

# Welcome to the EBD Briefing:

## Portuguese Presidency of the Council of the EU

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- Please state your **full name** and the **institution/organization** you represent when you type in your **questions or comments**.

# EBD Briefing

## Portuguese Presidency of the Council of the EU

#EBDbrief

#EU2021PT

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<https://www.twitterfall.com/EBDbrief>

## News tags

**Portuguese Presidency of the Council of the EU** | <https://www.netzwerk-ebd.de/news-tag/eu2021pt/>

**Corona crisis** | <https://www.netzwerk-ebd.de/news-tag/coronavirus/>

**EU budget** | <https://www.netzwerk-ebd.de/news-tag/eu-haushalt/>

# Programme EBD Briefing Portuguese EU Council Presidency

## Briefing

H.E. Francisco **Ribeiro de Menezes**, Ambassador of Portugal to Germany

Andreas **Peschke**, Head of the European Directorate-General at the Federal Foreign Office

Dr Kirsten **Scholl**, Head of the Department for European Affairs at the Federal Ministry for Economic Affairs and Energy

## Opening of the discussion

Dr Jörg **Wojahn**, Representative of the European Commission in Germany

Christian **Petry** MP, Vice-President, EM Germany

## Moderation

Bernd **Hüttemann**, Secretary-General, EM Germany

# Priorities of the Portuguese EU Council Presidency programme

**Guided by the motto: „Time to deliver: a fair, green and digital recovery”, the Portuguese EU Council Presidency has set the following main priorities:**

- Promoting a European recovery, leveraged by the climate and digital transitions
- Implementing the Social Pillar of the European Union as a key element for ensuring a fair and inclusive climate and digital transition
- Executing the MFF, the NextGenerationEU and the respective RRF
- Strengthening Europe's strategic autonomy, keeping it open to the world.



# Priorities and action lines of the Portuguese EU Council Presidency

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## Assessment on the basis of EM Germany's priorities



Date: 11/01/2021 | Source: [www.2021portugal.eu](http://www.2021portugal.eu) | Design: Burak Korkmaz

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# Priorities and action lines of the Portuguese EU Council Presidency

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## Assessment on the basis of EM Germany's priorities



### Missing?

- Commitment to increasing transparency in the Council
- Debate on new own resources for the EU

### Further information

Link to the programme: [www.2021portugal.eu](http://www.2021portugal.eu)



Germany  
As of 01/07/2020



Portugal  
As of 01/01/2021



Slovenia  
As of 01/07/2021

### ✓ Important to EM Germany

- Implement swiftly the EU budget 2021-27, including the recovery instrument and the rule of law conditionality
- Carry forward with commitment the rule of law dialogue in the Council of Ministers and reform the fundamental values procedure of Art. 7 TEU
- Promote media pluralism and strengthen the resilience of democracy against disinformation and hate speech in the digital age
- Initiate the Conference on the Future of Europe in January
- Achieve progress in the accession talks with the Western Balkans
- Stop the erosion of Schengen



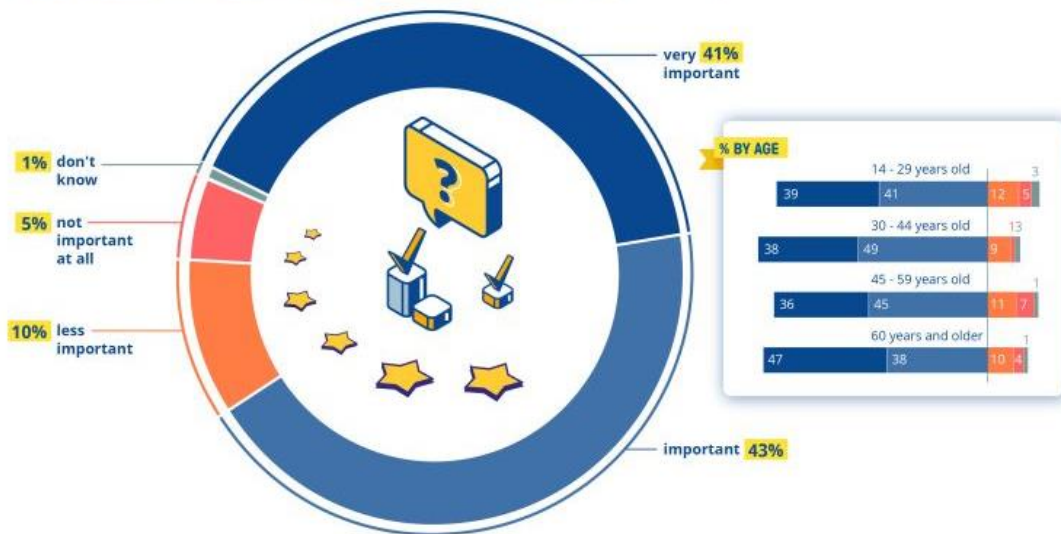


# The role of German European policy in the 2021 Bundestag election campaign

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Representative poll by Forsa on behalf of EM Germany  
(December 2020)

How important do you assess an extensive discussion of European issues and European policy in the upcoming 2021 Bundestag election campaign?



Who is responsible for coordinating German European policy?



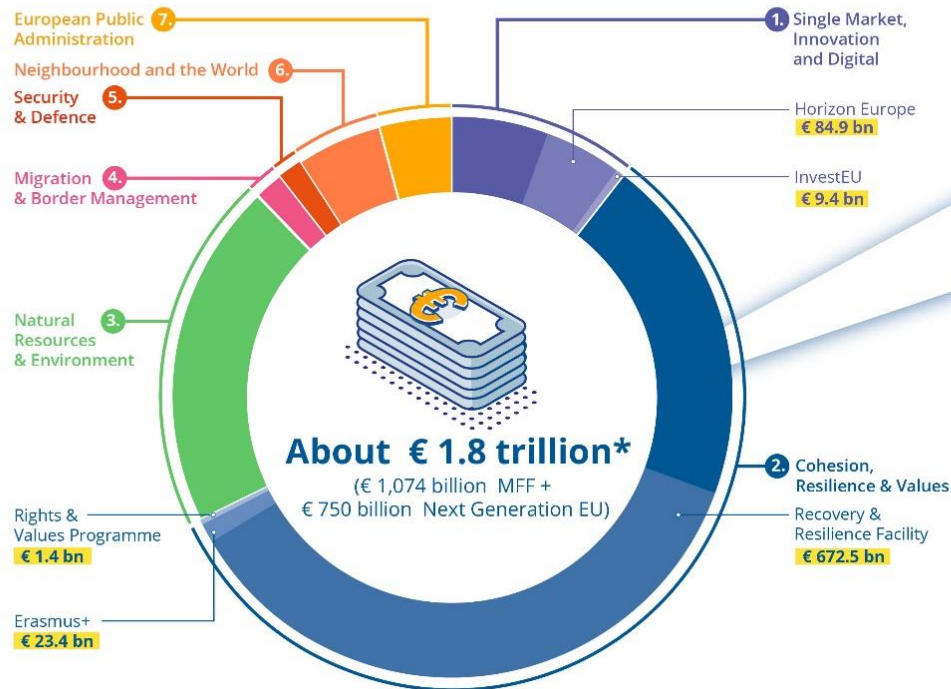
Date & source: Forsa poll from 18 and 21/12/2020 | Design: Burak Korkmaz

# Long-term EU budget (MFF+NGEU) 2021-27

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Compromise (in 2018 prices)

## Multiannual Financial Framework (MFF) 2021-27 with Recovery Instrument



\*In addition, approx. € 20 bn outside of the MFF 2021-27  
Example: € 5 bn for a Brexit reserve


### IN DETAIL

#### Recovery Instrument Next Generation EU 2021-26



- Support to Member States (in particular Recovery and Resilience Facility)
- Promotion of private investments and support for companies in need
- Strengthening important EU programmes

#### Linked to rule of law conditionality

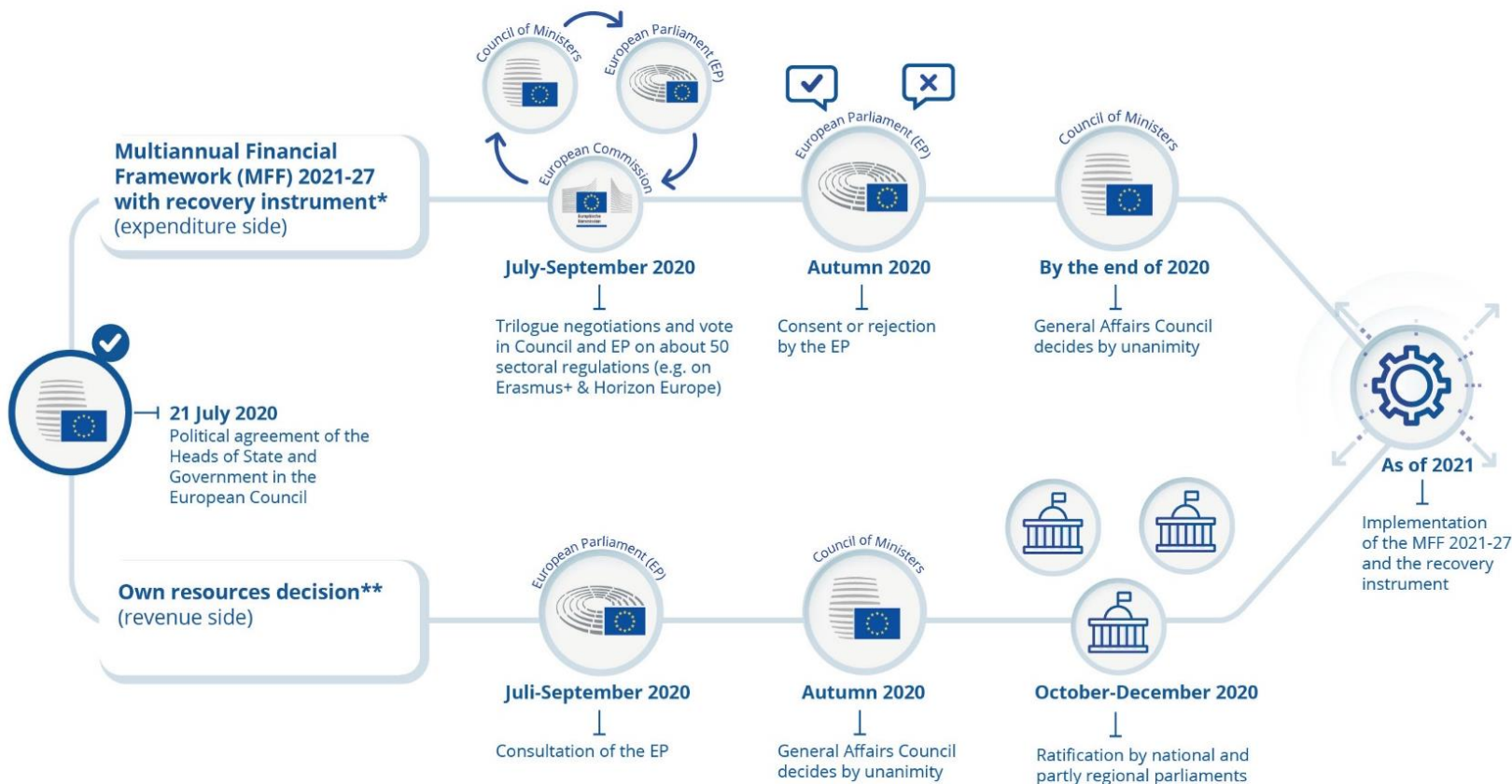
- Suspension or cuts of EU funds possible in case of rule of law breaches that are closely linked to the budget
- Council to decide on suspension or cuts of funds with qualified majority
- Measures can only be proposed after ECJ has ruled on  legal action against the new instrument



# Long-term EU budget (MFF) 2021-27

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## Next steps towards an agreement



# Taking stock of the German EU Council Presidency

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European  
Movement  
Germany

## Preliminary assessment from the perspective of EM Germany

Pending

- ✓ Achieving consensus on the EU budget and the recovery instrument
- ✓ Strengthening coordination and European solidarity during the pandemic to prevent border closures

- Accelerating the accession process for the Western Balkan countries
- ✓ Contributing to a successful conclusion of the Brexit negotiations

- ✓ Strengthening dialogue on the rule of law
- ✓ Linking the EU budget to rule of law principles
- Reaching first agreement on EU Migration and Asylum Pact
- ✓ Expanding the Transparency Register to the Council

### the economic recovery



### A strong Europe in the world



### A Europe of security and common values



### A stronger and more innovative Europe



### A fair Europe



### A sustainable Europe



- Making the Single Market fit for the future and strengthening the digital sovereignty
- ✓ Reforming the European Stability Mechanism (ESM) and strengthening the Banking Union.

- Launching the Conference on the Future of Europe
- Implementing the Pillar of Social Rights and combating youth unemployment

- ✓ Agreeing in Council on more ambitious climate goals for 2030

### ✓ EM Germany's expectations of German European politics in 2021

- Making the future of Europe a key issue of the federal election campaign
- Setting up coherent, strategic and accountable German European politics
- Launching a Conference on the Future of Europe that allows an open and frank discussion on discrepancies, such as on rule of law promotion and the future democratic development of the EU
- Advancing the debate on the EU's new own resources

Germany  
as of  
01/07/2020

Portugal  
as of  
01/01/2021

Slovenia  
as of  
01/07/2021

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# Migration and Asylum Package

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Proposal by the European Commission  
23/09/2020\*

## 1. EU external borders: procedure on arrival



5-10 days max.  
Compulsory pre-entry screening  
Identification, health  
and security checks



Monitoring mechanisms  
(independent, national)  
to ensure respect for  
fundamental rights  
in screening



Within 12 weeks  
Introducing fast-track  
asylum procedures  
for asylum seekers from  
countries of origin with  
a recognition rate of  
less than 20%



Creation of an  
EU asylum agency

### ✓ Important to EM Germany

- Authorise EU Asylum Agency to guarantee common standards for asylum procedures, reception conditions, recognition and protection
- Ensuring a fair fast-track procedure & avoiding detention wherever possible
- European monitoring coordinated by the EU Fundamental Rights Agency (FRA), including for border management
- EU coordinated rescue operations at sea

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## 2. In the EU: Solidarity mechanism

The Dublin Regulation will be withdrawn, but responsibility remains in principle with the country of initial reception

### Three options for EU Member States



Reception of  
refugees from first  
host countries



"Return  
sponsorships"



Technical & operational  
assistance for the  
country of first  
reception

### Depending on the scenario, assistance is compulsory or voluntary



Normal situation  
Voluntary participation

Member States may  
choose between all  
three options



Risk of pressure in  
one Member State  
Compulsory participation

Member States may choose  
between all three options,  
but assistance is provided  
based on a distribution key



Situation of crisis  
Compulsory participation

Recognition of entire groups  
(e.g. Syrian citizens)  
Member States may choose  
only between option 1 and 2



Also planned:  
EU Action Plan on  
integration and  
inclusion

### ✓ Important to EM Germany

- Solidarity in receiving asylum seekers rather than in expelling them
- Creating positive incentives for receiving asylum seekers
- Promoting integration into society

## 3. In countries of origin and transit: enhanced cooperation



Supporting legal  
migration  
(Proposal envisaged  
for 4th quarter 2021)



Strengthening  
UNHCR  
resettlement



Establishing and  
deepening migration  
dialogues and partnerships

### ✓ Important to EM Germany

- Addressing the root causes of migration through coherent EU policies and multilateral solutions
- Swiftly opening new legal migration channels
- Extending EU Member States' contributions under the UNHCR's resettlement programme



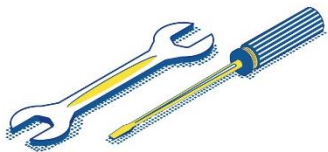
# Strengthening the rule of law in the EU

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European  
Movement  
Germany

## The European institutions' tool box



### Preventive instrument\*

NEW

#### European Rule of Law Mechanism

Annual cycle of dialogue with general report and 27 country chapters

How: rule of law assessment on the basis of the following criteria:



Judicial independence



Effective anti-corruption framework



Media pluralism & media freedom



Checks & balances

#### ✓ Important to EM Germany

- Institutionalise an open and constructive rule of law dialogue in the Council
- Involve social forces as well as parliaments in the preparation and evaluation of the report

### Sanctions instruments

#### Article 7 TEU Mechanism



How: unanimous decision by the European Council (without MS concerned), after consent by the EP on the existence of a breach.\*\* Then decision on sanction by QM voting in the Council of Ministers



Sanction: suspension of certain rights of the Member State, including voting rights

#### Rule of Law Framework



How: formulating recommendations in a three-stage dialogue between the Commission and the MS concerned.



Sanction: if MS does not adhere to the recommendations, the Commission launches the Art 7 TEU procedure

#### ✓ Important to EM Germany

- Adopt as soon as possible a rule of law conditionality to the EU budget that addresses general rule of law deficiencies and limits Council competences to a QM veto
- Strengthen the mandate of the European Fundamental Rights Agency (FRA)
- Apply the Art. 7 TEU procedure consistently and launch a reform of this mechanism in the medium term

\*\* The Council decides in advance by a 4/5 majority (excluding the MS concerned) and after consent by the EP on the risk of a breach



#### Infringement proceedings under Article 258 TFEU



How: hearing by the EU Commission, then initiation of proceedings before the European Court of Justice



Sanction: payment of fines

#### PROPOSAL 2018

Linking the EU budget to rule of law principles



How: currently disputed

- **Commission & EP proposal:** decided by the Commission, but Council can veto with qualified majority
- **Council proposal:** decided by the Council on a proposal from the Commission



Sanction: suspension or restriction of access to European funds for a Member State

\*Other preventive monitoring instruments: EU Justice Scoreboard, European Semester, Cooperation and Verification Mechanism for Bulgaria and Romania.

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## Basic idea and practice

- EU member states in the Schengen Area
- Third countries in the Schengen Area
- EU member state outside the Schengen Area
- Candidates being part of the EU
- Micro-states with open borders with the Schengen Area

**Basic idea:** goods and people can move freely across internal borders

**Signed:** 1985 (Schengen I), 1990 (Schengen II)

**Effective since:** 1995

**Participating countries:** 26

**Border controls in the Schengen Area:** max for 2 years

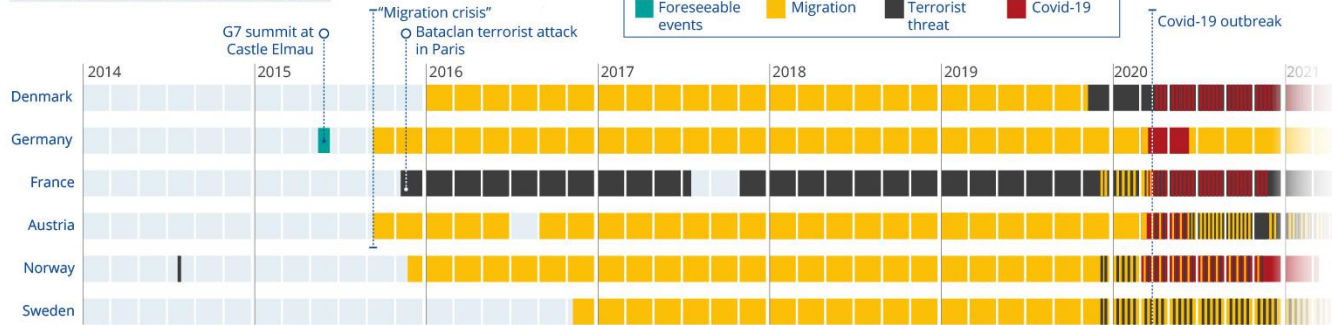
### CONDITIONS

#### Art. 29 of the Schengen Borders Code

- Risk to the functioning of the border-control area
- Serious threat to public order or internal security



### Temporary introduction of at least one internal border control since 2014



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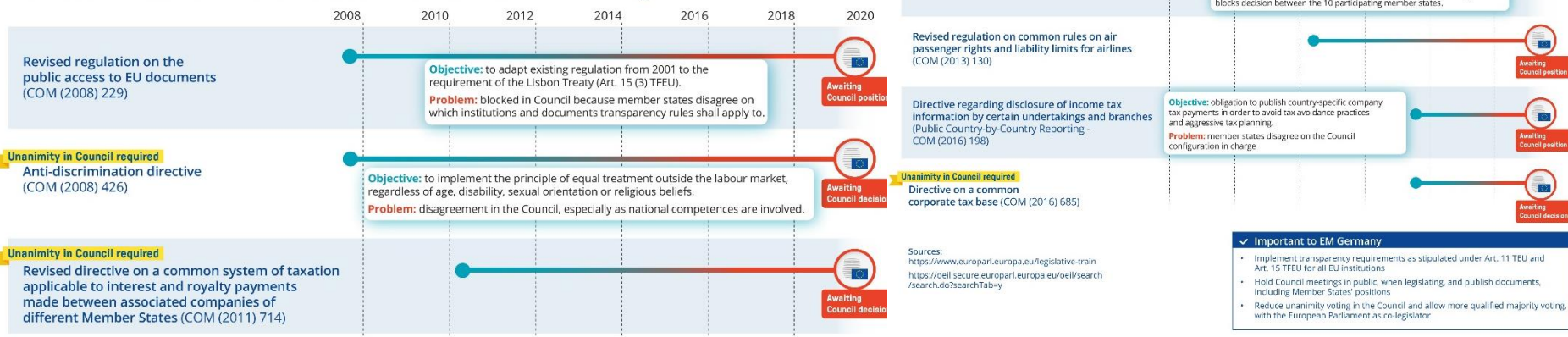
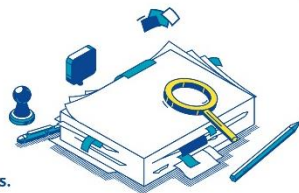
# Blocked in the Council

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## Selection of the oldest Commission's proposals

This list shows a selection of Commission's proposals, which have been negotiated in the Council of the EU for more than four years.



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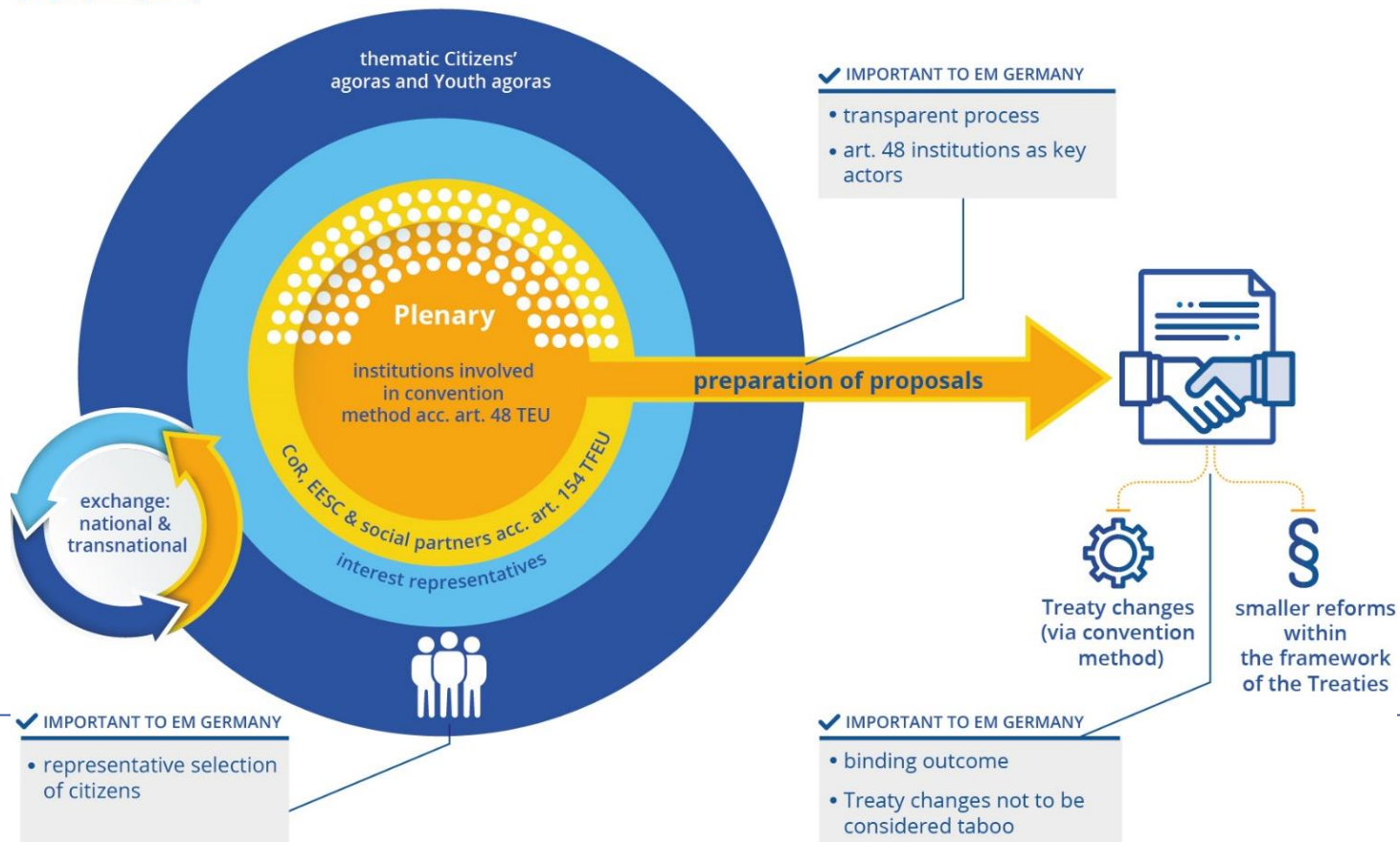
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# Conference on the Future of Europe

EP's position  
(P9\_TA(2020)0010)



# Conference on the Future of Europe

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## Overview: Positions of the EU institutions

In line with EM Germany's position

- largely
- partly
- few or none



Important to EM Germany

Involvement of representatively selected citizens



European Commission  
(See COM(2020) 27 final)

- Deliberative panels
- A **representative citizens' panel**
- A multilingual digital platform
- National, regional and local events



European Parliament  
(See P9\_TA(2020)0010)

- Thematic citizens' agoras with max. 200-300 **representatively selected participants**
- 2 youth agoras



Council of the EU  
(See 9102/20)

- **Debates and citizens' panels** at nat., reg. and EU level
- Multilingual internet/ digital platform(s)

Key actors: nat. parliaments & governments, EP and EU Commission (Conventions partners acc. to Article 48 TEU)

- No precise indication, but forum should be open to a **wide range of institutions**, including Art 48 TEU partners

- Plenary of Art. 48 TEU partners with CoR, EESC and social partners
- Steering committee and an executive coordination board
- Secretariat

- Plenary of Art. 48 TEU partners with CoR and EESC
- Steering group
- Secretariat

Transparent process

- All events, documents and essential information should **be available online**

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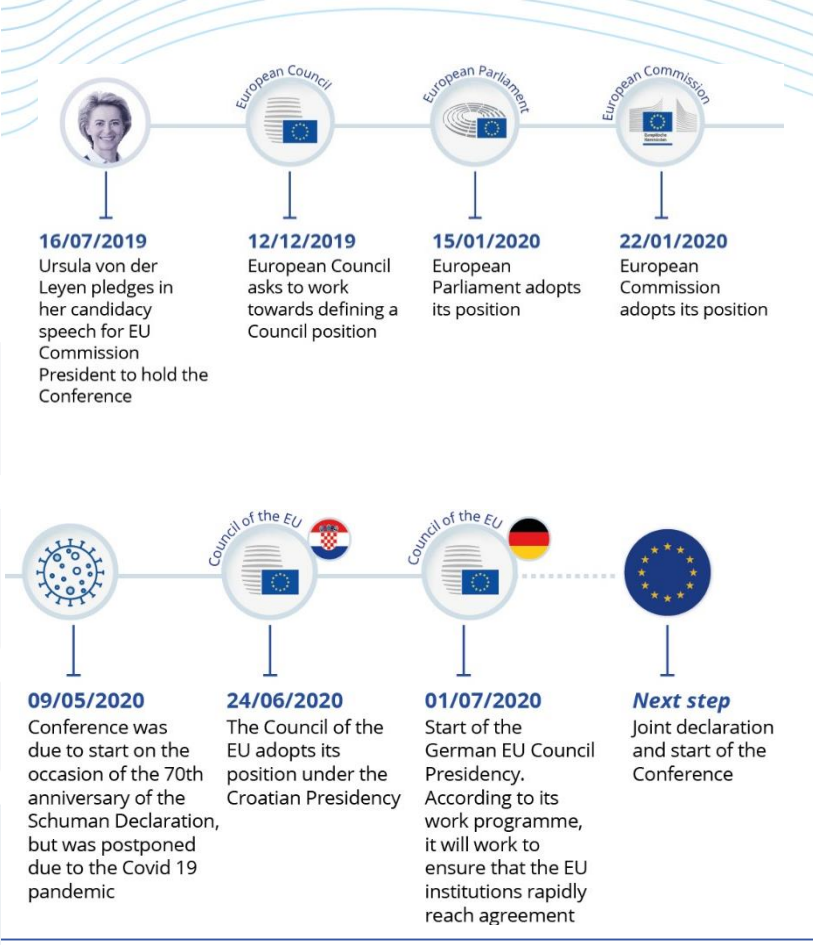
- No detailed position on this

Concrete follow-up and treaty changes not to be considered taboo

- Recommendations should lead to **tangible results** and a feedback mechanism could summarise debates on a quarterly basis

- Commitment to a genuine follow-up of the results without delay, with **legislative proposals, initiating treaty changes**

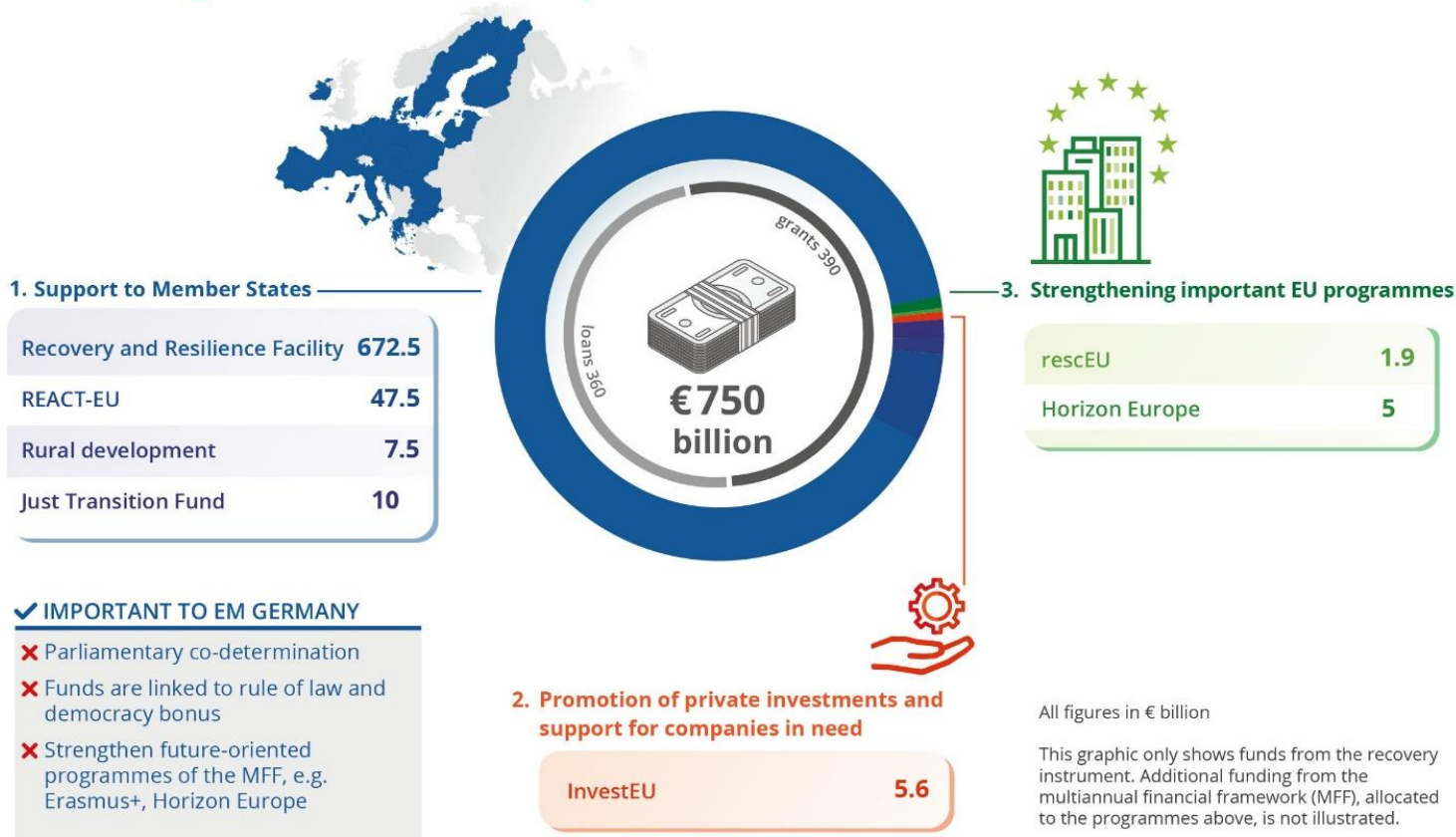
- Commitment to feed back results by reporting to the European Council in 2022
- EU institutions should then examine how to follow up effectively to this report



# Recovery instrument: Next Generation EU

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## Political Agreement of the European Council



Date: 21/07/2020 | Source: European Council | Design: Burak Korkmaz



## Upcoming Events of EM Germany

<https://www.netzwerk-ebd.de/termine/>

### January

- 20 January 2021, 09:30 a.m. EBD De-Briefing ECOFIN and Eurogroup (in German)
- 20 January 2021, 11:00 a.m. German Parliamentary Groups in Dialogue:  
Daniel Caspary MEP (in German)

*All events take place as video conferences.*

# Membership in EM Germany's network

<https://www.netzwerk-ebd.de/mitglieder-seiten/mitgliedschaft/>

Wide-ranging network with more than 250 member organizations :



dbb  
beamtenbund  
und tarifunion



BDI  
Bundesverband der  
Deutschen Industrie e.V.



DNR  
DEUTSCHER  
NATURSCHUTZRING



Deutscher Industrie- und  
Handelskammertag



We create chemistry



## A membership offers you...

- |               |   |   |
|---------------|---|---|
| Information   | - | Current European policy information from and for the <b>professional public</b>                                 |
| Participation | - | Shaping of the policy of the association, free access to events, Participation in <b>"EBD exclusive"</b> events |
| Networking    | - | Dialogue within <b>Germany's largest European political network</b>   |
| Support       | - | <b>Consulting, project development, event organization</b>  |

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