

## **MIFID II: ESMA ISSUES LATEST DOUBLE VOLUME CAP DATA**

Today's updates include DVC data and calculations for the period of 1 December 2017 to 30 November 2018 as well as updates to already published DVC periods.

The number of new breaches is 53: 40 equities for the 8% cap, applicable to all trading venues, and 13 equities for the 4% cap, that applies to individual trading venues. Trading under the waivers for all new instruments in breach of the DVC thresholds should be suspended from 14 January 2019 to 13 July 2019. The instruments for which caps already existed from previous periods will continue to be suspended.

In addition, ESMA highlights that some trading venues in the meantime have submitted corrected data that affects past DVC publications. For 2 instruments, this means that the previously identified breach of the cap proved to be incorrect and the suspensions of trading under the waivers should be lifted. As of 9 January, there is a total of 625 instruments suspended.

Please be aware that ESMA does not update DVC files older than 6 months. ESMA has not updated the DVC [completeness indicators](#) file due to a technical issue which has affected the generation of this information.

### **Background**

MiFID II introduced the DVC to limit the amount of dark trading in equities allowed under the reference price waiver and the negotiated transaction waiver. The DVC is calculated per instrument (ISIN) based on the rolling average of trading in that instrument over the last 12 months.

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## **Vice-President Jyrki Katainen: College read-out and remarks on the Juncker Plan**

Thank you for coming to this briefing and happy new year to everybody. Before coming to the EFSI details, I would like to say a few words on the challenges and opportunities which we have in Europe at the moment, to put EFSI and the other issues in context.

There are certainly lots of opportunities, but there are certainly also

challenges, both internal and external.

Of the internal challenges, Brexit of course is the most acute. The most profound one, from the integration and future of Europe point of view, comes from the challenges which we have in some of our Member States regarding the rule of law. Everybody knows the situation in Poland, Hungary, unfortunately also in Romania today. They are big issues. Europe is based on solid values. Integration is based on fundamental values like the rule of law, human rights, human dignity, independence of the judiciary, freedom of the press, freedom of expression, etc. If those values are challenged, it's always a fundamental challenge.

We are also challenged by external factors. For instance Russia, when it comes to Ukraine or interference with our democratic processes. It is a big issue. We must be ready to counter these attempts. Also, China and the US are challenging us in economic terms.

When looking at the economic outlook, there are lots of positive things. There are also uncertainties. Unfortunately, I have to say, many of those most serious uncertainties are 'man-made', so to speak. There is no economic necessity to have this uncertainty. They are man-made. I am referring to Brexit and everything that has happened in the United States. The risk of a trade war is creating lots of uncertainties all over the world, and also in Europe.

When looking at those internal and external challenges, we must be strong to defend Europe and its values, both internally and externally. That is why this year is so important. We also need strong national ownership. It is not only the Commission or institutions who are in place to defend Europe. We also need strong European national ownership to stand for our values and defend our citizens' security, rights and values.

When looking at the positive side, let's start with the latest figures. Unemployment is at the lowest since 2000, 6.7% in the EU28. In the euro area, it is 7.9%, the lowest since November 2008. In 2017, it was 8.7%.

Employment is at the highest level ever recorded. This is positive. If looking at the current market surveys, economic sentiment is still robust, positive and above the long-term averages. But there are uncertainties and we must be ready to defend our interests.

Another positive, which is my topic today, is that EFSI has functioned as we designed it to function. Actually, it has done a bit more and better than expected. EFSI, the European Fund for Strategic Investments, or the Juncker Fund, if you like, has done a good job, in concrete terms.

As of late December, we expect that the EFSI will trigger over €370 billion in investments across the EU. To be precise €371.2 billion. This is well beyond the original target of €315 billion.

Given the EFSI's success, an agreement was reached last year to reinforce and strengthen the Fund, with a new target of triggering at least €500 billion in

investments by the end of 2020.

As of now, 856,000 small and medium sized businesses are set to benefit from improved access to finance thanks to the Investment Plan.

There is a very concrete and tangible way to look at how EFSI has functioned. Every single SME which managed to secure financing for their investment, whether it's R&D or physical infrastructure, means more competitiveness, more jobs and more growth.

The Juncker Plan is estimated to have supported the creation of some 750,000 jobs, and by 2020 to support a total of 1.4 million jobs.

Those are individual, concrete jobs, where somebody has got, or will get, a job. When somebody who doesn't have a job gets a job, that's a big change in that individual's life. That is why the Juncker Plan is not just words on paper. It is a concrete example of what we can do, if we just want to.

Ladies and Gentleman, I give you a couple more figures.

The EFSI has also played an important role in channelling investment towards the fulfilment of the EU's strategic objectives. One third of the EFSI's total investments support small and medium-sized enterprises; 22% research and development; 19% support energy projects; 11% digital projects and 4% social infrastructure.

- In Spain, a €35 million loan made possible by the Plan will allow a business, Ilunion, which specialises in creating jobs for people with disabilities, implement its investment strategy, renovate its production facilities to make them more energy efficient and create 200 new jobs.
- A €30 million loan will let a Croatian company, Rimac, invest in research and innovation to help it develop the world's first electric super-car.
- Another €30 million loan will help a French company, Carmat, greatly expand its research department to develop one of the world's most advanced artificial hearts.

So, based on the success of EFSI, as you probably know, we proposed last year the InvestEU programme which will be part of the next multiannual financial framework. We wish that co-legislators will adopt this proposal as soon as possible, before the end of this mandate. Its target is €650 billion in additional investments for next financial period.

We have used a similar method to strengthen our investment in external work. You may recall our proposal for an external investment plan. We have allocated €4.1 billion for external investment plan which hopes to trigger ten times more resources for public and private investment in developing countries and in our neighbourhood.

I just wanted to share these ideas with you. This is a good and positive example of what we have already achieved and what we are planning to do in the future.

I will stop by giving you a list of countries that have benefitted the most from the EFSI, when looking at EFSI investment per countries' GDP, which is the only reasonable way to look at the impact of EFSI.

Greece is number one. This makes me happy. Everybody knows why.

Estonia number two. Portugal number three. Spain number four. Lithuania fifth. Latvia sixth. Bulgaria seventh. Finland eight. Poland ninth and Italy tenth.

Additional resources for investment have mostly gone to the right addresses. This is another example that we have designed something which is meaningful.

Thank you very much.

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## [Gold medal for the EMCDDA for the 'extraordinary relevance' of its work](#)

The EMCDDA has been awarded a Gold Medal of the Order of Merit of the Spanish national plan on drugs (*Delegación del Gobierno para el Plan Nacional sobre Drogas/DGPNSD*) in recognition of, and appreciation for, its work over the past 20 years. EMCDDA Director Alexis Goosdeel is in Madrid today to receive the medal on behalf of the agency.

The agency was informed of the honour by the Spanish Ministry of Health, Social Services and Equality, following publication of the notice in the [official state bulletin](#). In the communication, the EMCDDA is praised for the 'extraordinary relevance' of its work and its contribution to the adoption of national and EU-level policies based on evidence and scientific knowledge.

Following a presentation by the new Delegate of the DGPNSD, [Azucena Martí Palacios](#), Mr Goosdeel will speak at the Spanish Reitox focal point on 'New challenges in the area of drugs in Europe'. He will then proceed to the Ministry for Health, Consumer Affairs and Social Welfare to receive the medal from [Minister María Luisa Carcedo](#).

The latest *Country Drug Report* for Spain, is published today in [Spanish](#). (It was released in English in June 2018).

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# Commissioner Bulc underlines importance of new European rules for road transport sector

Today the European Commissioner for Transport, Violeta **Bulc** met with the EU Transport Ministers from Bulgaria, Hungary, Lithuania and Poland to discuss legislative reforms for the road transport sector. Speaking after the meeting, the Commissioner said:

*“Europe needs clear rules for the road transport sector. Status quo is not an option! Without a solution, we will face a multiplication of uncoordinated national requirements. This would fragment the Internal Market, creating uncertainty, higher costs and a loss of competitiveness for the EU!*

*To address these challenges, in May 2017 the Juncker Commission put forward a number of important legislative reforms as part of the mobility package. These measures will make a real difference for both drivers and operators. Clear and common rules enforced across all Member States will create a genuine level playing field. That means that hauliers will operate under the same conditions.*

*All these measures will also improve the working conditions of drivers. They will help respond to the current shortage of drivers affecting the entire European industry. The application of posting rules will ensure fair remuneration when operating in other Member States, taking into account the highly mobile nature of the workers in this sector. This will substantially reduce the administrative burden on operators.*

*The political agreement reached by the Transport Ministers on 3 December 2018 was an important milestone in this process. I am now inviting both the European Parliament and Council of the EU to proceed as quickly as possible. The Commission stands ready to facilitate discussions and to start the inter-institutional negotiations.”*

## **Background**

As part of the State of the Union address of last year and in the Letter of Intent 2018 to the European Parliament and Council, President **Juncker** has specifically called for a swift adoption of the Mobility Package proposals addressing the social dimension of the Single Market.

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# Remarks by Commissioner Dimitris Avramopoulos on the solution found with regards to the disembarkation of NGO vessels and progress under the European Agenda on Migration

Dear friends,

I wish you all a happy, healthy and successful new year. A year that I am sure will be promising and interesting for you as journalists covering European Affairs! The Christmas break was again marked by migrant arrivals and Search and Rescue activities.

Let us be frank: the past weeks have not been Europe's finest hour.

Having 49 people on boats at sea, for almost 3 weeks, is not what the European Union stands for. The European Union is about human values and solidarity. And if human values and solidarity are not upheld it is not Europe.

At the Commission, we spared no efforts to coordinate relocation pledges among Member States and make the disembarkation possible. Believe me it was not easy but it worked. I was myself in direct contact with a number of Ministers. I have also called publicly on all Member States to show more solidarity. This is a message I will never tire of repeating.

I am very glad that our efforts have shown results in the end and that all those on board are being disembarked right now.

Let me commend Malta, our smallest Member State displaying biggest solidarity.

I want to thank Prime Minister Joseph Muscat for allowing the disembarkation of the two NGO vessels. These migrants come in addition to the 249 rescued persons that Malta had already welcomed last week. I understand how difficult it is for such a small island to manage such a challenging situation.

I would also like to commend the Member States that agreed to receive the migrants disembarked in Malta. Germany, France, Portugal, Malta, Luxembourg, the Netherlands, Italy, Romania, and Ireland have shown European solidarity in the most concrete way possible. What needs to follow now is a swift transfer and rapid processing of each case.

Our EU Agencies are at the full disposal of Malta and the other Member States to provide swift support. EASO stands ready to support Member States to determine rapidly whether these migrants are entitled to protection. The European Border and Coast Guard will support Member States to organise the

swift return of those that have no right to stay.

I also take this opportunity to commend other Member States for their continuous efforts to manage migration. I am thinking of Spain for example that has carried out a number of Search and Rescue activities during the Christmas break.

With these events, it has become very clear again that all actors, including NGOs, have to respect the rules and act responsibly in order not to perpetuate the business model used by traffickers to exploit human misery.

In June, the European Council was unanimous on this point, underlining in particular that all vessels operating in the Mediterranean must respect the applicable laws.

Moreover, the European Union cannot continue to rely on unorganised, ad-hoc solutions when it comes to disembarkation.

While we are determined and we will continue reducing irregular migratory flows towards Europe, we have to be honest, and be prepared that some migrants will be arriving by boats or by crossing land borders.

It is for exactly this reason that we need predictable and sustainable mechanisms in place.

Europe needs to uphold its moral and human duty. That is why the Commission is ready to work with Member States to set up temporary arrangements.

They will allow us to ensure solidarity with the most exposed EU countries while avoiding creating a pull factor. They will serve as a bridge until the new Dublin Regulation becomes applicable. I have said this in December and I will not stop making this point until we succeed:

Now is the time to finalise the reform of the EU's asylum rules.

The Commission is fully committed, together with the Romanian Presidency, to continue working with the European Parliament and the Council to achieve this important goal.

Completing the EU asylum reform is indispensable to curb irregular migration, to prevent secondary movements, to reduce abuse and to ensure that asylum applications are processed quickly across Europe.

Looking back at 2018, we can see that our joint and comprehensive European approach is delivering results on all fronts.

For the first time in years, the number of irregular border crossings is down to pre-crisis levels. Around 150,000 crossings, to be precise. This is the lowest figure since 2013.

In addition, the European Union's action on saving lives at sea has been resolute and delivers results.

It is thanks to EU operations in the Mediterranean that the EU has helped rescue over 690,000 people at sea since 2015, and reduce the loss of life at sea by 36% compared to four years ago.

It is through this comprehensive European approach that we can and have to consolidate this progress in 2019 – internally, at our external borders, and in our relations with partner countries.

Cooperation with third countries is key to preventing irregular departures to Europe in the first place and to eliminate once and for all the cruel business run by traffickers and smugglers.

We do so by helping to develop the capacities of our partner countries to protect their borders, but also to assist vulnerable migrants and those in need of protection, and to address, in the long run, the drivers of migration.

A crucial element is also our work on return, both with countries of origin and within the EU. We have concluded a number of new readmission arrangements in the past months and we will continue our work to conclude others.

Last but not least, we need to continue our actions to strengthen our external borders. Our proposal for a standing corps of 10,000 European border guards is on the table. This is what our Member States have asked for, and we have delivered.

Now is the time to put words in to action.

One should never forget that, in the area of migration, all our actions are interconnected and that all the pieces have to fit together.

In this electoral New Year, I want to reiterate the message that Europe will be judged on what it delivers for our citizens.

And as far as the Commission and myself are concerned, we are determined to deliver.

Thank you.