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European Union

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DRAFT MINUTES
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Non-legislative activities

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1. Adoption of the agenda

The Council adopted the agenda set out in 14879/21.

2. Approval of "A" items Non-legislative list

14880/21

The Council adopted the "A" items listed in 14880/21 including COR and REV documents presented for adoption.

Non-legislative activities

3. Conclusions on Enlargement and Stabilisation and Association Process
Approval 14862/21
4. Preparation of the European Council on 16 December 2021:
Conclusions
Exchange of views 13649/21
5. Conference on the Future of Europe
Information from the Presidency
6. Rule of law in Poland/Article 7(1) TEU reasoned proposal
State of play
7. Values of the Union in Hungary/Article 7(1) TEU reasoned proposal
State of play
8. Report by the EU Agency for Fundamental Rights:
Antisemitism: overview of anti-Semitic incidents recorded in the European Union 2010-2020
Presentation
9. European Semester 2022 - roadmap 13452/21
Presentation by the Presidency and the incoming Presidency

10. Legislative Programming: Joint Declaration on the EU legislative priorities for 2022 ☐ 14779/21 + ADD 1
Approval

The Council Legal Service clarified that the voting rule in the Council for the approval of the Joint Declaration of the European Parliament, the Council and the Commission on the EU legislative priorities for 2022 (document 14479/21), referred to in point 7 of the Interinstitutional Agreement of 13 April 2016 on Better Law Making is reinforced qualified majority. This is the voting rule applicable in the Council when it concludes an interinstitutional agreement under Article 295 TFEU.

The Council approved the Joint Declaration. Hungary and Poland voted against and presented statements.

11. Eighteen-month programme of the Council (1 January 2022 - 30 June 2023) ☐ 14441/21
Endorsement

The Council endorsed the eighteen-month programme.

Austria, Germany and Luxembourg presented a statement.

12. Any other business

☐ Public debate (Article 8(3) of the Council's Rules of Procedure)

Statements to the non-legislative public "B" items set out in doc. 14879/21

Ad "B" item 10:

Legislative Programming: Joint Declaration on the EU legislative priorities for 2022

Approval

STATEMENT BY HUNGARY

“Hungary agrees with the objective to continue to defend the rule of law as well as to protect and strengthen our democracy across the Union and defend our common European values.

Nevertheless, in line with Hungary’s longstanding political and legal position we underline that any instrument can only support the strengthening of the rule of law, if it is duly based on the Treaties and applied in accordance with the respective provisions of Union law. The application of existing instruments cannot lead to double standards and should duly respect the principles of conferral, equal treatment and mutual trust as well as the constitutional systems, legal heritage and national identity of Member States as foreseen in the Treaties.

The value of the rule of law should not be used to exert political pressure in ways that do not comply with the basic requirements of rule of law themselves.”

STATEMENT BY POLAND

“Poland agrees with the objective to continue to defend the rule of law as well as to protect and strengthen our democracy across the Union and defend our common European values.

Nevertheless, in line with Poland’s longstanding political and legal position we underline that any instrument can only support the strengthening of the rule of law, if it is duly based on the Treaties and applied in accordance with the respective provisions of Union law. The application of existing instruments cannot lead to double standards and should duly respect the principles of conferral, equal treatment and mutual trust as well as the constitutional systems, legal heritage and national identity of Member States as foreseen in the Treaties.

The value of the rule of law should not be used to exert political pressure in ways that do not comply with the basic requirements of rule of law themselves.”

Ad "B" item 11: **Eighteen-month programme of the Council (1 January 2022 - 30 June 2023)**
Endorsement

STATEMENT BY AUSTRIA, GERMANY, AND LUXEMBOURG

“In the context of chapter IV, second paragraph of the Trio Programme, we recall that we reject any kind of direct or indirect financial support of nuclear energy out of the EU budget. While acknowledging the right of each Member state to determine its energy mix, we are of the opinion that EU support should be directed towards renewable energy as the best means to achieve climate neutrality by 2050.”
