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## OUTCOME OF THE COUNCIL MEETING

3785th Council meeting

### Foreign Affairs

Brussels, 22 February 2021

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

# P R E S S

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

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## ITEMS DEBATED

### Current Affairs

High Representative Borrell briefed ministers on **Myanmar/Burma** and the EU's response to the military coup of 1 February, and the Council adopted conclusions on this issue.

Ministers reached a **political agreement on applying sanctions**. These sanctions target those in the Burmese military who are responsible for the coup and their economic interests. It was also decided that all direct financial support from EU development aid to the country's government's reform programmes would be withheld. At the same time, it was agreed that the EU would continue to support civil society and would provide basic services to the people of Myanmar/Burma.

#### [Myanmar/Burma: Council adopts conclusions](#)

Ministers exchanged views on the report of the Finnish minister of Foreign Affairs, who visited Sudan and **Ethiopia** on 7-10 February on behalf of the High Representative. Ministers agreed that **full and immediate humanitarian access to Tigray** was urgently needed. They also agreed on the need to investigate allegations of human rights violations, end ethnic violence and discrimination, and guarantee the respect of international humanitarian law.

The Council also discussed the situation in **Iran**, and the recent and worrying developments in the nuclear field. The Council repeatedly highlighted the need to ensure, once again, the **full implementation of the JCPOA**, both in terms of nuclear commitments and in terms of sanctions lifting.

The High Representative debriefed the Council on the **G5 Sahel Summit** held in Chad on 16 February. He had joined the summit by video-conference, together with the President of the [European Council](#), Charles Michel.

The High Representative briefly referred to the joint communication on "**Renewed partnership with the Southern Neighbourhood**" and the communication on "**Strengthening the EU's contribution to rules-based multilateralism**", which lays out the EU's expectations and ambitions for the multilateral system.

Finally, the High Representative raised the issue of the further deterioration in the situation in **Belarus**. He focused, in particular, on the ongoing crackdown by the authorities on human rights defenders, civil society and journalists. He stated that the EU would **consider the adoption of further sanctions**. He added that the EU would support the Belarusian people in its legitimate wish for democracy. To this end he stated that the EU would support civil society and punish those who were denying the Belarusian people their fundamental rights.

## Russia

The Council held a comprehensive and strategic discussion on EU-Russia relations.

The assessment was that Russia was **drifting** towards becoming an authoritarian state and **away from Europe**. Ministers restated their united position. They discussed how relations with Russia could develop within the framework of the five guiding principles. They placed particular emphasis on: **pushing back** against infringements of international law and human rights, addressing and **combating** disinformation and cyberattacks, and **engaging** with Russia on issues of interest to the EU.

In view of the latest developments, ministers **agreed** on developing further **restrictive measures** in response to the **serious violations of human rights** in Russia.

They also agreed on increasing support for all those who were working to defend political and civil freedoms in the country.

## Hong Kong

The Council was informed about the deteriorating situation in Hong Kong and agreed on a set of **short and longer-term measures**. These come in addition to the initial response package adopted last July.

Immediate measures include the provision of **increased support to civil society**, enhancing **coordination with like-minded partners**, and improving communication with the relevant Chinese authorities.

The Council also addressed the impact of the deteriorating situation in Hong Kong on overall relations with **China**.

## Other business

### Video Conference with US State Secretary Antony Blinken

The Council exchanged views via video conference with the new US Secretary of State, Antony Blinken, on the substantive agenda for EU-US cooperation on key global, foreign and security policy issues.

This was the first high-level interaction between the EU and the new US administration, a month after the new administration had taken office. The discussion demonstrated the parties' intention not only to strengthen the EU-US partnership, but also to form a **joint global leadership** in fighting the pandemic and dealing with recovery, in combating climate change and mitigating the effects thereof, and in promoting democratic values.

The discussion touched on international opportunities and challenges, such as relations with China and Russia, Iran, and security and defence.

## Conclusions

The Council adopted conclusions on: **Myanmar/Burma, a human-rights-based post-COVID-19 recovery, and EU priorities in UN human rights fora in 2021.**

- Myanmar/Burma: Council adopts conclusions
- COVID-19: Council adopts conclusions on human rights-based recovery
- Human rights: Council adopts conclusions on EU priorities in UN human rights fora in 2021

## **OTHER ITEMS APPROVED**

### **FOREIGN AFFAIRS**

#### **Council Decision and Implementing Regulation concerning restrictive measures in view of the situation in Venezuela**

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

#### **Charter of the Coalition for Disaster Resilient Infrastructure: EU's endorsement**

The Council endorsed the Charter of the Coalition for Disaster Resilient Infrastructure (CDRI) on behalf of the EU, and authorised the Commission to convey the EU's endorsement of the Charter and its request to become a member of the CDRI to the co-chairs of the Governing Council of the CDRI.

#### **Extension of the mandate of various EU Special representatives**

The Council extended the mandates of five EU Special Representatives for: Human Rights, the Sahel, Central Asia the Middle East Peace Process, and the South Caucasus and the Crisis in Georgia.

### **EMPLOYMENT**

#### **Key messages on Council recommendation on long-term unemployment**

The Council endorsed the key messages from the Employment and the Social Protection Committees on the implementation of the Council recommendation of 15 February 2016 on the integration of the long-term unemployed. The Employment Committee conducted a third review of the Council recommendation. The review explored the impact of the COVID-19 crisis on the long-term unemployed, and the responses delivered by employment and social services for the provision of integrated services. The main objectives were to showcase how member states have been tackling the challenges that the long-term unemployed faced during the initial stages of the economic crisis and the measures put in place to prevent increases in long-term unemployment as well as possible pathways to recovery ([5623/21](#) + [ADD 1](#)).

## **JUSTICE AND HOME AFFAIRS**

### **UN congress on crime prevention and criminal justice**

The Council approved the opening statement to be delivered by Commissioner Ylva Johansson on behalf of the EU and the member states at the 14th UN congress on crime prevention and criminal justice, which will take place in March 2021.

### **Cabo Verde - visa facilitation**

The Council adopted a decision to sign an agreement between the EU and Cabo Verde amending the existing agreement on facilitating the issue of short-stay visas. It also decided to forward the draft decision on the conclusion of the agreement to the European Parliament for its consent ([5033/21](#), [5035/21](#), [5034/21](#)).

The amendments to the agreement would reduce visa fees, extend the categories of persons who may apply for multiple entry visas and simplify the documentation needed as evidence indicating the purpose of travel.

### **European Public Prosecutor's Office - Letter to the European Parliament**

The Council approved the text of a letter replying to the requests by the chairs of the European Parliament committees on Civil Liberties, Justice and Home Affairs (LIBE) and on Budgetary Control (CONT) to access all Council documents concerning the appointment of the European Prosecutors of Belgium, Bulgaria and Portugal.

## **ECONOMIC AND FINANCIAL AFFAIRS**

### **Supervisory Board of the European Central Bank**

The Council appointed Frank Elderson as Vice-Chair of the Supervisory Board of the European Central Bank for a period of five years ([5630/21](#)).

The Vice-Chair of the Supervisory Board is chosen from among the members of the Executive Board of the ECB. Mr Elderson was appointed as a member of the ECB's Executive Board on 10 December 2020.

Mr Elderson will succeed Yves Mersch, whose term of office as the Vice-Chair of the Supervisory Board ended on 14 December 2020.



## List of non-cooperative tax jurisdictions

The Council adopted conclusions on the revised EU list of non-cooperative jurisdictions for tax purposes, deciding to add Dominica to the EU list of non-cooperative jurisdictions (Annex I of the conclusions) and to remove Barbados from that list ([6329/21](#)).

The changes to the list take into consideration the ratings recently released by the OECD Global Forum for Transparency and Exchange of Information (Global Forum) as regards exchange of information on request. For the purposes of the list, the EU requires jurisdictions to be at least ‘largely compliant’ with the international standard on transparency and exchange of information on request (EOIR).

Dominica has been included in the EU list as it received a ‘partially compliant’ rating from the Global Forum and has not yet resolved this issue.

Barbados was added to the EU list in October 2020 after it received a ‘partially compliant’ rating from the Global Forum. It has now been granted a supplementary review by the Global Forum. The issue has therefore been moved to a state-of-play document (Annex II of the Council conclusions) pending the outcome of this review.

The Council also endorsed various other changes to the state-of-play document included in Annex II of the conclusions.

Read the [press release](#)

## Taxation of energy products and electricity - Netherlands

The Council adopted a decision allowing the Netherlands to continue to apply a reduced rate of taxation to electricity supplied to charging stations used directly for charging electric vehicles, provided that the minimum levels of taxation laid down in Directive [2003/96/EC](#) are respected ([5826/21](#)). The authorisation does not cover charging stations for the exchange of batteries for electric vehicles.

The Council decision will apply until 1 January 2025, unless the Council adopts general rules on tax advantages for electricity supplied to electric vehicles that become applicable before that date.

## **VAT - Derogation - Estonia**

The Council adopted a decision extending until 31 December 2024 a derogation allowing Estonia to exempt from VAT taxable persons whose annual turnover is no higher than €40 000 ([5739/21](#)).

## **EU-Switzerland Joint Committee - EU position**

The Council adopted a decision on the EU position in the EU-Switzerland Joint Committee as regards the amendment of Chapter III and Annexes I and II of the Agreement between the European Community and the Swiss Confederation on the simplification of inspections and formalities in respect of the carriage of goods and on customs security measures ([5657/21](#) + [5658/21](#)).

## **AGRICULTURE**

### **Rural development allocations for 2021**

The Council decided not to object to a Commission delegated regulation determining the extent of EU support for rural development in the year 2021. The aim of the delegated regulation is to take into account the decisions taken by member states on the allocations for year 2021. The regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU. It can now enter into force, unless the European Parliament objects ([5895/21](#), [5423/21](#) + [ADD1](#)).

### **Extension of supporting measures for the wine sector on account of COVID-19**

The Council decided not to object to a Commission delegated regulation on extending a number of supporting measures for the wine sector, impacted by the COVID-19 pandemic. Urgent temporary measures to address the situation in the wine sector have already been taken through a number of regulations. Such regulations provisionally allow, for instance, the distillation of wine in the event of a crisis, aid to ensure the storage of wine, an increase in EU aid for support programmes in the wine sector and increased flexibility in implementing some of these measures. Despite these exceptional measures, the market has not recovered. To ensure further relief for the wine sector, it is therefore necessary to extend a number of these measures for the duration of the financial year 2021.

The regulation is a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU. It can now enter into force, unless the European Parliament objects ([5946/21](#), [5702/21](#)).

## **FISHERIES**

### **EU position at meetings of the Parties to the Port State Measures Agreement**

The Council adopted a decision on the position to be taken on behalf of the EU at meetings of the Parties to the Port State Measures Agreement to prevent, deter and eliminate illegal, unreported and unregulated fishing (5306/21 + ADD 1, [5296/21](#), [5410/21](#)).

## **TRANSPORT**

### **International road transport: introduction of the smart tachograph version 2**

The Council adopted a decision on the position to be taken on behalf of the EU in the Group of experts on the European agreement concerning the work of crews of vehicles engaged in international road transport (AETR) and in the Working party on road transport of the United Nations Economic Commission for Europe (UNECE) ([6048/21](#), 5673/21; [5700/21](#)).

The position relates to the introduction of the second version of the smart tachograph.

The next meetings of these UNECE bodies will take place on 22 February 2021 and in October 2021.

## **TRADE POLICY**

### **EU-Thailand agreement on tariff rate quotas**

The Council adopted the Decision on the signing ([5443/21](#)) of the EU-Thailand Agreement regarding the amendments to the EU's tariff rate quotas in the WTO schedule following Brexit, and decided to forward the draft Decision ([5444/21](#)) on the conclusion of this Agreement ([5445/21](#)) to the European Parliament for its consent. Once consent is given, and the Council will formally adopt the Decision. Thailand would be notified about the completion of the EU's internal procedures.

### **EU-Mongolia: Agreement on Geographical Indications**

The Council adopted a decision authorising the opening of negotiations with Mongolia for an agreement on Geographical Indications.

### **EU- Colombia, Peru and Ecuador: amendment to trade agreement**

The Council adopted a decision (5698/21) on the Union's position as regards the amendment of an appendix to the trade agreement with Colombia, Peru and Ecuador. This appendix specifies the central government entities in Colombia whose procurement is covered by the agreement. In 2019, Colombia informed the Union that it intended to update the list of procuring entities, as this did not include six agencies created after the conclusion of the negotiations for the Trade Agreement between the European Union and Colombia in 2010. The Union and Colombia agreed that the list of procuring entities at central level in Colombia should be updated by adding those six agencies, as set out in the draft Decision (5699/21).

### **EU-UK Trade and Cooperation Agreement - notifications**

The Council approved the notification by the EU in accordance with the EU-UK Trade and Cooperation Agreement (6076/1/21).

**ENVIRONMENT****LULUCF delegated act**

The Council decided to raise objections to the adoption of a Commission Delegated Regulation amending Delegated Regulation (EU) 2019/1122 as regards the functioning of the Union Registry under Regulation (EU) 2018/841 of the European Parliament and of the Council (LULUCF Regulation).

The proposal for a delegated regulation is designed to amend the so-called Registry Regulation that implements certain provisions of the LULUCF Regulation adopted in 2018. The provisions concern recording the quantity of emissions and removals for each land accounting category per Member State and the use of flexibilities laid down in the LULUCF Regulation. The Council considered that the proposal for a delegated act did not comply with the powers delegated to the European Commission in the LULUCF Regulation and therefore decided to object to its adoption. The objection concerned specifically article 13.4 on flexibilities granted to Finland.

Following the objection, the proposal for a delegated act pursuant to article 290 of the Treaty on the Functioning of the EU will not enter into force ([6281/21](#) + ADD 1, [12920/20](#) + [ADD 1](#))

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