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**PROVISIONAL VERSION**

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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

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<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.

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**ITEMS DEBATED**

**Current Affairs**

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

Ministers reached a **political agreement to apply sanctions**, targeting the military responsible for the coup and their economic interests. It was also decided that all direct financial support from EU development assistance 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 provide basic services to the people of Myanmar.

[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 that it was necessary 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 with **Iran**, and the worrying recent developments in the nuclear field. The need to bring back **full implementation of the JCPOA**, both as regards nuclear commitments and when it comes to sanctions lifting, was consistently highlighted.

The High Representative debriefed the Council on the **G5 Sahel Summit** which took place in Chad on 16 February, which he joined by video-conference together with President of the European Council Charles Michel.

The High Representative briefly referred to the joint communication on "**Renewed partnership with the Southern Neighbourhood**", the one 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 further deterioration of situation in **Belarus** and the ongoing crackdown against human right defenders, civil society and journalists. He said that the EU would **consider the adoption of further sanctions**, and that it would support the Belarusian people in its legitimate request for democracy, by supporting the civil society and by punishing those who deny them the fundamental rights.

## Russia

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

During the debate a shared assessment emerged that Russia was **drifting** towards an authoritarian state and **away from Europe**. Ministers restated their unity of intent, and discussed how relations with Russia could develop within the framework of the five guiding principles and focused on: **pushing back** on infringements of international law and human rights, **containing** disinformation and cyberattacks, but also **engaging** on issues of interest to the EU.

In view of the latest developments, ministers **agreed** to proceed with work on future **restrictive measures** in response to **serious violations of human rights**.

They also agreed to increase support for all those engaged in the country in defending the political and civil freedoms.

## Hong Kong

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

Immediate measures include **increased support to civil society**, stepping up **coordination with like-minded partners**, and **outreach** to relevant authorities.

The Council also addressed the impact of the deteriorating situation in Hong Kong on the broader 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 first high-level interaction between the EU and the new US administration, a month from its taking office. The discussion showed the parties' intention not only to deepen the EU-US partnership, but also their intention to form a **joint global leadership** in fighting the pandemic and dealing with recovery, mitigating climate change and ensuring the promotion of 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 long-term unemployed people, 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 long-term unemployed faced during the initial stages of the economic crisis and 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 can apply for multiple entry visas and simplify the documentation to be presented as proof of the purpose of the journey.

**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 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 and 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 will adopt general rules on tax advantages for electricity supplied to electric vehicles which will 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 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 a Commission delegated regulation as regards the amounts of EU's support for rural development in the year 2021. The aim of the delegated regulation is to take aboard the notified member states' decisions as regards 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](#)).

### **Prolongation of supporting measures for the wine sector due to COVID-19**

The Council decided not to object a Commission delegated regulation as regards prolonging several 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 several regulations which temporarily allow, among others, distillation of wine in case of crisis, aid to crisis storage of wine, increase of the Union support to measures of support programmes in the wine sector and increased flexibility in implementing some of these measures. Despite these exceptional measures, the market has not regained its balance. To provide further relief to the wine sector, it is therefore necessary to prolong several of these measures for the duration of 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 modifications in 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 the consent is given, and the Council formally adopts the Decision on the conclusion, Thailand would be notified about the completion of 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 of the Trade agreement with Colombia, Peru and Ecuador. This appendix specifies the central government entities of Colombia whose procurement is covered by the agreement. Colombia informed the Union, in 2019, of its intention to update the list of procuring entities, since it didn't include six agencies created after the conclusion of the negotiations for the Trade Agreement between the Union and Colombia in 2010. The Union and Colombia agreed that the list of procuring entities at central level of 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 made 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 aimed to amend the so-called Registry Regulation that implements certain provisions of the LULUCF Regulation adopted in 2018. The provisions concerned 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 deemed that the proposal for a delegated act didn't 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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