Council of the European Union

Brussels, 21 September 2021
(OR. en)

11589/21

Interinstitutional File:
2021/0281 (NLE)

CCG 45

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	COUNCIL DECISION on the position to be taken on behalf of the European Union in the written procedure by the Participants to the Arrangement on Officially Supported Export Credits as regards the Common Line on the temporary decrease of the minimum down payment

COUNCIL DECISION (EU) 2021/…

of …

on the position to be taken on behalf of the European Union in the written procedure by the Participants to the Arrangement on Officially Supported Export Credits as regards the Common Line on the temporary decrease of the minimum down payment

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The guidelines contained in the Arrangement on Officially Supported Export Credits (the 'Arrangement') has been transposed, and hence been made legally binding in the European Union by Regulation (EU) No 1233/2011 of the European Parliament and of the Council[1].

(2) The Participants in the Arrangement (the 'Participants') are to decide, in a written procedure, on the European Union's proposal for a Common Line in accordance with Chapter IV, Section 5 of the Arrangement to allow a temporary decrease of the minimum down payment required pursuant to Article 11 a) of the Arrangement (the 'proposed Common Line'), in the light of the current COVID-19 economic downturn.

[1] Regulation (EU) No 1233/2011 of the European Parliament and of the Council of 16 November 2011 on the application of certain guidelines in the field of officially supported export credits and repealing Council Decisions 2001/76/EC and 2001/77/EC (OJ L 326, 8.12.2011, p. 45).

(3) The proposed Common Line would allow public purchasers in low and middle income countries, that buy goods and services which are the subject of official export credit support, to make down payments of a minimum of 5 % of the export contract value for a period of 12 months, instead of 15 % as required by Article 11 a) of the Arrangement. This would in turn mean increasing the limit for maximum official support that the Participants may provide pursuant to Article 11 c) of the Arrangement, from a ceiling of 85 % up to 95 % of the export contract value, for the same time period.

(4) This exceptional measure is necessary to react to the economic downturn resulting from the COVID-19 sanitary crisis and reduce the severe impact of the crisis on carrying out important projects in low and middle income countries by the Union's industry.

(5) It is appropriate to establish the position to be taken on the Union's behalf regarding the proposed Common Line in the written procedure by the Participants, as the proposed Common Line, once agreed, will be capable of decisively influencing the content of Union law by virtue of Regulation (EU) No 1233/2011,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the written procedure by the Participants to the Arrangement on Officially Supported Export Credits as regards the proposal for a Common Line on the temporary decrease of the minimum down payment shall be based on the Draft Proposal by the European Union for a Common Line[1].

Article 2

This Decision shall enter into force on the date of its adoption.

Done at …,

For the Council
The President

---

[1] See document ST11591/21 at http://register.consilium.europa.eu.