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## OUTCOME OF THE COUNCIL MEETING

3812th Council meeting

### General Affairs

Brussels, 21 September 2021

President

**Gašper Dovžan**

State Secretary at the Ministry of Foreign Affairs of  
Slovenia

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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>).  
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## **ITEMS DEBATED**

### **GENERAL AFFAIRS**

#### **EU-UK relations**

Ministers assessed the state of play in EU-UK relations, in light of recent events regarding the implementation of the protocol on Ireland/Northern Ireland.

European Commission Vice President Maroš Šefčovič updated ministers on the latest developments, including his recent visit to Ireland and Northern Ireland, and ministers reiterated their support for the European Commission's approach.

They highlighted the need to identify long-term, flexible and practical solutions to address the issues experienced by citizens and businesses in relation to the practical implementation of the protocol, while respecting the principles underpinning the protocol. They reiterated that the EU will not agree to a renegotiation of the protocol, which is the agreed solution between the UK and the EU to the problems caused by Brexit for the island of Ireland.

[Statement by the European Commission following the UK announcement regarding the operation of the Protocol on Ireland / Northern Ireland \(6 September 2021\)](#)

[Statement by Vice-President Maroš Šefčovič following today's announcement by the UK government regarding the Protocol on Ireland / Northern Ireland \(21 July 2021\)](#)

[Application of Union law related to meat products in Northern Ireland after the end of the transition period: unilateral declaration by the EU \(30 June 2021\)](#)

#### **EU COVID-19 coordination**

Ministers exchanged views on EU coordination on COVID-19 after the summer break. They discussed vaccination-related issues and travel measures.

Booster vaccines or additional doses were part of the discussion, as well as the need to address vaccine hesitancy and vaccine disinformation and the importance of vaccine sharing with third countries.

On travel measure coordination, work is now underway to consider whether a revision is necessary to take account of the present situation (inter alia, high vaccination rates, evolving epidemiological situation and experience with COVID certificates).

[COVID-19: Council adds Uruguay to, and removes six countries from, the list of countries for which travel restrictions should be lifted \(press release\)](#)

[COVID-19: Coreper endorses political agreement on the EU digital COVID certificate to facilitate free movement \(press release\)](#)

[COVID-19: Council agrees its negotiating mandate on the Digital Green Certificate](#)

[Presidency press release on solidarity vaccines \(press release\)](#)

[COVID-19: research and vaccines](#)

[Video conference of the members of the European Council, 25 March 2021](#)

[COVID-19 coronavirus pandemic: the EU's response](#)

[COVID-19: travel and transport - Council updates recommendations on COVID-19 travel measures \(background information\)](#)

[Commission proposes to ease restrictions on non-essential travel to the EU \(press release\)](#)

## **European Council meeting on 21-22 October**

The General Affairs Council had a first exchange about the annotated draft agenda for the 21-22 October European Council.

At the European Council, leaders will follow up on the coordination of the response to the COVID-19 pandemic, and review progress on digital issues.

Leaders will take stock of the preparations for COP26 in Glasgow (climate) and COP15 in Kunming (biodiversity).

The European Council will also prepare for upcoming summits with third countries, namely the Asia-Europe Meeting (ASEM) and the Eastern Partnership.

[Provisional agenda](#)

## **Conference on the Future of Europe**

The presidency gave an update on the Conference on the Future of Europe, after the launch of the European citizens' panels on 17 September and in the run-up to the October plenary.

Delegations welcomed this first citizens' panel. Member States also welcomed the fact that the Conference on the Future of Europe is entering a new phase and stressed the need to focus on substance.

The second citizens' panel will meet in Strasbourg on 24-26 September to discuss topics including democracy, values and security, while the third and four panels will meet for the first time in early October to discuss issues including climate change and the EU's position in the world.

The Conference on the Future of Europe is aimed at involving citizens in a wide-ranging debate on Europe's future over the coming decade and beyond, including in the light of the COVID-19 pandemic.

On 10 March the Council, the European Parliament and the Commission signed a joint declaration that sets out the objectives, structure, scope and timing of the conference.

The Conference on the Future of Europe was formally inaugurated on 9 May in Strasbourg, following the launch of the conference's digital platform on 19 April.

[Conference on the Future of Europe: citizens in the spotlight](#)

[Conference on the Future of Europe: launch of the citizens' platform on 19 April](#)

[The Conference on the Future of Europe gets green light from the Council](#)

[Joint declaration](#)

[Conference on the Future of Europe - revised Council position \(3 February 2021\)](#)

[Conference on the Future of Europe - Council position \(24 June 2020\)](#)

## **Presentation of the priorities of the Slovenian presidency**

During a public session, the Slovenian presidency presented its overall priorities, as well as those falling within the remit of the General Affairs Council.

The Presidency mentioned, among its key priorities: increasing the resilience of the European Union, ensuring a digital and green economic recovery, facilitating the process for the Conference of the Future of Europe, continuing the Rule of Law debate, work in the Union of equal criteria for all and increasing the role of the European Union as factor of stability in its neighbourhood and, in this context, facilitating the enlargement process.

[Slovenian presidency programme](#)

[Public session on priorities](#)

## **Legislative programming**

During a public debate, the Commission presented the 2021 Strategic Foresight Report and its letter of intent. Member states broadly welcomed the documents and their content.

The Presidency will summarise the content of today's discussion in a letter to the Commission, as the next step in the annual programming exercise.

Ministers will come back to this subject in November, in the context of the annual programming cycle and with a view to agreeing with the Parliament and the Commission on a joint declaration on legislative priorities for 2022.

The 2021 Strategic Foresight Report was published by the Commission on 8 September and the letter of intent was circulated to delegations after its official submission by the Commission on 15 September.

In 2016, the European Parliament, the Council and the Commission agreed to reinforce the Union's annual and multiannual programming through the Interinstitutional Agreement on Better Law-Making.

The annual programming cycle culminates in the joint declaration.

[Public session on legislative programming](#)

[Strategic Foresight Report](#)

[Letter of intent](#)

## **Other business**

The Commission updated ministers on EU-Switzerland relations. Switzerland decided last May to unilaterally terminate the negotiations for the EU-Swiss Institutional Framework Agreement.

There was also an information point on the EU-MED summit of last Friday in Athens. Following the devastating fires in the region, the EU-MED leaders (nine Mediterranean countries in the EU: Croatia, Cyprus, France, Greece, Italy, Malta, Portugal, Slovenia and Spain) met in Athens on Friday 17 September 2021.



## **OTHER ITEMS APPROVED**

### **GENERAL AFFAIRS**

#### **Channel Fixed Link**

The Council adopted a regulation amending regulation 2020/2222 to extend the period of validity of safety certificates and licences of railway undertakings operating through the Channel Fixed Link ([11788/21](#); PE CONS 62/21).

#### **EU-UK relations**

The Council approved the launch of negotiations on a Memorandum of Understanding on behalf of the EU on offshore renewable energy cooperation with the United Kingdom.

The Council adopted a decision on the EU position for the Trade and Cooperation Agreement Specialised Committee on Social Security Coordination regarding the adoption of a decision to amend the Annexes to the Protocol on Social Security Coordination.

### **FOREIGN AFFAIRS**

#### **Council decision in support of the Convention on Certain Conventional Weapons**

The Council adopted a decision in support of the universalisation, implementation and enforcement of multilateral disarmament, non-proliferation and arms control treaties and regimes. The EU strongly supports the Convention on Certain Conventional Weapons, a key instrument of international humanitarian law, which regulates the use in armed conflict of certain conventional arms considered to cause excessive suffering to combatants or indiscriminate harm to civilian populations.

#### **Council amended Decision on the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)**

The Council adopted an amended decision on the EU's support for the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and extended its implementation until 15 October 2021. The United Nations Office for Disarmament Affairs (UNODA) requested an additional extension of the implementation period until 15 January 2022 because of the worldwide COVID-19 crisis.

## **Council decision in support of countering illicit proliferation and trafficking of weapons**

The Council adopted a decision in support of countering illicit proliferation and trafficking of small arms, light weapons (SALW) and ammunition in Latin America and the Caribbean. The Organization of American States (OAS) requested a five-month extension of the implementation due to the impact of the COVID-19 pandemic until 31 May 2022. The Working Party on Non-Proliferation (CONOP) agreed on the deferral.

## **JUSTICE AND HOME AFFAIRS**

### **Schengen evaluation**

The Council adopted an implementing decision setting out a recommendation on addressing the deficiencies identified in the 2020 evaluation of Liechtenstein on the application of the Schengen acquis in the field of the Schengen Information System.

## **ECONOMIC AND FINANCIAL AFFAIRS**

### **Council position on DAB No 4/2021: Update of revenue**

The Council adopted its position on draft amending budget No 4 of the European Union for the financial year 2021, as set out in document 11489/21 ([11488/21](#); [11489/21](#); [10423/21](#)).

### **Council Regulation extending to the non-participating Member States the application of Regulation (EU) 2021/840 establishing the Pericles IV programme**

The Council adopted its Regulation extending to the non-participating Member States the application of Regulation (EU) 2021/840 establishing an exchange, assistance and training programme for the protection of the euro against counterfeiting for the period 2021-2027 (the "Pericles IV" programme), as set out in the document 13255/20 REV 1 + REV 2 (it) ([11487/21](#); [13255/20 REV 1](#)).

### **Joint statement on the European Environment Agency (EEA)**

The Council confirmed its agreement on a joint statement on the European Environment Agency (EEA) as set out in document 11486/21 ([11485/21](#); [11486/21](#)).

**AGRICULTURE****Maximum residue levels for terbuthylazine**

The Council decided not to oppose the adoption of a Commission regulation as regards maximum residue levels for terbuthylazine in or on certain products ([11600/21](#); [11119/21 ADD 1](#)).

**Maximum residue levels of pesticides in radish leaves**

The Council decided not to oppose the adoption of a Commission regulation amending Regulation (EC) No 396/2005 as regards maximum residue levels of pesticides in radish leaves ([11602/21](#); [11131/21 ADD 1](#)).

**Maximum residue levels in or on certain products**

The Council decided not to oppose the adoption of a Commission regulation amending Regulation (EC) No 396/2005 as regards maximum residue levels for acibenzolar-S-methyl, aqueous extract from the germinated seeds of sweet Lupinus albus, azoxystrobin, clopyralid, cyflufenamid, fludioxonil, fluopyram, fosetyl, metazachlor, oxathiapiprolin, tebufenozide and thiabendazole in or on certain products ([11635/21](#); [11127/21 ADD 1](#) + [ADD 2](#)).

**Maximum residue level for bentazone in peas with pods**

The Council decided not to oppose the adoption of a Commission regulation amending Regulation (EC) No 396/2005 as regards the maximum residue level for bentazone in peas with pods ([11636/21](#); [11142/21 ADD 1](#) + [ADD 2](#)).

**Union list of flavourings**

The Council decided not to oppose the adoption of a Commission regulation amending Regulation (EC) No 1334/2008 as regards the inclusion of 4-amino-5-(3-(isopropylamino)-2,2-dimethyl-3-oxopropoxy)-2-methylquinoline-3-carboxylic acid in the Union list of flavourings ([11647/21](#); [11141/21 ADD 1](#)).

The Council decided not to oppose the adoption of a Commission regulation amending Regulation (EC) No 1334/2008 as regards the inclusion of 2-(4-methylphenoxy)-N-(1H-pyrazol-3-yl)-N-(thiophen-2-ylmethyl)acetamide in the Union list of flavourings ([11650/21](#); [11129/21 ADD 1](#)).

**INTERNAL MARKET AND INDUSTRY****Carcinogenic, mutagenic or toxic for reproduction substances in cosmetic products**

The Council decided not to oppose the adoption of the Commission Regulation amending Annexes II, III and V to Regulation (EC) No 1223/2009 of the European Parliament and of the Council as regards the use in cosmetic products of certain substances classified as carcinogenic, mutagenic or toxic for reproduction.

The Regulation provides that substances classified as carcinogenic, mutagenic or toxic for reproduction (CMR) of categories 1A, 1B or 2 under Part 3 of Annex VI of Regulation (EC) No 1272/20082 are to be prohibited from use in cosmetic products, except under certain conditions ([11455/21](#); [10706/21](#) + [ADD 1](#)).

**Methyl-N-methylantranilate in cosmetic products**

The Council decided not to oppose the adoption of the Commission Regulation amending Regulation (EC) No 1223/2009 of the European Parliament and of the Council as regards the use of Methyl-N-methylantranilate in cosmetic products.

The substance Methyl-N-methylantranilate (M-N-MA) is a fragrance ingredient used in various cosmetics and is not currently subject to prohibition or restriction. The regulation proposes that MNMA should be prohibited in certain concentrations ([11454/21](#); [10635/21](#) + [ADD 1](#)).

**Rules for EU fertilising products on the market**

The Council confirmed that it has no intention to object to the Commission Delegated Regulation amending Annexes I, II, III and IV to Regulation (EU) 2019/1009 of the European Parliament and of the Council laying down rules on the making available on the market of EU fertilising products.

The Regulation sets out different harmonisation rules for inorganic fertilisers and other categories of products that have not yet been subject to harmonisation rules, such as organic and organo-mineral fertilisers, soil improvers or growing media ([11450/21](#); [10166/21](#) [ADD 1](#)).

### **Pyrolysis and gasification materials as a component material category in EU fertilising products**

The Council confirmed that it has no intention to object to the Commission Regulation amending Annexes II, III and IV to Regulation (EU) No 2019/1009 of the European Parliament and of the Council for the purpose of adding pyrolysis and gasification materials as a component material category in EU fertilising products.

The Delegated Regulation amends Annex II to Regulation (EU) 2019/1009 by adding pyrolysis and gasification materials as a new Component Material Category; Annex III by adding labelling requirements to EU fertilising products containing pyrolysis and gasification materials; and Annex IV by establishing the legal framework for the relevant conformity assessment for such products. ([11451/21](#); [10840/21](#) + [ADD 1](#)).

### **Precipitated phosphate salt and derivatives as a component material category in EU fertilising products**

The Council confirmed that it has no intention to object to the Commission Delegated Regulation amending Annexes II and IV to Regulation (EU) 2019/1009 of the European Parliament and of the Council for the purpose of adding precipitated phosphate salts and derivatives as a component material category in EU fertilising products.

The Delegated Regulation amends Annex II to Regulation (EU) No 2019/1009 by adding precipitated phosphate salts and derivatives as a new Component Material Category, and Annex IV by establishing the legal framework for the relevant conformity assessment for EU fertilising products ([11452/21](#); [10630/21](#) + [ADD 1](#)).

### **Thermal oxidation material and derivatives as a component material category in EU fertilising products**

The Council confirmed that it has no intention to object to the Commission Delegated Regulation amending Annexes II, III and IV to Regulation (EU) No 2019/1009 of the European Parliament and of the Council for the purpose of adding thermal oxidation materials and derivatives as a component material category in EU fertilising products.

The Delegated Regulation amends Annex II to Regulation (EU) 2019/1009 by adding thermal oxidation materials and derivatives as a new Component Material Category; Annex III by adding labelling requirements to EU fertilising products containing thermal oxidation materials and derivatives; and Annex IV by establishing legal framework for the relevant conformity assessment for such products ([11453/21](#); [10634/21](#) + [ADD 1](#)).

**ENERGY****High Level Group meeting on Central and South Eastern European Connectivity**

The Council approved ministerial conclusions and authorised the European Commission to sign them on behalf of the European Union at the high level group meeting on Central and South Eastern European Connectivity (CESEC). The high level group meeting was held on 21 September in Ljubljana, Slovenia.

CESEC works to accelerate the integration of central eastern and south eastern European gas and electricity markets. The meeting conclusions reaffirm the willingness of the participants to reinforce regional cooperation, coordination and solidarity to address energy challenges in the region ([11598/21](#) + [ADD 1](#)).

**HEALTH****Statistics on health care expenditure and financing**

The Council decided not to raise objections to the adoption of a Commission Regulation implementing Regulation (EC) No 1338/2008 of the European Parliament and of the Council on Community statistics on public health and health and safety at work.

The proposed Commission Regulation concerns statistics on health care expenditure and financing and contains annexes on definitions as well as on subjects to be covered and their characteristics, cross-classification data and breakdowns ([11426/21](#); [10904/21 ADD 1](#)).

**TRANSPARENCY****Transparency - Public access to documents**

On 21 September 2021, the Council adopted the reply to confirmatory application No 34/c/02/21 (11273/21).