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'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
Subject:	Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the European Defence Fund and repealing Regulation (EU) 2018/1092 (first reading) - Decision to use the written procedure for the adoption of the Council's position at first reading and of the statement of the Council's reasons

1. On 13 June 2018 the Commission sent its proposal¹, based on Articles 173(3), 182(4), 183 and on the second paragraph of Article 188 TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinion on 12 December 2018².
3. The European Parliament adopted its position at first reading on 18 April 2019³.

¹ 10084/18 +ADD1 + ADD2.

² OJ C 110, 22.3.2019, p. 75–81.

³ 8579/19.

4. On 18 December 2020, the Permanent Representatives Committee confirmed the final compromise text on the above draft Regulation.
5. On 14 January 2021, the European Parliament's Committee on Industry, Research and Energy endorsed the final compromise text and by the means of a letter of the same date, the Chair of the European Parliament's Committee on Industry, Research and Energy informed the Chair of the Permanent Representatives Committee that the European Parliament should, at second reading, approve the Council's position at first reading without amendments.
6. Due to the special circumstances, 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) 2021/26⁴, that the Council uses the written procedure for the adoption of its position at first reading on the draft Regulation of the European Parliament and of the Council establishing the European Defence Fund and repealing Regulation (EU) 2018/1092, as set out in document 6748/20, and the Statement of reasons, as set out in document 6748/20 ADD 1. This position should be adopted in parallel or subsequent to the adoption of the Council's position on the Horizon Europe – the Framework Programme for Research and Innovation.

⁴ Council Decision (EU) 2021/26 of 12 January 2021 further extending the temporary derogation from the Council's Rules of Procedure introduced by Decision (EU) 2020/430, and extended by Decisions (EU) 2020/556, (EU) 2020/702, (EU) 2020/970, (EU) 2020/1253 and (EU) 2020/1659, in view of the travel difficulties caused by the COVID-19 pandemic in the Union (OJ L 11, 14.1.2021, p. 19–20).