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## OUTCOME OF THE COUNCIL MEETING

3739th Council meeting

### General Affairs

Brussels, 10 December 2019

President **Tytti Tuppurainen**  
Minister of European Affairs of Finland

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- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's internet site (<http://www.consilium.europa.eu>).
- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's internet site or may be obtained from the Press Office.

## **ITEMS DEBATED**

### **Article 7 procedures**

As part of the Article 7(1) TEU procedure, the Council held a hearing on Hungary. The hearing focused on the independence of the judiciary, freedom of expression and academic freedom in Hungary.

This hearing followed a first hearing of Hungary on 16 September when all issues raised by the European Parliament's reasoned proposal were covered. It enabled ministers to have a more in-depth exchange with Hungary on the selected topics.

The presidency closed the hearing by presenting procedural conclusions. In line with the [standard modalities](#) for hearings, no assessment on the substance of the issues is included at this stage.

The Council also took stock of the situation as regards the rule of law in Poland. The Commission updated ministers on the latest developments, including the recent judgments of the European Court of Justice concerning Polish rules on the retirement age of judges and public prosecutors and the new Disciplinary Chamber of the Polish Supreme Court.

### **Next multiannual financial framework**

The Council held a policy debate on the next multiannual financial framework (MFF). Ministers discussed a [negotiating box with figures](#) presented by Finland's presidency ahead of the December European Council.

The negotiating box forms the basis for negotiations on the MFF. It includes all elements which are to be given political guidance and priority setting from the EU leaders at the [European Council](#) level.

In its negotiating box with figures, the presidency proposed an overall level of €1 087 billion for the period 2021-2027, representing 1.07% of the GNI of the EU at 27. This is allocated as follows:

- €323 billion for cohesion policy (29.7%),
- €334 billion for agricultural support and development (30.7%), and
- €356 billion for other programmes, including the new priorities (32.8%).

Among other things, the presidency suggested to set a target of using at least 25% of the EU budget expenditure to support climate objectives. Its proposal also contains a mechanism that creates conditionality between respect for the rule of law and the receipt of EU funds.

During the discussion, ministers highlighted their priorities for the negotiations and areas where they would like to see changes.

Following the Council discussion, the work will be taken forward by the President of the European Council with the aim of reaching a final agreement. Negotiations are guided by the principle that nothing is agreed until everything is agreed.

### **December European Council**

Ministers continued preparations for the European Council meeting of 12-13 December by discussing draft conclusions.

In line with its June conclusions, the European Council is expected to return in December to the issue of climate change. Leaders will focus in particular on the objective of achieving climate neutrality by 2050. The aim is to finalise the guidance for the adoption and submission of the EU's long-term strategy to the UN Framework Convention on Climate Change (UNFCCC) in 2020.

Leaders are also expected to hold a substantial discussion on the next MFF following the submission by the presidency of a negotiating box with figures. In the light of events, the European Council may address specific foreign policy issues.

### **Legislative programming**

Ministers exchanged views on priorities for upcoming legislative work under the new Commission. The aim of the discussion was to give input to the Commission for the preparation of its 2020 work programme and for multiannual programming.

The Interinstitutional Agreement on Better Law-making provides that upon the appointment of a new Commission, the EU institutions will exchange views on the principal policy objectives and priorities for the new term. They will, on the Commission's initiative and as appropriate, draw up joint conclusions to be signed by the Presidents of the Council, the Commission and the Parliament. With regard to annual programming, the Commission should engage in a dialogue with the EP and the Council, both before and after the adoption of its annual work programme.

During the discussion, ministers highlighted a number of priorities for the 2019–2024 period, such as the single market, social dimension and the rule of law. The views expressed by ministers will be summed up in a presidency letter to the Commission.

## **European Semester**

As part of the preparation of the next European Semester, the incoming Croatian presidency presented the [2020 European Semester roadmap](#).

The roadmap sets out how work will be taken forward as regards the 2020 European Semester. Its objective is to ensure that all relevant Council configurations work in a coordinated manner, with the **General Affairs Council** overseeing the process. The roadmap is divided into two phases: the first, in more detail, covers the period up to the March **European Council**, and the second, more indicative, covers the period between the **European Council** meetings in March and June 2020.

## **Any other business**

Under any other business, the Commission indicated to member states that its proposals on enlargement methodology would be presented in January.

## **OTHER ITEMS APPROVED**

### **GENERAL AFFAIRS**

#### **Countering hybrid threats - Council conclusions**

The Council adopted conclusions which set priorities and guidelines for EU cooperation in the field of countering hybrid threats and enhancing resilience to these threats, building on the progress made in recent years ([14972/19](#)).

The conclusions call for a comprehensive approach to security to counter hybrid threats, working across all relevant policy sectors in a more strategic, coordinated and coherent way. They are part of the implementation of the EU's Strategic Agenda for 2019-2024 which calls for a comprehensive approach with more cooperation, more coordination, more resources and more technological capacities in order to address this challenge.

In its conclusions, the Council underlines the need to continue developing cooperation with international organisations and partner countries on enhancing resilience and countering hybrid threats, in particular EU-NATO cooperation and cooperation with countries in the EU's neighbourhood.

In order to ensure the coherence of this work, the conclusions call for enhancing resilience against hybrid threats across different policy areas, for instance when developing and using new and emerging technologies, including artificial intelligence and data-gathering techniques, and when assessing the impact of foreign direct investment or future legislative proposals. The Council also stresses the importance of continuously improving the cooperation between national authorities, as well as EU institutions, bodies and agencies, across the internal-external security nexus.

A key priority is protecting national and European critical infrastructure as well as functions and services which are critical to the proper functioning of the state, the economy and society. The Council stresses that this work needs to take into account, among other things, the strong interdependencies between different critical functions and services, including financial services, and the key role of the private sector. To enhance the protection of critical infrastructure with cross-border importance in the EU, the Commission is invited to consult with member states on a possible proposal for a revision of Directive [2008/114/EC](#) for the identification and designation of European critical infrastructure early in the new legislative cycle.

As regards countering disinformation, the Council recalls the importance of the continued implementation of the Action Plan Against Disinformation. It underlines the need for sufficient resources for the three Stratcom Task Forces (East, Western Balkans, South) of the European External Action Service and invites the EEAS to assess the needs and possibilities for reinforcing its strategic communication work in other geographical areas, such as sub-Saharan Africa. The Commission and the EEAS are also urged to further develop, together with the member states, the Rapid Alert System towards a comprehensive platform for cooperation, coordination and information exchange for member states and EU institutions. As regards social media platforms, the Commission is invited to consider ways to further enhance the implementation of the Code of Practice on Disinformation, including possible enforcement mechanisms.

To enhance the security of EU information and communication networks and decision-making processes, the EU institutions, bodies and agencies are invited to develop and implement a comprehensive set of measures for countering hybrid threats and other malicious activities.

The conclusions also recall that efforts to counter hybrid threats must always respect fundamental rights, including the protection of personal data, freedom of expression and information and freedom of association, as enshrined in the Charter of Fundamental Rights.

### **Bosnia and Herzegovina - Council conclusions on Commission Opinion**

The Council adopted the following conclusions on the Commission Opinion on Bosnia and Herzegovina's application for EU membership:

- "1. The Council welcomes the Commission Opinion on Bosnia and Herzegovina's application for membership of the European Union. The Council acknowledges that Bosnia and Herzegovina currently does not sufficiently fulfil the Copenhagen political criteria, and needs to dedicate considerable efforts to strengthening its institutions in order to guarantee democracy, the rule of law, human rights and respect for and protection of minorities. As regards the economic criteria, Bosnia and Herzegovina has achieved a certain degree of macroeconomic stability, whereas it is still at an early stage of establishing a functioning market economy and of becoming competitive within the common market. Bosnia and Herzegovina's track record in implementing its obligations under the Stabilisation and Association Agreement needs to improve. Bosnia and Herzegovina is overall at an early stage regarding its level of preparedness to take on the obligations of EU membership and needs to significantly step up the process to align with the EU acquis and implement and enforce related legislation.

2. Bosnia and Herzegovina needs to make sustained efforts, in particular with regard to the implementation of the fourteen key priorities set out in the Commission's Opinion. These key priorities, focusing on the areas of democracy and functionality of the state, rule of law, fundamental rights, and public administration reform, need to be fulfilled.
3. The Council notes that the opening of accession negotiations will be ultimately considered by the European Council, in line with established practice, at a time when the Commission has assessed that Bosnia and Herzegovina has achieved the necessary degree of compliance with the membership criteria and has met in particular the key priorities set out in the Commission's Opinion. The Council invites the Commission to focus its annual reports on Bosnia and Herzegovina, starting with the one in 2020, on the implementation of the key priorities which need to be addressed.
4. The Council welcomes the nomination of the Chair of the Council of Ministers of Bosnia and Herzegovina, and urges executive and legislative bodies at all levels of government to start addressing the key priorities identified in the Commission Opinion, in line with the legitimate aspirations of the citizens of Bosnia and Herzegovina to advance towards the European Union. The Council reiterates its unequivocal commitment to Bosnia and Herzegovina's EU perspective as a single, united and sovereign country."

### **Committee of independent eminent persons**

The Council appointed Algis KRUPAVIČIUS and Christian WALDHOFF as members of the committee of independent eminent persons under Regulation No 1141/2014 on the statute and funding of European political parties and European political foundations.

The committee consists of six members, with the European Parliament, the Council and the Commission each appointing two members. It gives an opinion on:

- any possible manifest and serious breach by a European political party or a European political foundation of the values on which the Union is founded;
- whether a European political party or a European political foundation has deliberately influenced or attempted to influence the outcome of elections to the European Parliament by taking advantage of an infringement of the applicable rules on the protection of personal data.

The committee is to be renewed within six months after the end of the first session of the European Parliament following each election to the European Parliament. Following the European Parliament elections and the end of the first session of the European Parliament on 4 July, the committee therefore has to be renewed before 4 January 2020.



## **Renewal of the Committee of the Regions**

The Council appointed 181 members and 181 alternate members to the Committee of the Regions for its new five-year term ([14233/19](#)). The new term will run from 26 January 2020 to 25 January 2025.

The Committee of the Regions currently consists of 350 representatives of regional or local bodies who either hold a regional or local authority electoral mandate or are politically accountable to an elected assembly. The size of the committee will be reduced to 329 members once the UK leaves the EU.

The Council appoints the members of the committee and an equal number of alternate members in accordance with the proposals made by each member state. The current appointment concerns the nominations that were communicated to the Council before 15 November 2019. The other members and alternate members will be appointed at a later date.

## **FOREIGN AFFAIRS**

### **Building a Sustainable Europe by 2030 - Council conclusions**

The Council adopted a set of conclusions on the implementation by the EU of the United Nations' 2030 Agenda on Sustainable Development and its 17 Sustainable Development Goals (SDGs) ([14835/19](#)).

The conclusions stress the need to accelerate action both within the EU and in other parts of the world in order to fulfil the vision and goals of the 2030 Agenda. They reaffirm that the EU and its member states will continue to play a leading role in implementing the SDGs while supporting effective multilateralism and a rules-based international order.

The Council welcomes the 2019 edition of Eurostat's '[Monitoring report on progress towards the SDGs in an EU context](#)' as a key document for measuring the EU's progress towards the achievement of the SDGs. It also encourages member states to raise the level of ambition of their national responses and to proactively mainstream the 2030 agenda into national planning instruments, policies, strategies and financial frameworks.

The Council recalls its conclusions from June 2017 and urges the Commission to elaborate a comprehensive implementation strategy outlining timelines, objectives and concrete measures to reflect the 2030 Agenda and to mainstream the SDGs in all relevant EU internal and external policies.

**AGRICULTURE****A list of intended uses of feed intended for particular nutritional purposes**

The Council decided not to oppose the adoption of a Commission regulation regarding necessary amendments to provisions concerning the essential nutritional characteristics and the labelling declarations on animal feed in order to adapt them to the scientific and technological developments ([13841/19](#) + [ADD 1](#)).

More specifically, the regulation aims to add to add particular nutritional purposes - as *support of energy metabolism and of the muscle function in the case of rhabdomyolysis and support in stressful situations, which will lead to the reduction of associated behaviour* - to the list of intended uses of feed intended for particular nutritional purposes.

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