

# Priority dossiers under the French EU Council Presidency

## INTRODUCTION

France will hold the Presidency of the Council of the EU in the first half of 2022. It will initiate the work of the Trio Presidency composed of France, Czechia and Sweden. Executive power is exercised by the President of the Republic, who is elected by direct, popular vote, and the Government. The Prime Minister, appointed by the President, together with the Ministers, is answerable to the National Assembly, the lower house of Parliament, and they can be removed by a vote of censure. Parliament consists of the National Assembly and the Senate. The National Assembly is the principal parliamentary body, composed of 577 members, who are elected directly for five-year terms. The Presidential election will coincide with the French Presidency, in April 2022.

France is a founding Member State of the European Union, and has already held the rotating Presidency of the Council 13 times. The French President, Emmanuel Macron, will present the political priorities of the Presidency to the European Parliament during the January plenary session in Strasbourg.

While the last French Presidency, in 2008, was characterised by the global financial crisis, the forthcoming one is expected to be dominated by the **ongoing Covid pandemic, the cost of energy crisis and the aftermath of Brexit**. The French Presidency will very likely give special impetus to the conclusion of the **Conference on the Future of Europe**, which should take place in the first half of 2022. The plan is for the Trio Presidency, in its role as member/observer in the Executive Board of the Conference, to draw on the outcomes of the various activities and citizens' recommendations, outline how they define the future of the Union, and start the implementation process.

## PART A: POLITICAL PRIORITIES DURING THE FRENCH PRESIDENCY

The priorities of the French Presidency will be presented officially to the European Parliament during the January plenary session. **Recovery, strength** and a **sense of belonging** are the three aims of the Presidency.

From the legislative point of view, the French Presidency will focus on key questions such as the **regulation of the digital sector and platforms, climate, economic recovery and European sovereignty, global tax reform and social ambition**. In particular, there will be special focus on concrete action to tackle climate change in line with the proposals set out in the European Commission's '**Fit for 55**' package launched in mid-July 2021. There are also plans for an **EU carbon border adjustment mechanism**.

On the international level, the French Presidency has expressed the will to rebuild a relationship of cooperation with the **African continent**. An **EU-African Union Summit** will take place in February 2022, and work on a post-Cotonou Agreement will renew relations with Africa.

The trio of France, Czechia and Sweden has also developed a programme of priorities. That 18-month programme will focus on health, relations with strategic partners including transatlantic partners and emerging powers, the protection of citizens and freedoms, developing an economic base, building a climate-neutral, green, fair and social Europe, and promoting Europe's interests and values in the world.

Specific initiatives related to the afore-mentioned are the following:

- European Democracy Action Plan, including to counter hybrid threats, malicious cyber-activities and disinformation, in particular in electoral processes;
- Gender Equality Strategy 2020-2025, promoting gender equality and fighting against gender-based stereotypes and violence;
- LGBTIQ Equality Strategy 2020-2025;
- EU Anti-racism Action Plan 2020-2025;
- Strategy for the Rights of Persons with Disabilities 2021-2030

In terms of legislative proposals, the trio will focus, amongst other things, on the following:

- 'Fit for 55' package;
- Pact on Migration and Asylum;
- Money laundering and asset recovery;
- Roadmap on new Own Resources (Carbon border adjustment mechanism, digital levy, revised Emissions Trading Scheme (ETS));
- Digital services package;
- Revision of the regulatory framework for online platforms;
- Completion of Banking Union;
- Capital Markets Union

## PART B: EU LEGISLATIVE PRIORITIES

The Presidents of the European Parliament, Council and Commission agreed on the [Joint Declaration on the EU's Legislative Priorities for 2021](#), in which they committed to give priority treatment in the legislative process to a series of initiatives in key policy areas. A new [Joint Declaration for 2022](#) has been agreed, and was signed by the three Presidents on the margins of the European Council meeting of 16 December 2021.

The following is an overview of the main legislative initiatives, currently being discussed internally in the Parliament, or which are in the process of negotiation, with the Council.

## 1. A European Green Deal

The following legislative proposals, all under the **'Fit for 55' package** mentioned in Part A, are expected to be given priority:

- Revision of the EU Emissions Trading System (2021/0211 COD);
- Revision of the Market Stability Reserve (2021/0202 COD);
- Revision of the EU Emissions Trading System for Aviation (2021/0207 COD);
- Global market-based measure for aircraft operators (2021/0204 COD);
- ReFuel EU Aviation - Sustainable aviation fuels (2021/0205 COD);
- FuelEU Maritime - Green European maritimespace (2021/0210 COD);
- Social Climate Fund (2021/0206 COD);
- Carbon Border Adjustment Mechanism (2021/0214 COD);
- Effort-Sharing Regulation (2021/0200 COD);
- Renewable Energy Directive for the new 2030 climate target (2021/0218 COD);
- Energy Efficiency Directive for the new 2030 climate target (2021/0203 COD);
- Inclusion of greenhouse gas emissions and removals from land use, land-use change and forestry (2021/0201 COD);
- Reducing methane emissions in the energy sector (expected to be adopted by the Commission early in 2022);
- Energy Tax Directive (2021/0213 CNS);
- Deployment of the alternative fuels infrastructure (2021/0223 COD);
- CO<sub>2</sub> emission performance standards for new passenger cars and for new light commercial vehicles (2021/0197 COD).

Other proposals under the European Green Deal:

- Intelligent transport systems (2021/0419 COD);
- Trans-European networks (TEN-T) EU 2021 Rail Corridor Initiative (2021/0420 COD);
- Fisheries Control (2018/0193 COD);
- Updating aviation rules - Single European Sky recast (2013/0186 COD);
- Air transport: enforcement of passenger rights, air carrier liability limits (2013/0072 COD);
- Allocation of slots at EU airports: common rules (2011/0391 COD);
- Rules on Waste: Revision of Shipments of Waste (2021/0367 COD);
- Persistent organic pollutants in waste (2021/0340 COD);
- Financing the sustainable transition: Corporate Sustainability Reporting Directive (2021/0104 COD);
- Sustainable production and consumption: Empowering the consumer for the green transition (proposal being prepared by the Commission).

## 2. A Europe fit for the Digital Age

Among the ongoing legislative proposals under this chapter, there are the **Digital Services Act** (2020/0361 COD) and the **Digital Markets Act** (2020/0374 COD), on which the French Presidency hopes to conclude negotiations during its term, as, mentioned earlier.

Also ongoing and likely to feature during the French Presidency are the following:

- Artificial Intelligence Act (2021/0106 COD);
- Review of the Roaming Regulation (2021/0045 COD);
- Improving the working conditions of platform workers (2021/0414 COD);
- Cybersecurity: security of network and information systems (2020/0359 COD);

- e-Privacy: respect for private life and the protection of personal data in electronic communications (2017/0003 COD) (negotiations were ongoing under the Slovenian Presidency).

As part of the digital finance package, there are the following four proposals:

- Digital Operational Resilience(2020/0268 COD);
- Digital operational resilience for the financial sector(2020/0266 COD);
- Markets in Crypto-assets, and amending Directive on Protection of persons reporting on breaches of Union law (2020/0265 COD).

### 3. An Economy that works for the people

The Commission has adopted a number of proposals under this chapter in 2021, and work is ongoing, in parallel, by the co-legislators. The French Presidency could seek progress on some of the following:

- Revision of prudential rules for insurance and reinsurance companies (Solvency II) (2021/0295 COD);
- Completing the Banking Union: Review of the Capital Requirements legislation (2021/0342 & 2021/0343 COD);
- Sustainable corporate governance (2021/0341 COD);
- EU green bond standard (2021/0191 COD);
- Anti-money-laundering package 2021/0239 & 2021/0240 & 2021/0241 & 2021/0250 COD);
- Customs single window (2020/0306 COD);
- Fair minimum wages for workers in the EU (2020/0310 COD);
- Credit servicers, credit purchasers and the recovery of collateral (2018/0063B COD);
- Coordination of social security systems (2016/0397 COD);
- European Deposit Insurance Scheme (EDIS) (2015/0270 COD);
- Fair Minimum Wages for workers in the EU (2020/0310 COD).

The European Commission adopted two more proposals on 22 December, one on the fight against the use of **shell companies** and the other on the implementation of the **OECD global agreement on minimum effective corporate taxation**.

### 4. A stronger Europe in the World

Under this chapter, there is one ongoing proposal, which will make its way to the negotiating table during the French Presidency. This is the proposal on **public procurement markets in third countries** (2012/0060 COD), on which a mandate was given by the plenary on 14 December.

### 5. Promoting our European Way of Life

The principal packages in this chapter are the **Pact on Migration and Asylum** and **Schengen**. The following list of proposals form part of these two packages, on which work could be carried forward during the French Presidency. On some of these files, there is the legal question as to which parts of the new Pact belong to the Schengen *acquis* and which to the Dublin *acquis*. This is slowing down the possibility of finding common ground.

- Schengen Evaluation Mechanism (2021/0140 CNS);
- Revision of the Schengen Borders Code (2021/0428 COD);
- Crisis and force majeure in the field of migration and asylum (2020/0277 COD);
- Screening of third-country nationals at the external borders (2020/0278 COD);

- Asylum and migration management (2020/0279 COD);
- Returning illegally staying third-country nationals (2018/0329 COD);
- Union Resettlement Framework (2016/0225 COD);
- Qualifications of third-country nationals or stateless persons as beneficiaries of international protection (2016/0223 COD);
- Reception of applicants for international protection (2016/0222 COD);
- Eurodac (2016/0132 COD).

On the question of **health**, the French Presidency has indicated its willingness to push ahead on the following:

- European Centre for disease prevention and control (2020/0320 COD);
- Serious cross-border threats to health (2020/0322 COD).

Other ongoing proposals under this chapter:

- Fostering Europe's Security: Strengthening Europol's Mandate (2020/0349 COD);
- Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters as regards the entry of alerts by Europol (2020/0350 COD);
- Fostering Europe's Security: Additional measures for critical infrastructure protection (2020/0365 COD).

## 6. A new push for European Democracy

Work on the two proposals on **evidence in criminal proceedings** has been complex and their conclusion remains uncertain:

- Evidence in criminal proceedings: harmonised rules on the appointment of legal representatives for the purpose of gathering evidence in criminal proceedings (2018/0107 COD);
- Evidence in criminal proceedings: European Production and Preservation Orders for electronic evidence in criminal matters (2018/0108 COD).

Of particular interest to Parliament, in this chapter, is the **transparency and democracy package** composed of the following two proposals:

- Revision of the statute and funding of European political parties and European political foundations;
- Greater transparency in paid political advertising.

The Commission adopted these two proposals on 25 November 2021.

Finally, under this heading, the proposal on **Improving the gender balance among non-executive directors of companies listed on stock exchanges** (2012/0299 COD) is passed on from one presidency to the next and remains blocked in the Council. **Binding pay transparency measures** (2021/0050 COD) on the other hand, is well under way in both Parliament and Council.

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