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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	COUNCIL REGULATION amending Regulation (EU, Euratom) 2020/2093 laying down the multiannual financial framework for the years 2021 to 2027 – Adoption of the legislative act – Decision to derogate from the eight-week period provided for in Article 4 of Protocol 1 on the role of national parliaments in the EU

1. On 3 December 2025, the Commission submitted to the Council a Proposal for a Council Regulation amending Council Regulation (EU, Euratom) 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021 to 2027, as set out in document ST 16367/25 and a Proposal for a Regulation establishing the Reparation Loan to Ukraine and amending Regulation (EU) 2024/792 of the European Parliament and of the Council of 29 February 2024 establishing the Ukraine Facility as set out in document ST 16376/25.

2. With a view to ensuring the necessary financial support for Ukraine as from the second quarter of 2026, the European Council agreed, on 18 December 2025 (EUCO 24/25), to provide a loan to Ukraine of EUR 90 billion for the years 2026–2027 based on EU borrowing on the capital markets backed by the EU budget headroom. The European Council agreed also that any mobilisation of resources of the Union's budget as a guarantee of this loan will not have an impact on the financial obligations of the Czech Republic, Hungary and Slovakia.

3. On 20 December 2025, Belgium, Bulgaria, Denmark, Germany, Estonia, Ireland, Greece, Spain, France, Italy, Croatia, Cyprus, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Finland and Sweden requested (ST 17101/25) that the Commission submit a proposal to the Council for a decision authorising an enhanced cooperation that has as its objective and scope to provide a loan to Ukraine of EUR 90 billion for the years 2026–2027 based on EU borrowing on the capital markets backed by the EU budget headroom by giving effect to paragraphs 3 and 4 of the European Council Conclusions (EUCO 24/25) as well as paragraph 8 of the text on Ukraine firmly supported by 25 Heads of State or Government (EUCO 26/25).

4. On 23 December 2025, the Commission submitted to the Council a proposal for a Council Decision authorising enhanced cooperation on the establishment of a Loan for Ukraine, as set out in document ST 17116/25.

5. On 14 January 2026, the Commission put forward a set of legislative proposals to secure continuous financial support to Ukraine in 2026 and 2027. These legislative proposals consist of a new proposal establishing a support loan for Ukraine based on Article 212 TFEU (Proposal for a Regulation implementing enhanced cooperation on the establishment of the Ukraine Support Loan to Ukraine for 2026 and 2027, as set out in document ST 5304/26), a new proposal to amend the Ukraine Facility based on Article 212 TFEU (Proposal for a Regulation amending Regulation (EU) 2024/792 establishing the Ukraine Facility, as set out in document ST 5305/26) and an amended proposal for a Council Regulation amending Regulation (EU, Euratom) 2020/2093 laying down the multiannual financial framework for the years 2021 to 2027 based on Article 312 TFEU in conjunction with Article 106a of the Euratom Treaty, as set out in document ST 5302/1/26 REV 1.

6. The proposals were presented at the Permanent Representatives Committee on 14 January 2026 and were subsequently discussed at the Working Party of Financial Counsellors on 16 January 2026 in the presence of delegates from the Working Party on Defence Industry and Budget Committee. The Permanent Representatives Committee discussed the proposals again on 21 January 2026.

7. On 22 January, the Presidency put forward a compromise text on the amended proposal for a Council Regulation amending Regulation 202/2093 laying down the MFF for 2021 to 2027 (ST 5658/26). On 23 January 2026, the Permanent Representatives Committee discussed the Presidency compromise text set out in that document.

8. On 27 January 2026, the Presidency put forward a revised compromise text on the amended proposal for a Council Regulation amending Regulation 2020/2093 laying down the MFF for 2021 to 2027 (ST 5658/1/26 REV 1) reflecting the changes discussed on 23 January 2026.

9. This revised compromise text has been reviewed by lawyer linguists and the final compromise text (ST 5470/26) was issued on 28 January 2026.

10. On 4 February, the Permanent Representatives Committee decided to i) agree in principle on the text of the draft Council Regulation amending Regulation (EU, Euratom) 2020/2093 laying down the multiannual financial framework for the years 2021 to 2027, as set out in document ST 5470/26, as revised by lawyer linguists and ii) in view of the urgency of the matter and in accordance with the first subparagraph of Article 12(1) of the Council's rule of Procedures, that the Council used the written procedure for deciding to transmit the above-mentioned draft Council Regulation to the European Parliament for consent in accordance with Article 312(2), first subparagraph, of the Treaty on the Functioning of the European Union.

11. A written procedure was opened on 4 February 2026 with CM 1513/26, (extended with CM 1513/1/26 REV1) and was closed on 5 February 2026 with CM 1516/26. The required majority was reached for transmitting the draft Council Regulation amending Regulation (EU, Euratom) 2020/2093 laying down the multiannual financial framework for the years 2021 to 2027, as set out in document ST 5470/26, to the European Parliament for consent.

12. On 11 February 2026, the European Parliament gave its consent to the draft Council Regulation amending Regulation (EU, Euratom) 2020/2093 laying down the multiannual financial framework for the years 2021 to 2027 (ST 6282/26).

CONCLUSION

On this basis, COREPER is invited to:

- confirm the agreement on the draft Council Regulation amending Regulation (EU, Euratom) 2020/2093 laying down the multiannual financial framework for the years 2021 to 2027, as set out in document ST 5470/26;

- suggest that, in view of the urgency of the matter, the Council decides to derogate, on the basis of the second subparagraph of Article 3(3) of the Council´s Rules of Procedure, from the eight-week period referred to in the first subparagraph of that Article.

- recommend that the Council adopts the Council Regulation amending Regulation (EU, Euratom) 2020/2093 laying down the multiannual financial framework for the years 2021 to 2027, as set out in document ST 5470/26, in one of its forthcoming meetings.