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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the European Social Fund Plus (ESF+) and repealing Regulation (EU) No 1296/2013 **(first reading)** - Adoption of the Council's position at first reading and of the statement of the Council's reasons

1. On 30 May 2018 the Commission sent its proposal[1] based on Articles 46, 149, 153(3), 164, 168(5), 175(3), and 349 TFEU and on 28 May 2020 the amended proposal[2] based on Articles 46, 149, 153(2), 164, 175(3), and 349 TFEU, to the Council.

2. The European Economic and Social Committee delivered its opinions on 17 October 2018[3] and 18 September 2020[4].

1 9573/18 + ADD 1 + ADD 2
2 8394/20
3 OJ C 62, 15.2.2019, p. 165–172
4 OJ C 429, 11.12.2020, p. 245–250

3. The Committee of the Regions delivered its opinions on 5 December 2018[5] and 14 October 2020[6].

4. The European Parliament adopted its position at first reading on 4 April 2019[7].

5. The Permanent Representatives Committee confirmed on 3 March 2021 the provisional agreement reached by the co-legislators.

6. Subsequently, on 4 March 2021 the European Parliament Committee on Employment and Social Affairs (EMPL) confirmed the provisional agreement and its chair sent a letter on the same day to the chair of Coreper declaring that the European Parliament should, at its second reading, approve the Council's position at first reading (following a legal-linguistic review) without amendments.

7. The Permanent Representatives Committee is therefore asked to suggest that the Council:

   - adopt its position at first reading, as set out in document 6980/21, and the statement of reasons, as set out in document 6980/21 ADD 1, as an 'A' item at a forthcoming meeting, with Hungary abstaining;
   - decide that the statements in Addendum 1 to this note be entered in the minutes of that meeting.

8. At the same time, the Permanent Representatives Committee is invited to decide, in accordance with the first subparagraph of Article 12(1) of the Council's Rules of Procedure and Article 1 of Council Decision (EU) 2021/454[8], that the Council use the written procedure for the adoption of the abovementioned Regulation if, due to the circumstances related to COVID-19, no Council meeting takes place before 29 May 2021.

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5 OJ C 86, 7.3.2019, p. 239–258
6 OJ C 440, 18.12.2020, p. 191–212
7 8046/19
8 Council Decision (EU) 2021/454 of 12 March 2021 further extending the temporary derogation from the Council's Rules of Procedure introduced by Decision (EU) 2020/430, in view of the travel difficulties caused by the COVID-19 pandemic in the Union (OJ L 89, 16.3.2021, p. 15–16)