

## [EASO publishes first country guidance](#)

*The 'Country Guidance: Afghanistan' is the result of a pilot development, aimed at fostering convergence in Member States' decision practices.*

In its 28th meeting of 6-7 June 2018, the EASO Management Board endorsed the first country guidance note. This guidance note is the result of a pilot process, in which EASO coordinated the efforts of senior-level policy officials from Member States in producing a joint assessment of the situation in Afghanistan. The pilot process was launched in accordance with the [Outcome of the 3461st Council meeting of 21 April 2016](#), and is a step in the preparation for the enhanced mandate envisaged for the Agency under the [proposed Regulation on the European Union Agency for Asylum \(EUAA\)](#).

The country guidance is based on common up-to-date [country of origin information](#) (COI), produced in accordance with the EASO COI methodology. This information is analysed in accordance with EU legislation on qualification for international protection ([Directive 2011/95/EU](#)), the case law of the Court of Justice of the European Union and, where appropriate, of the European Court of Human Rights. It also takes into account general EASO guidance on the examination of applications for international protection ([EASO practical tools](#)) and takes note of the relevant UNHCR Eligibility Guidelines.

It is a non-binding document, which aims at assisting decision-makers from the national asylum authorities in examining the applications from the particular country of origin and, ultimately, at fostering convergence in the decision practices of Member States.

For further information on EASO's work on country guidance and to access the 'Country Guidance: Afghanistan', see <https://www.easo.europa.eu/country-guidance>.

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## [Eurogroup statement on the updated draft budgetary plan of Germany for 2018](#)

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## **Daily News 02 / 07 / 2018**

### **Migration: Commission steps up emergency assistance to Spain and Greece**

The European Commission has awarded an additional €45.6 million in emergency assistance to support Spain and Greece respond to the migratory challenges they face. In view of increased arrivals, Spain will receive €25.6 million to improve the reception capacity for arrivals at its southern coast and in Ceuta and Melilla as well as to help increase returns. Another €20 million has been awarded to the United Nations High Commissioner for Refugees (UNHCR) to improve reception conditions in Greece, notably on the island of Lesbos. Dimitris **Avramopoulos**, Commissioner for Migration, Home Affairs and Citizenship said: *"The Commission continues to deliver on its commitment to support Member States under pressure. Spain has seen arrival figures increase during the past year and we need to step up our support to help manage the numbers and return those who have no right to stay. And while the EU-Turkey Statement has greatly contributed to lowering the number of arrivals in Greece, the country is still facing significant migratory pressure, in particular on the islands. Over €1 billion has now been awarded in emergency assistance to help Member States manage migration."* With the new funding decisions an important milestone has been reached: In total, the Commission has now mobilised over €1 billion in emergency assistance to help manage migration under the current financial framework (2014-2020) – support that has gone to the Member States most affected such as Italy, Greece, Bulgaria, Croatia, Germany, Sweden and now also Spain. You can find the full press release [here](#). (For more information: Natasha Bertaud – Tel.: +32 229 67456; Tove Ernst – Tel.: +32 229 86764; Markus Lammert – Tel.: +32 229 80423)

### **Rule of Law: Commission launches infringement procedure to protect the independence of the Polish Supreme Court**

Today, the European Commission has launched an infringement procedure by sending a Letter of Formal Notice to Poland regarding the Polish law on the Supreme Court. On 3 July, 27 out of 72 Supreme Court judges face the risk of being forced to retire – more than one in every three judges – due to the fact that the new Polish law on the Supreme Court lowers the retirement age of Supreme Court judges from 70 to 65. According to the law, current judges are given the possibility to declare their will to have their mandate prolonged by the President of the Republic. There are no criteria established for the President's decision and there is no possibility for a judicial review of this decision. The Commission is of the opinion that these measures undermine the principle of judicial independence, including the irremovability of judges, and thereby Poland fails to fulfil its obligations under Article 19(1) of the Treaty on European Union read in connection with Article 47 of the Charter of Fundamental Rights of the European Union. While the Polish Supreme Court law has already been discussed in the Rule of Law dialogue between the Commission and the Polish authorities, it has not been

satisfactorily addressed through this process. Given the lack of progress and the imminent implementation of the new retirement regime for Supreme Court judges, the Commission decided to launch this infringement procedure as a matter of urgency. The Polish government will have one month to reply to the Commission. At the same time, the Commission stands ready to continue the ongoing rule of law dialogue with Poland, which remains the Commission's preferred channel for resolving the systemic threat to the rule of law in Poland. A full press release is available [here](#). (For more information: Mina Andreeva – Tel.: +32 229 91382; Christian Wigand – Tel.: +32 229 62253; Tim McPhie – Tel.: +32 229 58602)

#### **TRADE: EU comments on the US car imports investigation**

The European Union submitted its formal comments to the United States Department of Commerce in the framework of an on-going investigation on the impact of automotive imports on the US national security. In the EU's view, this current investigation lacks legitimacy, factual basis and violates international trade rules, just as the similar investigation that led to the imposition of steel and aluminium tariffs earlier this year. In its submission, now [available online](#), the EU reiterates its firm opposition to the proliferation of measures taken on supposed national security grounds for the purposes of economic protection. This development harms trade, growth and jobs in the US and abroad, weakens the bonds with friends and allies, and shifts the attention away from the shared strategic challenges that genuinely threaten the market-based Western economic model. The EU and the US industry specialise in largely different market segments and over the last 5 years imports from the EU have been stable. While there is no economic threat to the US automobile industry which is healthy, imposing restrictive measures would in fact undermine the current positive trends of the US automobile sector. EU car companies operate in the US, they export about 60% of their US production to other countries, improving the US trade balance and providing 120,000 direct and 420,000 indirect jobs. Trade restrictions are likely to lead to higher input costs for US based producers, thus in effect becoming a tax on American consumers. The impact of potential new US tariffs on imported cars would be aggravated significantly by the likely countermeasures of US trading partners, as evidenced by the reaction to the US section 232 tariffs on steel and aluminium. The EU has also requested to participate in the public hearing to be held by the Department of Commerce scheduled for 19 and 20 July. (For more information: Daniel Rosario – Tel.: +32 229 56185; Kinga Malinowska – Tel.: +32 229 51383)

#### **L'union douanière mise à l'honneur: le plus grand bloc commercial au monde fête ses 50 ans**

L'union douanière de l'UE, l'une des plus grandes réalisations de l'Union européenne, fêtera son 50e anniversaire le 1er juillet. Née des accords historiques de l'après-guerre qui ont ouvert la voie à l'intégration européenne, [l'union douanière est devenue opérationnelle en 1968](#). En supprimant les droits de douane pour les échanges de marchandises au sein de ce que nous appelons aujourd'hui l'Union européenne, l'union douanière a

franchi une première étape décisive pour faire de l'UE le plus grand bloc commercial au monde, avec 28 administrations douanières agissant comme une seule et même entité. Au cours des cinquante dernières années, l'union douanière est devenue l'un des fondements de notre marché unique, en préservant la sécurité des frontières de l'UE et en protégeant nos citoyens des marchandises interdites et dangereuses telles que les armes et les drogues. Elle facilite aussi un volume sans cesse croissant des échanges au niveau mondial: les douanes de l'UE ont assuré la gestion de 16 % du commerce mondial en 2017. Pierre **Moscovici**, commissaire chargé des affaires économiques et financières, de la fiscalité et des douanes, a déclaré à ce propos: *«L'union douanière est une réalisation majeure et unique. Elle permet aux Européens de tirer pleinement parti du marché intérieur, en maintenant la fluidité des échanges et en protégeant les consommateurs. Je tiens à remercier les milliers de personnes qui ont contribué à cette réalisation européenne ces 50 dernières années et qui continuent de le faire.»* Un [communiqué de presse](#), [MEMO](#) et une [fiche d'information](#) sont disponibles en ligne. (Pour plus d'information: Vanessa Mock – Tel.: +32 229 58615; Patrick McCullough – Tel.: +32 229 87183)

### **RegioStars Awards 2018: vote for the best Cohesion Policy project of the year**

As of tomorrow, people can start voting for the 2018 RegioStars' public choice award, among the [21 finalists](#) shortlisted this year. The 2018 RegioStars will reward the best Cohesion Policy projects in 5 categories: achieving industrial transition; promoting a low carbon lifestyle; making public services better and more accessible; dealing with migration in the long term; and preserving the EU's cultural heritage. Commissioner for Regional policy Corina **Crețu** said: *"Each year our RegioStars Awards set the bar higher and higher and show how EU funds can be used in the best possible way. I'm looking forward to meeting the brains and talents behind these 21 great projects."* Commissioner **Crețu** will indeed meet all finalists tomorrow in the European Parliament in Strasbourg. The event, which will take place at 16:00 CET in room C4.1 (LOW building), is open to accredited journalists. The 'RegioStars Awards' is a yearly competition that selects the best Cohesion Policy projects. The winners in all 5 categories will be announced on 9 October, in the context of the [2018 EU week of Cities and Regions](#). (For more information: Johannes Bahrke – Tel.: +32 229 56194; Sophie Dupin de Saint-Cyr – Tel.: +32 229 56169)

### **Mergers: Commission clears acquisition of part of the over-the-counter business of PGT by Teva**

The European Commission has approved, under the EU Merger Regulation, the acquisition of part of the over-the-counter business of the joint venture PGT by Teva Pharmaceuticals Industries Ltd of Israel. PGT is currently controlled by The Procter & Gamble Company of the US, and Teva has a 49% non-controlling interest in the joint venture. Through this transaction, PGT will be dissolved. Teva will re-acquire control over the over-the-counter products (i.e., drugs sold without prescription in pharmacies) which it had previously contributed to PGT. The Commission concluded that the proposed acquisition

would raise no competition concerns, because the companies' activities are generally complementary. The transaction was examined under the normal merger review procedure. More information is available on the Commission's [competition](#) website, in the public [case register](#) under the case number [M.8889](#). [ES](#). (For more information: Ricardo Cardoso – Tel.: +32 229 80100; Maria Sarantopoulou – Tel.: +32 229 13740)

### **Mergers: Commission clears the acquisition of ZPG by Silver Lake**

The European Commission has approved, under the EU Merger Regulation, the acquisition of ZPG of the UK by Silver Lake Group of the US. ZPG operates property and household related digital brands primarily in the UK, including the property portal Zoopla and the comparison website uSwitch. Silver Lake is an investment group focused on private investments in large scale companies in technology markets. The Commission concluded that the proposed acquisition would raise no competition concerns because there are only minimal overlaps between the activities of ZPG and Silver Lake's portfolio companies. The transaction was examined under the simplified merger review procedure. More information is available on the Commission's [competition](#) website, in the public [case register](#) under the case number [M.8957](#). [ES](#). (For more information: Ricardo Cardoso – Tel.: +32 229 80100; Maria Sarantopoulou – Tel.: +32 229 13740)

### **La Commission approuve une nouvelle indication géographique protégée d'Italie**

La Commission européenne a approuvé la demande d'inscription de la [«Pitina»](#) dans le registre des indications géographiques protégées (IGP). La «Pitina» est une charcuterie faite pour la moitié de viande soit de mouton, chèvre, chevreuil, daim, cerf ou chamois et pour l'autre moitié de pancetta ou d'épaule de porc. La boulette obtenue est ensuite recouverte de sel, de poivre, d'ail et d'herbes aromatiques. La «Pitina» est produite dans la province de Pordenone située au nord-est de l'Italie, au pied des montagnes. Cette nouvelle appellation va rejoindre plus de 1425 produits déjà protégés dont la liste est disponible dans la base de données [DOOR](#). Pour plus d'informations, voir aussi les pages sur la [politique de qualité](#). (pour plus d'information: Daniel Rosario – Tel: +32 2 29 56185; Clémence Robin – Tel: +32 229 52 509)

## **ANNOUNCEMENTS**

### **Commissioner Hahn visits Serbia**

Johannes **Hahn**, Commissioner for European Neighbourhood Policy and Enlargement Negotiations, is in Belgrade, [Serbia](#) today to discuss the next steps in Serbia's accession process. Commissioner will have bilateral meetings with President Aleksandar Vučić and Prime Minister Ana Brnabić. During his visit Commissioner **Hahn** together with President Vučić will witness the Signing ceremony of the annual IPA (Instrument of Pre-Accession) Financing Agreement covering support to the Justice sector and the horizontal support to alignment to EU acquis, between Mrs Jadranka Joksimovic, Serbian Minister of

European integration and Mr Sem Fabrizi, EU Head of Delegation to Serbia. Photo and video of the visit will be available on [EBS](#). (For more information: Maja Kocijancic – Tel.: +32 229 86570; Alceo Smerilli – Tel.: +32 229 64887)

[Upcoming events](#) of the European Commission (ex-Top News)

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On 3 July, 27 out of 72 Supreme Court judges face the risk of being forced to retire – more than one in every three judges – due to the fact that the new Polish law on the Supreme Court lowers the retirement age of Supreme Court judges from 70 to 65. This measure also applies to the First President of the Supreme Court, whose 6-year mandate would be prematurely terminated. According to the law, current judges are given the possibility to declare their will to have their mandate prolonged by the President of the Republic, which can be granted for a period of three years and renewed once. There are no criteria established for the President's decision and there is no possibility for a judicial review of this decision.

The Commission is of the opinion that these measures undermine the principle of judicial independence, including the irremovability of judges, and thereby Poland fails to fulfil its obligations under Article 19(1) of the Treaty on European Union read in connection with Article 47 of the Charter of Fundamental Rights of the European Union.

While the Polish Supreme Court law has already been discussed in the Rule of Law dialogue between the Commission and the Polish authorities, it has not been satisfactorily addressed through this process. The Commission believes that the introduction of a consultation of the National Council for the Judiciary (NCJ) does not constitute an effective safeguard, as argued by the Polish authorities. The NCJ's opinion is not binding and is based on vague criteria. Moreover, following the reform of 8 December 2017, the NCJ is now composed of judges-members appointed by the Polish Parliament – which is not in line with European standards on judicial independence.

Given the lack of progress through the Rule of Law dialogue, and the imminent implementation of the new retirement regime for Supreme Court judges, the Commission decided to launch this infringement procedure as a matter of urgency. The Polish government will have one month to reply to the Commission's Letter of Formal Notice. At the same time, the Commission stands ready to continue the ongoing rule of law dialogue with Poland, which remains

the Commission's preferred channel for resolving the systemic threat to the rule of law in Poland.

## **Background**

The rule of law is one of the common values upon which the European Union is founded. It is enshrined in Article 2 of the Treaty on European Union. The European Commission, together with the European Parliament and the Council, is responsible under the Treaties for guaranteeing the respect of the rule of law as a fundamental value of our Union and making sure that EU law, values and principles are respected.

Events in Poland led the European Commission to open a dialogue with the Polish Government in January 2016 under the Rule of Law Framework. The Commission keeps the European Parliament and Council regularly and closely informed.

On 29 December 2017 the Commission launched an infringement procedure on the Polish Law on Ordinary Courts, also on the grounds of its retirement provisions and their impact on the independence of the judiciary. The Commission referred this case to the Court of Justice on 20 December 2017.

Also on 20 December 2017, the Commission invoked the Article 7(1) procedure for the first time, by submitting a Reasoned Proposal for a Decision of the Council on the determination of a clear risk of a serious breach of the rule of law by Poland<sup>[1]</sup>.

At the General Affairs Council hearing on Poland on 26 June, in the context of the Article 7(1) procedure, no indication was given by the Polish authorities of forthcoming measures to address the Commission's outstanding concerns. The College of Commissioners therefore decided on 27 June 2018 to empower **First Vice-President Frans Timmermans** to launch this infringement procedure. The Commission stands ready to continue the ongoing rule of law dialogue with Poland, which remains the Commission's preferred channel for resolving the systemic threat to the rule of law in Poland.

## **For more information**

On the general infringements procedure, see [MEMO/12/12](#).

<sup>[1]</sup>Article 7.1 of the Treaty on European Union provides for the Council, acting by a majority of four fifths of its members, to determine that there is a clear risk of a serious breach by a Member State of the common values referred to in Article 2 of the Treaty (see Annex II). The Commission can trigger this process by a reasoned proposal.