



Council of the
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"A" ITEM NOTE

From: General Secretariat of the Council
To: Council (ECOFIN)

Subject: Follow-up to the European Council:

- European Semester 2015: country-specific recommendations
- (a) Draft Council Recommendations on the National Reform Programmes 2015 to each Member State and draft Council Opinions on the updated Stability or Convergence Programmes
- (b) Draft Council Recommendation on the implementation of the broad guidelines for the economic policies of the Member States whose currency is the euro

= Adoption

Under the European Semester, the Commission submitted on 13 May 2015 to the Council

- a Recommendation for a Council Recommendation on the implementation of the broad guidelines for the economic policies of the Member States whose currency is the euro; and
- for 26 Member States, a Recommendation for a Council Recommendation on the National Reform Programme 2015, and delivering a Council Opinion on the updated Stability or Convergence Programme.

These recommendations combine economic and employment recommendations, based on Articles 121(2) and 148(4) of the Treaty on the Functioning of the European Union (TFEU), with Council opinions on stability and convergence programmes, based on Articles 5(2) and 9(2) of Regulation 1466/97, with a recommendation on the implementation of the broad guidelines for the economic policies of the Member States whose currency is the euro, based on Articles 136 and 121(2) TFEU, and, in certain cases, with recommendations on the preventive part of the macroeconomic imbalances procedure under Article 6(1) of Regulation 1176/2011.

The EPSCO and ECOFIN Councils approved the texts on 18 and 19 June, respectively. The European Council has endorsed them on 25-26 June, in accordance with Article 121(2) TFEU.

As regards France, the text of the country-specific recommendation 1 (and corresponding recital 8) was finalised by the Economic and Financial Committee (EFC) on 2 July, following the forthcoming Commission assessment of the report on effective action, which was submitted by France on 10 June 2015 in the framework of the excessive deficit procedure. Coreper agreed with the final text on 9 July.

The ECOFIN Council will proceed on 14 July to the formal adoption of the texts set out in the annex of document 9229/2/15 REV 2, and of the explanations of modifications to Commission Recommendations for the Country-Specific Recommendations ("Comply or explain note") set out in document 9305/1/15 REV 1.

Bearing in mind that recommendations falling within the scope of Article 148(4) TFEU form an integral part of the country specific recommendations and that their content is inextricably linked to that corresponding to the Stability and Growth pact, the procedure under Article 121(2) TFEU should apply to both parts of the recommendations.

New voting modalities within the Council are in force as from 1 November 2014. These also apply to the Country Specific Recommendations. However, as for other files, any member of the Council can request that any recommendation (whether it is addressed to itself or to a different Member State) is adopted in conformity with the voting rules applicable up to 1 November 2014.

In the course of the discussions of the text of the Recommendations at the Council preparatory bodies (COREPER, EFC, EPC, EMCO, SPC) prior to their approval by the Council in June 2015, a number of Member States indicated to the chairs of these preparatory bodies their intention to request the application of the voting rules in force before the 1 November 2014 ("old voting rules").

The contribution of the Council Legal Service (doc. 5205/15) provides advice on voting modalities, including on the need to apply the same voting rule in all the Council bodies examining the same recommendation. Consequently, in cases where a request to apply the old voting rules has been made in the course of the preparatory discussions, the old voting rules should also apply to the adoption of the recommendation concerned by the Council.

According to the information received by the Council General Secretariat, the following Member States have requested at the Council preparatory bodies that the recommendations concerning their own country be adopted in conformity with voting rules applicable up to 1 November 2014 (old voting rules): AT, BG, EE, FR, HU, IE, LV, MT, NL, PL and PT.

The other Member States have not requested the use of old voting rules; instead their recommendations should be adopted in conformity with voting rules in force as from 1 November 2014 (new voting rules).

This is without prejudice to the right of any Member State to request, at the stage of final adoption, the use of old voting rules.
