



Council of the European Union

PRESS
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BACKGROUND¹
Brussels, 24 February 2020

GENERAL AFFAIRS Council **Tuesday 25 February 2020 in Brussels**

Chair: Andreja Metelko-Zgombić, Croatian State Secretary for European Affairs

The meeting will **start at 10.00**.

Ministers will start preparations for the **European Council meeting on 26-27 March** by discussing an annotated draft agenda.

The Council will discuss the next steps in the **EU-UK relationship**. It is expected to adopt the **mandate for negotiations** for a new partnership with the United Kingdom.

The Commission will **present** to ministers the **revised enlargement methodology** it has put forward.

In public session, ministers will exchange views on **legislative work in 2020** and **multiannual programming** for the Commission's term.

Under any other business, the Commission will present to ministers the **methodology** it intends to follow for the **horizontal rule of law mechanism** it has announced.

A presidency press conference will be held at the end of the meeting (+/- 14.45).

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[General Affairs Council meeting page](#)
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[Video coverage in broadcast quality \(MPEG4\) and photo gallery](#)

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

March European Council

The Council will examine an [annotated draft agenda](#) for the European Council meeting to be held on 26-27 March. The annotated draft agenda will serve as the basis for draft conclusions to be prepared in the run-up to the meeting.

At their meeting in March, EU leaders will focus on economic issues. They will hold an exchange of views on the strengthening of the economic base of the EU. Leaders are expected to provide guidance on tackling existing barriers in the single market and on the EU's industrial policy.

They will be invited to endorse policy guidance on the priorities for the [Annual Sustainable Growth Strategy](#), as well as the [recommendation on the economic policy of the euro area](#).

The European Council will also discuss the EU's digital policy.

In line with its conclusions of October 2019, the European Council will return to the issue of enlargement. Under external relations, it will also hold an exchange of views on preparations for the Western Balkans summit to be held in Zagreb in May.

Leaders will hold a strategic discussion on EU-China relations ahead of the EU-China summit and the EU-China leaders' meeting.

The European Council will also be invited to endorse the new strategic guidelines in the field of justice and home affairs.

EU-UK relationship

The Council will adopt a decision authorising the opening of negotiations with the UK for a new partnership agreement and nominating the Commission as the EU negotiator. The Council will also adopt negotiating directives for the talks, which are annexed to the decision.

Both texts are based on a [recommendation](#) presented by the Commission on 3 February 2020. They also build on the [revised political declaration](#) of 17 October 2019, as well as the European Council (Art. 50) guidelines of [23 March 2018](#) and [29 April 2017](#).

Adoption of the texts will enable the start of negotiations with the UK further to the entry into force of the withdrawal agreement on 1 February 2020.

Negotiating directives

The EU is determined to have **as close as possible a partnership** with the UK in the future. The future partnership should be comprehensive and cover the areas outlined in the political declaration:

- trade and economic cooperation
- law enforcement and judicial cooperation in criminal matters
- foreign policy, security and defence
- thematic areas of cooperation

The EU wishes to establish an ambitious, wide-ranging and balanced **economic partnership** with the UK. The mandate stresses that the future partnership should be underpinned by robust commitments to ensure a **level playing field** for open and fair competition, given the EU and the UK's geographic proximity and economic interdependence. In particular, the EU wishes to uphold the common high standards over time in the areas of state aid, competition, state-owned enterprises, social and employment standards, environmental standards, climate change, and relevant tax matters.

The EU intends to establish a **free trade agreement** with the UK which ensures that zero tariffs and quotas apply to trade in goods. This agreement should provide for cooperation on customs and regulatory aspects. It should also include effective management and supervision, dispute settlement and enforcement arrangements. The EU also calls for liberalising trade in **services and investment** beyond the parties' WTO commitments.

On **fisheries**, the mandate outlines that the future partnership should uphold the existing reciprocal access to waters as well as stable quota shares. The agreement on fisheries should be established by 1 July 2020, to give time for determining fishing opportunities after the end of the transition period. The mandate also contains provisions for future cooperation in areas such as **digital trade, intellectual property, public procurement, mobility, transport, and energy**.

The EU will seek to establish a comprehensive **security partnership** with the UK. The partnership should comprise law enforcement and judicial cooperation in criminal matters. The cooperation should be underpinned by commitments to respect fundamental rights, including adequate protection of personal data. The EU will also aim to cooperate closely on foreign policy, security and defence.

The mandate foresees that the future partnership should be embedded in an overall **governance framework** covering all areas of cooperation. The partnership should provide for the possibility of autonomous measures, including full or partial suspension in the event of breach of essential elements. It should include dispute settlement proceedings and both parties should refer to the EU Court of Justice for questions of interpretation of Union law.

Transition period

The entry into force of the withdrawal agreement on 1 February 2020 marked the end of the period under Article 50 TEU and the start of a transition period until 31 December 2020. This transition period, set out in the withdrawal agreement, aims to provide more time for citizens and businesses to adapt.

During the transition period, the UK will continue to apply Union law but it will no longer be represented in the EU institutions. The transition period can be extended once for a period of up to one or two years, if both sides agree to this before 1 July 2020.

[EU-UK negotiations on the future relationship \(background information\)](#)

Enlargement methodology

The Commission will present to ministers its revised enlargement methodology.

The Commission set out its proposals for strengthening the accession process in its [communication](#) of 5 February 2020 on 'Enhancing the accession process – A credible EU perspective for the Western Balkans'. Their overall aim of the proposals is to enhance credibility and trust on both sides and yield better results on the ground.

The main elements of the proposed enlargement methodology are the following:

- **A more credible process:** Credibility would be reinforced through an even stronger focus on fundamental reforms, starting with the rule of law, the functioning of democratic institutions and public administration as well as the economy of the candidate countries. When partner countries meet the objective criteria, the merits-based approach would be respected.

- **A stronger political steer:** The Commission proposes to increase the opportunities for high-level political and policy dialogue, through regular EU-Western Balkans summits and intensified ministerial contacts. Moreover, member states would be involved more systematically in monitoring and reviewing the process.
- **A more dynamic process:** The Commission proposes to group the negotiating chapters in six thematic clusters. Negotiations on each cluster would be opened as a whole – after fulfilling the opening benchmarks – rather than on an individual chapter basis. Negotiations on the fundamentals would be opened first and closed last and the progress on these would determine the overall pace of negotiations. The timeframe between opening a cluster and closing the individual chapters would be limited, preferably to within a year.
- **A more predictable process:** The Commission will better define the conditions set for candidates to progress, as well as the consequences in the event of progress or lack of progress. The incentives could include accelerated integration and ‘phasing-in’ to individual EU policies, the EU market and EU programmes, as well as increased funding and investments. Equally, the Commission proposes that any serious or prolonged stagnation or backsliding in reform implementation could lead to decisions to halt or reverse the accession process and adjusting the EU funding downward.

Legislative programming

In public session, ministers will hold an exchange of views on legislative work in 2020 and multiannual programming. The discussion will take place on the basis of a presidency [steering note](#).

Both annual and multiannual programming exercises are provided for in the [interinstitutional agreement on better law-making](#), agreed in 2016. Their aim is to improve cooperation between the Commission, the Council and the Parliament in setting and delivering on the EU’s political agenda.

Legislative work in 2020

At the Council meeting, the Commission will present its [work programme for 2020](#), followed by an exchange of views among ministers on the programme and the joint declaration on the EU’s legislative priorities for 2020.

The aim of the discussion is to identify:

- which policy areas and themes should receive priority treatment in 2020 and thus be highlighted in the joint declaration, and
- which major files subject to ordinary legislative procedure should be emphasised in the joint declaration, based on the understanding among delegations that realistic progress can be made on them in 2020

The outcome of this exchange of views will feed into the negotiations with the other two institutions. The presidency plans to propose to the Council to approve the joint declaration at its meeting on 24 March 2020.

Multiannual programming

Ministers will also hold a preliminary exchange of views on multiannual legislative programming, which will take place for the first time with the 2019-2024 Commission.

The interinstitutional agreement on better law-making provides that upon the appointment of a new Commission, in order to facilitate longer-term planning, the three 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 three institutions. The interinstitutional agreement also provides that the three institutions will, on the Commission's initiative, carry out a mid-term review of the joint conclusions and adjust them as appropriate.

In this respect, the presidency has invited ministers to address the following questions:

- Having regard to the Strategic Agenda, which are the major policy objectives that can help the institutions to respond to the current challenges in the new term?
- How can the Council monitor the implementation of the joint conclusions with a view to the mid-term review?

The General Affairs Council is expected to come back to this topic in May 2020.

Any other business

Under any other business, the Commission will present to ministers the methodology it intends to follow for the horizontal rule of law mechanism it has announced.

In its [communication](#) of 17 July 2019 on strengthening the rule of law within the EU, the Commission stated its intention to deepen the monitoring of rule-of-law-related developments in all member states. It proposed to set up a rule of law review cycle, including an annual rule of law report covering all EU member states.

In her [political guidelines](#), Commission President von der Leyen underlined that strengthening the rule of law is a shared responsibility for all EU institutions and all member states. She gave her support for a comprehensive European rule of law mechanism, which would have an EU-wide scope and include objective annual reporting by the Commission, based on the same monitoring approach in every member state.
