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NOTE

Subject: MONTHLY SUMMARY OF COUNCIL ACTS - JANUARY 2021

This document lists the acts¹ adopted by the Council in January 2021.²³

It provides information on the adoption of legislative and non-legislative acts, including:

- the date of adoption,
- the relevant Council session,
- the number of the document adopted,
- the Official Journal reference,
- reference to the minutes of the Council session when the act was adopted.

¹ For easy reference, the "short titles" as mentioned in the Council's agendas are also indicated (see in italics).

² With the exception of certain acts of limited scope such as procedural decisions, appointments, specific budgetary decisions, etc.

³ In the case of legislative acts adopted in the ordinary legislative procedure, there may be a difference between the date of the Council's meeting where the legislative act is adopted and the actual date of the act in question, since legislative acts adopted in the ordinary legislative procedure are only considered to have been adopted after signature by both the President of the Council and the President of the European Parliament and the Secretaries-General of the two institutions.

This document is also available on the Council's website at:

[Monthly summaries of Council acts \(acts\) - Consilium](#)

Documents listed in the summary may be obtained from the public register of Council documents at: [Documents and publications - Consilium](#).

If not directly available, a request for access to documents can be submitted at:

<https://www.consilium.europa.eu/en/documents-publications/public-register/request-document/>

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INFORMATION ON THE ACTS ADOPTED BY THE COUNCIL IN JANUARY 2021	
Written procedure completed on 7 January 2021	CM 1007/21
<i>Council Decision on the European Union CSDP Mission in Mali (EUCAP Sahel Mali)</i> Council Decision (CFSP) 2021/14 of 7 January 2021 amending Decision 2014/219/CFSP on the European Union CSDP Mission in Mali (EUCAP Sahel Mali) OJ L 5, 8.1.2021, p. 16–17	13662/20
Written procedure completed on 12 January 2021	CM 1062/21
<i>Council Decision 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</i> 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. 19–20	14256/20
Written procedure completed on 13 January 2021	CM 1129/21
<i>Regulation of the European Parliament and of the Council laying down management, conservation and control measures applicable in the Inter-American Tropical Tuna Convention area and amending Council Regulation (EU) No 520/2007</i> Regulation (EU) 2021/56 of the European Parliament and of the Council of 20 January 2021 laying down management, conservation and control measures applicable in the Inter-American Tropical Tuna Convention area and amending Council Regulation (EU) No 520/2007 OJ L 5, 8.1.2021, p. 16–17	50/20
Written procedure completed on 14 January 2021	CM 4557/20
PUBLIC ACCESS TO DOCUMENTS – Confirmatory application No 23/c/01/20	12676/20

Written procedure completed on 14 January 2021	CM 1066/2/21 REV2
PUBLIC ACCESS TO DOCUMENTS – Confirmatory application No 26/c/01/20	13399/20
Statement by Latvia Latvia considers that taking into account the specific circumstances and context of the present case, access could be granted to the seven requested documents. This is in accordance with its initially stated position. Each situation will be assessed on its own merits.	
Statement by Sweden Sweden cannot concur with the draft reply. Taking into account the specific circumstances in this case and the settled case-law of the Court (i.e. De Capitani, point 78 and 99), Sweden considers that it is not sufficiently motivated how disclosure of these documents specifically and actually would undermine the ongoing decision-making process and why the risk of these interests being undermined is reasonable and foreseeable and not purely hypothetical.	
Statement by Finland, supported by Ireland Finland cannot concur with the interpretation of Regulation 1049/2001 referred to in the draft reply, especially in light of the Turco case (C-39/05 and C-52/05) and the De Capitani case (T 540/15) and taking into consideration the importance of openness in legislative procedures emphasized by the Lisbon Treaty.	
Statement by the Netherlands, supported by Ireland The Netherlands cannot concur with the draft reply to confirmatory application 26/c/01/20. The Netherlands emphasizes the importance of access to documents and transparency to improve EU's legitimacy. This is particularly important with regard to transparency for documents that relate to the legislative procedures (e.g. case T-540/15 De Capitani). The Netherlands is of the opinion that the reply does not strike the right balance between the principle of public access to legislative documents and the protection of the decision-making process of the Council.	

Statement by Portugal Portugal has reviewed its position in light of the latest developments in this dossier, taking into consideration the importance of openness in legislative procedures and ECJ-jurisprudence in this regard – and noting, however, that each exception related to the protection of the decision-making process of the Council will be assessed on its own merits.	
Statement by Lithuania Lithuania is not in a position to concur with the draft reply to the confirmatory application, as set out in doc. 13399/20. Lithuania considers that the interpretation of Regulation 1049/2001 and relevant ECJ jurisprudence allows in this specific case to grant access to the requested documents.	
Statement by Italy We would confirm our consistency with the initial position. In our opinion, transparency should be granted through the availability of EU documents and discussions, especially for those negotiations that are not conclusive and no conclusion is foreseen in the short – mid term.	
Written procedure completed on 15 January 2021	CM 1119/1/21 REV 1
<i>Council Implementing Decision concerning restrictive measures against Syria</i> Council Implementing Decision (CFSP) 2021/30 of 15 January 2021 implementing Decision 2013/255/CFSP concerning restrictive measures against Syria OJ L 12I, 15.1.2021, p. 3–4	14266/20
<i>Council implementing Regulation concerning restrictive measures against Syria</i> Council Implementing Regulation (EU) 2021/29 of 15 January 2021 implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria OJ L 12I, 15.1.2021, p. 1–2	14268/20

<i>Council Decision defining a common approach on the elements of end-user certificates in the context of the export of small arms and light weapons and their ammunition</i> Council Decision (CFSP) 2021/38 of 15 January 2021 establishing a common approach on the elements of end-user certificates in the context of the export of small arms and light weapons and their ammunition OJ L 14, 18.1.2021, p. 4–9	14043/20
<i>Belarus restrictive measures - pre-notifications of updated statements of reasons</i> Intended amended statements of reasons for persons and entities appearing in the Annex to Council Decision 2012/642/CFSP and in Annex I to Council Regulation (EC) No 765/2006 concerning restrictive measures against Belarus	5093/21
<i>Restrictive measures to combat terrorism - Common Position 2001/931/CFSP - pre-notifications of updated statements of reasons</i> Intended amended statements of reasons for designation of certain persons and groups under Common Position 2001/931/CFSP and Council Regulation (EC) No 2580/2001	5147/21 ADD1
<i>Zimbabwe restrictive measures - pre-notifications</i> Intended amended statements of reasons for persons appearing in the Annex I and Annex II to Council Decision 2011/101/CFSP, and in Annex III and Annex IV to Council Regulation (EC) No 314/2004 concerning restrictive measures in view of the situation in Zimbabwe	5152/21
Written procedure completed on 15 January 2021	CM 1191/21
Approval of transfer of appropriations No DEC 28/2020 within Section III - Commission - of the general budget for 2020 Commission's project for the acquisition of a new conference centre (CC2.0) and its financing through two loans	5011/21
Approval of Commission's project for the acquisition of a new conference centre (CC2.0) and its financing through two loans	5095/21
Written procedure completed on 15 January 2021	CM 1252/21
Council Conclusions on the European Court of Auditors' Special Report 22/2020 entitled "Future of EU agencies – Potential for more flexibility and co-operation"	14270/20
Written procedure completed on 19 January 2021	CM 1156/21
<i>Council Decision appointing a member of the Court of Auditors</i> Council Decision (EU) 2021/42 of 19 January 2021 appointing a member of the Court of Auditors OJ L 17, 20.1.2021, p. 1–1	13541/1/20 REV 1

Written procedure completed on 19 January 2021	CM 1158/21
EU-Colombia Memorandum of Understanding on an Agenda of enhanced political and sectoral dialogue and cooperation for the next decade	14191/20 + COR1
Written procedure completed on 21 January 2021	CM 1309/21
<i>Council recommendation on a common framework for the use and validation of rapid antigen tests and the mutual recognition of COVID-19 test results in the EU</i> Council Recommendation on a common framework for the use and validation of rapid antigen tests and the mutual recognition of COVID-19 test results in the EU OJ C 24, 22.1.2021, p. 1–5	5451/21
Written procedure completed on 21 January 2021	CM 1323/21
<i>Council Decision replacing a member of the panel provided for in Article 255 TFEU</i> Council Decision (EU) 2021/47 of 21 January 2021 replacing a member of the panel provided for in Article 255 of the Treaty on the Functioning of the European Union OJ L 21, 22.1.2021, p. 1–2	13679/20
Written procedure completed on 21 January 2021	CM 1334/21
<i>Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2019 evaluation of Hungary on the application of the Schengen acquis in the field of data protection</i> Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2019 evaluation of Hungary on the application of the Schengen acquis in the field of data protection	14247/20
Written procedure completed on 21 January 2021	CM 1335/21
<i>Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2019 evaluation of Slovakia on the application of the Schengen acquis in the field of data protection</i> Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2019 evaluation of Slovakia on the application of the Schengen acquis in the field of data protection	14250/20
Written procedure completed on 21 January 2021	CM 1336/21
<i>Council Implementing Decision setting out recommendations addressing the deficiencies identified in the evaluation of Cyprus in view of fulfilling the conditions necessary for the application of the Schengen acquis in the field of data protection</i> Council Implementing Decision setting out recommendations addressing the deficiencies identified in the evaluation of Cyprus in view of fulfilling the conditions necessary for the application of the Schengen acquis in the field of data protection	14245/20

Written procedure completed on 21 January 2021	CM 1337/21
<i>Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2020 evaluation of Belgium on the application of the Schengen acquis in the field of return</i> Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2020 evaluation of Belgium on the application of the Schengen acquis in the field of return	14243/20
Written procedure completed on 22 January 2021	CM 1207/21
<i>Council Decision concerning restrictive measures against Somalia - UN transposition</i> Council Decision (CFSP) 2021/54 of 22 January 2021 amending Decision 2010/231/CFSP concerning restrictive measures against Somalia OJ L 23, 25.1.2021, p. 18–21	14154/20
Council Regulation (EU) 2021/48 of 22 January 2021 amending Regulation (EC) No 147/2003 concerning restrictive measures in respect of Somalia OJ L 23, 25.1.2021, p. 1–4	14165/20
<i>Council Decision concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia</i> Council Decision (CFSP) 2021/55 of 22 January 2021 amending Decision 2011/72/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia OJ L 23, 25.1.2021, p. 22–23	14226/20
Council Implementing Regulation (EU) 2021/49 of 22 January 2021 implementing Regulation (EU) No 101/2011 concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia III OJ L 23, 25.1.2021, p. 5–6	14228/20
<i>Belarus restrictive measures - pre-notifications of updated statements of reasons</i> Intended amended statements of reasons for entities appearing in the Annex to Council Decision 2012/642/CFSP and in Annex I to Council Regulation (EC) No 765/2006 concerning restrictive measures against Belarus	5357/21 + COR 1
<i>Egypt restrictive measures - pre-notifications</i> Notice for the attention of a person to whom restrictive measures provided for in Council Decision 2011/172/CFSP and in Council Regulation (EU) No 270/2011 concerning restrictive measures in view of the situation in Egypt apply OJ C 27, 25.1.2021, p. 9–9	5323/21

Written procedure completed on 22 January 2021	CM 1331/21
<i>Council Implementing Decision authorising the Republic of Lithuania to apply a special measure derogating from Article 287 of Directive 2006/112/EC on the common system of value added tax</i> Council Implementing Decision (EU) 2021/86 of 22 January 2021 authorising the Republic of Lithuania to apply a special measure derogating from Article 287 of Directive 2006/112/EC on the common system of value added tax OJ L 30, 28.1.2021, p. 2–3	14307/20
Written procedure completed on 22 January 2021	CM 1339/21
Council approval for the opening of negotiations between the Commission and the participants of the Arctic Science Ministerial on a Joint Statement on collaborative science efforts in the Arctic	14134/20
Written procedure completed on 22 January 2021	CM 1343/21
Council approval for the opening of negotiations between the Commission and the Western Balkan partners on a non-binding Joint Declaration on a Western Balkans Agenda on Innovation, Research, Education, Culture, Youth and Sport	14132/20
3784th meeting of the Council of the European Union (Foreign Affairs) held in Brussels on 25 January 2021 (Minutes: 5823/21)	
LEGISLATIVE ACTS	
<i>Regulation on rail passengers' rights and obligations (recast)</i> Position of the Council at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council on rail passengers' rights and obligations (recast)	12262/1/20 REV1
Regulation of the European Parliament and of the Council on rail passengers' rights and obligations (recast) Position of the Council at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council on rail passengers' rights and obligations (recast) - Statement of the Council's reasons	12262/1/20 REV1 ADD 1
NON-LEGISLATIVE ACTS	
<i>Council Decision on the conclusion of the Comprehensive and Enhanced Partnership Agreement between the EU and the Republic of Armenia</i> Council Decision on the conclusion, on behalf of the Union, of the Comprehensive and Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part	12543/17

<i>Council Decision amending the Council Decision of 23 November 1998 concerning exchange rate matters relating to the CFA franc and the Comorian franc (98/683/EC)</i> Council Decision amending Decision 98/683/EC concerning exchange rate matters relating to the CFA franc and the Comorian franc	12269/1/20 REV1
<i>Regulation on funding for decommissioning and management of radioactive waste</i> Council Regulation (Euratom) 2021/100 of 25 January 2021 establishing a dedicated financial programme for the decommissioning of nuclear facilities and the management of radioactive waste, and repealing Regulation (Euratom) No 1368/2013 OJ L 34, 1.2.2021, p. 3–17	12566/20
<i>Regulation on Ignalina power plant decommissioning</i> Council Regulation (EU) 2021/101 of 25 January 2021 establishing the nuclear decommissioning assistance programme of the Ignalina nuclear power plant in Lithuania and repealing Regulation (EU) No 1369/2013 OJ L 34, 1.2.2021, p. 18–28	12569/20
<i>Council Decision on the conclusion of the Fisheries Partnership Agreement in the form of an exchange of letters between the European Union and Mauritania</i> Council Decision (EU) 2021/99 of 25 January 2021 on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and the Islamic Republic of Mauritania on an extension to the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania, expiring on 15 November 2020 Council Decision (EU) 2021/99 of 25 January 2021 on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and the Islamic Republic of Mauritania on an extension to the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania, expiring on 15 November 2020 OJ L 34, 1.2.2021, p. 1–2	11260/20

<i>Council Decision on the conclusion of the Agreement in the form of an exchange of letters between the European Union and the Cook Islands on an extension of the Fisheries Protocol</i> Council Decision (EU) 2021/113 of 25 January 2021 on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and the Government of the Cook Islands concerning an extension of the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands OJ L 36, 2.2.2021, p. 3–4	11262/20
<i>Council Decision authorising negotiations with the UK and Norway for a fisheries agreement</i> Council Decision authorising the opening of negotiations with the United Kingdom of Great Britain and Northern Ireland and with the Kingdom of Norway for a fisheries agreement	13291/20 + ADD1
<i>Council Decision on the conclusion of the agreement on civil aviation safety between the EU and Japan</i> Council Decision (EU) 2021/112 of 25 January 2021 on the conclusion of the Agreement on civil aviation safety between the European Union and Japan OJ L 36, 2.2.2021, p. 1–2	9292/20 + COR1 15260/19 + COR2
<i>Council Decision on the EU position within the Joint Committee established by the Euro-Mediterranean Aviation Agreement between the European Union and Morocco</i> Council Decision (EU) 2021/102 of 25 January 2021 establishing the position to be taken on behalf of the Union within the Joint Committee established by the Euro-Mediterranean aviation agreement between the European Community and its Member States, of the one part and the Kingdom of Morocco, of the other part, as regards the adoption of the rules of procedure of the Joint Committee OJ L 34, 1.2.2021, p. 29–30	14008/20 14010/20
<i>Climate and Energy Diplomacy - Promoting the external dimension of the European Green Deal</i> Council conclusions on Climate and Energy Diplomacy - Delivering on the external dimension of the European Green Deal	5263/21

Written procedure completed on 28 January 2021	CM 1293/21
<i>Council Regulation fixing for 2021 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas</i> Council Regulation (EU) 2021/90 of 28 January 2021 fixing for 2021 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas OJ L 31, 29.1.2021, p. 1–19	13459/20
Statement by France and Spain On closure areas in the area of the Western Mediterranean MAP The STECF scientific advice recommends for 2021 the adoption of a significant and urgent effort reduction combined with additional measures. Scientific advice also highlights that the management measures already in place in the Western Mediterranean area are insufficient to ensure the recovery of stocks to MSY levels by 1 January 2025, the legal deadline enshrined in Regulation (EU) 2019/1022 of the European Parliament and of the Council establishing a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea (MAP). With the decline of recruitment in several stocks, the risk of collapse has never been higher and the socio-economic impacts of a collapse would be dramatic. Member States concerned commit to continue with the efficient implementation of measures contained in the closure areas already adopted pursuant to Article 11 of the MAP, and to follow the foreseen calendar, to ensure the best protection of juveniles, in accordance with the most recent STECF advice. The MAP foresees that the reduction in fishing mortality, necessary to achieve MSY by 1 January 2025, shall be achieved by means of two tools- reduction of fishing effort and closure areas. Article 11(3) of this regulation requires Member States to establish by 17 July 2021 new closure areas to reduce the catches of juveniles and spawners of all stocks subject to the MAP, based on the best available scientific advice. The Member States concerned recognise that such scientific advice relates to the existence of concentrations of fish below the minimum conservation reference size and the existence of nursery and spawning grounds of demersal stocks covered by the MAP.	5415/1/21 REV 1

Moreover, the Member States concerned commit to ensure, through such additional closures, a significant reduction of catches of juveniles and spawners, following article 11 and the best available scientific advice. On a regular basis, MS concerned commit to transmit to the Commission the scientific assessment of the implementation of the closure areas, notably taking into account a target between 15-25% reduction of juvenile and spawners by-catch. When adopting additional closures, Member States will take into account the recommendations of STECF advice and prevent as much as possible the displacement of effort around closure areas, facilitate the implementation of permanent closure areas and endeavour to protect the coastal areas and continental shelf and upper slope where nurseries and important habitats are located for the stocks under the MAP. The Member States concerned commit to submit all available data on additional closures to STECF by mid-February 2021 to enable the assessment of the impact of these closures on the concerned stocks.	
Statement by France and Spain On the recreational fisheries in the area of the Western Mediterranean MAP Where scientific advice indicates that recreational fishing is having a significant impact on the fishing mortality of the stocks under Article 1(2) of the MAP, Article 8(3) of the MAP requires Member States to take, in 2021, all necessary and proportionate measures for the monitoring and collection of data for a reliable estimation of the actual recreational catch levels. The Member States concerned commit to submit all available data on recreational fisheries to STECF by mid-February 2021 to enable the assessment of the impact of these fisheries on the concerned stocks.	5415/1/21 REV 1
Statement by France and Spain On gear selectivity in the area of the Western Mediterranean MAP The STECF scientific advice recommends for 2021 the need to adopt a significant and urgent effort reduction combined with additional measures such as, for example: - The adoption of a 50mm square-mesh for deep-water fisheries; - The adoption of a 40mm square-mesh when Norway lobster is the main target; - The adoption of a 40mm T90 mesh to reduce the catches of small size hake and red mullet.	5415/1/21 REV 1

Moreover, further scientific effort will continue in order to identify other technical measures which could be implemented in the future. In order to offer best protection to juveniles and allow the stocks listed in the MAP to recover, Member States recognise the urgency to improve the selectivity of the gear used to fish for these stocks. Article 7.3.b of Regulation (EU) 2019/1022 of the European Parliament and of the Council establishing a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea foresees that the fishing effort decrease may be supplemented with any relevant technical or other conservation measures adopted in accordance with Union law, in order to achieve the Fmsy by 1 January 2025. Member States concerned commit to submit to the Commission, by 30 June 2021, all available information on the measures to put in place for gear selectivity in the area covered by the MAP under Article 13 of the Western Mediterranean MAP and under Article 19 of the Mediterranean Regulation.													
Statement by Italy On fishing effort in the context of the management of demersal stocks in the Western Mediterranean Sea Italy commits to introduce for 2021 in its National Management Plan a 10% fishing effort reduction compared to the baseline from the western Mediterranean Multi-annual Plan, to be deducted from the maximum allowable fishing effort set for 2020 by Council Regulation (EU) 2019/2236 as follows: Corsica Island, Ligurian Sea, Tyrrhenian Sea and Sardinia Island (GSAs 8-9-10-11) <table><tr><th>Stock group</th><th>Overall length of vessels</th><th>IT</th></tr><tr><td>Red mullet in GSAs 9, 10 and 11;</td><td>< 12 m</td><td>2739</td></tr><tr><td>Hake in GSAs 9-10-11; Deep-</td><td>≥ 12 m and < 18 m</td><td>41200</td></tr><tr><td>water rose shrimp in GSAs 9-10-</td><td>≥ 18 m and < 24 m</td><td>27707</td></tr></table>	Stock group	Overall length of vessels	IT	Red mullet in GSAs 9, 10 and 11;	< 12 m	2739	Hake in GSAs 9-10-11; Deep-	≥ 12 m and < 18 m	41200	water rose shrimp in GSAs 9-10-	≥ 18 m and < 24 m	27707	5415/1/21 REV 1
Stock group	Overall length of vessels	IT											
Red mullet in GSAs 9, 10 and 11;	< 12 m	2739											
Hake in GSAs 9-10-11; Deep-	≥ 12 m and < 18 m	41200											
water rose shrimp in GSAs 9-10-	≥ 18 m and < 24 m	27707											

11; Norway lobster in GSAs 9 and 10.	≥ 24 m	3698	
Stock group	Overall length of vessels	IT	
Giant red shrimp in GSAs 9, 10 and 11.	< 12 m	453	
	≥ 12 m and < 18 m	3342	
	≥ 18 m and < 24 m	2691	
	≥ 24 m	360	
Written procedure completed on 28 January 2021			
Council Regulation fixing for 2021 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas			13459/20
Written procedure completed on 28 January 2021			CM 1296/21
<i>Council Regulation fixing for 2021 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters</i> Council Regulation (EU) 2021/92 of 28 January 2021 fixing for 2021 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters OJ L 31, 29.1.2021, p. 31–192			14278/20 + ADD 1+ ADD 2
Statement by Denmark, Germany, Sweden and the Commission <u>On survivability of plaice in the Kattegat</u> Denmark, Germany and Sweden commit to providing ICES with the relevant scientific information regarding catches, discarding and survival for Plaice in the Kattegat. The Commission will early in 2021 request ICES to better develop the science and understanding concerning survival rates of plaice, with the intention of incorporating survival rates into the forecasting and production of such catch advice. If ICES is able to produce an updated catch advice that incorporates survival rates in 2021, then the Commission will endeavour to propose an in year amendment of the 2021 TAC for Plaice in the Kattegat as soon as possible.			5314/1/21 REV 1

Statement by the Commission <u>On taking the underutilization effects of Covid-19 into account</u> In order to take the underutilization effects of Covid-19 into account, at the request of Member States, the Commission will ask ICES early in 2021 to examine whether for any stocks within safe biological limits a low uptake of the quota in 2020 justifies an increased TAC in 2021 in view of a possible in-year amendment of the TACs for such stocks.	
Statement by the Commission <u>On shared stocks managed under provisional TACs</u> Provisional TACs are established to allow fishing activities of EU fleets to continue while not prejudging the outcome of ongoing international negotiations and/or consultations. In January 2021, the Commission will assess the situation of the stocks shared with the United Kingdom and/or Norway and subject to provisional TACs. The Commission, on the basis of the uptake of quotas reported by Member States and taking into account the results of international negotiations and consultations, will come up in January 2021 with stock-taking and relevant suggestions for the way forward and possible revisions of the provisional TAC levels, especially concerning the seasonality of fishing activities, in order to address Member States' needs, and/or to establish definitive TACs. Statement by the Commission <u>On inter-area flexibility for sprat between Skagerrak (3a) and the North Sea (2a and 4)</u> The Commission, in the framework of consultations with third countries, will examine the possibility of introducing an inter-area flexibility for sprat from ICES division 3a (Skagerrak, Kattegat) to the North Sea.	
Statement by Belgium, Denmark, France, Germany, Ireland, the Netherlands and Sweden <u>On the application of Article 15(9) in the Basic Regulation for COD/03AS; COD/5BE6A; WHG/56-14; WHG/07A and PLE/7HJK in 2021</u> Given that the biomass of the stocks of COD/03AS; COD/5BE6A; WHG/56-14; WHG/07A and PLE/7HJK is below Blim and that only by-catch and scientific fisheries will be permitted in 2021, in order to ensure the recovery of the stocks in accordance with Regulations (EU) 2018/973 and (EU) 2019/472, Belgium, Denmark, France, Germany, Ireland, the Netherlands and Sweden undertake not to make use of inter-annual flexibility under Article 15(9) of Regulation (EU) No 1380/2013 with regard to these stocks in 2021. This undertaking is a response to the current exceptional circumstances for these stocks.	

Statement by France and Spain <u>On commitments regarding conservation measures for the seabass fishery in the Gulf of Biscay (8a,b)</u> France and Spain welcome the good state of the seabass stock in the gulf of Biscay (8a, b). France commits to renew, for the first quarter of 2021, individual ceilings equivalent to those in force in the first quarter of 2020. Spain commits to introduce a minimum reference size of 40 cm for commercial catches of sea bass in the gulf of Biscay (8a, b). These measures are complementary to the Fmsy of 3 108 tonnes as recommended by ICES.	
Statement by Spain <u>On Norway lobster in functional units 25 and 31</u> Spain, committed with the sustainability of the Norway lobster stocks in Cantabrian Sea (functional units 25 and 31), has been working, through its scientific body and with the support of the Spanish fishing industry, in order to improve the scientific knowledge of their respective status. After four years of sentinel fishery surveys with a small allocated TAC, in order to collect catch per unit effort (CPUE) data with vessels carrying observers on board, 2020 results have confirmed an increase of the CPUE in line with increases in previous years, indicating a consolidated positive signal. Spain asks for a review of the current ICES advice (done in 2019 for three years) during the first half of 2021, in order to assess a possible reopening of the commercial fishery with a limited TAC and conditions for its management.	
Statement by the Commission <u>On Northern Albacore in ICCAT</u> The Commission acknowledges the specific quota management of ICCAT stocks. The Commission notes that overfishing by one member state in a given year can have direct impact on the actual fishing opportunities available for the other member states who did not engage in overfishing. Before the end of the first semester of 2021, the Commission will therefore consider all possible initiatives to facilitate the management of the EU quota in light of the ICCAT provisions to achieve the economic, social and environmental objectives of the CFP.	
Statement by Denmark, France, the Netherlands, Ireland and Spain	

<u>On the method of calculating deductions for survivability exemptions</u> Denmark, France, the Netherlands, Ireland and Spain are worried about the change in the calculation method for the deductions for high survival exemptions. They therefore support the initiative of the States concerned by the stock of plaice in the Kattegat in favour of a request to ICES. Denmark, France, the Netherlands, Ireland and Spain ask the Commission to commit to undertake, early in 2021, similar requests to ICES for the other stocks concerned, so that the advices take into account survival rates, in the perspective of a revision of the 2021 TAC and quotas Regulation.	
Statement by Spain and Portugal <u>On Southern Hake (HKE/8C3411)</u> Spain and Portugal are fully committed to the sustainability of the Southern hake, one of the most relevant and traditional species along our coastal communities and its supply of food, and an essential species for hundreds of our vessels, ports and auctions during their fishing activities along the year. As a matter of urgency, we ask that COM requests from ICES to reevaluate the assessment for this stock, in order to correct the current situation of high uncertainty, with no MSY reference points available, or ranges as established in the Western Waters Multiannual Plan, despite an abundant set of historical and complete data on the stock of Southern hake that led to the rejection of the previously used Category 1 assessment model this year. For this purpose, Spain and Portugal will cooperate, through their respective scientific institutes, following ICES procedures.	
Statement by Spain <u>On Northern Albacore (ALB/AN05N)</u> The final version of the Regulation includes an increase of the northern Albacore quota of the EU (ALB/AN05N), which does not reflect the 12.5% TAC increase agreed in ICCAT. The EU quota is only raised by 5.5% as a result of the overfishing of some Member States in previous years. The resulting quota of Spain in the text has been reduced to just 17,704.08 tons. Spain right quota for 2021 is 18,351.95 tons, which is calculated with a 12.5 % increase compared to the quota of 2020. Spain considers this is discriminatory according to the treatment we have received in other stocks in previous years. Northern albacore is a very sensitive stock in Spain. It is allocated to coastal artisanal fleets in the Cantabric sea and Canary Islands. Spain was very strict in closing the fishery in previous years. We are confident of a satisfactory solution for this campaign	

to limit the penalty for overfishing only to those who caused it. Therefore, Spain endorses the final version of the regulation conditioned on the compromise on a review of the figures in the next update of the Regulation.	
Written procedure completed on 28 January 2021	CM 1298/21
<i>Council Regulation fixing for 2021 and 2022 the fishing opportunities for Union fishing vessels for certain deep-sea fish stocks</i> Council Regulation (EU) 2021/91 of 28 January 2021 fixing, for the years 2021 and 2022, the fishing opportunities for Union fishing vessels for certain deep-sea fish stocks OJ L 31, 29.1.2021, p. 20–30	14271/20
Statement by Portugal <u>On the TAC delegated to Portugal on black scabbardfish</u> <u>(<i>Aphanopus carbo</i>) in CECAF area 34.1.2 (Portugal)</u> In line with Article 5, Portugal commits to inform the Commission of the timing and objectives of the relevant scientific projects, the detailed description of regional management measures and the underlying science for the TAC setting by 15 March every year.	5364/21
Written procedure completed on 28 January 2021	CM 1389/21
Notification by the European Union made in accordance with the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part	5501/2/21 REV2
Written procedure completed on 28 January 2021	CM 1426/21
<i>Council Decision on the position to be taken on behalf of the European Union in reply to the International Civil Aviation Organization as regards Amendment 28 to Annex 9 Section D to the Convention on International Civil Aviation</i> Council Decision (EU) 2021/121 of 28 January 2021 on the position to be taken on behalf of the European Union in reply to the State Letter sent by the International Civil Aviation Organization as regards Amendment 28 to Section D of Chapter 9 of Annex 9 to the Convention on International Civil Aviation OJ L 37, 3.2.2021, p. 6–9	5386/21

Statement by the Federal Republic of Germany to be recorded in the minutes on the occasion of the adoption of a COUNCIL DECISION on the position to be taken on behalf of the European Union in the Council of the International Civil Aviation Organization, in respect of the revision of Chapter 9 of Annex 9 ('Facilitation') to the Convention on International Civil Aviation with regard to standards and recommended practices on passenger name record data, supported by Italy and Malta The Federal Republic of Germany agrees to the Council Presidency's compromise proposal, because the substance of the difference in relation to Standard 9.34, Annex 9, Chapter 9, Section D to the Chicago Convention on International Civil Aviation provided for in the Council Decision is fully supported by the Federal Republic Germany. Germany also believes that it must be ensured that the ICAO standards do not hamper EU Member States in making the transfer of PNR data to third states contingent on the unrestricted observance of EU data protection standards. However, the position proposed by the Council Presidency in the Annex to the Council Decision relates only to the notification of the difference in relation to Standard 9.34, Annex 9, Chapter 9, Section D to the Chicago Convention on International Civil Aviation pursuant to Article 38 of said convention. The Federal Republic of Germany would like to point out that the European Commission and the Council have not yet been able to finally agree on whether a Council decision is required for the notification of differences from Standards and Recommended Practices by Member States to ICAO. The Federal Republic of Germany considers it important to make clear that its agreement to the Council Presidency's compromise proposal does not imply that it has adopted any position on this unresolved legal issue.	CM 1426/21
Written procedure completed on 28 January 2021	CM 1437/21
<i>Council Recommendation amending the Council Recommendation (EU) 2020/912 of 30 June 2020 on the temporary restriction on non-essential travel into the EU and the possible lifting of such restriction</i> Council Recommendation (EU) 2021/89 of 28 January 2021 amending Recommendation (EU) 2020/912 on the temporary restriction on non-essential travel into the EU and the possible lifting of such restriction OJ L 33, 29.1.2021, p. 1–3	5641/21
Written procedure completed on 29 January 2021	CM 1393/21
Preparation of the bilateral EU-UK consultations on fishing opportunities for 2021 and, for deep-sea stocks, for 2021 and 2022 - Presidency initial guidance in view of the consultations	5543/21
Statement by Belgium, France, Poland and Spain: Ministerial statement on bilateral EU-UK consultations on fishing opportunities for 2021 and, for deep-sea stocks, for 2021 and 2022	CM 1393/21

The Ministers responsible for fisheries of Belgium, France, Poland and Spain hereby affirm their commitment to the Common Fisheries Policy, and in particular to the maximum sustainable yield, the landing obligation, multi-annual plans and the taking into account of best scientific advices. They consider, in accordance with their statements at the informal meeting of 25 January 2021, that additional guarantees must be given by the Commission to negotiate TACs for stocks shared with the United Kingdom. As the stakes of these negotiations are high for fishermen, given the TAC reductions foreseen by the Trade and Cooperation Agreement until 2026, the socio-economic aspects should not be neglected. A balance must therefore be found to ensure the sustainable exploitation of the resource, while ensuring the sustainability of the activities for the communities that depend on it. The context of mixed fisheries, the ICES advice of 0 catch and the “choke species” effect, in particular, should be given due consideration by the European Commission. Ministers therefore urge the Commission to take into account the positions expressed by Member States and in particular the priorities expressed on stocks at the meeting on 25 January 2021. In terms of methodology, Ministers call for the implementation of the following measures: - the close involvement of Member States at all stages of the negotiations, through the close involvement of all existing channels and especially the working party and the expert level, but also through systematic <i>in situ</i> consultations before and during negotiations sessions ; - decisions must be made at Council level whenever necessary and systematically when the socioeconomic consequences of the changes foreseen could affect the balance of coastal activities or communities.	
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