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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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I

(Legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) 2020/1785**of 16 November 2020****opening and providing for the administration of autonomous Union tariff quotas for imports of certain fishery products into the Canary Islands from 2021 to 2027**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 349 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

After consulting the European Parliament,

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

After consulting the Committee of the Regions,

Acting in accordance with a special legislative procedure,

Whereas:

- (1) The exceptional geographical situation of the Canary Islands in relation to the sources of supply of certain fishery products which are essential for domestic consumption entails additional costs for this sector. This natural handicap, as recognised in Article 349 of the Treaty, which results from insularity, remoteness and the outermost location of the Canary Islands, can be remedied, inter alia, by temporarily suspending customs duties on imports of the products in question from third countries within Union autonomous tariff quotas of an appropriate volume.
- (2) Council Regulation (EU) No 1412/2013 ⁽²⁾ opened and provided for the administration of autonomous Union tariff quotas for imports of certain fishery products into the Canary Islands for the period from 1 January 2014 to 31 December 2020.
- (3) In July 2019, the Commission submitted to the Council an examination of the impact of the measures, providing options for the period after 31 December 2020.
- (4) The examination showed that the utilisation rate of quotas 09.2997 and 09.2651 was significant. Under quota 09.2651, CN code 0308 was not utilised.
- (5) Tariff quotas similar to those opened by Regulation (EU) No 1412/2013 for certain fishery products are justified because they would cover the needs of the Canary Islands' domestic market while ensuring that flows of duty-free imports into the Union remain predictable and clearly identifiable.

⁽¹⁾ Opinion of 29 October 2020 (not yet published in the Official Journal).

⁽²⁾ Council Regulation (EU) No 1412/2013 of 17 December 2013 opening and providing for the administration of autonomous Union tariff quotas for imports of certain fishery products into the Canary Islands from 2014 to 2020 (OJ L 353, 28.12.2013, p. 1).

- (6) Therefore, with the aim of giving a long-term perspective to economic operators to reach a level of activity which stabilises the economic and social environment of the Canary Islands, it is appropriate to extend the autonomous tariff quota regime of the Common Customs Tariff duties for an additional period for certain goods as set out in the Annex to this Regulation.
- (7) In order to avoid undermining the integrity and coherence of the internal market, measures should be taken to ensure that fishery products for which suspension is granted are intended solely for the Canary Islands' domestic market.
- (8) Measures should be taken to ensure that the Commission is kept regularly informed of the volume of imports in question, so that, if necessary, it can take steps to prevent any speculative movement or deflection of trade.
- (9) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission allowing the Commission to temporarily withdraw the suspension in the case of a deflection of trade. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council ⁽³⁾. The final decision on whether the suspension should be maintained or withdrawn definitely should, however, be made by the Council in accordance with Article 349 of the Treaty within the time period for which the suspension is temporarily withdrawn by the Commission.
- (10) The measures provided for in this Regulation should ensure continuity after Regulation (EU) No 1412/2013 expires. Therefore, it is appropriate to apply the measures provided for in this Regulation from 1 January 2021 until 31 December 2027,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January 2021 to 31 December 2027, the Common Customs Tariff duties applicable to imports into the Canary Islands of the fishery products listed in the Annex to this Regulation shall be suspended in full for the quantities indicated in that Annex.
2. The suspension referred to in paragraph 1 shall be granted exclusively for products intended for the Canary Islands' domestic market. It shall only apply to fishery products which are unloaded from ship or aircraft before the customs declaration for release into free circulation is submitted to the customs authorities in the Canary Islands.

Article 2

The tariff quotas referred to in Article 1 of this Regulation shall be managed in accordance with Articles 49 to 54 of Commission Implementing Regulation (EU) 2015/2447 ⁽⁴⁾.

Article 3

By 30 June 2026, the competent Spanish authorities shall submit a report to the Commission on the implementation of the measures provided for in Article 1. The Commission shall examine the impact of those measures and, taking into account the findings of the report, shall submit to the Council any relevant proposals for the period after 2027.

Article 4

1. Where the Commission has reasons to believe that the suspensions provided for in this Regulation have led to a deflection of trade for a specific product, it may adopt implementing acts to temporarily withdraw the suspension for a period not longer than 12 months. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 5(2).

⁽³⁾ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

⁽⁴⁾ Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558).

The payment of the import duties for products for which the suspension has been temporarily withdrawn shall be secured by a guarantee, and the release of the products concerned for free circulation in the Canary Islands shall be conditional upon the provision of such guarantee.

2. Within the period referred to in the first subparagraph of paragraph 1, the Council shall adopt a final decision in accordance with Article 349 of the Treaty as to whether to maintain or to definitively withdraw the suspension referred to in paragraph 1. If the suspension is definitively withdrawn, the amounts of duties secured by guarantees shall be collected definitively.

3. If no definitive decision has been adopted within the maximum period of 12 months in accordance with paragraph 2, the security guarantees shall be released.

Article 5

1. The Commission shall be assisted by the Customs Code Committee established by Article 285 of Regulation (EU) No 952/2013 of the European Parliament and of the Council ⁽⁵⁾. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Article 6

The Commission and customs authorities of the Member States shall cooperate closely to ensure the proper management and control of the application of this Regulation.

Article 7

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2021 to 31 December 2027.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 16 November 2020.

For the Council
The President
M. ROTH

⁽⁵⁾ Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

ANNEX

Order No	CN code	Description	Annual amount of quota (tonnes)	Quota duty
09.2997	0303	Fish, frozen, excluding fillets and other fish meat of heading 0304	15 000	0 %
	0304	Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen		0 %
09.2651	0306	Crustaceans, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; smoked crustaceans, whether in shell or not, whether or not cooked before or during the smoking process; crustaceans, in shell, cooked by steaming or by boiling in water, whether or not chilled, frozen, dried, salted or in brine; flours, meals and pellets of crustaceans, fit for human consumption	15 000	0 %
	0307	Molluscs, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; smoked molluscs, whether in shell or not, whether or not cooked before or during the smoking process; flours, meals and pellets of molluscs, fit for human consumption		0 %

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2020/1786

of 27 November 2020

on the conclusion of the Protocol on the implementation of the Agreement on a Sustainable Fisheries Partnership between the European Union and the Republic of Senegal

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43 in conjunction with Article 218(6), second subparagraph, point (a)(v), and Article 218(7) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament ⁽¹⁾,

Whereas:

- (1) In accordance with Council Decision (EU) 2019/1925 ⁽²⁾, the Protocol on the implementation of the Agreement on a Sustainable Fisheries Partnership between the European Union and the Republic of Senegal ('the Protocol') was signed on 18 November 2019.
- (2) The objective of the Protocol is to enable the Union and the Republic of Senegal ('Senegal') to work more closely on promoting a sustainable fisheries policy and sound exploitation of fishery resources in Senegalese waters and to support Senegal's efforts to develop its fisheries sector.
- (3) The Protocol should be approved on behalf of the Union.
- (4) Article 7 of the Agreement establishes a Joint Committee responsible for monitoring the Agreement's implementation. Furthermore, the Joint Committee may adopt certain amendments to the Protocol. In order to facilitate the approval of such amendments, the Commission should be empowered, subject to specific substantive and procedural conditions, to approve them on behalf of the Union under a simplified procedure.
- (5) The Union's position on envisaged amendments to the Protocol should be established by the Council. The proposed amendments should be approved unless a blocking minority of Member States, in accordance with Article 16(4) of the Treaty on European Union, objects to the amendments,

HAS ADOPTED THIS DECISION:

Article 1

The Protocol on the implementation of the Agreement on a Sustainable Fisheries Partnership between the European Union and the Republic of Senegal is hereby approved on behalf of the Union ⁽³⁾.

⁽¹⁾ Consent of 11 November 2020 (not yet published in the Official Journal).

⁽²⁾ Council Decision (EU) 2019/1925 of 14 November 2019 on the signature, on behalf of the Union, and provisional application of the Protocol on the implementation of the Agreement on a Sustainable Fisheries Partnership between the European Union and the Republic of Senegal (OJ L 299, 20.11.2019, p. 11).

⁽³⁾ The text of the Protocol has been published in OJ L 299 of 20 November 2019 together with the decision on its signature.

Article 2

In accordance with the procedure laid down in the Annex to this Decision, the Commission is hereby authorised to approve, on behalf of the Union, amendments to the Protocol adopted by the Joint Committee established under Article 7 of the Agreement.

Article 3

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 17 of the Protocol.

Article 4

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

Done at Brussels, 27 November 2020.

For the Council
The President
M. ROTH

ANNEX

PROCEDURE FOR THE APPROVAL OF AMENDMENTS TO THE PROTOCOL TO BE ADOPTED BY THE JOINT COMMITTEE

Where the Joint Committee is asked to adopt amendments to the Protocol in accordance with Articles 8 and 10 thereof, the Commission shall be authorised to approve the proposed amendments on behalf of the Union, under the following conditions:

- (1) The Commission shall ensure that the approval on behalf of the Union:
 - (a) is in accordance with the objectives of the common fisheries policy;
 - (b) is consistent with the relevant rules adopted by regional fisheries management organisations and takes account of joint management by coastal States;
 - (c) takes account of the latest statistical, biological and other relevant information sent to the Commission.
 - (2) Before the Commission approves proposed amendments on behalf of the Union, the Commission shall submit them to the Council in sufficient time before the relevant Joint Committee meeting.
 - (3) The compliance of the proposed amendments with the criteria laid down in point 1 of this Annex shall be assessed by the Council.
 - (4) Unless a number of Member States equivalent to a blocking minority of the Council in accordance with Article 16(4) of the Treaty on European Union object to the proposed amendments, the Commission shall approve them on behalf of the Union. If there is such a blocking minority, the Commission shall reject the proposed amendments on behalf of the Union.
 - (5) If, in the course of subsequent meetings of the Joint Committee, it is impossible to reach an agreement, including on the spot, the matter shall be referred back to the Council, in accordance with the procedure set out in points 2 to 4, in order for the Union position to take account of new factors.
 - (6) The Commission is invited to take, in due time, any steps necessary to follow up on the decision of the Joint Committee, including, where appropriate, publication of the relevant decision in the *Official Journal of the European Union* and submission of any proposal necessary for the implementation of that decision.
 - (7) As regards other matters which do not concern amendments to the Protocol in accordance with Articles 8 and 10 thereof, the position to be adopted by the Union in the Joint Committee shall be determined in accordance with the Treaties and established working practices.
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DECISIONS

COUNCIL DECISION (EU) 2020/1787

of 23 November 2020

on the position to be taken, on behalf of the European Union, within the ACP-EU Committee of Ambassadors, as regards the amendment of Decision No 3/2019 of the ACP-EU Committee of Ambassadors to adopt transitional measures pursuant to Article 95(4) of the ACP-EU Partnership Agreement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part ⁽¹⁾ ('the ACP-EU Partnership Agreement') was signed in Cotonou on 23 June 2000 and entered into force on 1 April 2003. In accordance with Decision No 3/2019 of the ACP-EU Committee of Ambassadors ⁽²⁾ ('decision on transitional measures'), it is to be applied until 31 December 2020.
- (2) In accordance with the first subparagraph of Article 95(4) of the ACP-EU Partnership Agreement, negotiations towards a new ACP-EU Partnership Agreement (the 'new Agreement') were launched in September 2018. As the new Agreement will not be ready to be applied by 31 December 2020, the date of expiry of the current legal framework, due, amongst other things, to delays caused by the COVID-19 pandemic, it is necessary to amend the decision on transitional measures to further extend the application of the provisions of the ACP-EU Partnership Agreement until 30 November 2021.
- (3) The second subparagraph of Article 95(4) of the ACP-EU Partnership Agreement provides for the ACP-EU Council of Ministers to adopt any transitional measures that may be required until the new Agreement comes into force.
- (4) Pursuant to Article 15(4) of the ACP-EU Partnership Agreement, on 23 May 2019, the ACP-EU Council of Ministers delegated the powers to adopt the transitional measures to the ACP-EU Committee of Ambassadors. ⁽³⁾ Therefore it is for the ACP-EU Committee of Ambassadors to amend the transitional measures pursuant to Article 95(4) of the ACP-EU Partnership Agreement.
- (5) It is appropriate to establish the position to be taken on the Union's behalf within the ACP-EU Committee of Ambassadors, as the envisaged act is binding on the Union.
- (6) The provisions of the ACP-EU Partnership Agreement will continue to be applied with the aim of maintaining continuity in relations between the Union and its Member States, on the one hand, and the ACP States, on the other. Accordingly, the amended transitional measures are not intended as amendments to the ACP-EU Partnership Agreement as provided for in Article 95(3) thereof,

⁽¹⁾ OJ L 317, 15.12.2000, p. 3. The ACP-EU Partnership Agreement was amended by the Agreement signed in Luxembourg on 25 June 2005 (OJ L 209, 11.8.2005, p. 27) and by the Agreement signed in Ouagadougou on 22 June 2010 (OJ L 287, 4.11.2010, p. 3).

⁽²⁾ Decision No 3/2019 of the ACP-EU Committee of Ambassadors of 17 December 2019 to adopt transitional measures pursuant to Article 95(4) of the ACP-EU Partnership Agreement (OJ L 1, 3.1.2020, p. 3).

⁽³⁾ Decision No 1/2019 of the ACP-EU Council of Ministers of 23 May 2019 on the delegation of powers to the ACP-EU Committee of Ambassadors on the decision to adopt transitional measures pursuant to Article 95(4) of the ACP-EU Partnership Agreement (OJ L 146, 5.6.2019, p. 114).

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the ACP-EU Committee of Ambassadors, pursuant to Article 95(4) of the ACP-EU Partnership Agreement, shall be to amend Decision No 3/2019 of the ACP-EU Committee of Ambassadors in order to extend the application of the provisions of the ACP-EU Partnership Agreement until 30 November 2021, or until the entry into force of the new Agreement or the provisional application between the Union and the ACP States of the new Agreement, whichever comes first.

The provisions of the ACP-EU Partnership Agreement shall be applied in line with the purpose and objective of Article 95 (4) thereof.

Article 2

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

Done at Brussels, 23 November 2020.

For the Council
The President
M. ROTH

COUNCIL DECISION (EU) 2020/1788**of 25 November 2020****appointing an alternate member, proposed by the Republic of Austria, of the Committee of the Regions**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal of the Austrian Government,

Whereas:

- (1) On 10 December 2019, 20 January 2020, 3 February 2020 and 26 March 2020 the Council adopted Decisions (EU) 2019/2157 ⁽¹⁾, (EU) 2020/102 ⁽²⁾, (EU) 2020/144 ⁽³⁾ and (EU) 2020/511 ⁽⁴⁾ appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025. On 8 June 2020, the Council adopted Decision (EU) 2020/766 appointing the members and alternate members of the Committee of the Regions for the period from 1 February 2020 to 25 January 2025 ⁽⁵⁾. On 30 July 2020, the Council adopted a further Decision (EU) 2020/1153 appointing members and alternate members of the Committee of the Regions ⁽⁶⁾.
- (2) An alternate member's seat on the Committee of the Regions has become vacant following the end of the term of office of Ms Carmen KIEFER,

HAS ADOPTED THIS DECISION:

Article 1

The following is hereby appointed as alternate member to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025:

— Ms Bernadette SCHÖNY, Member of a Local Assembly: *Municipal Council of the municipality of Kaltenleutgeben.*

Article 2

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

Done at Brussels, 25 November 2020.

For the Council
The President
M. ROTH

⁽¹⁾ Council Decision (EU) 2019/2157 of 10 December 2019 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 327, 17.12.2019, p. 78).

⁽²⁾ Council Decision (EU) 2020/102 of 20 January 2020 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 20, 24.1.2020, p. 2).

⁽³⁾ Council Decision (EU) 2020/144 of 3 February 2020 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 32, 4.2.2020, p. 16).

⁽⁴⁾ Council Decision (EU) 2020/511 of 26 March 2020 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 113, 8.4.2020, p. 18).

⁽⁵⁾ Council Decision (EU) 2020/766 of 8 June 2020 appointing the members and alternate members of the Committee of the Regions for the period from 1 February 2020 to 25 January 2025 (OJ L 187, 12.6.2020, p. 3).

⁽⁶⁾ Council Decision (EU) 2020/1153 of 30 July 2020 appointing members and alternate members of the Committee of the Regions (OJ L 256, 5.8.2020, p. 12).

COUNCIL DECISION (EU) 2020/1789**of 25 November 2020****appointing an alternate member, proposed by the Republic of Estonia, of the Committee of the Regions**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal of the Estonian Government,

Whereas:

- (1) On 10 December 2019, 20 January 2020, 3 February 2020 and 26 March 2020 the Council adopted Decisions (EU) 2019/2157 ⁽¹⁾, (EU) 2020/102 ⁽²⁾, (EU) 2020/144 ⁽³⁾ and (EU) 2020/511 ⁽⁴⁾ appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025. On 8 June 2020, the Council adopted Decision (EU) 2020/766 appointing the members and alternate members of the Committee of the Regions for the period from 1 February 2020 to 25 January 2025 ⁽⁵⁾. On 30 July 2020, the Council adopted a further Decision (EU) 2020/1153 appointing members and alternate members of the Committee of the Regions ⁽⁶⁾.
- (2) An alternate member's seat on the Committee of the Regions has become vacant following the end of the mandate on the basis of which Mr Rait PIHELGA (Representative of a local or regional body with political accountability to an elected Assembly: *Järva Rural Municipality Council*) was proposed,

HAS ADOPTED THIS DECISION:

Article 1

The following is hereby appointed as alternate member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025:

— Mr Rait PIHELGA, Member of a Local Assembly: *Järva Rural Municipality Council* (change of mandate).

Article 2

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

Done at Brussels, 25 November 2020.

For the Council
The President
M. ROTH

⁽¹⁾ Council Decision (EU) 2019/2157 of 10 December 2019 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 327, 17.12.2019, p. 78).

⁽²⁾ Council Decision (EU) 2020/102 of 20 January 2020 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 20, 24.1.2020, p. 2).

⁽³⁾ Council Decision (EU) 2020/144 of 3 February 2020 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 32, 4.2.2020, p. 16).

⁽⁴⁾ Council Decision (EU) 2020/511 of 26 March 2020 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 113, 8.4.2020, p. 18).

⁽⁵⁾ Council Decision (EU) 2020/766 of 8 June 2020 appointing the members and alternate members of the Committee of the Regions for the period from 1 February 2020 to 25 January 2025 (OJ L 187, 12.6.2020, p. 3).

⁽⁶⁾ Council Decision (EU) 2020/1153 of 30 July 2020 appointing members and alternate members of the Committee of the Regions (OJ L 256, 5.8.2020, p. 12).

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