

# Civil protection: Council agrees negotiating mandate on strengthening civil protection cooperation

On 25 July 2018, EU ambassadors endorsed, on behalf of the Council, a mandate for negotiations on a proposal to amend the EU civil protection mechanism. On the basis of this mandate, the Council Presidency will start negotiations with the European Parliament.

## **Strengthening response capacities**

The existing rules on civil protection foresee a voluntary pool to provide mutual support in Europe. In addition to strengthening current capacities, the new rules would establish rescEU, a system to be used as a last resort when existing national capacities and the pool prove to be insufficient.

Through this system the EU will be able to support member states by co-financing leasing or rental arrangements as well as the acquisition of capacities which are otherwise lacking. rescEU capacities will be hosted by the member state acquiring, leasing or renting them, and shall be available for response operations under the EU mechanism. Decisions on their deployment, demobilisation and on arbitration in cases of conflicting requests will be taken by the Commission, in close cooperation with the member states involved.

## **Improving risk prevention**

Prevention is vital in both reducing the risk of disasters and in lessening their impact. Under the new rules, member states will be required to develop further their risk assessments, risk management planning and risk management capability.

If a member state requests the same type of assistance for the same type of disaster three times within three years, it will have to provide to the Commission additional information on its prevention and preparedness measures related to that risk. The Commission will then assess whether adequate prevention and preparedness measures have been taken.

The Commission, in cooperation with member states, will be able to establish consultation mechanisms to improve the prevention, preparedness and coordination between member states which are prone to similar types of disasters.

## **Sharing knowledge**

The proposed new rules also improve training and knowledge-sharing. The Commission will be tasked with establishing a EU civil protection knowledge

network of those involved in civil protection and disaster management. This network will be responsible for carrying out various tasks in the area of training, exercises and knowledge dissemination.

## Background

The EU civil protection mechanism was established in 2001. It has helped improve cooperation between the EU and its member states, and facilitates wider coordination in the area of civil protection. Any country in the world, as well as the United Nations and relevant international organisations may request assistance through this mechanism in the event of a disaster.

However, recent experience has shown that reliance on voluntary offers of mutual assistance coordinated and facilitated by the mechanism does not always ensure that the capacities made available in the event of a disaster are adequate. This is particularly the case where member states are simultaneously affected by recurrent disasters and collective capacity is insufficient.

To address the existing shortcomings, the European Commission presented a proposal in November 2017 to strengthen the existing rules.

Currently, support under the EU civil protection mechanism is being mobilised to help tackle the tragic fires which are raging in parts of Greece, Sweden and Latvia.

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## [The European Union pledges to rebuild the headquarters of the G5 Sahel Joint Force in Sévaré, Mali.](#)

This decision follows close consultation between the Commander of the Force and the [‘EUTM’ European military mission in Mali](#), the French Defence Cooperation and the forces of ‘Operation Barkhane’. The EU will continue this consultation work with the new Commander of the Force as soon as he takes up his post.

High Representative/Vice-President Federica **Mogherini** said: *‘The EU is the first partner of the G5 Sahel. The attack against the headquarters of the G5 Sahel Joint Force in Mali is also an attack against our joint priority of restoring peace in the region. We have therefore decided to fully support the rebuilding of the headquarters in Sévaré in Mali, thereby confirming our firm commitment, side by side with the G5 countries, to enable institutions to fully control their territories and tackle terrorism and trafficking in human*

*beings, arms and drugs. Guaranteeing the security and development of the region is also an investment in our own security.'*

These decisions follow on from the [EU/G5 Sahel ministerial meeting](#) in Brussels on 18 June, chaired by Federica **Mogherini** and the Nigerien Foreign Minister, Kalla Ankourao, and from the [International High-Level Conference on the Sahel](#) in February, at which the European Union provided support to the Joint Force to the tune of EUR 100 million. The main shared objectives of the Union and the G5 Sahel are the stability and development of the countries in the region, better management of the border areas and combating the trafficking that is rife in those areas.

## **Background**

In 2014 Burkina Faso, Chad, Mali, Mauritania and Niger created the 'G5 Sahel' group of countries to foster closer cooperation and address the major regional challenges faced by these countries, in particular extreme poverty, terrorism and trafficking in arms, drugs and human beings.

With EUR eight billion in development aid over 2014-2020, the EU is the biggest donor to the G5 Sahel countries.

The EU uses all the tools at its disposal to support development efforts in the region, notably the ['Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa'](#), under which EUR 843 million has been committed so far to support additional projects to bolster security, governance, job creation and the resilience of the communities affected in key areas of Mali and the region.

The EU is a crucial player in the security sector in Mali and the Sahel region through the presence of three Common Security and Defence Policy (CSDP) missions: [EUCAP Sahel Niger](#) (training and advice to help the security forces in Niger tackle terrorism and organised crime), [EUCAP Sahel Mali](#) (training and advice to the Malian security forces to safeguard the democratic order), and the [EU training mission \(EUTM\) in Mali](#) (support for the instruction and training of command staff in the Malian army).

## **For more information**

[Memo Q&A – The European Union's partnership with the G5 Sahel countries](#)

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**[119/2018 : 25 July 2018 – Judgment of the Court of Justice in Case C-96/17](#)**

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## [EU Facility for Refugees in Turkey: EUR 400 million Special Measure on education adopted](#)

€400 million will be given in the form of a direct grant to the Turkish Ministry of National Education of Turkey. The funding will provide for the continuation of the current education project for Syrian refugees in Turkey which will expire in October 2018.

Johannes **Hahn**, Commissioner for European Neighbourhood Policy and Enlargement Negotiations, said: *“With the endorsement of the second tranche of funding by EU Member States, we are continuing to deliver on our commitment to support Syrian refugees and host communities in Turkey. The approval of this new assistance package is proof of this, allowing for the smooth continuation of our support in addressing the needs of both students and teachers.”*

The new assistance package is broader in scope than the current education project: it will focus on outreach, increased quality of formal education for students, Turkish language training for adults in Public Education Centres, the continuation and improvement of the examination system, and social cohesion activities. The duration of the new assistance is also longer than the previous package, covering three academic years rather than two.

The package aims to ensure the sustainability of activities for the period after EU Facility funding has ended. For example, the number of contracted teachers should gradually reduce as Syrian students become fully integrated into public schools and Turkish Ministry teachers take over.

### **Continued support to Syrian refugees via the EU Facility**

On 29 June, EU Member States agreed on how to finance the [second tranche of €3 billion of the Facility](#), with €2 billion of this amount financed from the EU budget and the remaining €1 billion by Member States' contributions. The agreement honours the commitment undertaken by the EU under the [EU-Turkey statement](#) of 18 March 2016 to provide a second instalment of €3 billion for the EU Facility before the €3 billion initially allocated has been fully used up.

As a result, the Commission amended the earlier financing decision, reflecting the mobilisation of €2 billion from the EU budget and €1 billion from the Member States during 2018-2019.

### **Background**

The EU Facility for Refugees in Turkey was set up in 2015 in response to the [European Council's call](#) for significant additional funding to support Syrian

refugees in Turkey. It provides a joint coordination mechanism, designed to ensure that the needs of refugees and host communities are addressed in a comprehensive and coordinated manner. The support seeks to improve conditions for refugees in Turkey as part of the EU's comprehensive approach to addressing the refugee crisis inside and outside the EU.

The EU Facility has a total budget of €6 billion for projects including humanitarian and non-humanitarian actions. €3 billion for 2016-2017 and €3 billion for 2018-2019. To date, 72 projects have been contracted for €3 billion, out of which almost €2 billion has been disbursed. The €400 million Special Measure announced today is the 73rd Facility project.

The latest [progress report](#) on the implementation of the European Agenda on Migration was published on 16 May 2018.

### **For More Information**

The EU Facility for Refugees in Turkey – [Webpage](#) and [Factsheet](#)

[Factsheet: Humanitarian support to refugees in Turkey](#)

[Second Annual Report for the Facility for Refugees in Turkey](#)

[Facility for Refugees in Turkey – Commission Reports on Progress in tenth Steering Committee](#)

[EU-Turkey statement, 18 March 2016](#)

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## **[Antitrust: Commission fines four consumer electronics manufacturers for fixing online resale prices](#)**

**The fines totalling over €111 million were in all four cases reduced due to the companies' cooperation with the Commission.**

Commissioner Margrethe Vestager, in charge of competition policy, said: *"The online commerce market is growing rapidly and is now worth over 500 billion euros in Europe every year. More than half of Europeans now shop online. As a result of the actions taken by these four companies, millions of European consumers faced higher prices for kitchen appliances, hair dryers, notebook computers, headphones and many other products. This is illegal under EU antitrust rules. Our decisions today show that EU competition rules serve to protect consumers where companies stand in the way of more price competition and better choice."*

**Asus, Denon & Marantz, Philips and Pioneer** engaged in so called "fixed or

minimum resale price maintenance (RPM)” by restricting the ability of their online retailers to set their own retail prices for widely used consumer electronics products such as kitchen appliances, notebooks and hi-fi products.

The four manufacturers intervened particularly with online retailers, who offered their products at low prices. If those retailers did not follow the prices requested by manufacturers, they faced threats or sanctions such as blocking of supplies. Many, including the biggest online retailers, use pricing algorithms which automatically adapt retail prices to those of competitors. In this way, the pricing restrictions imposed on low pricing online retailers typically had a broader impact on overall online prices for the respective consumer electronics products.

Moreover, the use of sophisticated monitoring tools allowed the manufacturers to effectively track resale price setting in the distribution network and to intervene swiftly in case of price decreases.

The price interventions limited effective price competition between retailers and led to higher prices with an immediate effect on consumers.

In particular, **Asus**, headquartered in Taiwan, monitored the resale price of retailers for certain computer hardware and electronics products such as notebooks and displays. The conduct of Asus related to two Member States (Germany and France) and took place between 2011 and 2014. Asus intervened with retailers selling those products below the resale prices recommended by Asus and requested price increases.

**Denon & Marantz**, headquartered in Japan, engaged in resale price maintenance with respect to audio and video consumer products such as headphones and speakers of the brands Denon, Marantz and Boston Acoustics in Germany and the Netherlands between 2011 and 2015.

**Philips**, headquartered in the Netherlands, engaged in resale price maintenance in France between the end of 2011 and 2013 with respect to a range of consumer electronics products such as kitchen appliances, coffee machines, vacuum cleaners, home cinema and home video systems, electric toothbrushes, hair driers and trimmers.

In parallel to resale price maintenance with respect to products such as home theatre products, iPod speakers, speaker sets and hi-fi products, **Pioneer**, headquartered in Japan, also limited the ability of its retailers to sell cross border to consumers in other Member States in order to sustain different resale prices in different Member States, for example by blocking orders of retailers who sold cross-border. Pioneer’s conduct lasted from the beginning of 2011 to the end of 2013 and concerned 12 countries (Germany, France, Italy, the United Kingdom, Spain, Portugal, Sweden, Finland, Denmark, Belgium, the Netherlands and Norway).

## **Fines**

All four companies cooperated with the Commission by providing evidence with

significant added value and by expressly acknowledging the facts and the infringements of EU antitrust rules.

The Commission therefore granted reductions to the fines depending on the extent of this cooperation ranging from 40 % (for Asus, Denon & Marantz and Philips) to 50 % (for Pioneer).

The fines imposed in the four cases are as follows:

	Reduction for cooperation	Fine (€)
Asus	40 %	63 522 000
Denon & Marantz	40 %	7 719 000
Philips	40 %	29 828 000
Pioneer	50 %	10 173 000

Such cooperation allows the Commission to increase the relevance and impact of decisions by speeding up its investigations and companies can benefit from significant reductions of the fines depending on the level of cooperation.

## Background

The Commission's e-commerce sector inquiry, the results of which the Commission published in [May 2017](#) as part of its Digital Single Market strategy, showed that resale-price related restrictions are by far the most widespread restrictions of competition in e-commerce markets which makes effective competition enforcement in this area important. The findings also shed light on the increased use of automatic software applied by retailers for price monitoring and price setting. The Commission also launched other separate investigations in [February 2017](#) and [June 2017](#) to assess if certain online sales practices prevent, in breach of EU antitrust rules, consumers from enjoying cross-border choice and from being able to buy products and services online at competitive prices. These investigations are ongoing.

Article 101 TFEU prohibits agreements between undertakings and decisions of associations of undertakings that prevent, restrict or distort competition within the EU's Single Market.

More information on the cases will be available on the Commission's [competition](#) website, in the public [case register](#) under the case numbers [AT. 40465](#)(Asus), [AT. 40469](#)(Denon & Marantz), [AT. 40181](#) (Philips), [AT. 40182](#)(Pioneer).

## Action for damages

Any person or company affected by anti-competitive behaviour as described in these cases may bring the matter before the courts of the Member States and seek damages. The case law of the Court and Council Regulation 1/2003 both confirm that in cases before national courts, a Commission decision constitutes binding proof that the behaviour took place and was illegal. Even though the Commission has fined the companies concerned, damages may be awarded without being reduced on account of the Commission fine.

The [Antitrust Damages Directive](#), which Member States had to transpose into their legal systems by 27 December 2016, makes it [easier for victims of anti-competitive practices to obtain damages](#). More information on antitrust damages actions, including a practical guide on how to quantify antitrust harm, is available [here](#).

### **Whistleblower tool**

The Commission has set up by a tool to make it easier for individuals to alert it about anti-competitive behaviour while maintaining their anonymity. The new tool protects whistleblowers' anonymity through a specifically-designed encrypted messaging system that allows two way communications. The tool is accessible via this [link](#).