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**8496/1/20  
REV 1**

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COMPET 253  
ENV 320  
EDUC 238  
RECH 217  
ENER 191  
JAI 456  
FSTR 107  
REGIO 139  
GENDER 87  
ANTIDISCRIM 80**

#### **'I' ITEM NOTE**

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**From:** General Secretariat of the Council  
**To:** Permanent Representatives Committee (Part 2)

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**Subject:** Council Recommendations on the National Reform Programmes 2020 to each Member State, delivering Council Opinions on the updated Stability or Convergence Programmes  
– Decision to use the written procedure

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1. Under the European Semester 2020, the Commission submitted to the Council on 20 May 2020, for 28 Member States, a Recommendation for a Council Recommendation on the National Reform Programme 2020, and delivering a Council Opinion on the updated Stability or Convergence Programme.
2. 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, and, in certain cases, with recommendations on the preventive part of the macroeconomic imbalances procedure under Article 6(1) of Regulation 1176/2011.

3. 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.
4. Following the discussions in the Council preparatory committees, the draft Council recommendations were agreed by the Economic and Financial Committee (EFC) on 5 June 2020.
5. Following the agreement by the EFC, EPSCO was expected to approve the contribution on employment and social policies aspects of these recommendations, while ECOFIN was expected to approve the contribution on economic/financial and MIP-related aspects of these draft recommendations, ahead of their endorsement by the European Council, and to adopt the recommendations in accordance with Article 121(2) TFEU.
6. According to Article 2-ab(2) of Council Regulation (EC) No 1466/97, the Council is expected to, as a rule, follow the recommendations and proposals of the Commission or explain its position publicly. In respect of this ‘comply or explain rule’, the Council is expected to explain the changes agreed to Commission Recommendations for Country-Specific Recommendations (CSRs) on Member States on which the Commission is in disagreement.
7. In absence of Council meetings and in view of the above, the Permanent Representatives Committee (Part 2) is invited:
  - to confirm its agreement on the economic/financial and MIP-related aspects of the text of the draft recommendations, as set out in document ST 8449/1/20 REV 1, and
  - to confirm its agreement on the Council explanatory note, as set out in document ST 8410/20 + COR 1, and

- to decide, in accordance with the first subparagraph of Article 12(1) of the Council's Rules of Procedure and Article 1 of Council Decision 2020/702, that the Council uses the written procedure for the approval of the economic/financial and MIP-related aspects of the above draft recommendations, as set out in document ST 8449/1/20 REV 1, and the Council explanatory note, as set out in document ST 8410/20 + COR 1.
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