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Foreign Affairs

Trade

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President **Zdravko Počivalšek**
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- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
 - Documents for which references are given in the text are available on the Council's internet site (<http://www.consilium.europa.eu>).
 - Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's internet site or may be obtained from the Press Office.

ITEMS DEBATED

EU-US TRADE RELATIONS

The Council took stock of the latest developments and discussed how to maintain and strengthen the current **positive momentum** in EU-US bilateral trade relations, focussing in particular on the announcement (made on 31 October) concerning steel and aluminium trade and prospects for future engagement, in particular as regards the EU-US Trade and Technology Council (TTC).

At the summit in June, the EU and US leaders confirmed their wish to work closely as partners and allies in the face of common challenges, to overcome disagreements, and to focus on a positive agenda. Cooperation with the Biden administration is intensive and is already delivering results including the setting up of the Trade and Technology Council, the ceasefire in the Airbus/Boeing dispute, the termination of US "Section 301" investigations into digital services taxes of some Member States, and most recently, the announcement of the removal of US tariffs on EU steel and aluminium up to previous trade levels and the agreement to start negotiations on a Global Arrangement on Sustainable Steel and Aluminium.

In this context, ministers expressed their commitment to advancing a positive, forward-looking trans-Atlantic agenda, and encouraged the Commission to continue its intensive engagement with the Biden administration. They also welcomed recent positive steps and indicated that work on ongoing disputes should continue until they are settled definitively. At the same time, it is important to prevent the emergence of new disputes and/or irritants.

Following the US announcement of the unilateral replacement of "Section 232" tariffs with tariff rate quotas, based on historic imports of steel and aluminium from the EU, a decision on the unilateral suspension of EU rebalancing tariffs –that were imposed on US goods in response to the "Section 232" tariffs- is expected to be taken in the comitology framework.

Furthermore, the EU and the US negotiators agreed to suspend their respective dispute settlement cases in the WTO, and to start negotiations on a Global Arrangement on Sustainable Steel and Aluminium, as well as on several elements concerning ongoing cooperation (trade remedies, customs cooperation, monitoring of bilateral steel and trade flows, and cooperation on non-market excess capacity).

Although the arrangement concerning **steel and aluminium** is only a temporary solution, it is an improvement for EU steel and aluminium producers and exporters accessing the US market, and the EU and the US can now focus on a more forward-looking, positive trans-Atlantic agenda. The EU continues to consider that US "Section 232" tariffs against the EU and its steel and aluminium exports are incompatible with WTO rules, and therefore continues to call on the US for their full elimination.

Ministers held an informal exchange with the United States Trade Representative (USTR) Katherine Tai. The topical issues that were discussed during the video conference included the engagement on the positive agenda, especially the EU-US TTC, the situation ahead of the 12th WTO Ministerial Conference and the need to settle the ongoing disputes definitively.

[Announcement of the steel and aluminium tariffs deal \(European Commission\)](#)

[Agreement on DSTs Joint Statement](#)

[EU-US Trade and Technology Council Inaugural Joint Statement \(European Commission\)](#)

WTO REFORM AND PREPARATIONS FOR THE 12TH WTO MINISTERIAL CONFERENCE

The Council discussed the latest developments concerning the WTO reform process and the preparations for the 12th World Trade Organization Ministerial Conference (MC12) to be held in Geneva from 30 November to 3 December.

Ministers expressed broad support for the Commission's suggested line of action for MC12, in particular regarding the possible outcomes, such as:

- trade and health, including an intellectual property component;
- the launch of a working group on WTO institutional improvements that would make proposals for the next Ministerial Conference on the reform of the three core functions of the WTO;
- the conclusion of the fisheries subsidies negotiations;
- the conclusion of the domestic regulation in services negotiations;
- the progress on the Joint Statement Initiatives;
- trade and environmental sustainability;
- transparency, as well as other possible outcomes such on Level Playing Field;
- work programmes on agriculture.

The Foreign Affairs Council (Trade) will meet again from **29 November to 3 December in Geneva** in the margins of the WTO ministerial conference to adopt the draft Council conclusions and the draft Council Decision on the position to be taken on behalf of the EU at MC12.

[Twelfth WTO Ministerial Conference](#)

Implementation and enforcement of the EU's trade agreements

The Commission presented under any other business its report on the implementation and enforcement of the EU's trade agreements and called for the good joint work with the Member States to continue.

On 27 October, the Commission published its annual report on the implementation and enforcement of the EU's trade agreements. The report offers a snapshot of the evolution of the EU's preferential trade in 2020. It examines 37 main trade agreements with 67 partners and summarises the results of implementation and enforcement activities in 2020 and the first half of 2021.

[Commission report on the implementation and enforcement of EU's trade agreements](#)

Trade and Sustainable Development (TSD)

Ministers addressed, also under any other business, the ongoing review of the implementation and enforcement of sustainable development chapters in EU trade agreements. The Netherlands, supported by Belgium and Luxembourg, asked the Commission to give its first impressions of the outcome of the EU stakeholder consultation on the review (closed on 31 October) and update the Council on the next steps in the process.

The Commission's 15-Point Action Plan of February 2018 has guided the improvement of the implementation and enforcement of the TSD chapters in EU trade agreements.

The Commission is currently conducting a review of this Action Plan that will cover all relevant aspects of TSD implementation and enforcement, including the scope of commitments, monitoring mechanisms, the possibility of sanctions for non-compliance, as well as the institutional set-up and resources required.

[Review of Trade and Sustainable Development provisions in trade agreements](#)

Bilateral trade negotiations

Ministers discussed over lunch the state of play of ongoing bilateral trade and investment negotiations, such as those with **Chile, New Zealand, and India**, as well as those agreements where negotiations have been concluded, such as Mercosur and Mexico.

OTHER ITEMS APPROVED

FOREIGN AFFAIRS

Restrictive measures Venezuela

The Council adopted a decision prolonging the restrictive measures in view of the situation in Venezuela until 14 November 2022. Therefore the restrictive measures against all sanctioned persons will be maintained.

16th Meeting of the EU-Uzbekistan Cooperation Council

The Council approved the position to be held by the EU at the 16th Meeting of the EU-Uzbekistan Cooperation council, which will take place in Brussels on 16 November 2021. The agenda of the meeting includes texts presented to the Cooperation council, general and political matters, trade, economic, investment and cooperation issues, regional and international issues and any other business.

FISHERIES

SFPA with Mauritania: allocation of fishing opportunities

The Council adopted a regulation on the allocation of fishing opportunities under the implementing protocol for the Sustainable Fisheries Partnership Agreement (SFPA) with Mauritania. (12667/21 + ADD 1, [12411/21](#))

SFPA with Mauritania: agreement in principle

The Council agreed in principle to adopt a decision on the conclusion of the SFPA with Mauritania and of the associated implementing protocol, and to send the texts of the decision, the agreement and the implementing protocol to the European Parliament for its consent. (12667/21 + ADD 1, [12208/21](#), [12446/21](#))

SFPA with Mauritania: application

The Council adopted a decision on the signing and provisional application of the SFPA with Mauritania and of the associated implementing protocol. (12667/21 + ADD 1, [12392/21](#), [12446/21](#))

SFPA with the Cook Islands: allocation of fishing opportunities

The Council adopted a regulation on the allocation of fishing opportunities under the implementing protocol for the SFPA with the Cook Islands. (12698/21 + ADD 1, [12641/21](#))

SFPA with the Cook Islands: conclusion of implementing protocol

The Council agreed in principle to adopt a decision on the conclusion of the implementing protocol for the SFPA with the Cook Islands and to send the text of the protocol to the European Parliament for its consent. (12698/21 + ADD 1, [12640/21](#), [12633/21](#))

SFPA with the Cook Islands: application of implementing protocol

The Council adopted a decision on the signing and provisional application of the implementing protocol for the SFPA with the Cook Islands. (12698/21 + ADD 1, [12627/21](#), [12633/21](#))

TRANSPARENCY

Transparency - Public access to documents

On 9 November 2021, the European Council adopted by written procedure the reply to confirmatory application No 35/c/01/21 (see CM 5237/21). Ref. document: 21/21