



Council of the
European Union

142338/EU XXVII.GP
Eingelangt am 25/05/23

EN

9573/21

(OR. en)

PRESSE 13
PR CO 13

OUTCOME OF THE COUNCIL MEETING

3799th Council meeting

Justice and Home Affairs

Luxembourg, 7 and 8 June 2021

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ITEMS DEBATED

JUSTICE - 7 June

Assignments of claims

The Council approved its general approach on the proposal for a regulation on the law applicable to the third-party effects of assignments of claims. The draft regulation aims to ensure greater legal certainty for businesses and citizens when it comes to cross-border transfers of claims, thereby facilitating access to finance and promoting cross-border investment in the EU.

The assignment of a claim refers to a situation where a creditor transfers the right to claim a debt to another person in exchange for a payment. This system is used by companies, for instance, to obtain liquidity and access to credit. At the moment, there is not enough legal certainty as to which national law applies when determining who owns a claim after it has been assigned in a cross-border case, because member states' substantive rules governing the third-party effects of assignments of claims are divergent.

By adopting uniform conflict-of-laws rules at EU level, the proposed regulation will eliminate legal risks and potential systemic consequences of cross-border transactions in claims, enabling cross-border investment, access to cheaper credit and further market integration. This will contribute to increasing legal certainty throughout the EU.

[Proposal for a regulation on assignments of claims \(general approach\)](#)

[Assignments of claims: Council approves mandate for negotiations \(press release\)](#)

e-CODEX system

The Council approved a general approach on the regulation on the e-CODEX system. The main aim of this system is to improve the efficiency of cross-border communication between competent judicial authorities and facilitate access to justice for citizens and businesses.

The digitalisation of justice aims to facilitate access to justice, improve overall efficiency, and ensure the resilience of justice systems in times of crises, such as the COVID-19 pandemic. e-CODEX (e-Justice Communication via Online Data Exchange) is a key technological enabler for modernising, through digitalisation, communication in the context of cross-border judicial proceedings.

e-CODEX allows for interoperability between the IT systems used by judicial authorities. It enables different national e-justice systems to be interconnected in order to carry out cross-border procedures in civil and criminal matters.

[Proposal for a regulation on the e-CODEX system \(general approach\)](#)

[Digitalisation of justice: Council approves its mandate for negotiations on the e-CODEX system \(press release\)](#)

Fundamental Rights Agency

The Council approved a general approach on the regulation amending the regulation establishing the EU Agency for Fundamental Rights. This text aims to enhance the agency's mandate and improve its functioning through more efficient procedures.

The compromise text includes in the remit of the agency the area of police cooperation and judicial cooperation in criminal matters, to align its mandate with the Lisbon Treaty. It would maintain the current situation as regards the Common Foreign and Security Policy, which would remain outside the agency's remit. Finally, the current multiannual framework to define the work programme of the agency will be replaced with more operational annual and multiannual programming.

[Proposal for a regulation amending the regulation establishing the EU Agency for Fundamental Rights \(general approach\)](#)

[Fundamental rights: Council approves its general approach on the Fundamental Rights Agency \(press release\)](#)

Combatting illegal content online

Ministers held a debate on how to combat illegal content online in the context of the digital services act proposal.

The debate mainly focused on aspects related to orders from national authorities to providers to take action against illegal content or to provide information, as well as the obligation of large providers to notify suspicions of serious criminal offences to the authorities.

During their debate, ministers highlighted the importance of freedom of expression and the need to ensure that the right balance is found so that any restrictions remain the exception.

On the aspects related to orders from national authorities, ministers generally expressed support for the proposed system but noted that the text needs to be further clarified, in particular to ensure that the digital services act will not affect the functioning of existing and future JHA instruments.

On the obligation of providers to notify suspicions of serious criminal offences, ministers considered the need to clarify the notions of ‘serious criminal offence involving a threat to life or safety of persons’ and ‘promptly’.

EU accession to the European Convention on Human Rights

Ministers were briefed on the state of play of negotiations for the EU’s accession to the European Convention on Human Rights.

In April 2013, the Council reached an agreement on the draft agreement for accession to the European Convention on Human Rights. However, on 18 December 2014, the Court of Justice of the EU gave a negative opinion on the compatibility of the draft agreement with the EU treaties.

In October 2019, the Council agreed to the swift resumption of negotiations with the Council of Europe and adopted supplementary negotiation directives. Negotiations in a Council of Europe ad hoc group resumed in the summer of 2020.

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

Protection of vulnerable adults

The Council approved conclusions on the protection of vulnerable adults across the EU, with regard to civil and criminal law matters.

In these conclusions, the Council invites member states to use available funding opportunities from the EU budget to develop actions related to the protection and promotion of the rights of vulnerable adults, including on digital literacy. It also calls on them to promote greater awareness of the 2000 Hague Convention on the international protection of adults and advance procedures to ratify it or to consult on possible accession. The Council invites member states to ensure the full implementation of existing legislation in the field of criminal law. It invites them to enhance the use of cross-border victim protection mechanisms and ensure that vulnerable adults, whether suspects, accused or victims, are properly identified so that they can fully exercise their rights.

On civil law matters, the conclusions call on the Commission to conduct a study aimed at reflecting on how the protection of vulnerable adults could be further strengthened, and to consider the possible need for a legal framework within the EU to facilitate free circulation of judicial and extra-judicial decisions on the protection of vulnerable adults in civil matters.

On criminal law matters, the conclusions invite the Commission to consider whether there is a need to strengthen the procedural safeguards for vulnerable adults and to carefully reflect on the need to identify common criteria for identifying vulnerable adults in criminal proceedings.

[Council conclusions on the protection of vulnerable adults across the EU](#)

[Council approves conclusions on the protection of vulnerable adults \(press release\)](#)

e-Evidence negotiations

Ministers took stock of the ongoing negotiations regarding e-evidence, which include negotiations for an EU-US agreement on cross-border access to e-evidence and negotiations in the Council of Europe on a second additional protocol to the Budapest Convention.

Currently, US-based service providers work with European law enforcement authorities through direct cooperation on a voluntary basis or through procedures for mutual legal assistance (MLA) and are not always allowed, under US law, to respond directly to European requests for access to electronic evidence. An EU-US agreement would provide a framework for cooperation with the US, including for direct cooperation with service providers. It would also ensure that strong mechanisms were in place to protect fundamental rights. The Commission and the US have held four negotiation rounds since the mandate was given to the Commission. The last session took place in March 2020. A stock-taking meeting took place at the end of March 2021.

In September 2017, the Council of Europe undertook to prepare a second additional protocol to the Budapest Convention on cybercrime. After a long process, due to the complexity of the topic and the difficulties found in certain areas of the negotiations such as data protection, a draft text was adopted by the T-CY Plenary on 28 May 2021. Once the internal Council of Europe procedure is completed, adoption will take place in November 2021, on the anniversary of the Budapest Convention.

The objective of the protocol is to lay down provisions for a more efficient MLA regime for direct cooperation with service providers in other states that are parties to the Convention. The protocol includes strong safeguards and data protection requirements. The advantage of such an agreement is that it could potentially be applied across the globe, and has the vocation to be considered the preferred instrument by EU member states for international cooperation in the matter, in particular in view of the process for an international agreement in the same field started at UN level on Russia and China's initiative. A total of 66 countries are currently parties to the Convention, including 26 member states.

These agreements will complement the future EU framework on access to e-evidence currently being discussed by the EU institutions.

[Better access to e-evidence to fight crime \(background information\)](#)

European Public Prosecutor's Office

The presidency and the Commission informed ministers of the latest developments on the implementation of the EPPO, which started its operations on 1 June.

In past months, work has continued in order to get the EPPO up and running, including with regard to relations with third countries and international organisations, the adaptation of national legislation and the appointment of European delegated prosecutors.

[European Public Prosecutor's Office \(background information\)](#)

[European Public Prosecutor's Office website](#)

Key elements for public prosecution services

Ministers exchanged views on key elements for public prosecution services. This topic is part of a dialogue on justice-specific topics concerning the rule of law.

During their discussions they focused on three topics: the independence of public prosecution services from the executive, the digitalisation of justice and adequate human and financial resources.

[Key elements for the public prosecution services including as regards judicial cooperation in criminal matters \(presidency note\)](#)

ANY OTHER BUSINESS

– *Current legislative proposals*

The presidency informed ministers about the latest developments in work on current legislative proposals, in particular on e-evidence and the alignment of EU instruments in the field of criminal law with EU rules on the protection of personal data.

[Overview of the current legislative proposals under the Portuguese presidency](#)

– *EU strategy on the rights of the child*

The Commission presented the first comprehensive EU strategy on the rights of the child, which was submitted by the Commission in March. This strategy identifies a number of actions across six thematic areas to improve the life of children in the EU. It aims to bring together all relevant EU legislative, policy and funding instruments within one comprehensive framework.

[Communication from the Commission on an EU strategy on the rights of the child, 24 March 2021](#)

– *Criminal law and protection of intellectual property rights*

The presidency briefed the Council on the work that has been carried out in recent months on the fight against counterfeiting.

[Criminal law and protection of intellectual property rights: connections between counterfeiting and organised crime \(presidency note\)](#)

– *EU-US justice and home affairs ministerial meeting*

The presidency reported on the preparations and the agenda for the upcoming EU-US Justice and Home Affairs ministerial video conference, which will take place on 22 June in Lisbon. The agenda is expected to cover issues such as fighting online crime, preventing sexual abuse of children and access to e-evidence. The challenges related to AI and the liability of online platforms are also expected to be covered.

– ***EU-North Africa enhanced dialogue on justice and home affairs***

Ministers were informed about the latest developments in the presidency's initiative to launch a political dialogue on justice and home affairs issues with North African countries.

– ***High level conference on e-justice***

The Presidency briefed ministers on the high-level conference on e-Justice which it organised on 26-27 April via video conference, focusing on people-centered justice.

[High level conference on e-Justice, 26-27 April 2021 \(presidency website\)](#)

– ***Judicial aspects of the EU strategies to tackle organised crime and to combat trafficking in human beings***

The Commission drew ministers' attention to the strategy on tackling organised crime and the strategy on combatting trafficking in human beings, which it adopted in April 2021. These strategies contain measures in the area of law enforcement but also in the field of justice.

[Communication from the Commission on the EU strategy to tackle organised crime 2021-2025, 14 April 2021](#)

[Communication from the Commission on the EU strategy on combatting trafficking in human beings 2021-2025, 14 April 2021](#)

– ***Work programme of the incoming presidency***

The upcoming Slovenian presidency presented its work programme and priorities in the field of justice for the next six months.

The presidency will focus its work on the protection of human rights in light of challenges posed by new technologies and the use of internet. Slovenia's priorities will comprise combatting hate speech and hate crime, discussions on ethical aspects and the potential impact of the use of AI on fundamental freedoms, and the protection of children's rights. Work will continue on e-evidence, e-CODEX and the EU's accession to the European Convention on Human Rights and the Hague Judgements Convention.

– *Follow up to the Schrems II judgment*

Over lunch, the Commission informed the Council about the ongoing negotiations with the US following the invalidation of the privacy shield by the EU Court of Justice in July 2020.

HOME AFFAIRS – 8 June**Europol regulation**

Ministers took stock of progress in the discussions regarding the regulation amending the Europol regulation. This proposal was presented by the Commission in December 2020.

During the Portuguese presidency, progress has been made on a number of issues which can be considered to have been agreed or nearly agreed. On cooperation with private parties, the role of Europol's management board has been reinforced, and the new text makes sure there is no interference with the work of financial intelligence units. On cooperation with third countries, member states would like to be more ambitious than the original Commission proposal and have included the possibility for structural cooperation where there are adequate safeguards in terms of data protection. The Commission proposal has also been modified regarding cooperation with the European Public Prosecutor's Office, to better correspond to the provisions of the EPPO regulation, and adequate rules have been set for access to Europol's information by the EPPO. Finally, Europol should only have the possibility to request national investigations when there are at least two member states involved.

Significant progress can also be noted on the remaining blocks, including on innovation, the processing by Europol of large datasets and the input of third-country information in the Schengen Information System. The presidency remains committed to continuing work in the coming weeks with the aim of closing as many elements as possible and obtaining a (partial) mandate for negotiations with the European Parliament by the end of June.

[EU regulation amending the Europol regulation \(progress report\)](#)

Resilience of critical entities

Ministers took stock of progress in the discussions regarding the directive on the resilience of critical entities.

A number of meetings have already taken place at technical level, with member states also submitting more than 700 written questions. The read-through of the articles of the proposal is expected to be concluded before the end of June.

During the discussions, many member states emphasised that the new proposal is necessary, while at the same time expressing the need to ensure that minimum common rules at EU level are balanced with the primary responsibility of member states for national security. There is consensus among member states on the need to coordinate negotiations on the critical entities directive with the NIS 2 directive, which covers resilience to cyber threats.

In December 2020 the European Commission presented a proposal for a directive on the resilience of critical entities. This draft instrument aims to help strengthen the level of protection and resilience of critical entities that operate infrastructures and provide services essential for vital societal functions or economic activities, thereby ensuring the good functioning of the internal market. These entities need to be able to prevent, resist, absorb and recover from natural disasters, accidents, terrorism or public health emergencies. This proposal would replace the current directive on the identification and designation of European critical infrastructure, which was adopted in 2008.

[Proposal for a directive on the resilience of critical entities \(progress report\)](#)

COVID-19 and fighting crime

Ministers held a debate on the impact of COVID-19 on fighting crime. They provided political guidance on the priority actions to strengthen resilience and preparedness in the area of internal security, to tackle the consequences of the COVID-19 crisis and with a view to potential similar crises in the future.

Ministers highlighted in particular the developments in the crime landscape, including the increase in online crime, child pornography, fraud and domestic and gender-based violence. Some also reiterated the increasing reliance on IT systems, both by the general population and law enforcement authorities. The risks posed by infiltration in the licit economy by criminal groups should be tackled with particular attention.

As part of this point, ministers also took stock of the new organised crime strategy 2021-2025 and the operational results of the European multidisciplinary platform against criminal threats (EMPACT).

[The EU's fight against organised crime \(background information\)](#)

[Results of the EU's fight against organised crime in 2020 \(infographic\)](#)

Artificial intelligence: internal security outlook

Ministers exchanged views on the internal security outlook regarding artificial intelligence, following a presentation by the Commission of its recent proposal for a regulation on artificial intelligence.

Ministers highlighted the importance of providing legal certainty to law enforcement authorities so that they can continue to make use of emerging tools in the fight against crime, while ensuring full protection of citizens' fundamental rights. They generally welcomed the Commission proposal, although a majority of ministers considered that the critical implications for law enforcement had not been sufficiently assessed and called for a more detailed impact assessment for the JHA area. Some delegations called for consideration of specific legislation for AI in JHA.

Regarding the provisions of the proposal, a number of member states called for a more pragmatic, proportional approach. They considered that the definition of high-risk categories should be redefined and deepened, focusing on the specific purpose and impact of use rather than the type of technology or the sector (law enforcement) making use of it.

Discussion of the Commission proposal is taking place in the Telecommunications Council and related preparatory bodies. This proposal aims to guarantee the safety and fundamental rights of people and businesses, while strengthening AI investment and innovation across the EU. However, some of its objectives cover issues of immediate relevance to home affairs ministers, with practical implications in the field of internal security.

Schengen strategy

Following a presentation by the Commission, ministers had an initial discussion on the Schengen strategy, which was adopted by the European Commission on 2 June. They highlighted in particular the importance of the management of external borders, police cooperation and the possibilities new technologies offer for a future-proof area of free movement. The issue of internal border controls was also raised.

They also welcomed the Commission proposal to review the Schengen evaluation and monitoring mechanism.

The strategy and accompanying proposals aim to restore the full functioning of the Schengen area, increase mutual trust among member states and integrate lessons learnt from the COVID-19 crisis, especially regarding better coordination of measures at EU level. The strategy takes a comprehensive approach to the area of free movement - the area of freedom, security and justice - encompassing external border protection and internal security to address the challenges faced today.

[Strategy towards a fully functioning and resilient Schengen area \(European Commission\)](#)

[Proposal to revise the Schengen evaluation and monitoring mechanism \(European Commission\)](#)

Implementation of interoperability

The Commission informed ministers about the state of play in the implementation of interoperability. It focused in particular on the entry/exit system (EES) and the European travel information and authorisation system (ETIAS), which are expected to be operational by May 2022 and the end of 2022 respectively. The EES has now entered the testing phase while for ETIAS the finalisation of procurement procedures and the establishment of national units is ongoing.

The new interoperability framework, which will contribute to improving border management and internal security in Europe, is a game-changer in the field of information exchange. Its implementation is closely linked with the creation and upgrade of a number of IT systems in the justice and home affairs area, notably the new EES, the ETIAS and the European criminal records information system regarding third-country nationals (ECRIS-TCN).

The new rules will help authorities to better detect security threats and combat identity fraud. They will also help to improve checks at external borders and to prevent and combat illegal immigration.

Counter-terrorism cooperation¹

Ministers were updated, in the presence of the Counter Terrorism Group (CTG), on cooperation between competent authorities dealing with counter-terrorism.

The CTG is an informal group outside the EU framework which brings together the security services of the 27 EU member states, Norway, Switzerland and the UK. Lessons learnt from the terrorist attacks in Europe clearly showed that cooperation between law enforcement and intelligence actors is needed. In November 2016, ministers agreed to explore opportunities between the CTG and Europol in areas of common interest, while fully respecting the sole competence of member states for national security.

The reporting has now become a recurrent point - this is the seventh exchange. The most recent exchange between home affairs ministers in the presence of the CTG took place at the December 2019 Home Affairs Council meeting.

¹ Exceptionally, in the presence of the Schengen Associated States.

ANY OTHER BUSINESS

– *Current legislative proposals*

The presidency informed ministers about the latest developments regarding work on current legislative proposals, including the adoption of the civil protection mechanism and the visa information system, and the conclusion of negotiations on the home affairs funds and the ETIAS consequential amendments.

[Overview of the current legislative proposals under the Portuguese presidency](#)

– *EU asylum agency regulation*

Member states were informed about the latest developments regarding the proposal for the Regulation for an EU Asylum Agency and the Presidency highlighted its engagement and willingness to intensively work, in the upcoming weeks, in order to confirm an agreement on the Regulation for an EU Asylum Agency.

– *Blue card directive*

The presidency highlighted the provisional agreement reached between the Council and the European Parliament on the blue card directive.

[Legal migration: Council presidency and European Parliament reach provisional agreement on scheme to attract highly qualified workers \(press release, 17 May\)](#)

– *Implementation of the European Border and Coast Guard regulation*

The Commission reported on the ongoing work to implement the European Border and Coast Guard regulation.

– *EU-US justice and home affairs ministerial meeting*

The presidency reported on the preparations and the agenda for the upcoming EU-US Justice and Home Affairs ministerial video conference, which will take place on 22 June in Lisbon. They are expected to cover topics including cooperation in the fight against terrorism and extremism, visa, migration policy and the responsibility of online platforms.

– ***EU-North Africa enhanced dialogue on justice and home affairs***

Ministers were informed about the latest developments in the presidency's initiative to launch a political dialogue on justice and home affairs issues with North African countries.

– ***Work programme of the incoming presidency***

The upcoming Slovenian presidency presented its work programme and priorities for the next six months. During its presidency, Slovenia will focus on building a stronger, more robust Schengen area and work towards ensuring its full functioning, as well as enhancing control of EU external borders. The Slovenian presidency will also strive to make progress in the negotiations on the new pact on migration and asylum, in particular by seeking political consensus regarding key files such as the regulation on the EU asylum agency. It will continue to pay particular attention to strengthening the role of the EU in the external dimension of migration and work towards creating strategic partnerships with key countries of origin and transit, with the Western Balkans region as priority. Another important priority will be to ensure a high level of security in the EU through enhanced police cooperation between member states and neighbouring regions such as the Western Balkans.

Migration management

Over lunch, ministers held a discussion on the topic of managing migration jointly.

MIXED COMMITTEE

The Council in Mixed Committee format (the EU plus Norway, Iceland, Liechtenstein and Switzerland) discussed the following items:

– *Schengen strategy*

See above.

– *Implementation of interoperability*

See above.

– *Any other business*

The presidency updated the Mixed Committee on the state of play of a number of legislative proposals.

The Commission informed ministers on the implementation of the European Border and Coast Guard regulation.

OTHER ITEMS APPROVED

JUSTICE AND HOME AFFAIRS

Transfer of PNR data to third countries, in particular Australia and the United States

The Council adopted conclusions on the transfer of passenger name record (PNR) data to third countries, in particular Australia and the United States, for the purpose of combatting terrorism and serious crime (8635/21).

Impact of COVID-19 on internal security and the terrorist threat

The Council adopted conclusions on the impact of the pandemic on internal security. The conclusions acknowledge the unpredictable threats and challenges that the crisis posed to the internal security landscape and focus on making better use of existing means of cooperation and building upon established structures (8651/21).

The Council also adopted conclusions on the impact of the pandemic on the threat posed by terrorism and violent extremism. So far the impact of the COVID-19 pandemic on the terrorist threat seems to have been limited. However, the protracted pandemic may increase member states' vulnerabilities and the risks of radicalisation. The online presence of extremist groups has been on the rise since the outbreak of the COVID-19 pandemic. Due to COVID-19, counter-terrorism authorities have had to increasingly rely on online capabilities, rendering their work more difficult (8633/21).

[COVID-19: Council approves conclusions on the impact of the pandemic on internal security and terrorist threat \(press release\)](#)

Protection of public spaces

Recent terrorist attacks carried out across the EU have underlined the need to improve the protection of public spaces. To this end, the Council approved today conclusions on the protection of public spaces (8633/21).

[Council approves conclusions on the protection of public spaces \(press release\)](#)

Sports-related violence

The Council today adopted conclusions on sports-related violence (8648/21). In these conclusions the Council emphasises the unique challenge to security posed by the UEFA EURO championship, since the competition will take place in 11 European cities simultaneously.

[Council adopts conclusions on sports-related violence \(press release\)](#)

ECONOMIC AND FINANCIAL AFFAIRS

Council implementing decision authorising the Netherlands to apply a reduced tax rate to electricity for vessels at berth in a port

The Council adopted the implementing decision authorising the Netherlands to apply a reduced rate of taxation to electricity directly provided to vessels at berth in a port in accordance with Article 19 of Directive 2003/96/EC.

With the reduced rate of taxation that it intends to apply, the Netherlands aims to further promote the deployment and use of shore-side electricity. The use of such electricity is considered to be an environmentally less harmful way to satisfy the electricity needs of vessels at berth in a port than the burning of bunker fuels by those vessels.

Council implementing decision authorising Denmark to apply a reduced tax rate to electricity for vessels at berth in a port

The Council adopted the implementing decision authorising Denmark to apply a reduced rate of taxation to electricity directly provided to vessels at berth in a port in accordance with Article 19 of Directive 2003/96/EC.

With the reduced rate of taxation that it intends to apply, Denmark aims to further promote the use of shore-side electricity. The use of such electricity is considered to be an environmentally less harmful way to satisfy the electricity needs of vessels at berth in a port than the burning of bunker fuels by those vessels.

FOREIGN AFFAIRS**Union for the Mediterranean: ministerial declaration on energy**

The Council approved the ministerial declaration on energy in view of the third Union for the Mediterranean ministerial conference on energy. The meeting will take place on 14 June 2021 in Lisbon.

EU-South African Development Community Ministerial Political Dialogue: joint communiqué

The Council approved the joint communiqué of the EU-South African Development Community (SADC) meeting. The Council agrees that if further adjustments to the text are required in order to ensure agreement by both sides, the text may be adapted accordingly provided that the changes do not affect the substance and intent of the text. The EU-SADC ministerial meeting will be held in virtual format on 16 June 2021.

Council decision on EU support for the universalisation and effective implementation of the international convention for the suppression of the acts of nuclear terrorism

The Council adopted a decision on EU support for the universalisation and the effective implementation of the international convention for the suppression of acts of nuclear terrorism.

TRADE POLICY**EU-Cuba: green light for the signing of the agreement on the modification of post-Brexit WTO tariff rate quotas**

The Council adopted a decision on the signing of the agreement between the European Union and Cuba relating to the modification of concessions on all the tariff rate quotas, included in the EU Schedule CLXXV, as a consequence of the United Kingdom's withdrawal from the European Union and a proposal for a Council decision on the conclusion of this agreement. After the signing, the draft decision on the conclusion and the agreement will be formally forwarded to the European Parliament for its consent.

GENERAL AFFAIRS

Just Transition Fund - adoption

The Council adopted a regulation establishing a €17.5 billion Just Transition Fund (JTF) ([PE-CONS 5/21](#)). It will finance projects that will alleviate the socio-economic costs for communities across the EU that are heavily dependent on fossil fuels or greenhouse gas-intensive industries and need to diversify their local economy.

The JTF will contribute towards making the transition to climate neutrality fair and inclusive.

Dock dues scheme in the French outermost regions

The Council adopted a decision concerning the dock dues scheme in the French outermost regions ([7922/21](#)). The decision authorises France to apply exemptions or reductions to dock dues in respect of certain products produced locally in Guadeloupe, French Guiana, Martinique, Mayotte or Réunion, until 31 December 2027.

The Council decision is based on a provision in the TFEU for the possibility of introducing specific measures for outermost regions because of permanent constraints affecting their economic and social situation. The revenues from the dock dues will be incorporated into the tax resources of the French outermost regions and allocated to an economic and social development strategy involving the promotion of local activities.

AGRICULTURE

Regulation on food additives

The Council decided not to oppose the adoption of a Commission regulation amending annex II to regulation (EC) No [1333/2008](#) of the European Parliament and of the Council and the annex to Commission regulation (EU) No [231/2012](#) as regards steviol glycosides (E 960) and rebaudioside M produced via enzyme modification of steviol glycosides from Stevia ([8917/21](#), [8291/21](#) + ADD 1).