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## OUTCOME OF THE COUNCIL MEETING

3787th Council meeting

### Foreign Affairs

## Items approved by written procedure between 23 February and 22 March 2021

Brussels, 22 March 2021

President

**Josep Borrell**  
High Representative for Foreign Affairs and Security  
Policy

# P R E S S

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none

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<sup>1</sup> • 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.  
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**ITEMS DEBATED**

*none*

**OTHER ITEMS APPROVED*****Temporary derogation from the Council's rules of procedure***

*Due to exceptional circumstances related to the COVID-19 pandemic, on 23 April 2020 the Council agreed on a temporary derogation from its rules of procedure to make it easier to take decisions by written procedure. The temporary derogation is currently in force until 21 May 2021 ([2021/454](#)). It may be renewed if justified by a continuation of the current exceptional circumstances.*

*The derogation allows member states' EU ambassadors sitting in the Committee of Permanent Representatives (Coreper) to decide to use the written procedure in accordance with the voting rule applicable to the adoption of the act itself. It means that the requirement for unanimity for all decisions adopted using the written procedure no longer applies. The objective is to facilitate the use of the written procedure to help ensure the continuity of Council business.*

*For more information on the temporary derogation, see the [press release](#).*

*As the latest formal Council meeting was held on 22 February, results of written procedures concluded between 23 February and 22 March 2021, which would otherwise have been communicated in Outcomes of Council meetings, are presented below. Results which have been communicated by means of a Council press release are not included.*

## **FOREIGN AFFAIRS**

### **EU adopts position for sixth EU-Georgia Association Council**

The Council approved the EU position for the sixth EU-Georgia Association Council that took place in Brussels on 16 March 2021 ([6747/21](#)).

- [EU-Georgia Association Council 16 March 2021](#) (meeting page)

### **Yemen: EU lists official on sanctions list**

The Council adopted an implementing decision and an implementing regulation implementing decision [2014/932/CFSP](#) concerning restrictive measures in view of the situation in Yemen ([6653/21](#) + [ADD 1](#) and [6655/21](#) + [ADD 1](#))

The EU decision transposes UN Security Council Resolution 2564 of 25 February 2021, which made one Yemeni official subject to restrictive measures as a result of acts that threaten the peace, security and stability of Yemen.

### **EU close to establishing strategic European defence fund ([6689/21](#))**

The Council adopted 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](#) ([6748/20](#)).

### **Extension of the mandate of the EU Special Representative**

The Council adopted a decision extending to 31 August 2022 the mandate of Miroslav Lajčák as EU Special Representative (EUSR) for the Belgrade-Pristina dialogue and other Western Balkan regional issues ([5819/21](#)).

**JUSTICE AND HOME AFFAIRS****Arrangement on officially supported export credits / sector understanding on export credits for civil aircraft**

The Council agreed the EU position on the UK's request to become an invited participant to the arrangement on officially supported export credits and to the sector understanding on export credits for civil aircraft (1922/21).

**Eurojust third-country cooperation – opening of negotiations**

The Council adopted a decision authorising the opening of negotiations between the EU and 13 third countries on cooperation between Eurojust and their respective authorities competent for judicial cooperation in criminal matters (7072/21). The Commission is thereby authorised to open negotiations with Algeria, Argentina, Armenia, Bosnia and Herzegovina, Brazil, Colombia, Egypt, Israel, Jordan, Lebanon, Morocco, Tunisia and Turkey.

The objective of the agreements is to provide the legal basis for cooperation between Eurojust and these countries' competent authorities (including the exchange of operational personal data), while ensuring appropriate safeguards with respect to the protection of privacy, personal data and the fundamental rights and freedoms of individuals.

**Application of the EU Charter of Fundamental Rights**

The Council adopted conclusions on strengthening the application of the Charter of Fundamental Rights in the EU (6795/21).

The conclusions follow the presentation of a Commission strategy in December 2020, which sets out targeted actions designed to strengthen the implementation of the Charter through four areas of action: ensuring the effective application of the Charter by the member states; empowering civil society organisations, rights defenders and justice practitioners; fostering the use of the Charter as a compass for EU institutions; and raising people's awareness of their rights under the Charter.



The Council adopted conclusions on this topic in order to support the implementation of the Commission strategy presented in December 2020, and thus further strengthen the application of the Charter. These conclusions recognise that further efforts are needed to ensure that the Charter is used to its full potential. They indicate measures that could be taken in a number of areas, including training, awareness raising, application of the Charter, and enforcement and monitoring. They also highlight the role of legislators, administrations, courts, national human rights institutions and civil society.

For more information, see:

[Commission strategy to strengthen the application of the Charter of Fundamental Rights in the EU](#) (2 December 2020)

[Protection and promotion of human rights](#) (background information)

### **EMPACT – Council conclusions on permanent continuation**

The Council adopted conclusions on the permanent continuation of the EU policy cycle for organised and serious international crime, EMPACT 2022+ ([6481/21](#)).

The Council acknowledges in these conclusions that EMPACT is proving to be effective and increasingly efficient in improving cooperation on fighting organised and serious crime. It therefore agrees to implement EMPACT as a permanent instrument for cooperation to fight organised and serious international crime, noting that it is driven by member states and supported by EU institutions, bodies and agencies.

EMPACT would continue to follow a four-year cycle, whereby a limited number of priorities would be identified on the basis of an EU threat assessment and set out in Council conclusions; annual operational action plans aligned with these priorities would then be developed, implemented and monitored; and an evaluation would be carried out at the end of each cycle to assess its implementation and outcome.

For more information, see: [The EU fight against organised crime](#) (background information)

## Schengen evaluation

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2019-2020 thematic evaluation of member states' national strategies for integrated border management ([6755/21](#)).

Given the importance of European integrated border management for the effective protection of the EU's external borders, the Commission, in 2017, proposed to carry out a thematic evaluation of the national strategies developed by member states in accordance with the 2016 European border and coast guard regulation.

The Council, in its conclusions of 4 and 5 June 2018, invited the Commission to carry out this thematic evaluation in 2019-2020. The aim was to assess member states' readiness and preparedness to align their strategies and planning, with a view to ensuring the gradual and efficient development and implementation of European integrated border management.

### Schengen evaluation (Sweden)

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2019 evaluation of Sweden's application of the Schengen acquis in the field of management of external borders ([6753/21](#)).

### Schengen evaluation (Slovakia)

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2019 evaluation of Slovakia's application of the Schengen acquis in the field of return ([6754/21](#)).

## UN congress on crime prevention and criminal justice

The Council adopted a decision on the position to be taken on the EU's behalf at the UN congress on crime prevention and criminal justice taking place in Kyoto, Japan on 7-12 March 2021. The EU will approve the adoption of the Kyoto declaration on advancing crime prevention, criminal justice and the rule of law ([6456/21](#) + [ADD 1](#)).

## Training of justice professionals

The Council adopted conclusions on boosting the training of justice professionals (6926/21).

These conclusions welcome the ambitious European judicial training strategy for 2021-2024, presented by the Commission in December 2020, and emphasise that European judicial training should contribute to fostering respect for the rule of law and strengthening the European rule of law culture. The conclusions also highlight the close ties between judicial training and the digitalisation of justice in the EU.

In the conclusions, the Council also calls on member states to encourage the use of training opportunities, invest in the digitalisation of judicial training, enhance training on EU law, emphasise the multidisciplinary approach of judicial training and provide support to judiciaries outside the EU, in particular those in the Western Balkans.

The Council also notes the tangible results achieved by the 2011 strategy on judicial training. As part of this strategy, more than half of all EU legal practitioners (more than one million participants) attended training on EU law between 2011 and 2019. The European judicial training network has proved to be best placed to coordinate national training activities and develop cross-border training.

For more information, see: [Commission communication: a European judicial training strategy for 2021-2024](#) (2 December 2020)

## Acquisition and possession of weapons (codification)

The Council adopted a directive on control of the acquisition and possession of weapons (codification) (PE-CONS 56/20).

It was decided to codify Council directive 91/477/EEC in the interests of clarity, as it had been substantially amended several times.

## **ECONOMIC AND MONETARY AFFAIRS**

### **Meeting of G20 finance ministers and central bank governors on 26 February 2021**

On 25 February 2021, the Council approved EU terms of reference for the meeting of G20 finance ministers and central bank governors taking place on 26 February (6082/21).

### **Customs programme**

On 1 March 2021, the Council adopted its position at first reading on the draft regulation establishing the programme for cooperation in the field of customs ([5265/1/21](#) + [ADD 1](#)).

The programme is linked to the multiannual financial framework for 2021-2027. By supporting the customs union and customs authorities, the programme aims to protect the financial and economic interests of the EU and its member states, to ensure security and safety within the EU and to protect the EU from unfair and illegal trade, while facilitating legitimate business activity. The programme provides funding in a number of areas, including: cooperation between customs authorities, electronic systems, administrative capacity building and innovation, complementing national initiatives and investment in this area.

The Council presidency and the European Parliament's negotiators reached a preliminary agreement on the customs programme on 15 December 2020. The European Parliament is now expected to vote on the programme to formally adopt it.

### **EEA Agreement – customs provisions**

On 1 March 2021, the Council adopted the position to be taken by the EU in the EEA Joint Committee as regards the amendment of Chapter IIa of and Annexes I and II to protocol 10 to the EEA Agreement, which relates to simplification of inspections and formalities in respect of carriage of goods and customs security measures ([5660/21](#) + [5661/21](#)).

The aim of the amendments is to align the provisions of protocol 10 with the amendments to EU legislation.

## **TIR convention**

On 9 March 2021, the Council adopted the position to be taken by the EU in the administrative committee for the customs convention on the international transport of goods under cover of TIR carnets (TIR convention) as regards the proposal to amend the convention ([6130/21](#) + [6137/21](#)).

## **VAT – administrative cooperation with China**

On 10 March 2021, the Council authorised the Commission to enter into negotiations with the Chinese authorities with a view to concluding a non-binding memorandum of understanding in the area of value added tax (VAT).

## **Capital markets union**

On 15 March 2021, the Council adopted conclusions on the European Court of Auditors' special report No 25/2020 'Capital markets union – slow start towards an ambitious goal' ([6651/21](#)).

In these conclusions, the Council refers to its conclusions of 3 December 2020 on the capital markets union and the statement made by EU leaders at the euro summit in inclusive format held on 11 December 2020, which cover a number of findings and recommendations set out in the special report.

The Council also highlights the findings and recommendations relating to two issues that warrant additional consideration:

- the diversity of EU capital markets and the resulting need to further develop local capital markets, including by way of regional projects
- the need for additional efforts to support financial literacy programmes, especially for small and medium-sized enterprises, as part of actions to address key cross-border barriers to investment

## **Strategic framework for customs cooperation with China**

On 15 March 2021, the Council authorised the Commission to enter into negotiations on a strategic framework for customs cooperation between the EU and China for 2021-2024.

The aim of this non-binding instrument is to establish a general framework for customs cooperation that will take into account new challenges and opportunities in order to enhance EU-China trade security and facilitation.

The Commission is expected to report back to the Council at the end of the negotiations to seek the Council's authorisation for the signature of the instrument on behalf of the EU.

## **EU anti-fraud programme**

On 16 March 2021, the Council adopted its position at first reading on the draft regulation establishing the EU anti-fraud programme ([5330/1/21 REV 1](#) + [ADD 1](#)).

The programme aims to support member states' efforts to fight fraud, corruption and other illegal activities and irregularities affecting the EU's financial interests and the EU budget, and to finance targeted training and the exchange of information and best practice between anti-fraud enforcers across Europe. It will also provide support for investigative activities through the purchase of technical equipment used in detecting and investigating fraud and will facilitate access to secure information systems. The new programme will replace the current Hercule III programme, and will be managed and implemented by the European Anti-Fraud Office (OLAF).

The Council presidency and the European Parliament's negotiators reached a preliminary agreement on the EU anti-fraud programme on 8 December 2020. The European Parliament is now expected to vote on the programme to formally adopt it.

## **GENERAL AFFAIRS**

### **Joint declaration on the future of Europe**

The Council of the EU approved the joint declaration on the Conference on the future of Europe, the aim of which is to involve citizens in a wide-ranging debate on Europe's future in the coming decade and beyond, including in the light of the COVID-19 pandemic.

For more details, see [press release](#).

## **Temporary derogation from the Council's rules of procedure**

The Council adopted a decision ([6766/21](#)) further extending the temporary derogation from the Council's rules of procedure introduced by decision (EU) 2020/430, in view of the difficulties for EU travel caused by the COVID-19 pandemic.

## **TRANSPORT**

### **Remotely piloted aircraft – International Civil Aviation Organization**

On 26 February 2021, the Council adopted, by written procedure, a decision on the position to be taken on behalf of the EU in the Council of the International Civil Aviation Organization (ICAO) as regards the adoption of amendments to the Convention on International Civil Aviation ([6200/21](#)). The main purpose of the proposed amendments is to establish a legal framework for the design, type certification and operation of remotely piloted aircraft operating across international borders and over the high seas under instrument flight rules. The EU is a strong supporter of the ICAO's efforts in this area.

## **EMPLOYMENT**

### **Conclusions on the 2021 joint employment report**

The Council adopted, by written procedure, conclusions on the 2021 joint employment report ([ST 6240/1/21](#), [CM 2132/21](#)). The Council calls upon the member states to take action to address the employment, skills and social policy challenges identified in the 2021 joint employment report, taking into account possible EU support, including the new recovery and resilience facility and cohesion policy funding.

### **2021 joint employment report**

The Council adopted, by written procedure, the 2021 joint employment report ([ST 5945/1/21](#), [ST 5945/21 ADD 1 REV 1](#), [CM 2148/21](#)).

## **SOCIAL POLICY**

### **Conclusions on mainstreaming ageing in public policies**

The Council adopted, by written procedure, conclusions (6463/21) on the mainstreaming of ageing in public policies (CM 1940/21, [6463/2/21 REV 2](#), 6463/3/21 REV 3). In these conclusions, the Council asks member states to develop (if one is not already in place) a national strategic framework for mainstreaming ageing in which guidelines and recommendations are given on how to maximise the benefits, to deal with the potential risks and to address the main challenges of the increasing longevity of the population, and to consider this framework in all relevant national, regional and local policies, taking into account the existing policy framework at EU level.

## **HEALTH**

### **Programme for EU action in the field of health for 2021-2027**

The Council adopted, by written procedure, a regulation establishing a programme for EU action in the field of health (EU4Health programme) from 2021 to 2027.

The regulation lays down the objectives of the programme, the budget for the period from 2021 to 2027, the forms of EU funding to be used, and the rules for providing the funding.

The new regulation repeals regulation (EU) No 282/2014, as set out in [PE-CONS 69/20](#).

## **AGRICULTURE**

### **Equivalence of forest reproductive material produced in the UK**

The Council adopted, by written procedure, a decision on the position to be taken on behalf of the EU on the equivalence of forest reproductive material produced in the UK (CM 2280/21).

This decision amends Council decision 2008/971/EC, as set out in [PE-CONS 3/21](#).



## **UK practices for the maintenance of varieties of agricultural plant species**

The Council adopted, by written procedure, a decision [PE-CONS 4/21](#) on the position to be taken on behalf of the EU on the equivalence of field inspections and of checks on practices for the maintenance of varieties of agricultural plant species carried out in the UK (2003/07/EC, 2005/834/EC, 2020/0379).

## **Declaration on the eighth ministerial conference on protection of forests in Europe**

The Council authorised the signature by the EU of the ministerial declaration ‘The future we want: the forests we need’ and of the ministerial resolution ‘Adapting the pan-European forests to climate change’. The eighth ministerial conference on protection of forests in Europe will take place on 14–15 April 2021 in Bratislava, Slovakia (6508/21, CM 2205/21).

## **FISHERIES**

### **Norwegian legislation on the EU quota for Arctic cod and other issues in Svalbard**

The Council adopted, by written procedure, a decision on the position to be taken on behalf of the EU on the Note Verbale addressed to Norway regarding Norwegian legislation on the EU quota for Arctic cod and other issues in Svalbard ([CM 1821/21](#), 6265/21).

### **EU-UK fishing opportunities for shared stocks for 2021 and 2022**

The Council adopted, by written procedure, a decision on the position to be taken on behalf of the EU in the consultations with the UK to agree on fishing opportunities for shared stocks for 2021 and, for certain deep-sea stocks, for 2021 and 2022 (6414/21 PECHE 65 UK 54, [CM 1868/21](#)).

### **Agreement on fisheries between the EU and Norway**

The Council adopted, by written procedure, a decision on the position to be taken on behalf of the EU on the opening of negotiations with Norway on a new agreement on fisheries (5786/21 ADD 1, [CM 1889/21](#)).

The agreement will establish an appropriate institutional framework for cooperation on the conservation and management of shared fish stocks.

## **Fishing opportunities for 2021 in EU and non-EU waters**

The Council adopted, by written procedure, a decision on the position to be taken on behalf of the EU on the regulation amending Council regulations (EU) 2021/91 and (EU) 2021/92 as regards certain provisional fishing opportunities for 2021 in EU and non-EU waters (CM 1919/21, [ST 6492/21 PE-QE 27](#)).

## **RESEARCH**

### **Adoption of the Council's position at first reading on the Horizon Europe regulation\***

On 16 March 2021, the Council adopted, by written procedure, its first reading position on Horizon Europe, the EU's multiannual framework programme for research and innovation for 2021 to 2027 ([7064/20 REV 2 ADD 1](#)) (statements in 6692/21 ADD 1-5).

For more details, see the [press release](#).

## **TRANSPARENCY**

### **Public access to documents**

On 4 March 2021, the Council adopted, by written procedure, the reply to confirmatory application No 03/c/01/21 (see CM 1823/21).

- Ref. document: [5689/21](#).

On 17 March 2021, the Council adopted, by written procedure, the reply to confirmatory application No 04/c/01/21 (see CM 2020/21).

- Ref. document: [5799/21](#).