



GENERAL AFFAIRS Council

Tuesday 18 September 2018 in Brussels

Chair: Gernot Blümel, Austrian Federal Minister for the EU, Art, Culture and Media

The meeting will **start at 9.00**. At the beginning, in public session, the Austrian presidency will present its priorities to ministers.

There will be two items linked to **legislative programming**. Ministers will exchange views on the Commission's "letter of intent" following the State of the Union speech by President Juncker. They will also take stock of the state of play regarding pending legislative files in view of the end of the legislative cycle in 2019. Following initial presentations at the Council meeting, the discussion on these topics is expected to take place over lunch.

Afterwards, in public session, ministers will hold a policy debate on **the multiannual financial framework for 2021-2027**.

The Council will start preparing the **European Council meeting of 18 October** by discussing an annotated draft agenda.

There will also be a **hearing on the rule of law in Poland** under Article 7(1) TEU.

A presidency press conference will be held at the end of the meeting (+/- 17.30).

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¹ This note has been drawn up under the responsibility of the press office.

Priorities of the Austrian presidency

The Austrian presidency will present, in public session, its priorities for the duration of its term of office ending on 31 December 2018.

[Programme of the Austrian presidency \(pdf\)](#)

Legislative programming

a) Commission work programme for 2019

The Council will exchange views on the Commission's "[letter of intent](#)" concerning its draft work programme for 2019. The discussion aims to provide the Commission with broad indications of what the Council and its member states wish to highlight in relation to the priorities for 2019.

The views expressed by ministers will be summed up in a presidency letter so that the Commission can take them into account before adopting its work programme (see also [practical arrangements on annual programming](#) agreed in the Council).

b) State of play on legislative files

Ministers are also expected to discuss the state of play on pending legislative proposals in view of the end of the legislative cycle in 2019.

Next multiannual financial framework

In public session, the Council will hold a policy debate on the multiannual financial framework (MFF) for 2021 to 2027.

The debate will give ministers an opportunity to set out their views on the Commission proposals and their priorities for the negotiations.

A [state of play report](#) prepared under the responsibility of the presidency will provide context for the exchange of views. The report is based on discussions held during the Austrian presidency at working party level and on contributions from delegations. It outlines the state of discussions on a number of issues, such as the duration of the next MFF, its proposed new structure, administrative expenditure, the proposed flexibility and synergies within the MFF, outstanding commitments and own resources.

The Council has been actively examining the Commission proposals at working party level since they became available in May and June. Before the summer break, the Commission gave detailed presentations of its MFF-related proposals to delegations. This gave the delegations the opportunity to ask for clarifications and provide initial reactions. The Commission also provided additional detailed information.

After the initial technical clarification phase, the Austrian presidency now intends to identify, discuss and gradually elaborate possible elements of a future draft Negotiating Box. These possible elements will be drawn up under the responsibility of the presidency and will have an indicative and evolving character. They will be examined and discussed in the coming months in the horizontal MFF track, i.e. in the Ad Hoc Working Party on the MFF, COREPER and the General Affairs Council, with a view to preparing a progress report for the European Council in December.

The aim of the process is to structure and facilitate a future agreement on the MFF.

In parallel, sectoral Council formations and working groups are expected to continue work on the sectoral legislative proposals presented in the context of the next MFF, leaving aside horizontal and financial aspects.

Preparations for the October European Council

The Council will examine an [annotated draft agenda](#) for the European Council meeting to be held on 18 October. The annotated draft agenda will serve as the basis for draft conclusions, to be prepared in the run-up to the meeting.

At its meeting in October, the European Council is expected to return to the issue of migration. There will be a report on progress, as agreed in the June European Council conclusions.

The European Council will also adopt conclusions on internal security, following the Leaders' thematic debate in Salzburg on 20 September 2018.

In the light of events, the European Council may address specific foreign policy issues.

Rule of law in Poland

The Council will hold a hearing under Article 7(1) TEU on the rule of law in Poland.

The hearing constitutes a step of the process under Article 7(1) TEU which provides that *"before making such a determination, the Council shall hear the Member State in question and may address recommendations to it, acting in accordance with the same procedure"*. In total, the procedure under Article 7(1) TEU comprises four steps:

- (1) the triggering of the procedure,
- (2) the hearing of the member state concerned by the Council,
- (3) possibly the adoption of recommendations addressed by the Council to the member state concerned and/or
- (4) the adoption of a Council decision determining that there is a clear risk of a serious breach by the member state concerned of the Union values.

The modalities for the hearing will be the same as at the meeting of the General Affairs Council on 26 June 2018.

The hearing will be, essentially, a peer review exercise. It will enable ministers to have a more in-depth exchange with Poland on the key concerns identified in the [Commission's reasoned proposal under Article 7\(1\) TEU](#).

At the start of the hearing, the Commission will be given the opportunity to give ministers an update on the situation regarding the rule of law in Poland. Poland will be invited to present its position. Ministers will then have the opportunity to ask Poland questions on the topics of the hearing.

For Poland, the hearing will be an opportunity to explain the current situation and reply to ministers' questions. The outcome will be a procedural conclusion by the Presidency.
