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## OUTCOME OF THE COUNCIL MEETING

3780th Council meeting

### Foreign Affairs

## Items approved by written procedure between 24 October and 7 December 2020

Brussels, 7 December 2020

President

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

# P R E S S

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13737/20 ADD 1

1  
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## CONTENTS<sup>1</sup>

### ITEMS DEBATED

none

### OTHER ITEMS APPROVED

#### *INTERNAL MARKET*

- Appointment of the President of the Boards of Appeal of the European Union Intellectual Property Office ..... 9
- Council decision on the position to be taken in the World Forum for Harmonisation of Vehicle Regulations of the United Nations Economic Commission for Europe ..... 9
- Regulation of the European Parliament and of the Council amending regulation (EU) No 168/2013 as regards specific measures on L-category end-of-series vehicles in response to the COVID-19 pandemic ..... 9
- Amendments to the REACH regulation concerning lead in gunshot ..... 10

#### *FOREIGN AFFAIRS*

- Council implementing decision and implementing regulation concerning restrictive measures against Belarus..... 10
- Council Guidelines for the EDA's Work in 2021..... 10
- Progress Catalogue 2020 ..... 11
- 9th EU-Tajikistan Cooperation Council (VTC, 18 November 2020)..... 11
- Council decision and implementing regulation concerning restrictive measures against cyber-attacks threatening the Union or its Member States ..... 11
- EU-ASEAN connectivity statement ..... 11
- Declaration against the use of arbitrary detention in state-to-state relations ..... 12
- Opening of an EU Delegation in Qatar..... 12
- Council decision on the European Union monitoring mission in Georgia, EUMM Georgia ..... 12

<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.
- 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.

*GENERAL AFFAIRS*

–	Extension of the temporary derogation from the Council’s Rules of Procedure due to COVID-19.....	12
–	EEA Agreement - Guideline on congestion management .....	13
–	EEA Agreement - Guideline on electricity transmission system operation.....	13
–	Legislative programming.....	13
–	Authorisation for the export of certain dual-use items to the United Kingdom.....	13
–	EEA Agreement - Guideline on forward capacity allocation .....	14
–	EEA Agreement - Guideline on electricity balancing .....	14
–	Decisions on the EU position within the Association Councils of certain bilateral agreements .....	14
–	Selection mechanism for adjudicators in international investment courts.....	14

*REGIONAL DEVELOPMENT*

–	Council conclusions on the implementation of EU macro-regional strategies .....	15
---	---	----

*JUSTICE AND HOME AFFAIRS*

– Schengen evaluations .....	15
– COVID-19 travel measures .....	16
– Future of Europol .....	16
– Schengen acquis - Ireland.....	16
– Commission on Narcotic Drugs - cannabis .....	17
– Bonn agreement.....	17
– TRADE POLICY .....	18
– 11th Union for the Mediterranean (UfM) Trade Ministers’ Conference (VTC 10 November 2020).....	18
– Trade and Health Initiative by the Ottawa Group members .....	18
– Draft Communication on Trade and Environmental Sustainability.....	19
– The United States and European Union tariff package.....	19
– Exceptional trade measures for countries and territories participating in or linked to the EU’s Stabilisation and Association Process .....	19
– Application of Union tariff rate quotas and other import quotas.....	19
– WTO Package on micro, small and medium-sized enterprises .....	20
– Exempting certain purchases of foodstuffs from the application of export prohibitions or restrictions .....	20

*EMPLOYMENT AND SOCIAL POLICY*

– Public employment services .....	20
– Council conclusions on the European Court of Auditors’ special report 20/2020: ‘Combating child poverty - Better targeting of Commission support required’ .....	20
– Council conclusions on the 2021 European Semester: employment and social aspects of the Annual Sustainable Growth Strategy 2021 .....	21

*EDUCATION*

– Council Recommendation on vocational education and training (VET) for sustainable competitiveness, social fairness and resilience .....	21
– Council conclusions on digital education in Europe’s knowledge societies.....	22

*YOUTH*

- Council conclusions on fostering democratic awareness and democratic engagement among young people in Europe ..... 22
- Resolution on the framework for establishing a European Youth Work Agenda..... 23

*SPORT*

- Resolution on the European Union Work Plan for Sport ..... 23
- Conclusions on promoting cross-sectoral cooperation for the benefit of sport and physical activity in society..... 24

*AGRICULTURE*

- Renewal of the appointment of the Executive Director of the International Sugar Organization ..... 24
- EU position at the 18th General Assembly of the International Organisation of Vine and Wine ..... 24
- EU position at the International Coffee Organization Council..... 25
- Listing co-formulants which are not accepted for inclusion in plant protection products ..... 25
- EU position at the International Olive Council ..... 25
- Council conclusions on the EU forest strategy and related policies ..... 26
- The UK's accession to the International Sugar Agreement..... 26
- EU controls at border control posts ..... 26
- Draft Council conclusions on the European Court of Auditors' special report on biodiversity ..... 27

*FISHERIES*

- Tariff quotas for imports of certain fishery products into the Canary Islands ..... 27
- Autonomous Union tariff quotas for certain fishery products for 2021-2023 ..... 27
- Fishing capacity reduction in the Baltic Sea..... 27
- Conclusion of Sustainable Fisheries Partnership with Seychelles..... 28
- Conclusion of Sustainable Fisheries Partnership with Senegal ..... 28

*TRANSPARENCY*

- Public access to documents ..... 28

*BUDGETS*

– Amending budget no 9/2020 and mobilisation of the Solidarity Fund .....	28
– European Anti-Fraud Office .....	29

*ECONOMIC AND MONETARY AFFAIRS*

– Taxation of energy products and electricity - Sweden and France .....	29
– VAT - derogation - Croatia .....	29
– VAT - derogation - Malta .....	30
– Annual Sustainable Growth Strategy 2021 - Council conclusions .....	30
– Anti-money laundering - Council conclusions .....	31
– European Semester - European Court of Auditors' special report .....	31
– EU statistics - Council conclusions .....	31
– Indirect taxes on 'traditional' rum - France .....	32
– Harmonised System Convention - EU position within the World Customs Organisation .....	32
– VAT - identification of taxable persons in Northern Ireland .....	32
– Recovery and resolution of central counterparties - Council position at first reading .....	32
– Excise duty on certain alcoholic products - Portugal .....	33
– International climate finance - Council statement .....	33
– International accounting standards .....	33
– Fair and effective taxation - Council conclusions .....	34
– International debt relief - Council conclusions .....	34
– Capital Markets Union - Council conclusions .....	35
– SURE - Council implementing decision - Ireland .....	35
– Regulatory technical standards for the single electronic reporting format - 2020 update of the taxonomy .....	35
– VAT - COVID-19 vaccines and test kits .....	36

**ITEMS DEBATED**

**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 ([6891/20](#)). The temporary derogation is currently in force until 21 January 2021 (2020/1659). 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 23 October, results of written procedures concluded between 24 October and 7 December 2020, 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.*



## **INTERNAL MARKET**

### **Appointment of the President of the Boards of Appeal of the European Union Intellectual Property Office**

The Council decided to appoint Mr João Nuno MAROCO AMARAL NEGRÃO as President of the Boards of Appeal of the European Union Intellectual Property Office (EUIPO) for a term of five years ([11746/20](#)).

### **Council decision on the position to be taken in the World Forum for Harmonisation of Vehicle Regulations of the United Nations Economic Commission for Europe**

On 3 November 2020, the Council adopted a decision on the position to be taken on behalf of the European Union in the World Forum for Harmonisation of Vehicle Regulations of the United Nations Economic Commission for Europe (held on 10 November 2020) as regards the proposals for modifications to UN Regulations Nos 0, 13, 16, 17, 44, 55, 83, 93, 94, 95, 100, 115, 137, 144, 151, 152 and 153, as regards the proposals for modifications to Global Technical Regulations Nos 7, 15 and 18, as regards the proposal for amendments to Mutual Resolution M.R.3, as regards the proposals for two new UN Regulations in relation to reversing motion and moving off information systems, and as regards the proposal for a new Global Technical Regulation on the determination of electric vehicle power ([11849/20](#) and [11850/20](#)).

### **Regulation of the European Parliament and of the Council amending regulation (EU) No 168/2013 as regards specific measures on L-category end-of-series vehicles in response to the COVID-19 pandemic**

On 3 November 2020, the Council approved the European Parliament's position at first reading on a draft regulation amending regulation (EU) No [168/2013](#) on L-category vehicles.

The proposed regulation allows manufacturers of Euro 4 L-category vehicles (i.e. powered two-, three- and four-wheel vehicles, including powered cycles, two- and three-wheel mopeds, two- and three-wheel motorcycles, motorcycles with side-cars, light and heavy on-road quads, and light and heavy quadri-mobles) to sell in 2021 higher amounts of end-of-series vehicles (i.e. 'old stock' vehicles that do not meet the latest Euro 5 requirements) than originally allowed. The derogation aims at alleviating the effects of the market disruption in 2020 caused by the COVID-19 pandemic.

The regulation is therefore adopted in the wording which corresponds to the position of the European Parliament ([PE-CONS 39/20](#)).

## **Amendments to the REACH regulation concerning lead in gunshot**

On 2 December 2020, the Council decided not to oppose the adoption of a Commission regulation amending Annex XVII to regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards lead in gunshot in or around wetlands.

The regulation introduces a restriction on the act of discharging lead gunshot in or around wetlands. The restriction will apply to gunshot containing a concentration of lead equal to or greater than 1%. It will apply 24 months after the adoption of the regulation. Member states with a significant proportion of wetlands in their territory have the option of imposing stricter restrictions. In such a case, these restrictions will apply 36 months after the adoption of the regulation.

The Commission regulation is subject to the regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt the regulation, unless the European Parliament objects ([10557/20](#)+[ADD1](#)).

## **FOREIGN AFFAIRS**

### **Council implementing decision and implementing regulation concerning restrictive measures against Belarus**

The Council adopted the decision to include Belarussian President Aleksandr Lukashenko and 14 other persons in the list of persons and entities subject to restrictive measures imposed by the EU against Belarus in response to the ongoing repression of civil society and opposition activists.

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

### **Council Guidelines for the EDA's Work in 2021**

The Council approved by written procedure Guidelines for the EDA's Work in 2021. The Guidelines set out areas where the European Defence Agency should focus its priorities which include: the Strategic Compass, the CARD, strengthening support and coordination of PESCO projects, and enhancing EU-NATO Cooperation.

## **Progress Catalogue 2020**

The Council approved by written procedure the Progress Catalogue for 2020.

The Catalogue identifies quantitative and qualitative military capability shortfalls on the basis of the requirements set out in the Requirements Catalogue. The EDA, the member states, the EU Military Committee (EUMC) the EU Military Staff (EUMS) and the General Secretariat of the Council all cooperate in this task.

## **9th EU-Tajikistan Cooperation Council (VTC, 18 November 2020)**

The Council established by written procedure the position of the European Union for the Cooperation Council with Tajikistan due to be held on 18 November 2020. The position relates to general and political issues, including justice and home affairs, human rights, and the rule of law.

## **Council decision and implementing regulation concerning restrictive measures against cyber-attacks threatening the Union or its Member States**

The Council adopted by written procedure the decision to update information related to two listings of natural persons responsible for cyber-attacks against the EU or its member states.

As of today, a total of 8 persons and 4 entities and bodies have been targeted by restrictive measures in relation to cyber-attacks targeting the EU or its member states.

The legal framework for restrictive measures imposed in response to cyber-attacks was put in place by the Council in May 2019 and first used in July 2020. The application of the sanctions regime is reviewed by the Council on a yearly basis, and was most recently extended until May 2021.

## **EU-ASEAN connectivity statement**

The Council approved, by written procedure, the EU-ASEAN connectivity statement.

The ASEAN-EU Ministerial Meeting, hosted by Singapore, took place on 1 December 2020 by videoconference and adopted the Joint ASEAN-EU Ministerial Statement on Connectivity.

### **Declaration against the use of arbitrary detention in state-to-state relations**

The Council approved, by written procedure, the declaration against the use of arbitrary detention in state-to-state relations. The declaration reaffirms that arbitrary arrests and detentions are contrary to international human rights law, including the principles of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and other international and regional human rights instruments.

### **Opening of an EU Delegation in Qatar**

The Council approved, by written procedure, the decision to open an EU Delegation in Qatar. The decision was taken in order to strengthen EU relations and presence in the Gulf region.

### **Council decision on the European Union monitoring mission in Georgia, EUMM Georgia**

The Council approved the budgetary impact statement for EUMM Georgia covering the period from 15 December 2020 to 14 December 2022.

Following a strategic review, the Council decided to extend the mission, which was due to expire on 14 December 2020.

## **GENERAL AFFAIRS**

### **Extension of the temporary derogation from the Council's Rules of Procedure due to COVID-19**

The Council adopted by written procedure a decision 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 and (EU) 2020/1253, in view of the travel difficulties caused by the COVID-19 pandemic in the Union, as set out in [12437/20](#).

### **EEA Agreement - Guideline on congestion management**

The Council adopted a decision on the position to be adopted, on behalf of the European Union, within the European Economic Area Joint Committee concerning an amendment to Annex IV (Energy) to the EEA Agreement [32015R1222 - Guideline on congestion management ‘CM’], as set out in [12928/20](#) and [12929/20](#).

### **EEA Agreement - Guideline on electricity transmission system operation**

The Council adopted a decision on the position to be adopted, on behalf of the European Union, within the European Economic Area Joint Committee concerning an amendment to Annex IV (Energy) to the EEA Agreement [32017R1485 - Guideline on electricity transmission system operation ‘ETS’ - ‘SOGL’], as set out in [12932/20](#) and [12933/20](#).

### **Legislative programming**

The Council approved the joint declaration on the EU legislative priorities for 2021, as set out in [13546/20](#), and the joint conclusions on the policy objectives and priorities for 2020-2024, as set out in [13547/20](#). Austria, Cyprus, Denmark, Hungary, Malta, Poland and Sweden included some [statements](#) in the decision.

### **Authorisation for the export of certain dual-use items to the United Kingdom**

The Council adopted ([5178/20](#)) the regulation of the European Parliament and of the Council amending Council regulation (EC) No [428/2009](#) by granting a Union General Export Authorisation for the export of certain dual-use items from the Union to the United Kingdom of Great Britain and Northern Ireland, as set out in [PE-CONS 45/20](#).

The Council also approved the derogation, 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.

### **EEA Agreement - Guideline on forward capacity allocation**

The Council adopted a decision on the position to be adopted, on behalf of the European Union, within the European Economic Area Joint Committee concerning an amendment to Annex IV (Energy) to the EEA Agreement [32016R1719 - Guideline on forward capacity allocation ‘FCA’], as set out in [12937/20](#) and [12938/20](#).

### **EEA Agreement - Guideline on electricity balancing**

The Council adopted a decision on the position to be adopted, on behalf of the European Union, within the European Economic Area Joint Committee concerning an amendment to Annex IV (Energy) to the EEA Agreement [32017R2195 - Guideline on electricity balancing ‘EB’], as set out in [12941/20](#) and [12942/20](#).

### **Decisions on the EU position within the Association Councils of certain bilateral agreements**

The Council adopted decisions on the position to be taken on behalf of the European Union within the Association Councils of the bilateral agreements as regards the amendments of the protocol concerning the implementation of the revised rules of the Pan-Euro-Mediterranean (PEM) Convention.

### **Selection mechanism for adjudicators in international investment courts**

The Council approved by written procedure ([4492/20](#)) the Council Statement on the Commission’s proposal for a selection mechanism for adjudicators in international investment courts, as set out in [12434/1/20 REV 1](#).

The European Commission proposed a decision for the establishment of a procedure for the selection and appointment of members of international investment courts established pursuant to bilateral or multilateral treaties in which the EU is Party.

The Council took note of that decision and highlighted that the establishment of the procedure by the Commission is without prejudice to the division of competences between the Union and the member states and between the institutions of the EU as laid down in the Treaties.

## **REGIONAL DEVELOPMENT**

### **Council conclusions on the implementation of EU macro-regional strategies**

The Council approved by written procedure conclusions on the implementation of EU macro-regional strategies (MRS) ([13075/20](#), [5074/20](#)). The Council emphasises the urgency of further incorporating the four MRS in EU funding programmes for 2021-2027 and acknowledges their role in post-pandemic resilience and recovery. The MRS concern the Baltic Sea Region, the Danube Region, the Adriatic and Ionian Region, and the Alpine Region.

## **JUSTICE AND HOME AFFAIRS**

### **Schengen evaluations**

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2018 evaluation of **Estonia** on the application of the Schengen acquis in the field of **data protection** ([12870/20](#)).

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2019 evaluation of **Poland** on the application of the Schengen acquis in the field of the management of the **external borders** ([12869/20](#)).

The Council adopted implementing decisions setting out recommendations on addressing the deficiencies identified in the 2020 evaluations of **Germany** on the application of the Schengen acquis in the fields of **police cooperation** and of the **Schengen Information System** ([12867/20](#), [12868/20](#)).

## **COVID-19 travel measures**

The Council adopted a recommendation on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic in the Schengen area.

Given that the freedom of movement of persons in the internal market closely coexists with the absence of internal border controls on persons in the Schengen area, and in order to respect the coherence and the integrity of the Schengen acquis, this recommendation should ensure that member states apply the same coordinated approach laid down in [recommendation 2020/1475](#) when applying the Schengen acquis on the absence of checks on persons, irrespective of their nationality, at internal borders.

[Council Recommendation \(EU\) 2020/1632 of 30 October 2020 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic in the Schengen area](#)

## **Future of Europol**

The Council approved a resolution on the future of Europol. In it, member states indicated their wish to maintain the successful concept of Europol and to strengthen and develop it so that Europol can face the challenges of the future ([12463/20](#)).

## **Schengen acquis - Ireland**

The Council adopted an implementing decision on the putting into effect of the provisions of the Schengen acquis on data protection and on the provisional putting into effect of certain provisions of the Schengen acquis in Ireland ([11319/20](#)).



## **Commission on Narcotic Drugs - cannabis**

The Council adopted a decision on the position to be taken on behalf of the EU at the sixty-third session of the Commission on Narcotic Drugs, on the scheduling of cannabis and cannabis-related substances under the Single Convention on Narcotic and the Convention on Psychotropic Substances.

On 24 January 2019, the WHO submitted to the Secretary-General of the UN six recommendations concerning cannabis and cannabis-related substances. These recommendations aim to ensure that the substances concerned are subject to the most relevant international control, reflecting current scientific and medical knowledge and administrative practices, and to ensure access to, research on and development of preparations of cannabis-related substances for medical purposes.

Regarding in particular cannabis and cannabis resin, and after a thorough review of the available scientific literature, the WHO concluded that these substances have to remain listed in Schedule I of the UN Single Convention on Narcotic Drugs given their high abuse potential and the ill effects associated with their use posing a significant public health risk. However, the EU position was to support the deletion of cannabis and cannabis resin from Schedule IV of the Single Convention on Narcotic Drugs, as recommended by the WHO, considering that it would allow more research, in line with the EU's evidence-based drugs policy, on the medical use of cannabis and cannabis resin.

For more information:

[EU votes at the UN Commission on Narcotic Drugs to ensure most relevant international control for cannabis and cannabis-related substances \(press release\)](#)

## **Bonn agreement**

The Council approved a request seeking the European Parliament's consent for a draft Council decision on the conclusion of the amendments to the Bonn agreement with regard to the extension of the scope of application of that agreement and the accession of Spain ([11487/20](#), [11490/20](#), [11493/20](#)).

The Bonn agreement aims to promote cooperation and mutual assistance in combating pollution in the North Sea area by oil and other harmful substances, in order to protect the marine environment and safeguard coastal areas.

## TRADE POLICY

### **11th Union for the Mediterranean (UfM) Trade Ministers' Conference (VTC 10 November 2020)**

The Council agreed by written procedure on the approval of the Joint Statement of the 11th Union for the Mediterranean (UfM) Trade Ministers' Conference (VTC, 10 November 2020): The ministerial conference took place at a time when the UfM was celebrating the 25 anniversary of the Barcelona Process, a key milestone in building the Euro-Mediterranean partnership.

Ministers noted that there had been several developments in bilateral trade relations between the UfM member states over the last two and a half years, and highlighted the importance of building on the results of the regional work carried out since then and of developing further initiatives to facilitate and increase trade and investment flows yielding increased economic integration in the Mediterranean region. Ministers emphasised the importance of reinvigorating Euro-Mediterranean trade and increasing the competitive advantage of the region to attract more trade and investment.

### **Trade and Health Initiative by the Ottawa Group members**

The Council approved by written procedure (4784/20) the draft Communication on Trade and Health Initiative by the Ottawa Group members, as set out in 12900/20.

On 23 November 2020, the Ottawa Group, a group of 13 like-minded World Trade Organisation (WTO) partners including the EU, agreed on an initiative calling on the WTO members to increase their cooperation and work toward enhanced global rules to facilitate trade in essential medical goods. The agreement took place as an outcome of the Ottawa Group Ministerial meeting, hosted virtually by Minister Mary Ng of Canada.

## **Draft Communication on Trade and Environmental Sustainability**

The Council approved by written procedure the draft Communication on Trade and Environmental Sustainability, as set out in 12653/20, subject to possible minor adjustments, but without changes in substance or outcome.

## **The United States and European Union tariff package**

The Council approved by written procedure the Joint Statement of the United States and the European Union on a tariff package of mutual concessions with the US. In a move to improve transatlantic trade relations, the EU will scrap customs duties on imports of lobsters. In return, the US will reduce its duties on certain EU products exported to the US. This tariff package is the first EU-US tariff reduction in two decades.

## **Exceptional trade measures for countries and territories participating in or linked to the EU's Stabilisation and Association Process**

The Council adopted by written procedure (4955/20) the regulation of the European Parliament and of the Council amending Council regulation (EC) No 1215/2009 introducing exceptional trade measures for countries and territories participating in or linked to the European Union's Stabilisation and Association Process (PE-CONS 42/20).

The Stabilisation and Association Process (SAP) is the EU's policy towards the Western Balkans, established with the aim of eventual EU membership. Western Balkan countries are involved in a progressive partnership with a view to stabilising the region and establishing a free-trade area.

## **Application of Union tariff rate quotas and other import quotas**

The Council adopted by written procedure the regulation of the European Parliament and of the Council on the application of Union tariff rate quotas and other import quotas (PE-CONS 43/20).

In relation to the EU-UK Withdrawal Agreement, this regulation specifies that EU's import tariff rate quotas and other import quotas should be available only for goods imported and released into free circulation in the EU and not in Northern Ireland. Any agreement between the EU and a third country providing for export tariff rate quotas applies only to goods imported into the EU. Therefore, third countries could refuse to issue export licenses for direct imports into Northern Ireland.

## **WTO Package on micro, small and medium-sized enterprises**

The Council approved by written procedure the draft WTO package on micro, small and medium-sized enterprises (ST 10647/20).

The draft WTO package aims to help the above-mentioned enterprises participate in international trade, especially taking into account the negative impact of COVID-19 pandemic.

## **Exempting certain purchases of foodstuffs from the application of export prohibitions or restrictions**

The Council has adopted by written procedure a decision on the EU's position to be taken within the General Council of the WTO in relation to the adoption of a decision exempting certain purchases of foodstuffs from the application of export prohibitions or restrictions (1296/20).

Humanitarian purchases by the UN World Food Programme should be exempted from export prohibitions and restrictions in view of the critical need for the humanitarian support provided by the UN World Food Programme, which has become even more crucial during the COVID-19 pandemic.

## **EMPLOYMENT AND SOCIAL POLICY**

### **Public employment services**

The Council adopted a decision of the European Parliament and of the Council amending decision No 573/2014/EU on enhanced cooperation between Public Employment Services (PES).

The act was adopted by written procedure ([13114/20](#)).

### **Council conclusions on the European Court of Auditors' special report 20/2020: 'Combating child poverty - Better targeting of Commission support required'**

The Council approved by written procedure conclusions on the European Court of Auditors' special report 20/2020: 'Combating child poverty - Better targeting of Commission support required'. The Council called on the Commission, in light of the recommendations of the report, to include actions and objectives to tackle child poverty in its future initiatives, to ensure the completion of the necessary steps and information gathering for the preparation of the upcoming European Child Guarantee policy initiative, and to continue supporting mutual learning and exchange of best practice among member states ([13247/20](#)).

## **Council conclusions on the 2021 European Semester: employment and social aspects of the Annual Sustainable Growth Strategy 2021**

The Council strongly encouraged the member states to include in their Recovery and Resilience Plans essential reforms and investment in the labour market, social policy, healthcare and education and training. It highlighted that such reforms and investments should support the recovery, promote sustainable and inclusive growth and job creation, and address the challenges identified in the 2019 and 2020 country-specific recommendations.

The Council encouraged the Commission to build on the established processes and governance practices within the European Semester cycle, thereby involving all relevant Council formations and their preparatory bodies, as much as possible, to support the effective implementation of the Recovery and Resilience Plans. The Council also encouraged the Commission to provide guidance to the member states with a view to promoting employment, quality jobs and social inclusion, in relation to reforms and investments under the Recovery and Resilience Plans [\(13246/20\)](#).

### **EDUCATION**

#### **Council Recommendation on vocational education and training (VET) for sustainable competitiveness, social fairness and resilience**

The Council adopted by written procedure a Recommendation on vocational education and training (VET) for sustainable competitiveness, social fairness and resilience.

The Council recommended that member states work towards implementing a vocational education and training policy which equips young people and adults with the knowledge, skills and competences to thrive in the evolving labour market and society, fosters inclusiveness and equal opportunities and contributes to achieving resilience, social fairness and prosperity for all, and promotes European vocational education and training systems in an international context so that they are recognised as a worldwide reference for vocational learners.

The Council also welcomed the Commission's intention to implement the Union's vocational education and training policy, supporting the action of the member states [\(12808/20\)](#).

## **Council conclusions on digital education in Europe's knowledge societies**

The Council approved by written procedure conclusions on digital education in Europe's knowledge societies.

The Council invited member states to promote the embedding of digital education technologies and the acquisition of digital competences in order to enhance teaching, training and learning in all types and levels of education and training as well as in a lifelong learning perspective.

The Council also invited the Commission and the member states to make efficient use of the digital dimension of Erasmus+, and, where appropriate, synergies with other relevant Union programmes, to support the digital transformation plans of education and training institutions.

In particular the Commission was invited to ensure a coordinated approach to digital education within the Commission and to explore ways to foster a more integrated approach to the development of digital education policy, possibly by setting up a European Digital Education Hub (12809/20).

## **YOUTH**

### **Council conclusions on fostering democratic awareness and democratic engagement among young people in Europe**

The Council approved by written procedure conclusions of the Council and of the representatives of the governments of the member states meeting within the Council on fostering democratic awareness and democratic engagement among young people in Europe.

The Council invited the member states and the Commission to take the appropriate steps to increase young people's understanding and appreciation of democracy and diversity, further develop young people's participation in political processes in line with the Council resolution on encouraging political participation of young people in democratic life in Europe, and take into account the interests of young people and their democratic engagement as a cross-cutting issue in European processes and programmes ([13177/20](#)).

## **Resolution on the framework for establishing a European Youth Work Agenda**

The Council approved by written procedure a resolution of the Council and of the representatives of the governments of the member states meeting within the Council on the framework for establishing a European Youth Work Agenda.

Through the resolution, the Council and the representatives of the governments of the member states agree on the European Youth Work Agenda as a strategic framework for strengthening and developing quality and innovation in, and recognition of youth work. The agenda adopts a targeted approach to further developing knowledge-based youth work in Europe and connecting political decisions with their practical implementation ([13185/20](#)).

## **SPORT**

### **Resolution on the European Union Work Plan for Sport**

The Council approved by written procedure a resolution of the Council and of the representatives of the governments of the member states meeting within the Council on the European Union Work Plan for Sport.

With the resolution, the Council and the representatives of the member states establish a European Union Work Plan for Sport for the period from 1 January 2021 to 30 June 2024. The guiding objectives of the plan include fostering integrity- and values-based sport in the EU, strengthening the recovery and the crisis resilience of the sport sector during and in the aftermath of the COVID-19 pandemic, and supporting sustainable and evidence-based sports policy ([13322/20](#)).

## **Conclusions on promoting cross-sectoral cooperation for the benefit of sport and physical activity in society**

The Council approved by written procedure conclusions of the Council and the representatives of the governments of the member states meeting within the Council on promoting cross-sectoral cooperation for the benefit of sport and physical activity in society.

The conclusions invite the member states to develop and monitor mutual strategies with a clear division of responsibilities to increase citizens' participation in sport and physical activity in the short, medium and long term, paying particular attention to cross-sectoral cooperation.

The Commission is also invited to promote cross-sectoral cooperation for the benefit of sport, physical activity and social cohesion through initiatives, such as the European Week of Sport and the EU Sport Forum, and to support the exchange of best practices, involving as appropriate the health-enhancing physical activity focal points network ([13317/20](#)).

## **AGRICULTURE**

### **Renewal of the appointment of the Executive Director of the International Sugar Organization**

The Council agreed, by written procedure, the position to be taken on behalf of the EU within the International Sugar Council concerning the renewal of the appointment of the Executive Director of the International Sugar Organization.

### **EU position at the 18th General Assembly of the International Organisation of Vine and Wine**

The Council adopted, by written procedure, a Council decision establishing the position to be taken on behalf of the European Union with regard to certain resolutions to be voted at the 18th General Assembly of the International Organisation of Vine and Wine (OIV), held on 26 November 2020 ([12752/20](#)).



### **EU position at the International Coffee Organization Council**

The Council adopted, by written procedure, a decision on the position to be taken on behalf of the European Union in the International Coffee Organization Council, as set out in 11720/20.

The Council approved by written procedure the draft Communication on Trade and Environmental Sustainability, as set out in 12653/20, subject to possible minor adjustments, but without changes in substance or outcome.

### **Listing co-formulants which are not accepted for inclusion in plant protection products**

The Council decided, by written procedure, not to oppose the adoption of a European Commission regulation amending Annex III to regulation (EC) 1107/2009 of the European Parliament and of the Council listing co-formulants which are not accepted for inclusion in plant protection products ([12233/20](#) + [ADD1](#), [12688/20](#)).

### **EU position at the International Olive Council**

The Council adopted, by written procedure, a decision on the position to be taken on behalf of the European Union within the Council of Members of the International Olive Council (IOC) as regards the conditions for the accession of the Government of the Republic of Uzbekistan to the International Agreement on Olive Oil and Table Olives, 2015, as set out in [11258/2020](#).

The Council approved by written procedure the draft Communication on Trade and Environmental Sustainability, as set out in 12653/20, subject to possible minor adjustments, but without changes in substance or outcome.

## **Council conclusions on the EU forest strategy and related policies**

The Council adopted, by written procedure, conclusions on the perspectives for the EU forest-related policies and EU forest strategy post 2020. The overarching message is that member states need more support in sustaining and enhancing forest biodiversity through a coordinated EU approach. One concrete example includes the suggestion to establish a regular exchange and knowledge-sharing platform on best practices around forestry measures.

Within this context, the Council called on the European Commission to ensure consistency and coherence of EU forest-related policies after 2020 by taking into account the EU's Green Deal and the UN's Sustainable Development Goals (SDGs) as guiding frameworks. This approach would highlight forests' contribution to climate change mitigation, support to green economic infrastructure and green jobs, and promotion of biodiversity. The conclusions were adopted by written procedure ([12370/20](#)).

## **The UK's accession to the International Sugar Agreement**

The Council adopted, by written procedure, the Council decision on the position to be taken on behalf of the European Union within the International Sugar Council concerning the accession of the United Kingdom to the International Sugar Agreement, 1992, as set out in document [12495/2020](#).

The position is to approve the accession of the United Kingdom to the International Sugar Agreement, 1992, provided that the accession does not take effect, and the Agreement is not provisionally applied in respect of the United Kingdom, before the end of the transition period referred to in Article 126 of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.

## **EU controls at border control posts**

The Council approved, by written procedure, the wording of the letter to be sent to the European Parliament and the Commission expressing the Council's intention of the decision not to object to the delegated act about official controls at the border control post where goods leave the Union and certain provisions on transit and transshipment ([13193/20](#)).

## **Draft Council conclusions on the European Court of Auditors' special report on biodiversity**

The Council adopted, by written procedure, draft Council conclusions on the European Court of Auditors' special report No 13/2020: 'Biodiversity on farmland: CAP contribution has not halted the decline', as set out in [12907/20](#). The Council took note of the recommendations and recalled that the CAP 2014-2020 provided a range of instruments that could contribute to supporting biodiversity. It also underlined that the current proposals for the reform of the CAP contained further measures with a beneficial impact for biodiversity, including enhanced conditionality, advisory services, eco-schemes (in Pillar I) and rural development measures (in Pillar II).

## **FISHERIES**

### **Tariff quotas for imports of certain fishery products into the Canary Islands**

The Council adopted, by written procedure, a Council regulation opening and providing for the administration of autonomous Union tariff quotas for imports of certain fishery products into the Canary Islands from 2021 to 2027 as set out in [ST 11038/20](#) + [COR 1 \(de\)](#).

### **Autonomous Union tariff quotas for certain fishery products for 2021-2023**

The Council adopted, by written procedure, a Council regulation opening and providing for the administration of autonomous Union tariff quotas for imports of certain fishery products into the Canary Islands from 2021 to 2027 as set out in [11038/20](#) + COR 1 (de).

### **Fishing capacity reduction in the Baltic Sea**

The Council adopted, by written procedure, a regulation of the European Parliament and of the Council amending regulation (EU) 2016/1139 as regards fishing capacity reduction in the Baltic Sea, and regulation (EU) No 508/2014 as regards permanent cessation of fishing activities for fleets fishing for Eastern Baltic cod, Western Baltic cod and Western Baltic herring, as set out in PE-CONS 41/20.

### **Conclusion of Sustainable Fisheries Partnership with Seychelles**

The Council adopted, by written procedure, a Council decision on the conclusion, on behalf of the European Union, of the Sustainable Fisheries Partnership Agreement between the European Union and the Republic of Seychelles and its implementing protocol (2020- 2026) ([5243/20](#))

### **Conclusion of Sustainable Fisheries Partnership with Senegal**

The Council adopted, by written procedure, a Council decision on the conclusion, on behalf of the European Union, of the protocol on the implementation of the Agreement on a Sustainable Fisheries Partnership between the European Union and the Republic of Senegal.  
([13484/19 PECHE 478](#) + [COR 1](#))

### **TRANSPARENCY**

#### **Public access to documents**

On 7 December 2020, the Council adopted by written procedure the reply to confirmatory application No 22/c/01/20 (see [CM 4949/20](#)). Reference document: [12323/20](#).

### **BUDGETS**

#### **Amending budget no 9/2020 and mobilisation of the Solidarity Fund**

On 30 October 2020, the Council adopted its position on draft amending budget No 9 to the general budget of the Union for 2020, accepting the Commission proposal without changes ([11807/20](#)).

The Council also approved the decision of the European Parliament and of the Council on the mobilisation of the European Union Solidarity Fund to provide assistance to Croatia and Poland in relation to a natural disaster and to provide for the payment of advances to Croatia, Germany, Greece, Hungary, Ireland, Portugal and Spain in relation to a public health emergency ([11809/20](#)).

## **European Anti-Fraud Office**

On 4 December 2020, the Council adopted its position at first reading on amendments to the regulation concerning investigations conducted by the European Anti-Fraud Office (OLAF) (10008/20). The aim of the new rules is to ensure smooth cooperation between OLAF and the European Public Prosecutor's Office (EPPO), which is expected to become operational in early 2021. They will also strengthen the framework for investigations carried out by OLAF.

The Council's position at first reading is based on the agreement reached in the negotiations with the European Parliament this summer and is expected to be approved by the Parliament without amendments at the December plenary.

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

## **ECONOMIC AND MONETARY AFFAIRS**

### **Taxation of energy products and electricity - Sweden and France**

On 29 October 2020, the Council adopted two implementing decisions authorising Sweden and France to apply a reduced rate of taxation to electricity directly provided to vessels at berth in a port ('shore-side electricity') in accordance with Article 19 of directive 2003/96/EC restructuring the Community framework for the taxation of energy products and electricity (11119/20 + 11192/20).

With the reduced tax rate, Sweden and France aim to continue promoting the use of shore-side electricity. The use of such electricity is considered to be an environmentally less harmful way of satisfying the electricity needs of vessels at berth in a port than the burning of bunker fuels by those vessels.

### **VAT - derogation - Croatia**

On 3 November 2020, the Council adopted a decision extending until 31 December 2024 a derogation allowing Croatia to exempt from VAT taxable persons whose annual turnover is no higher than the equivalent in national currency of €45 000 at the conversion rate of the day of its accession (11685/20).

## **VAT - derogation - Malta**

On 3 November 2020, the Council adopted a decision extending until 31 December 2024 a derogation allowing Malta to exempt from VAT taxable persons whose economic activity consists principally in supplies of services with a high value added (low inputs) and whose annual turnover is no higher than €20 000 ([11688/20](#)).

## **Annual Sustainable Growth Strategy 2021 - Council conclusions**

On 6 November 2020, the Council adopted conclusions on the 2021 European Semester: The Annual Sustainable Growth Strategy 2021 ([12631/20](#)).

The Annual Sustainable Growth Strategy (ASGS), which provides the starting point for the 2021 European Semester cycle, was published by the Commission on 17 September. Against the background of the COVID-19 crisis and the recovery package, the strategy sets out strategic guidance for the implementation of the Recovery and Resilience Facility (RRF), which will be integrated in the European Semester.

In its conclusions, the Council welcomes the fact that the ASGS 2021 and the RRF are rooted in the EU's aim of achieving competitive sustainability and acknowledges the need to temporarily adapt the European Semester to ensure consistent and effective implementation of the RRF. It strongly encourages member states to pursue coherent sets of essential reforms and investments, addressing national structural challenges. At the same time, the Council highlights that structural policy surveillance and horizontal discussions should continue and calls for a return to a fully-fledged European Semester process as soon as possible.

The Council also agrees with the Commission's assessment that member states should continue to provide targeted and temporary fiscal support in 2021, while safeguarding fiscal sustainability in the medium term and enhancing investments. It considers that the timing of measures that facilitate a reallocation of resources and support the recovery should vary between the member states, depending on the needs of the country and of different sectors in relation to the evolution of the pandemic.

## Anti-money laundering - Council conclusions

On 5 November 2020, the Council adopted conclusions on anti-money laundering and countering the financing of terrorism ([12608/20](#)).

The conclusions outline various areas in which the Commission should consider harmonising the EU rules via a directly applicable regulation. The Council also supports setting up an EU-level supervisor with direct supervisory powers over a selected number of high-risk obliged entities, as well as the authority to take over supervision from a national supervisor in clearly defined and exceptional situations.

## European Semester - European Court of Auditors' special report

On 6 November 2020, the Council adopted conclusions on the European Court of Auditors' (ECA) [special report No 16/2020](#) 'The European Semester – country specific recommendations address important issues but need better implementation' ([12479/20](#)).

The ECA report concludes that the Commission provided a sound analysis of member states' annual economic progress in its country reports, coordinated the Europe 2020 strategy which led to six out of eight targets being reached by 2020, and proposed relevant country-specific recommendations (CSRs). However, full or substantial implementation of CSRs by member states is low and the report suggests adjustments to improve the European Semester process.

In its conclusions, the Council agrees overall with the main findings of the report, including that implementation of CSRs has been insufficient and should be strengthened. It stresses that member states' ownership is critical to ensuring the success of the reforms and it calls for improved transparency and open policy dialogue between the Commission and the member states on the identification of the main reform and investment challenges.

## EU statistics - Council conclusions

On 6 November 2020, the Council adopted conclusions on EU statistics 2020 ([12693/20](#)).

Council conclusions on EU statistics are part of a yearly exercise in which the Council examines reports prepared by various EU statistical bodies and institutions. The conclusions review progress achieved on the priorities for EU statistics established by the Council the previous year, and provide guidance on further work. In particular, they look into statistics used for the excessive deficit procedure, surveillance of macroeconomic imbalances, and structural statistics.

## **Indirect taxes on ‘traditional’ rum - France**

On 16 November 2020, the Council adopted a decision authorising France to apply a reduced rate of certain indirect taxes on ‘traditional’ rum produced in Guadeloupe, French Guiana, Martinique and Réunion ([11031/20](#) + [COR 1](#)).

## **Harmonised System Convention - EU position within the World Customs Organisation**

On 13 November 2020, the Council adopted a decision on the position to be taken on behalf of the EU within the World Customs Organisation with regard to the adoption of Explanatory Notes, Classification Opinions or other advice on the interpretation of the Harmonised System and recommendations to secure uniformity in the interpretation of the Harmonised System under the Harmonised System Convention ([11650/20](#) + [11651/20](#)).

## **VAT - identification of taxable persons in Northern Ireland**

On 20 November 2020, the Council adopted a directive amending directive [2006/112/EC](#) on the common system of value added tax as regards the identification of taxable persons in Northern Ireland ([10115/20](#)).

The directive has been adopted in the context of the UK’s withdrawal from the EU. In accordance with Article 8 of the Protocol on Ireland/Northern Ireland, which forms an integral part of the Withdrawal Agreement, provisions of Union law on VAT as listed in Annex 3 to the protocol concerning goods will continue to apply in Northern Ireland after the transition period so as to avoid a hard border between Ireland and Northern Ireland. Therefore, taxable persons and certain non-taxable legal persons will be subject to provisions of Union law on VAT for transactions in goods in Northern Ireland, whereas they will be subject to the provisions of UK legislation on VAT for all other transactions in the UK, including in respect of Northern Ireland.

## **Recovery and resolution of central counterparties - Council position at first reading**

On 17 November 2020, the Council adopted its position at first reading on the draft regulation on a framework for the recovery and resolution of central counterparties ([9644/20](#)) and the statement of the Council’s reasons ([9644/20](#) + [ADD 1](#)).

The Council’s position at first reading is based on the agreement reached in the negotiations with the European Parliament on 23 June 2020 ([press release, 23 June 2020](#)).



### **Excise duty on certain alcoholic products - Portugal**

On 16 November 2020, the Council adopted a decision authorising Portugal to apply a reduced rate of excise duty in the autonomous region of Madeira on locally produced and consumed rum and liqueurs and in the autonomous region of the Azores on locally produced and consumed rum, liqueurs and *eaux de vie* (11025/20).

### **International climate finance - Council statement**

On 23 November 2020, the Council adopted a statement underlining the contribution of the EU and its member states to the mobilisation of international climate finance (12820/20).

Figures from 2019 confirm that the EU and its member states remain the largest contributor of public climate finance to developing countries, having contributed around €22 billion in 2019 and having more than doubled their contribution since 2013. The statement also stresses the commitment of the EU to accelerate the green transition. The EU's recovery plan, Next Generation EU, and the long-term budget 2021-2027 also reflect this priority.

In the statement, the Council calls for all national, regional and multilateral finance institutions to continue and enhance their support.

### **International accounting standards**

On 26 November 2020, the Council approved the wording of the letter to be sent to the European Parliament and the Commission expressing the Council's intention not to oppose the adoption of draft Commission regulation amending Commission regulation (EC) No 1126/2008 as regards International Accounting Standard 39 and International Financial Reporting Standards 4, 7, 9 and 16 (12681/20).

**Fair and effective taxation - Council conclusions**

On 27 November 2020, the Council adopted conclusions on fair and effective taxation in times of recovery, on tax challenges linked to digitalisation and on tax good governance in the EU and beyond ([13350/20](#)).

The conclusions set out the Council's comprehensive assessment of the main tax policy issues to be addressed over the coming years. They provide guidance to the Commission in different areas of EU action, including addressing the challenges of the digitalisation of the economy, enhancing administrative cooperation between member states' tax authorities and promoting tax good governance in the EU and beyond.

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

**International debt relief - Council conclusions**

On 30 November 2020, the Council adopted conclusions on international debt relief in particular for African countries ([13529/20](#)).

The conclusions underscore the EU's support for a coordinated international approach on debt relief efforts for African countries. The Council welcomes the G20-Paris Club Debt Service Suspension Initiative (DSSI) and its extension. The DSSI has been fundamental in supporting the countries that have requested participation by freeing up fiscal space to fund social, health, and economic measures to respond to the pandemic. The Council also welcomes the G20 agreement on a Common Framework for Debt Treatments beyond the DSSI, which will be instrumental to ensure strong coordination among creditors and is considered a major step forward in the international architecture for restructuring sovereign debt.

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

## **Capital Markets Union - Council conclusions**

On 3 December 2020, the Council approved a set of conclusions on the Commission's new action plan on the Capital Markets Union (CMU), published on 24 September 2020 ([12898/1/20](#)). The conclusions set out the Council's priorities among the measures outlined in the Commission's action plan. They are intended to provide the Commission with guidance when preparing future legislation and non-legislative initiatives.

The conclusions stress that, at this juncture, the highest priority should be given to those actions that are important for improving the funding of the economy and particularly of SMEs and that have the potential to support a swift economic recovery in the context of the COVID-19 pandemic. These actions should be delivered as soon as possible and by no later than the end of 2021. The measures that are considered to be the most important for mobilising private capital should also be delivered as soon as possible. These should be followed by measures that are deemed to be of major importance for progressing towards a more vibrant and globally competitive capital market in the short and medium term.

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

## **SURE - Council implementing decision - Ireland**

On 4 December 2020, the Council adopted an implementing decision granting €2.5 billion of temporary support under regulation (EU) 2020/672 to Ireland to mitigate unemployment risks in the emergency following the COVID-19 outbreak ([13007/20](#)).

## **Regulatory technical standards for the single electronic reporting format - 2020 update of the taxonomy**

On 4 December 2020, the Council confirmed that it had no intention to object to the Commission delegated regulation of 6 November 2020 amending delegated regulation (EU) 2019/815 as regards the 2020 update of the taxonomy laid down in the regulatory technical standards for the single electronic reporting format.

This means that, if the European Parliament also confirms that it has no intention to object to this delegated act, it will be published and enter into force.

## **VAT - COVID-19 vaccines and test kits**

On 7 December 2020, the Council adopted amendments to the directive on the common system of value added tax (VAT) to allow member states to temporarily exempt COVID-19 vaccines and testing kits, as well as closely related services, from VAT ([12946/20](#)). Member states may also apply a reduced VAT rate to testing kits and closely related services, if they choose to do so. This possibility is already available for vaccines.

The measures concern COVID-19 vaccines authorised by the Commission or by the member states and COVID-19 test kits that comply with the applicable EU legislation. They will apply until 31 December 2022.

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

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