Council of the European Union

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NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	European Council (19 October 2017)
	- Draft conclusions

In accordance with Article 2(3)(a) of the Council's Rules of Procedure, delegations will find attached the draft conclusions prepared by the President of the European Council, in close cooperation with the member of the European Council representing the Member State holding the six-monthly Presidency of the Council and with the President of the Commission.

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At the start of the meeting, the Member of the European Council representing the Member State holding the six-monthly Presidency of the Council will provide an overview of progress on the implementation of earlier European Council conclusions.

I.   <u>MIGRATION</u>

1.   The approach pursued by Member States and EU institutions to ensure full control of the external borders is yielding results. Migratory flows are being significantly reduced and the number of deaths at sea has dropped.

2.   The European Council is determined to pursue its wide-ranging, pragmatic and resolute approach, and to apply it wherever necessary. This entails:

- vigilance on all migration routes;

- a pragmatic, flexible and coordinated use of all available EU and Member States' instruments;

- support to directly affected or involved Member States, including through continued support from EU agencies;

- strong cooperation with international partners as well as with countries of origin and transit;

- adequate financial and other resources.

3. To consolidate and deepen this approach on all migration routes, the European Council further calls for:

- continued full commitment to our cooperation with Turkey on migration as well as support to the Western Balkans;

- reducing the attractiveness of illegal migration through enhanced returns, effective readmission agreements and arrangements and by making full use of the European Border and Coast Guard Agency, which should be further strengthened;

- ensuring that CSDP missions are reinforced and fully staffed and that their mandates are adapted as required to assist in the fight against traffickers and smugglers networks and to disrupt their business model;

- applying existing resettlement schemes and strengthening them together with international partners, in particular UNHCR;

- enhancing information and data sharing within the EU, between Member States, JHA agencies, CSDP missions and operations, as well as with international partners; in this context, the European Council calls for the extension of the operational joint investigation teams to relevant countries;

- mobilising all relevant EU policies, instruments and tools, including visa, development and trade, as necessary leverage in order to pursue specific and measurable results in terms of preventing illegal migration and returning irregular migrants.

4. As concerns the Central Mediterranean route, the European Council:

- will continue to support Italy and other Member States in their efforts to reduce the flows and increase returns, as well as to build strong cooperation with countries of origin, transit and departure;

- encourages and supports, also financially, UNHCR and IOM efforts in Libya and the region, including to further facilitate voluntary returns, resettlement and improve reception conditions;

- reiterates the importance of working with the Libyan authorities and all neighbours of Libya to enhance border management capacity and underscores the urgency of supporting the development of local communities in Libya along the migratory routes;

- insists on the need to ensure that adequate targeted funding is provided to support actions in the region;

- encourages work underway to rapidly establish a permanent EU presence in Libya, taking account of the conditions on the ground.

5. The European Council recalls that addressing the root causes of migration and providing economic and social opportunities is part of its long term approach to migration. In this context, the European Council welcomes the recent launch of the European Fund for Sustainable Development, which supports investment in African and neighbourhood countries. It looks forward to discussing cooperation with African partners at the upcoming African Union-European Union Summit.

6. The European Council welcomes progress achieved on the reform of the Common European Asylum System and calls for further convergence towards an agreement which strikes the right balance between responsibility and solidarity and ensures resilience to future crises, in line with its June 2017 conclusions.

II. **DIGITAL EUROPE**

7. The Tallinn Digital Summit on 29 September 2017 sent a strong message on the need for a stronger and more coherent Digital Europe. Prime Minister Ratas's conclusions after the Summit provide an excellent basis for further work at all levels.

8. Digitalisation offers immense opportunities for innovation, growth, jobs and for ensuring our global competitiveness. Seizing these opportunities requires tackling collectively some of the challenges posed by the digital transformation and reviewing policies affected by digitalisation. The European Council is ready to do what it takes for Europe to go digital.

9. To successfully build a Digital Europe, the EU needs:

- governments and public sectors that are fully brought into the digital age and lead by example: e-government and deployment of new technologies, one-stop government and the once-only principle, and a digitalised public sector are key to transforming our societies and supporting the EU's four freedoms;

- a future-oriented regulatory framework: completing and implementing the Digital Single Market Strategy in all its elements by the end of 2018 remains an essential task. Despite considerable progress, work in this area needs to be accelerated in order to meet this deadline. To that end, the additional TTE/Telecom Council on 24 October should discuss how to accelerate and prioritise the work on the Digital Single Market. In particular, agreement between the co-legislators on geo-blocking and audio-visual media services should be reached by the end of 2017. By the same date, the Council should also agree on a general approach on the free flow of data proposal and on the electronic communications code. Furthermore, negotiations on copyright and the contract law reform package should be pursued as a matter of priority;

- a first rate infrastructure and communications network: this requires cooperation at the EU level, inter alia with the aim of achieving a world-leading optical fibre and 5G network and increased coordinated availabilities of spectrum;

- a common approach to cybersecurity: the digital world requires trust, and trust can only be achieved if we ensure more proactive security by design in all digital policies and increase our capacity to tackle the threat posed by cyberattacks. To that end, the Commission's cybersecurity proposals should be developed in a holistic way, delivered timely and examined without delay, on the basis of an Action plan to be set up by the Council;

- labour markets and training/education systems fit for the digital age: there is a need to empower and enable people and to ensure that no one is left behind;

- a determined R&D and investment effort: to support new forms of entrepreneurship, and stimulate and assist the digital transformation of industries. EU instruments such as the EU Framework Programmes/Horizon 2020 and EFSI can help achieve this objective;

- an openness to address emerging trends: this includes issues such as artificial intelligence or block chain technologies, while at the same time ensuring a high level of data protection, digital rights and ethical standards. The European Council invites the Commission to put forward a European approach to artificial intelligence by January 2018;

- a modernised taxation system fit for the digital era.

10. The European Council will closely follow developments in this area and provide the necessary guidance. It calls on the institutions to step up the legislative work, and on the Member States to implement the relevant EU legislation and to take all the measures required within their sphere of competence so as to shape the new digital era. The European Council will at its level address issues that cannot be solved at the level of the Council.

III.   SECURITY AND DEFENCE

11. The European Council welcomes the significant progress made by Member States in preparation of a draft Permanent Structured Cooperation (PESCO) notification, including PESCO governance and a common list of commitments. It encourages those Member States in a position to do so to swiftly notify their intentions to participate in PESCO to the Council and to the High Representative. In line with the June 2017 European Council conclusions, this would allow for a decision to launch PESCO and its first projects by the Foreign Affairs Council by the December European Council.

12. The European Council welcomes the work done so far by the co-legislators on the Commission's proposal for a European Defence and Industrial Development Programme, which is critical to reinforce the European strategic autonomy and European Defence Technological and Industrial Base. It calls for an agreement within the Council by the end of the year, with a view to concluding negotiations with the European Parliament so as to have the first capability projects identified by the Member States financed in 2019. It also encourages Member States to make use of the European Defence Fund's flexible financing mechanisms, to allow for joint procurement of capabilities and/or their joint maintenance and use as a way to improving access to cutting edge capabilities. The European Council looks forward to the first report to be presented by the European Defence Agency in November 2018 following the trial run of the Coordinated Annual Review on Defence (CARD).

13. The European Council will revert to the issue in December 2017 and assess the progress achieved with regard to all aspects of the external security and defence agenda as set out in December 2016.

IV. **EXTERNAL RELATIONS**

14. The European Council held a debate on relations with Turkey.

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