), on [the European Peace Facility](#), inter alia, as well as through its annual reports on the implementation on the CFSP and the CSDP.



Priority 10: A Union of democratic change

Commission President Juncker's 2014 [political guidelines](#) expressed the intention to make the EU more democratic, open and accountable. This was to be achieved, inter alia, by revitalising the '[special partnership](#)' with the European Parliament, enhancing transparency, strengthening political – and not technocratic – dialogue with EU legislators, and improving cooperation with national parliaments. Since this Commission took office, it has gone a long way in proposing substantial initiatives to foster those aims, but their longer-term implications remain to be seen.

Better law-making

In a [mission letter](#) of 1 November 2014 to Frans Timmermans, the First Vice-President of the Commission, President Juncker stated that 'respect for the principles of subsidiarity, proportionality and better regulation will be at the core of the work of the new Commission.' In May 2015, a comprehensive better regulation package followed, which opened up more possibilities for stakeholder involvement, strengthened impact assessment, created a more independent Regulatory Scrutiny Board, expressed stronger commitment to review and evaluate Union legislation, and proposed a new Interinstitutional Agreement (IIA) on Better Law-Making. The [IIA](#) entered into force in April 2016 and expressed the three institutions' shared commitment to promote simplicity, clarity and consistency of Union legislation. It strengthened interinstitutional cooperation on programming and called for increased transparency of the legislative process.

The longer-term implications of the Commission's better regulation agenda as well as of the IIA have still to emerge. However, it is broadly agreed that a 'better law-making culture' is gradually taking hold within and across the EU institutions, although much remains to be done. Taking stock of its own better regulation efforts, the Commission [suggests](#) that better regulation is 'now becoming part of the Commission's DNA'. The EU performs well according to the [OECD](#) 'indicators of regulatory policy and governance', and observers [agree](#) that the multi-faceted agenda of better regulation 'has now become a semi-permanent feature of the EU legal and political landscape'. However, some commentators [bemoaned](#) in 2018 that numerous proposals were not accompanied by an impact assessment (IA), and that data used for IAs were not always published in full. Academic observers raised questions as to whether the consultation process opened up for stakeholders still runs the risk of involving the '[usual suspects](#)'. At the same time, it remains to be seen, for example, whether and to what extent the better law-making policies implemented during this mandate will indeed produce simpler, clearer, more consistent and enforceable rules, which at EU level are invariably the outcome of political negotiation and compromise, often resulting in ambiguities.

Subsidiarity and national parliaments

In his 2014 political guidelines, President Juncker declared that he attached 'great importance' to the interaction with national parliaments, in particular in enforcing the principle of subsidiarity. Subsidiarity constitutes a key element of the better regulation agenda and, by focusing on issues where the EU action has added value, aligns well with the well-known and often-quoted slogan of being 'big on big things and smaller on small things'.

In [2016](#), the Commission received the third highest number of reasoned opinions (65) from national parliaments since the introduction of the subsidiarity 'early warning' system in 2009 (this number was 8 in [2015](#) and 52 in [2017](#)). The years 2016 and 2017 also saw high numbers of parliaments' contributions under the so-called '[political dialogue](#)', a less formalised 'complement' to the 'early warning' mechanism ([620](#) and [576](#) opinions in total, respectively). This Commission also saw the third 'yellow card' issued by national parliaments (2016), which concerned the [much debated](#)

Posting of Workers Directive (this directive is now being challenged before the Court of Justice by [Hungary](#) and [Poland](#)).

Following up on his commitment to put subsidiarity at the centre of the Commission's work, President Juncker created a [task force](#) on subsidiarity, proportionality and doing less more efficiently' in November 2017. The European Parliament's resolution of [30 May 2018](#) on the implementation of the IIA welcomed the establishment of the subsidiarity task force, but the Parliament decided not to participate in its work – a position that President Juncker had fiercely [criticised](#). In its [report](#) of 10 July 2018, the task force concluded, inter alia, that there is need for *more* or *intensified* EU action in certain areas of emerging challenges, such as security, defence, migration, climate change and innovation. It decided not to suggest 'doing less' by means of re-delegating treaty competences or policy areas to Member States, explaining that 'there is EU value added in all existing areas of activity'. The report called for a 'new way of working' based on a 'better shared understanding' of the principles of subsidiarity and proportionality and their more structured and consistent application. These findings echo the existing consensus that the diverging understandings of what the subsidiarity principle entails hampers its effective application and cooperation in practice. In follow-up of the task force's report, the Commission, inter alia, [expressed](#) the intention to incorporate a common subsidiarity assessment 'grid' in its better regulation guidance, but also noted that the benefit of such grid can only be realised 'if it is used by all parties in the decision-making process.' It remains to be seen whether such 'common understanding' of subsidiarity will emerge from this process and what such understanding will be, given that it will have important implications for cooperation between EU institutions and national parliaments.

Transparency, integrity and interest representation

Increased transparency is among the main prerequisites for making the Union more accountable and democratic, as envisaged in the 2014 political guidelines. Among several initiatives taken with this aim – including updated rules on expert groups – the Commission submitted a [proposal](#) for an interinstitutional agreement on a mandatory transparency register in September 2016. Two and a half years later, the negotiations between the institutions on the agreement are still ongoing, not least due to the [diverging approaches](#) to transparency obligations across institutions.

The Commission has strengthened its [Code of Conduct](#) for commissioners, including an extended 'cooling-off' period during which former commissioners and Commission presidents have to inform the Commission before taking up a new job and are subject to restrictions regarding certain activities (from 18 months to two years and three years respectively). The revised code also removes the requirement for commissioners to withdraw from their duties as commissioners when standing for elections to the European Parliament, including as lead candidates (the code maintains the prohibition of using Commission resources when on such election campaigns). According to the Commission President's 2016 [State of the Union address](#), standing for these elections is the 'necessary rendez-vous with democracy', and, therefore, commissioners should not need to step down from their functions when engaged in an election campaign. This is now reflected in the revised rule, which some see as another step towards enabling citizens to hold decision-makers to account by voting them out of office, [if so desired](#), which is consistent with the aspiration of a more (openly) political Commission.

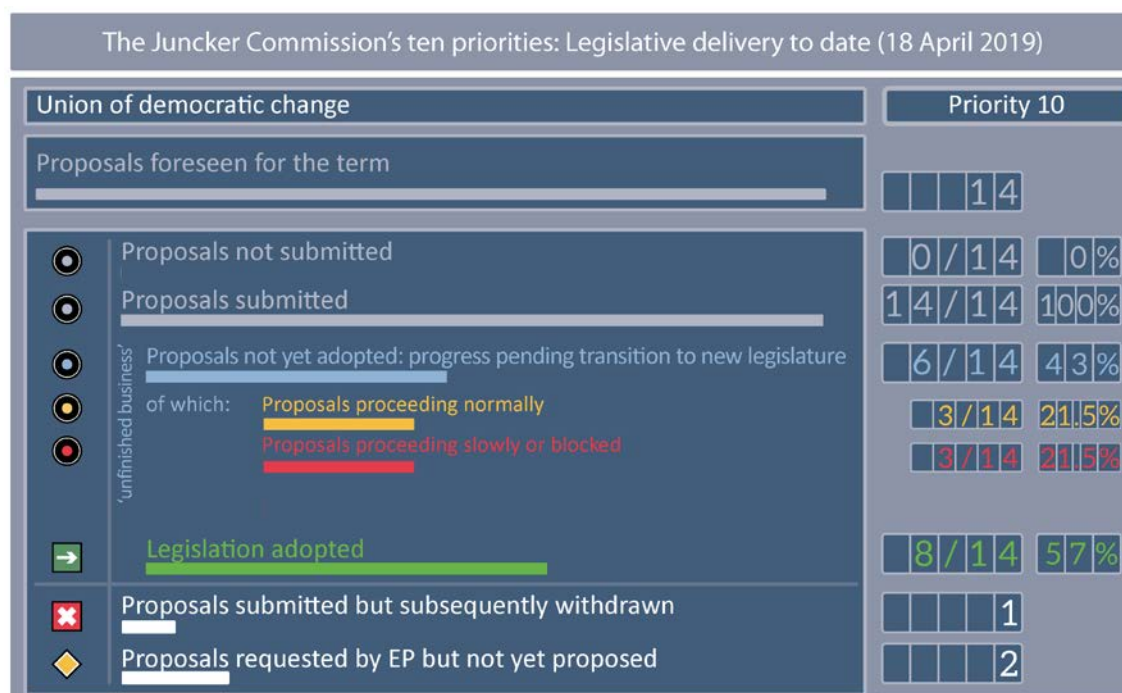
In May 2018, the European Ombudsman, Emily O'Reilly, [welcomed](#) the above initiatives aimed at transparency, notably the changes to the Code of Conduct. The Ombudsman on several occasions [commended](#) the 'high level of transparency' in Brexit negotiations, 'at least by the EU side', and urged the Commission and Council 'to maintain these standards in any future relationship

negotiations.' However, on 11 February 2019, the Ombudsman [noted](#) that the 'hard won record' of high administrative standards risked being jeopardised by the instances of maladministration that she had found in the process of appointment of the Commission's Secretary-General – an issue also the subject of a Parliament resolution of [18 April 2018](#).

Democratic functioning of the EU

Increased citizen participation is key to making the EU more democratic, and the European Citizens' Initiative (ECI) is one of the main elements in this regard. With the aim of making it a more user-friendly and effective tool for participation, and in response to the numerous suggestions made by various actors (including the Parliament, the European Ombudsman, and the EU advisory committees), the Commission presented the proposal to revise the [ECI Regulation](#) on 13 September 2017. Following interinstitutional negotiations in 2018, the co-legislators have adopted [new rules](#) that will make it easier to organise and support initiatives (e.g. through better assistance to ECI organisers, the possibility of partial registration of initiatives, more flexibility for organisers to choose the starting date for signature collection and simplified data requirements for signatories). The new rules will apply as of 1 January 2020.

Besides the above initiatives, the Commission launched a general reflection process on the future of the EU by adopting a [white paper on the Future of Europe](#) in March 2017, which has already stimulated genuine [debate](#) on the future scenarios. Looking ahead to the forthcoming European elections, President Juncker – himself for the first time elected by the Parliament following the [Spitzenkandidaten procedure](#) – has repeatedly expressed his strong support for the continuation of that procedure, [suggesting](#) that 'if you want to strengthen European democracy, then you cannot reverse the democratic progress seen with the creation of lead candidates'. In his [2018 State of the Union speech](#), he expressed his hope that, by 2024, the process could be combined with transnational lists. While the year 2019 may well be decisive for the future of the *Spitzenkandidaten* process, the debates on the many related issues concerning the EU democratic edifice – including the lead candidates system and the transnational lists – are likely to continue beyond 2019. The same is true for the future of the 'political' Commission, likely to [outlive](#) this Commission's mandate.



3. Main references

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This April 2019 edition closes the cycle of the European Parliamentary Research Service's bi-annual monitoring of the Juncker Commission's ten priorities. After the last plenary session of the 2014-2019 Parliament, and before the end of the European Commission's mandate, this publication provides an up-to-date overview of the state of play in the delivery of the various legislative and other political initiatives flowing from the ten priorities defined by the Commission's President, Jean-Claude Juncker, on taking office in 2014.

The analysis shows that, of the 547 proposals foreseen from the Commission, 512 have been submitted (94 per cent), of which 361 have been adopted (66 per cent). There are 151 proposals (28 per cent) which have not so far been adopted, and where the outcome may depend on the EU institutional transition this year. Of these, 115 (21 per cent) have been proceeding normally through the legislative process, and 36 (7 per cent) have either been proceeding slowly or are blocked.

On the eve of the 2019 European Parliament elections, the paper is intended both to assess the extent to which the Juncker Commission has met the targets that it set itself, to take note of the achievements made to date and to identify areas in which difficulties have been, or continue to be, encountered.

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