



GENERAL AFFAIRS Council

Monday 11 December 2018 in Brussels

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

The meeting will **start at 09.30**.

In public session, the Council will hold a policy debate on the **multiannual financial framework for 2021-2027**.

It is also expected to approve, in public session, the **Council's eighteen-month programme** covering the period 1 January 2019 to 30 June 2020.

Ministers will continue preparations for the **European Council meeting on 13-14 December** by examining draft conclusions. They will take stock of the implementation of previous European Council conclusions.

Under Article 7(1) TEU, the Council will hold a hearing on the **rule of law in Poland** and exchange views on the **respect for EU values in Hungary**.

The Commission will present its **annual growth survey** for 2019, which launches the European Semester, the annual cycle of economic governance in the EU. It sets out general economic and social priorities for the EU and gives member states policy guidance for the following years.

Over lunch, ministers will focus on **subsidiarity**.

A presidency press conference will be held at the end of the meeting (+/- 17.50).

* * *

Press conferences and public events by video streaming: <http://video.consilium.europa.eu/en/webcasts>
Video coverage in broadcast quality (MPEG4) and photo gallery at:
<https://tvnewsroom.consilium.europa.eu/permalink/205174>

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

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 take place on the basis of two documents prepared by the Austrian presidency.

In its [progress report](#), the presidency outlines the work undertaken on the MFF since the Commission adopted the MFF package and sectoral proposals in May and June 2018. The report also touches upon relations with the other institutions.

In addition, the presidency has presented to the Council a [draft Negotiating Box](#).

The Negotiating Box is a tool used for structuring and facilitating the negotiation process on the MFF. It brings together those elements which are most likely to require political guidance from the Leaders with a view to the Council reaching its position.

Its aim is to facilitate preparations for the future draft European Council conclusions on the MFF to be tabled by the President of the European Council.

The early drafts are Council documents prepared by the presidency, which are discussed and constantly updated as negotiations move forward. The draft Negotiating Box is not a report on the discussions and has an evolving character. It is developed under the responsibility of the presidency, and is therefore not binding on any delegation.

The purpose of presenting the draft Negotiating Box to the Council is to identify and confirm the issues which will need to be addressed in the course of the negotiation on the MFF, and where appropriate, facilitate the discussion on options and solutions on individual issues. The presentation of the draft Negotiating Box does not aim at any concluding debates or compromises at this stage.

Ministers will be invited to share their views on the state of play and the next steps. Their exchange and the debate of the Leaders at the December European Council (see below) will pave the way for further discussions on the MFF during the Romanian presidency.

Eighteen-month programme of the Council

In public session, the Council is expected to endorse the [eighteen-month programme of the Council](#) covering the period 1 January 2019 to 30 June 2020.

The programme has been prepared by the incoming Romanian, Finnish and Croatian Presidencies and the High Representative, Chair of the Foreign Affairs Council.

The three presidencies take over the responsibility of steering the work of the Council at the end of the current institutional cycle. They are committed to ensure smooth transition to the next legislative cycle.

At the beginning of 2019 the main priority will be the finalisation of the still outstanding files of the current Strategic Agenda and in particular those listed in the Joint Declaration on the EU's legislative priorities for 2018-19. When the new institutional cycle starts, the three presidencies will organise the work in the Council according to the priorities of the next Strategic Agenda, expected to be adopted in 2019, and taking into account the outcome of the Sibiu summit.

Preparations for the December European Council

The Council will examine draft conclusions for the [European Council meeting to be held on 13-14 December](#), prepared by the President of the European Council, Donald Tusk, in cooperation with the Austrian presidency and the Commission.

At their meeting in December, the EU leaders will have their first substantial exchange of views on the multiannual financial framework for 2021-2027.

Following its conclusions of March 2018, and based on an assessment by the Commission of remaining barriers and options for action to tackle these barriers, the European Council will review the state of play regarding a fully functioning single market.

The European Council will return to the implementation of its comprehensive approach to migration, in accordance with its conclusions of June 2018.

Leaders will discuss preparations for the upcoming summit with the League of Arab States on 24-25 February 2019. In the light of events, the European Council may address other specific foreign policy issues.

The European Council will revert to the issue of disinformation, on the basis of the action plan to be presented by the High Representative and the Commission, in cooperation with the member states and in line with its earlier conclusions.

Leaders will also address citizens' consultations, the fight against antisemitism, racism and xenophobia, and climate change.

Chancellor Sebastian Kurz, representing the Austrian presidency, will provide an overview of progress on the implementation of earlier European Council conclusions.

An [annotated draft agenda](#) of this meeting of the European Council was discussed by the Council on 12 November 2018.

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 meetings of the General Affairs Council on 26 June and 18 September 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.

Respect for EU values in Hungary

Ministers will hold an exchange of views on the procedure under Article 7(1) TEU on the respect for EU values in Hungary, addressing issues raised in the European Parliament's [reasoned proposal](#).

As part of the Article 7(1) TEU procedure, the Council has so far received from Hungary its written contribution on the issues raised in the European Parliament's reasoned proposal. The Commission has provided a factual contribution on pending infringement procedures against Hungary.

On this basis, ministers will be invited to present their general views.

Article 7(1) TEU procedure concerning Hungary was triggered by the European Parliament on 12 September 2018 when it adopted a resolution with a reasoned proposal asking the Council to determine whether there was a clear risk of a serious breach by Hungary of the values referred to in Article 2 TEU.

In its reasoned proposal, the European Parliament describes a number of issues that, in the view of the Parliament, justify the triggering of the Article 7 procedure:

- (1) the functioning of the constitutional and electoral system,
- (2) the independence of the judiciary and of other institutions and the rights of judges,
- (3) corruption and conflicts of interest,
- (4) privacy and data protection,
- (5) freedom of expression,
- (6) academic freedom,
- (7) freedom of religion,
- (8) freedom of association,
- (9) the right to equal treatment,
- (10) the rights of persons belonging to minorities, including Roma and Jews, and protection against hateful statements against such minorities,
- (11) the fundamental rights of migrants, asylum seekers and refugees, and
- (12) economic and social rights.

Annual growth survey for 2019

The Commission will present to the Council its [annual growth survey for 2019](#), in which it outlines the most pressing economic and social priorities on which the EU and its member states should focus their attention in the coming months.

The adoption of the annual growth survey kicks off the [European Semester](#) of economic and budgetary policy coordination.

The European Semester is a cycle of economic and fiscal policy coordination within the EU. It helps the member states to coordinate their economic, employment and fiscal policies better and to align them with the objectives and rules agreed at EU level.