



Council of the  
European Union

**Brussels, 22 September 2021  
(OR. en)**

**11875/21**

**POLGEN 164  
INST 313  
JUR 496**

## **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: COUNCIL DECISION further extending the temporary derogation from the Council's Rules of Procedure introduced by Decision (EU) 2020/430, in view of the travel difficulties caused by the COVID-19 pandemic in the Union

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**COUNCIL DECISION (EU) 2021/...**

**of ...**

**further extending the temporary derogation from the Council's Rules of Procedure  
introduced by Decision (EU) 2020/430, in view of the travel difficulties  
caused by the COVID-19 pandemic in the Union**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular  
Article 240(3) thereof,

Whereas:

- (1) Council Decision (EU) 2020/430<sup>1</sup> introduced a one-month derogation from the first subparagraph of Article 12(1) of the Council's Rules of Procedure<sup>2</sup> as regards decisions to use the ordinary written procedure, where those decisions are taken by the Committee of the Permanent Representatives of the Governments of the Member States (Coreper). That derogation was foreseen to last until 23 April 2020.

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<sup>1</sup> Council Decision (EU) 2020/430 of 23 March 2020 on a temporary derogation from the Council's Rules of Procedure in view of the travel difficulties caused by the COVID-19 pandemic in the Union (OJ L 88 I, 24.03.2020, p. 1).

<sup>2</sup> Council Decision 2009/937/EU of 1 December 2009 adopting the Council's Rules of Procedure (OJ L 325, 11.12.2009, p. 35).

- (2) Decision (EU) 2020/430 provides that, if justified by continued exceptional circumstances, the Council may renew that Decision. On 21 April 2020, the Council, by means of Decision (EU) 2020/556<sup>1</sup>, extended the derogation provided for in Article 1 of Decision (EU) 2020/430 for a further period of one month from 23 April 2020. That extension of the derogation was foreseen to last until 23 May 2020. On 20 May 2020, the Council, by means of Decision (EU) 2020/702<sup>2</sup>, extended the derogation provided for in Article 1 of Decision (EU) 2020/430 until 10 July 2020. On 3 July 2020, the Council, by means of Decision (EU) 2020/970<sup>3</sup>, extended that derogation until 10 September 2020.

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<sup>1</sup> Council Decision (EU) 2020/556 of 21 April 2020 extending the temporary derogation from the Council's Rules of Procedure introduced by Decision (EU) 2020/430 in view of the travel difficulties caused by the COVID-19 pandemic in the Union (OJ L 128 I, 23.04.2020, p. 1).

<sup>2</sup> Council Decision (EU) 2020/702 of 20 May 2020 further extending the temporary derogation from the Council's Rules of Procedure introduced by Decision (EU) 2020/430 and extended by Decision (EU) 2020/556 in view of the travel difficulties caused by the COVID-19 pandemic in the Union (OJ L 165, 27.5.2020, p. 38).

<sup>3</sup> Council Decision (EU) 2020/970 of 3 July 2020 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 and (EU) 2020/702, in view of the travel difficulties caused by the COVID-19 pandemic in the Union (OJ L 216, 7.7.2020, p. 1).

On 4 September 2020, the Council, by means of Decision (EU) 2020/1253<sup>1</sup>, extended that derogation until 10 November 2020. On 6 November 2020, the Council, by means of Decision (EU) 2020/1659<sup>2</sup>, extended that derogation until 15 January 2021. On 12 January 2021, the Council, by means of Decision (EU) 2021/26<sup>3</sup>, extended that derogation until 19 March 2021. On 12 March 2021, the Council, by means of Decision (EU) 2021/454<sup>4</sup>, extended that derogation until 21 May 2021.

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- <sup>1</sup> Council Decision (EU) 2020/1253 of 4 September 2020 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 and (EU) 2020/970, in view of the travel difficulties caused by the COVID-19 pandemic in the Union (OJ L 294, 8.9.2020, p. 1).
- <sup>2</sup> Council Decision (EU) 2020/1659 of 6 November 2020 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 (OJ L 376, 10.11.2020, p. 3).
- <sup>3</sup> Council Decision (EU) 2021/26 of 12 January 2021 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, (EU) 2020/1253 and (EU) 2020/1659, in view of the travel difficulties caused by the COVID-19 pandemic in the Union (OJ L 11, 14.1.2021, p. 19).
- <sup>4</sup> Council Decision (EU) 2021/454 of 12 March 2021 further extending the temporary derogation from the Council's Rules of Procedure introduced by Decision (EU) 2020/430, in view of the travel difficulties caused by the COVID-19 pandemic in the Union (OJ L 89, 16.3.2021, p. 15).

On 20 May 2021, the Council, by means of Decision (EU) 2021/825<sup>1</sup>, extended that derogation until 16 July 2021. On 12 July 2021, the Council, by means of Decision (EU) 2021/1142<sup>2</sup>, extended that derogation until 30 September 2021.

- (3) Given that the exceptional circumstances caused by the COVID-19 pandemic continue, with a number of extraordinary preventive and containment measures taken by Member States still in place, it is necessary to extend the derogation provided for in Article 1 of Decision (EU) 2020/430, as extended by Decisions (EU) 2020/556, (EU) 2020/702, (EU) 2020/970, (EU) 2020/1253, (EU) 2020/1659, (EU) 2021/26, (EU) 2021/454, (EU) 2021/825 and (EU) 2021/1142, for a further limited period until 30 November 2021,

HAS ADOPTED THIS DECISION:

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<sup>1</sup> Council Decision (EU) 2021/825 of 20 May 2021 further extending the temporary derogation from the Council's Rules of Procedure introduced by Decision (EU) 2020/430, in view of the travel difficulties caused by the COVID-19 pandemic in the Union (OJ L 183, 25.5.2021, p. 40).

<sup>2</sup> Council Decision (EU) 2021/1142 of 12 July 2021 further extending the temporary derogation from the Council's Rules of Procedure introduced by Decision (EU) 2020/430, in view of the travel difficulties caused by the COVID-19 pandemic in the Union (OJ L 247, 13.7.2021, p. 91).

*Article 1*

The derogation provided for in Article 1 of Decision (EU) 2020/430 is further extended until 30 November 2021.

*Article 2*

This Decision shall take effect on the date of its adoption.

It shall be published in the *Official Journal of the European Union*.

Done at Brussels,

*For the Council*  
*The President*

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