



Council of the European Union
General Secretariat

Brussels, 22 December 2020

CM 5506/20

CODEC
FSTR
FC
REGIO
SOC
AGRISTR
PECHE
CADREFIN
POLGEN
PROCED

COMMUNICATION

WRITTEN PROCEDURE

Contact: luca.salini@consilium.europa.eu
codecision.adoption@consilium.europa.eu

Tel./Fax: +32 2 281 89 20

Subject: Draft Regulation of the European Parliament and of the Council amending Regulation (EU) No 1303/2013 as regards additional resources and implementing arrangements to provide assistance for fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and for preparing a green, digital and resilient recovery of the economy (REACT-EU) [2020/0101(COD)]

Outcome of the written procedure initiated by CM 5471/20:
– Adoption of the legislative act

Delegations are informed that the written procedure, opened by CM 5471/20 of 18 December 2020 was completed on 22 December 2020 and that all delegations voted in favour of the adoption of the Regulation of the European Parliament and of the Council amending Regulation (EU) No 1303/2013 as regards additional resources and implementing arrangements to provide assistance for fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and for preparing a green, digital and resilient recovery of the economy (REACT-EU), as set out in document PE-CONS 58/20.

The required qualified majority has been reached. Therefore, the above Regulation is adopted.

The statement by Poland and the statement by the Commission are reproduced in the Annex to this CM.

The above statements will be included in the summary of acts adopted by the written procedure as statements to be entered in the Council minutes, in accordance with the third subparagraph of Article 12(1) of the Council's Rules of Procedure.

Statement by Poland

Equality between women and men is enshrined in the treaties of the European Union as a fundamental right. Poland ensures equality between women and men within the framework of the Polish national legal system in accordance with internationally binding human rights instruments and within the framework of fundamental values and principles of the European Union. For these reasons, in the expressions comprising term "gender" Poland will interpret it as the equality between women and men in accordance with the Article 8 of the TFEU.

Moreover, with regard to the recital 7, Poland is of the opinion that using conditionality mechanism for the protection of the Union budget cannot lead to bypassing the Treaties, in particular the procedure established in Article 7 of the TEU, and it cannot interfere with the **European Council's** competence to unanimously declare that the Rule of Law has been breached.

Statement by the Commission**Statement in relation to Recital 6**

The Commission regrets that the European Parliament and the Council agreed that the climate-spending target is set out in a recital instead of establishing a legally binding target in an Article. The Commission considers that this does not give appropriate legal means for the Commission to effectively ensure that the contribution of REACT-EU resources reach the agreed level for the purposes of the overall climate contribution target set for the Multiannual Financial Framework and Next Generation EU jointly, in accordance with point 15 of the Inter-institutional Agreement.
