



Council of the
European Union

045301/EU XXVII.GP
Eingelangt am 18/12/20

EN

14114/20 ADD 1

(OR. en)

PROVISIONAL VERSION

PRESSE 32
PR CO 32

OUTCOME OF THE COUNCIL MEETING

3782nd Council meeting

Environment

Items approved by written procedure between 8 and 17 December 2020

Brussels, 17 December 2020

President

Svenja Schulze

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¹ • Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
• Documents for which references are given in the text are available on the Council's internet site (<http://www.consilium.europa.eu>).
• Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's internet site or may be obtained from the Press Office.

ITEMS 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](#).

Results of written procedures concluded between 8 and 17 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 may have not been included.

GENERAL AFFAIRS**Decisions amending Council's rules of procedure**

The Council adopted a decision (EU, Euratom) amending the Council's Rules of Procedure, as set out in document [13277/20](#).

EEA Agreement - Social Security

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 VI (Social Security) to the EEA Agreement as set out in documents [12968/20](#) and [12969/20](#).

Decision on the free movement of persons

The Council adopted a decision on the position to be taken by the European Union within the Joint Committee established under the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons as regards the amendment of Annex II to that Agreement on the coordination of social security schemes, as set out in documents [12964/20](#) and [12965/20](#).

Common Position - EU-Serbia Stabilisation and Association Council

The Council approved the Common Position of the European Union for the informal meeting of the members of the EU-Serbia Stabilisation and Association Council, as set out in document [13079/20](#).

INTERNAL MARKET AND INDUSTRY**Regulation amending Annex XIV to Regulation (EU) No 1907/2006**

On 14 December 2020, the Council decided not to oppose the adoption of a Commission regulation amending Annex XIV to regulation (EU) No 1907/2006 as regards the substance group 4-(1,1,3,3-tetramethylbutyl)phenol, ethoxylated (covering well-defined substances and substances of unknown or variable composition, complex reaction products or biological materials, polymers and homologues) ('the substance group').

The regulation ensures that the use of the substance group for the research, development and production of medicinal products, medical devices or accessories to medical devices, including in vitro diagnostic medical devices, and for use in such medical devices or accessories in view of their use for the diagnosis, treatment or prevention of COVID-19 will be allowed for a period of 36 months after the entry into force 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 ([13278/20](#) + [ADD 1](#)).

Conclusions on European Court of Auditors' Special Report No 19/2020

On 15 December 2020, the Council adopted a set of conclusions in response to the European Court of Auditors' Special Report No 19/2020 entitled "Digitising European Industry: an ambitious initiative whose success depends on the continued commitment of the EU, governments and businesses".

In these conclusions, the Council asks the European Commission to take the European Court of Auditors' special report No 19/2020 and its recommendations into account in policies to increase efficiency of digitalisation measures and activities. It also encourages the monitoring of the success of measures undertaken under the Digitising European Industry Initiative on the basis of clearly defined indicators and targets ([13568/20](#)).

TRADE POLICY

Elimination of customs duties on certain products

The Council adopted a regulation on the elimination of customs duties on certain products, as set out in document [PE-CONS 44/20](#).

This decision was adopted in the context of a mini 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.

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