



Council of the
European Union

Brussels, 26 January 2021
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5603/21

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'I' ITEM NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee

Subject: Draft Council Conclusions on Special Report No 24/2020 from the European Court of Auditors entitled:
"The Commission's EU merger control and antitrust proceedings: a need to scale up market oversight"
- Approval
- Decision to use the written procedure

1. On 2 December 2020, the Permanent Representatives Committee instructed the Working Party on Competition to examine the European Court of Auditors' Special Report No 24/2020 entitled "The Commission's EU merger control and antitrust proceedings: a need to scale up market oversight" and to draw up the relevant conclusions.
2. The Working Party on Competition examined the European Court of Auditors' Special Report No 24/2020 at its meeting on 14 January 2021.

3. On 14 January 2021, the Presidency presented a proposal for draft Council conclusions on the European Court of Auditors' Special Report No 24/2020 that was sent earlier to the delegations with request for written comments. The Working Party on Competition discussed the draft conclusions, together with the written comments, at its meeting of 14 January 2021.
4. On the basis of the discussion, the Presidency prepared a revised text which was presented to the delegations at the informal videoconference of 20 January. No delegation raised objections to this revised text, set out in document 5602/21.
5. In view of the above, the Permanent Representatives Committee is invited to:
 - confirm the agreement reached at the level of the Working Party on the text of the draft conclusions as set out in document 5602/21;
 - recommend these conclusions to the Council for approval; and
 - decide, in accordance with the first subparagraph of Article 12(1) of the Council's Rules of Procedure and Article 1 of Council Decision 2020/430, as extended, that the Council uses the written procedure for the adoption of the Council conclusions.