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## OUTCOME OF THE COUNCIL MEETING

3792nd Council meeting

### Foreign Affairs

Brussels, 10 May 2021

President

**Josep Borrell Fontelles**  
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.  
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## **ITEMS DEBATED**

### **Current affairs**

The Council discussed Palestine, both in relation to the recently postponed elections and to the recent clashes in East Jerusalem. Ministers restated that all sides must uphold and fully respect the status quo of the holy sites, and all leaders have a responsibility to act against extremists.

The Council also expressed solidarity with the Czech Republic and Bulgaria in the light of the recent events related to Russia.

Ministers touched on the ongoing negotiations on the implementation of the Iran nuclear deal, the JCPOA, and on global health. On the latter the High Representative noted that the EU is a leader in the international solidarity effort, with €2.5 billion in contributions to COVAX, and in the production and export of vaccines.

Ministers also exchanged views on Lebanon, where the situation continues to deteriorate and the people continue to suffer. The High Representative informed ministers that work is ongoing, and all the available options are being explored to pressure those Lebanese leaders who are preventing the country from overcoming the tragic situation.

Finally, ministers touched on Belarus, where the regime is continuing its repression and intimidation of citizens, including the Polish community.

### **Western Balkans**

The Council held a strategic discussion on the Western Balkans, and the elements of reinforced EU engagement in the region.

Ministers reaffirmed the European perspective of the whole region, underlining the importance of political engagement in a wide range of areas such as the fight against the COVID pandemic, economic cooperation, connectivity, and tackling external influence and disinformation.

The discussion highlighted the need for Western Balkan countries to accelerate EU-related reforms and reinforce a positive and constructive narrative. The High Representative stressed the urgent need to move forward with the accession process of Albania and North Macedonia, EU integration with Serbia and Montenegro, and visa liberalisation for Kosovo. Ministers also asked for the swift resumption of the Belgrade-Pristina Dialogue, and reiterated their continued and unequivocal support for Bosnia and Herzegovina's territorial integrity and sovereignty.

The Council also highlighted the EU's key role in helping Western Balkans partners respond to the COVID-19 pandemic through health assistance, financing for socioeconomic recovery, and donation of vaccines.

### **Transatlantic relations**

The Council discussed priorities for engagement with the US administration in the coming months.

Ministers took stock of the progress made together on some important issues, such as re-engaging the US on the JCPOA, relaunching the dialogue on China, temporarily suspending tariffs in connection with the Airbus/Boeing dispute, or liaising on responses to developments in Russia and Myanmar/Burma.

The discussion highlighted that the renewed partnership between the European Union and the United States is based on more engagement, more coordination and cooperation.

### **Video conference with US Special Presidential Envoy for Climate John Kerry**

Ministers exchanged views with US Special Presidential Envoy for Climate John Kerry on how to increase global climate ambition, especially amongst the world's biggest economies.

It was agreed that the EU and US would work systematically together to scale up efforts to prompt partners to deliver the best possible commitments under the Paris Agreement. This will be done both bilaterally and in multilateral fora such as the G7 and G20.

## **OTHER ITEMS APPROVED**

### **FOREIGN AFFAIRS**

#### **Adoption of a regulation setting up an EU regime for dual-use items**

The Council adopted a regulation modernising the EU system for the control of exports, brokering, technical assistance, transit and transfer of dual-use items. Dual-use items are goods, software and technology that can be used for both civilian and military applications.

For more details, see the [press release](#).

#### **Horn of Africa: a geostrategic priority for the EU – conclusions**

The Council approved conclusions affirming the EU's commitment to giving new impetus to its partnership with the Horn of Africa, and establishing a new strategy for the region.

For more details, see the [press release](#).

#### **Conclusions on security and defence**

The Council approved conclusions affirming its determination to move forward on implementing the EU's security and defence agenda, enabling the EU to take more responsibility for its own security.

For more details, see the [press release](#).

## **EU POSITIONS FOR INTERNATIONAL NEGOTIATIONS**

### **EU-Ukraine: Council decision on the EU position within the trade and sustainable development sub-committee**

The Council adopted a decision on the position to be taken, on behalf of the European Union, within the trade and sustainable development sub-committee established by the association agreement between the European Union and the European Atomic Energy Community and their member states, of the one part, and Ukraine, of the other part, as regards the establishment of the list of experts who can be selected as members of the group of experts under article 301 of the agreement.

### **EU-Georgia: Council decision on the EU position within the EU-Georgia association committee**

The Council adopted a decision on the position to be taken on behalf of the European Union within the association committee in trade configuration and in the association council established by the association agreement between the European Union and the European Atomic Energy Community and their member states, of the one part, and Georgia, of the other part, as regards a favourable opinion of the comprehensive roadmap approved by the Georgian government for the implementation of the legislation related to public procurement and recognising the completion of phase 1 of annex XVI-B to the association agreement.

## **ECONOMIC AND FINANCIAL AFFAIRS**

### **‘Fiscalis’ programme**

The Council adopted its position at first reading on the regulation establishing the ‘Fiscalis’ programme for cooperation in the field of taxation.

The general objectives of the Fiscalis programme are to support tax authorities and taxation in order to enhance the functioning of the internal market, to foster the competitiveness of the Union and fair competition in the Union, to protect the financial and economic interests of the Union and its member states, including protecting those interests from tax fraud, tax evasion and tax avoidance, and to improve tax collection.

The specific objectives of the programme are to support tax policy and the implementation of Union law relating to taxation, to foster cooperation between tax authorities, including exchange of tax information, and to support administrative capacity building including as regards human competence and the development and operation of European electronic systems.

The programme is part of the package of horizontal proposals under the multiannual financial framework (MFF) for the years 2021 to 2027. The Fiscalis programme for cooperation in the field of taxation will replace the Fiscalis 2020 programme to ensure its continuation beyond 2020.

### **Administrative cooperation in the field of excise duties**

The Council adopted amendments to the Council regulation on administrative cooperation in the field of excise duties as regards the content of electronic registers.

Article 19 of regulation (EU) no 389/2012 lays down an obligation for member states to maintain electronic registers of authorisations of economic operators and tax warehouses that are engaged in moving excise goods under duty suspension arrangements. The amendment changes the scope of article 19 of regulation (EU) no 389/2012, setting out the information that member states should enter in the electronic registers in relation to certified consignors and certified consignees that move excise goods only occasionally.

### **Croatian tax exemption for the use of gas oil for humanitarian demining**

The Council adopted an implementing decision authorising Croatia to apply a tax exemption to gas oil used to operate machinery in humanitarian demining.

With this decision, Croatia is authorised to exempt from taxation gas oil used to operate machinery in humanitarian demining on its territory until 19 December 2026. The tax exemption will be limited to accredited special-purpose machines designed and built specifically for clearing mined areas.

### **2021 fees for trade repositories**

The Council decided not to oppose the adoption of a Commission delegated regulation on the annual supervisory fees charged by the European Securities and Markets Authority to trade repositories for 2021.



The regulation establishes the annual supervisory fees for 2021 to be paid by trade repositories for their activity falling under the European market infrastructure regulation (EMIR) on the one hand and the securities financing transactions regulation (SFTR) on the other hand.

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.

## **JUSTICE AND HOME AFFAIRS**

### **Civil protection mechanism**

The Council today adopted a regulation to strengthen the EU civil protection mechanism. The new rules will allow the EU and the member states to better prepare for disasters of natural or human origin and to respond faster when they strike, including in cases which affect a majority of member states simultaneously, such as a pandemic. The text also sets out the funding for the civil protection mechanism in the context of the multiannual financial framework 2021-2027.

For more details, see the [press release](#).

## **RESEARCH**

### **Regulation on the European Institute of Innovation and Technology**

The Council approved the European Parliament's position at first reading on a draft regulation on the European Institute of Innovation and Technology (EIT). The aim of the regulation is mainly to enhance the financial sustainability and openness of knowledge and innovation communities.

The regulation is therefore adopted in the wording which corresponds to the position of the European Parliament ([PE-CONS 8/21](#)).

### **Decision on the European Institute of Innovation and Technology's strategic innovation agenda**

The Council approved the European Parliament's position at first reading on a draft decision on the strategic innovation agenda (SIA) of the European Institute of Innovation and Technology (EIT). The decision sets out the EIT's priority fields and strategy for the period 2021-2027 by defining objectives, key actions, operating methods, expected results and necessary resources for the EIT.

The decision is therefore adopted in the wording which corresponds to the position of the European Parliament ([PE-CONS 9/21](#)).

### **Council decision establishing the specific programme implementing Horizon Europe**

The Council today adopted a decision establishing the specific programme implementing Horizon Europe, the EU's framework programme for research and innovation for the years 2021 to 2027. The decision sets out the operational objectives and types of activities envisaged for implementing Horizon Europe ([8967/20](#)).

### **Council regulation on the Euratom programme complementing Horizon Europe**

The Council today adopted a regulation on the Euratom programme complementing Horizon Europe, the EU's framework programme for research and innovation for the years 2021 to 2027. The regulation ensures the continuation of nuclear research and training activities with an emphasis on the continuous improvement of nuclear safety, security and radiation protection ([5215/21 REV 1](#)).

### **Joint declaration on a Western Balkans agenda for innovation, research, education, culture, youth and sport**

The Council authorised the European Commission to sign the joint declaration on a Western Balkans agenda for innovation, research, education, culture, youth and sport at the Western Balkans innovation, research, education, culture, youth and sport ministerial event on 27 May 2021 (7913/21 ADD 1).

## **TRADE POLICY**

### **EU-Norway: green light for the signing of the agreement on the modification of post-Brexit WTO tariff rate quotas**

The Council adopted a decision on the signing of the agreement between the European Union and Norway relating to the modification of concessions on all the tariff rate quotas included in the EU schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union, and a proposal for a Council decision on the conclusion of this agreement. After the signing, the draft decision on the conclusion and the agreement will be formally forwarded to the European Parliament for its consent.

### **EU-Colombia, Peru and Ecuador: Council decision on the EU position to be taken in the trade committee**

The Council adopted a decision ([7766/21](#) and [7767/21](#)) on the position to be taken on behalf of the European Union in the trade committee of the trade agreement between the European Union and its member states, of the one part, and Colombia, Peru and Ecuador, of the other part, as regards the amendments to decisions no 1/2014, no 2/2014, no 3/2014, no 4/2014 and no 5/2014 of the trade committee, to take account of the accession of Ecuador to the trade agreement and to update the lists of arbitrators and of experts in trade and sustainable development.

### **EU-WTO: Council decision on the EU position to be taken in the WTO TRIPS Council**

The Council adopted a decision ([7810/21](#)) on the position to be taken on behalf of the European Union in the TRIPS (trade-related aspects of intellectual property rights) Council of the World Trade Organization in connection with the envisaged adoption of a decision concerning the request for an extension of the transitional period under article 66(1) of the TRIPS agreement for least-developed country members.

## **AGRICULTURE**

### **EU position regarding the extension of the Grains Trade Convention**

The Council adopted a decision on the position to be taken on behalf of the EU in the International Grains Council with respect to the extension of the Grains Trade Convention (7859/21).

### **Maximum residue levels for certain substances in or on certain products**

The Council decided not to oppose the adoption of a Commission regulation amending annexes II, III and IV to regulation (EC) no 396/2005 of the European Parliament and of the Council as regards maximum residue levels for cycloxydim, mepiquat, Metschnikowia fructicola strain NRRL Y-27328 and prohexadione in or on certain products ([8243/21](#), [7400/21](#) + [ADD 1](#) + [ADD 2](#)).