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Contents

I *Legislative acts*

REGULATIONS

- ★ **Regulation (EU) 2020/2131 of the European Parliament and of the Council of 16 December 2020 on the elimination of customs duties on certain goods** 1

II *Non-legislative acts*

REGULATIONS

- ★ **Council Regulation (EU) 2020/2132 of 17 December 2020 amending Regulation (EU) 2020/123 as regards fishing opportunities for Norway pout in 2020** 5
- ★ **Council Implementing Regulation (EU) 2020/2133 of 17 December 2020 implementing Article 9 of Regulation (EC) No 1183/2005 imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo** 8

DECISIONS

- ★ **Council Decision (EU) 2020/2134 of 10 December 2020 on the position to be adopted, on behalf of the European Union, within the Joint Committee established under the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons as regards the amendment to Annex II to that Agreement on the coordination of social security schemes ⁽¹⁾** 10
- ★ **Council Decision (EU) 2020/2135 of 10 December 2020 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee, concerning the amendment to Annex VI (Social Security) to the EEA Agreement ⁽¹⁾** 12

⁽¹⁾ Text with EEA relevance.

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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.

The titles of all other acts are printed in bold type and preceded by an asterisk.

★ Council Decision (EU) 2020/2136 of 14 December 2020 adopting the Council's position on the second draft general budget of the European Union for the financial year 2021	14
★ Council Decision (EU) 2020/2137 of 15 December 2020 on the position to be taken on behalf of the European Union within the CARIFORUM-EU Trade and Development Committee established by the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part, as regards the establishment of a Special Committee on Services	15
★ Council Decision (EU) 2020/2138 of 15 December 2020 on the position to be taken on behalf of the European Union within the Joint Committee established by the Common Aviation Area Agreement between the European Union and its Member States, of the one part, and Georgia, of the other part, with regard to the adoption of the rules of procedure of the Joint Committee	17
★ Council Decision (EU) 2020/2139 of 15 December 2020 on the position to be taken on behalf of the European Union within the Joint Committee established by the Euro-Mediterranean Aviation Agreement between the European Union and its Member States, of the one part, and the Hashemite Kingdom of Jordan of the other part, with regard to the adoption of the rules of procedure of the Joint Committee	19
★ Council Decision (EU) 2020/2140 of 15 December 2020 on the position to be taken on behalf of the European Union within the Joint Committee established by the Euro-Mediterranean Aviation Agreement between the European Union and its Member States, of the one part, and the government of the State of Israel, of the other part, with regard to the adoption of the rules of procedure of the Joint Committee	21
★ Council Decision (EU) 2020/2141 of 15 December 2020 on the position to be taken on behalf of the European Union within the Joint Committee established by the Common Aviation Area Agreement between the European Union and its Member States and the Republic of Moldova, with regard to the adoption of the rules of procedure of the Joint Committee	23
★ Council Decision (CFSP) 2020/2142 of 17 December 2020 amending Decision (CFSP) 2018/1789 in support of combating the illicit trade in and proliferation of small arms and light weapons in the Member States of the League of Arab States	25
★ Council Decision (CFSP) 2020/2143 of 17 December 2020 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine	26
★ Council Implementing Decision (CFSP) 2020/2144 of 17 December 2020 implementing Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo	27

I

(Legislative acts)

REGULATIONS

REGULATION (EU) 2020/2131 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 16 December 2020
on the elimination of customs duties on certain goods

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(2) thereof,

Having regard to the proposal from the European Commission,

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

Acting in accordance with the ordinary legislative procedure ⁽¹⁾,

Whereas:

- (1) The Union and the United States of America (the 'United States') have the largest and deepest bilateral trade and investment relationship in the world and have highly integrated economies. The two-way trade in goods and services between them is worth over EUR 1 trillion per year, which is approximately EUR 3 000 million per day. That close trade and investment relationship is beneficial for consumers, workers, businesses and investors.
- (2) The Union is committed to improving its trade and investment relationship with the United States. This includes finding new ways to improve the bilateral trade relationship, to address trade irritants and to resolve ongoing trade disputes. To avoid further disruption of that trade relationship, the customs duties applied by the Union to imports should be eliminated for a limited number of goods for a period of five years on an *erga omnes* basis.
- (3) The elimination of customs duties should be subject to the effective implementation by the United States of its announced reduction of customs duties on a selected number of goods and to the abstention by the United States from the introduction of new measures that would undermine the objectives pursued by the Joint Statement of the United States and the European Union on a Tariff Agreement of 21 August 2020 (the 'Joint Statement') ⁽²⁾.
- (4) The elimination of customs duties should apply from the same date as the effective implementation of the announcement of the United States regarding the reduction of its customs duties on a selected number of goods, namely from 1 August 2020.

⁽¹⁾ Position of the European Parliament of 26 November 2020 (not yet published in the Official Journal) and decision of the Council of 9 December 2020.

⁽²⁾ See document ST 12652/20 on <http://register.consilium.europa.eu>

- (5) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission to temporarily suspend the application of this Regulation if the conditions set out in this Regulation are not complied with. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council ⁽³⁾.
- (6) In view of the urgency of avoiding further disruption of the trade relationship between the Union and the United States, this Regulation should enter into force immediately after its publication. For the same reason, it is also considered to be appropriate to provide for an exception to the eight-week period referred to in Article 4 of Protocol No 1 on the role of national Parliaments in the European Union, annexed to the Treaty on European Union, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community,

HAVE ADOPTED THIS REGULATION:

Article 1

Elimination of customs duties

The applicable import customs duties of the Common Customs Tariff shall be 0 % (free of duty) for the goods classified in the tariff lines listed in Section I of the Annex on an *erga omnes* basis.

Article 2

Conditions for the elimination of customs duties

The elimination of the customs duties for the goods classified in the tariff lines listed in Section I of the Annex shall be subject to the following conditions:

- (a) the reduction of customs duties by the United States on an *erga omnes* basis for the goods classified in the tariff lines listed in Section II of the Annex; and
- (b) the abstention by the United States from the introduction of new measures against the Union that undermine the objectives pursued by the Joint Statement.

Article 3

Temporary suspension

If the United States does not comply with the conditions set out in Article 2, or if there is sufficient evidence of a future failure of the United States to comply with those conditions, the Commission may adopt an implementing act suspending the elimination of customs duties referred to in Article 1 until the conditions set out in Article 2 are complied with. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 4(2).

Article 4

Committee procedure

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 ⁽⁴⁾. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

⁽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⁾ 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).

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

Article 5

Entry into force and application

1. This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.
2. This Regulation shall apply from 1 August 2020 to 31 July 2025.
3. The Commission shall publish a notice of suspension in the *Official Journal of the European Union* in the event that the application of this Regulation is suspended pursuant to Article 3 or in the event that this Regulation ceases to apply before 31 July 2025.
4. At the request of the economic operators concerned, the national customs authorities of the Member States concerned shall reimburse any duties paid in excess of those applicable in accordance with this Regulation for imports from the United States between 1 August 2020 and 18 December 2020.

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

Done at Brussels, 16 December 2020.

For the European Parliament

The President

D. M. SASSOLI

For the Council

The President

M. ROTH

ANNEX

Section I (European Union Combined Nomenclature)

CN Code	Description
0306 11 90	Frozen rock lobster and other sea crawfish ' <i>Palinurus Spp.</i> , <i>Panulirus Spp.</i> and <i>Jasus Spp.</i> ', even smoked, whether in shell or not, incl. ones in shell, cooked by steaming or by boiling in water (excl. crawfish tails)
0306 12 10	Frozen lobsters ' <i>Homarus Spp.</i> ', whole, even smoked or cooked by steaming or by boiling in water
0306 12 90	Frozen lobsters ' <i>Homarus Spp.</i> ', even smoked, whether in shell or not, incl. lobsters in shell, cooked by steaming or by boiling in water (excl. whole)
0306 32 10	Live lobsters ' <i>Homarus Spp.</i> '

Section II (United States Customs Tariff)

Tariff Code	Description	Existing MFN Tariff	New MFN Tariff Rate
1604 20 05	Products containing meat of crustaceans, molluscs or other aquatic invertebrates, prepared meals	10 %	5 %
7013 41 50	Glassware for table or kitchen purposes (other than drinking glasses), of lead crystal, valued over 5\$ each	6 %	3 %
3214 90 50	Nonrefractory surfacing preparations for facades, indoor walls, floors, ceilings or the like, not based on rubber	6,5 %	3,25 %
3601 00 00	Propellant powders	6,5 %	3,25 %
9613 10 00	Cigarette lighters and similar lighters, gas fueled, not refillable, for the pocket	8 %	4 %
9613 90 80	Parts for nonelectrical cigarette lighters and similar lighters	8 %	4 %

II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) 2020/2132

of 17 December 2020

amending Regulation (EU) 2020/123 as regards fishing opportunities for Norway pout in 2020

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Council Regulation (EU) 2020/123 ⁽¹⁾ fixes for 2020 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. It fixed fishing opportunities until 31 October 2020 for Norway pout and associated by-catches in the waters of the International Council for the Exploration of the Sea (ICES) division 3a and Union waters of ICES division 2a and ICES subarea 4.
- (2) Council Regulation (EU) 2020/1579 ⁽²⁾ amended Regulation (EU) 2020/123 to set preliminary fishing opportunities covering the period from 1 November 2020 to 31 December 2020 for Norway pout and associated by-catches in the waters of ICES division 3a and Union waters of ICES division 2a and ICES subarea 4 ('preliminary fishing opportunities').
- (3) As the preliminary fishing opportunities cover only two months of the fishing year, which runs from 1 November to 31 October, they were set far below the annual catch advice provided by ICES.
- (4) The fishing season for Norway pout usually extends from September to January with a peak from October to December. The most recent catch data submitted to the Commission indicates that over 21 000 tonnes of Norway pout were caught in October 2020. Extrapolating those numbers according to the historical catch patterns of the Norway pout fishery indicates that the preliminary fishing opportunities are very likely soon to be exhausted and therefore not to be sufficient to cover the fishing activity up to the end of the year. In order to avoid the interruption of fishing activities for this stock before the end of 2020, it is therefore appropriate to adjust the preliminary fishing opportunities according to the most recent estimates, while staying fully in line with the ICES advice.
- (5) Regulation (EU) 2020/123 should therefore be amended accordingly.
- (6) The adjusted preliminary fishing opportunities should apply from 1 November. Such retroactive application does not affect the principles of legal certainty and protection of legitimate expectations as the fishing opportunities concerned are increased.

⁽¹⁾ Council Regulation (EU) 2020/123 of 27 January 2020 fixing for 2020 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 25, 30.1.2020, p. 1).

⁽²⁾ Council Regulation (EU) 2020/1579 of 29 October 2020 fixing for 2021 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea and amending Regulation (EU) 2020/123 as regards certain fishing opportunities in other waters (OJ L 362, 30.10.2020, p. 3).

- (7) As the preliminary fishing opportunities cover the period from 1 November to 31 December 2020, this Regulation should enter into force immediately after its publication.
- (8) The United Kingdom was consulted in accordance with Article 130(1) of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community ⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment to Regulation (EU) 2020/123

Regulation (EU) 2020/123 is amended in accordance with the Annex to this Regulation.

Article 2

Entry into force and period of application

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

It shall apply from 1 November 2020 to 31 December 2020.

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

Done at Brussels, 17 December 2020.

For the Council
The President
S. SCHULZE

⁽³⁾ OJ L 29, 31.1.2020, p. 7.

ANNEX

In Annex IA to Regulation (EU) 2020/123, the Fishing opportunities table for Norway pout and associated by-catches in ICES division 3a and Union waters of ICES division 2a and ICES subarea 4 is replaced by the following:

'Species:	Norway pout and associated by-catches <i>Trisopterus esmarkii</i>	Zone:	3a; Union waters of 2a and 4 (NOP/2A3A4.)
Period	1 November 2019 – 31 October 2020	1 November 2020 – 31 December 2020	Analytical TAC
Denmark	72 433 (*) (***)	49 953 (*) (*****)	Article 3 of Regulation (EC) No 847/96 shall not apply
Germany	14 (*) (**) (***)	10 (*) (**) (*****)	Article 4 of Regulation (EC) No 847/96 shall not apply
The Netherlands	53 (*) (**) (***)	37 (*) (**) (*****)	
Union	72 500 (*) (***)	50 000 (*) (*****)	
Norway	14 500 (****)	pm	
Faroe Islands	5 000 (*****)	pm	
TAC	Not relevant	Not relevant	

(*) Up to 5 % of the quota may consist of by-catches of haddock and whiting (OT2/*2A3A4). By-catches of haddock and whiting counted against the quota pursuant to this provision and by-catches of species counted against the quota pursuant to Article 15(8) of Regulation (EU) No 1380/2013 shall, together, not exceed 9 % of the quota.

(**) Quota may be fished in Union waters of ICES zones 2a, 3a and 4 only.

(***) Union quota may only be fished from 1 November 2019 to 31 October 2020.

(****) A sorting grid shall be used.

(*****) A sorting grid shall be used. Includes a maximum of 15 % of unavoidable by-catches (NOP/*2A3A4), to be counted against this quota.

(*****') Union quota may be fished from 1 November 2020 to 31 December 2020.'

COUNCIL IMPLEMENTING REGULATION (EU) 2020/2133**of 17 December 2020****implementing Article 9 of Regulation (EC) No 1183/2005 imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1183/2005 of 18 July 2005 imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo ⁽¹⁾, and in particular Article 9(5) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 18 July 2005, the Council adopted Regulation (EC) No 1183/2005.
- (2) On 2 November 2020, the United Nations Security Council Committee established pursuant to United Nations Security Council Resolution 1533 (2004) updated the information relating to one person subject to restrictive measures.
- (3) Annex I to Regulation (EC) No 1183/2005 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1183/2005 is hereby amended as set out in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 17 December 2020.

For the Council
The President
S. SCHULZE

⁽¹⁾ OJ L 193, 23.7.2005, p. 1.

ANNEX

In Annex I to Regulation (EC) No 1183/2005, Part (a) (List of persons referred to in Articles 2 and 2a), entry 7 is replaced by the following:

‘7. Thomas LUBANGA

Place of birth: Ituri, Democratic Republic of the Congo.

Nationality: Democratic Republic of the Congo.

Address: Democratic Republic of the Congo.

Date of UN designation: 1 November 2005.

Other information: Arrested in Kinshasa in March 2005 for UPC/L involvement in human rights abuses violations. Transferred to the ICC on 17 March 2006. Convicted by the ICC in March 2012 and sentenced to 14 years in prison. On 1 December 2014, ICC appeals judges upheld Lubanga's conviction and sentence. Transferred to a prison facility in the DRC on 19 December 2015 to serve out his sentence of imprisonment. He was released on 15 March 2020 after having served his ICC sentence. INTERPOL-UN Security Council Special Notice web link: <https://www.interpol.int/en/How-we-work/Notices/View-UN-Notices-Individuals>

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Thomas Lubanga was the President of the UPC/L, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in the trafficking of arms, in violation of the arms embargo. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children in Ituri from 2002 to 2003. He was arrested in Kinshasa in March 2005 for UPC/L involvement in human rights abuses violations and transferred to the ICC by the DRC authorities on 17 March 2006. He was convicted by the ICC in March 2012 and sentenced to 14 years in prison. On 1 December 2014, ICC appeals judges upheld the conviction and sentence. He was transferred to a prison facility in the DRC on 19 December 2015 to serve out his sentence of imprisonment.’

DECISIONS

COUNCIL DECISION (EU) 2020/2134

of 10 December 2020

on the position to be adopted, on behalf of the European Union, within the Joint Committee established under the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons as regards the amendment to Annex II to that Agreement on the coordination of social security schemes

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 48, in conjunction with Article 218(9) thereof,

Having regard to Decision 2002/309/EC, Euratom of the Council, and of the Commission as regards the Agreement on Scientific and Technological Cooperation, of 4 April 2002 on the conclusion of seven Agreements with the Swiss Confederation ⁽¹⁾, and in particular Article 2 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons ⁽²⁾ ('the Agreement') entered into force on 1 June 2002.
- (2) Pursuant to Article 18 of the Agreement, the Joint Committee may decide to amend Annex II to the Agreement.
- (3) The Agreement ceases to apply to the United Kingdom of Great Britain and Northern Ireland ('United Kingdom') as a consequence of the United Kingdom's withdrawal from the European Union.
- (4) Pursuant to Article 23 of the Agreement, rights acquired by private individuals are not to be affected in the event of termination of the Agreement and the Contracting Parties are to settle by mutual agreement what action is to be taken in respect of rights in the process of being acquired.
- (5) It is therefore necessary to provide reciprocal protection of social security rights for United Kingdom nationals, as well as their family members and survivors, who, by the end of the transition period, as defined in Article 126 of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community ⁽³⁾, are or have been in a cross-border situation involving one or more of the Contracting Parties to the Agreement and the United Kingdom at the same time, by amending Annex II to the Agreement.
- (6) The position of the Union within the Joint Committee should therefore be based on the draft decision of the Joint Committee,

⁽¹⁾ OJ L 114, 30.4.2002, p. 1.

⁽²⁾ OJ L 114, 30.4.2002, p. 6.

⁽³⁾ OJ L 29, 31.1.2020, p. 7.

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the European Union, within the Joint Committee as regards the proposed amendment to Annex II to the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons, on the coordination of social security schemes, shall be based on the draft decision of the Joint Committee ⁽⁴⁾.

Article 2

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

Done at Brussels, 10 December 2020.

For the Council

The President

M. ROTH

⁽⁴⁾ See document ST 12965/20 at <http://register.consilium.europa.eu>

COUNCIL DECISION (EU) 2020/2135**of 10 December 2020****on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee,
concerning the amendment to Annex VI (Social Security) to the EEA Agreement****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 48, in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend Annex VI to the EEA Agreement, which contains provisions on social security.
- (3) Article 33 of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community ⁽³⁾ ('Withdrawal Agreement') states that the provisions of Title III of Part Two of the Withdrawal Agreement shall apply to nationals of Iceland, the Principality of Liechtenstein, the Kingdom of Norway and the Swiss Confederation provided that those countries have concluded and apply corresponding agreements with the United Kingdom which apply to Union citizens, as well as with the Union which apply to the United Kingdom nationals.
- (4) Article 32 of the Agreement on arrangements between Iceland, the Principality of Liechtenstein, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland following the withdrawal of the United Kingdom from the European Union, the EEA Agreement and other agreements applicable between the United Kingdom and the EEA EFTA States by virtue of the United Kingdom's membership of the European Union ('Separation Agreement') states that the provisions of Title III of Part Two of the Separation Agreement shall apply to Union citizens, provided that the Union has concluded and applies corresponding agreements with the United Kingdom which apply to EEA EFTA nationals, as well as with the EEA EFTA States which apply to United Kingdom nationals.
- (5) It is therefore necessary to provide reciprocal protection of social security rights for United Kingdom nationals, stateless persons and refugees, as well as their family members and survivors who, by the end of the transition period, as defined in Article 126 of the Withdrawal Agreement, are or have been in a cross-border situation involving one or more of the Contracting Parties to the EEA Agreement and the United Kingdom at the same time.
- (6) The position of the Union in the EEA Joint Committee should therefore be based on the draft decision of the EEA Joint Committee,

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ OJ L 29, 31.1.2020, p. 7.

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted on behalf of the Union within the EEA Joint Committee on the proposed amendment to Annex VI (Social Security) to the EEA Agreement shall be based on the draft decision of the EEA Joint Committee ⁽⁴⁾.

Article 2

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

Done at Brussels, 10 December 2020.

For the Council
The President
M. ROTH

⁽⁴⁾ See document ST12969/20 at <http://register.consilium.europa.eu>

COUNCIL DECISION (EU) 2020/2136**of 14 December 2020****adopting the Council's position on the second draft general budget of the European Union for the financial year 2021**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 314(3) thereof, in conjunction with the Treaty establishing the European Atomic Energy Community and in particular Article 106a thereof,

Whereas:

- (1) On 10 December 2020, the Commission submitted a proposal containing the second draft general budget of the European Union for the financial year 2021 ⁽¹⁾.
- (2) The Council examined the Commission proposal with a view to defining a position consistent, on the revenue side, with Council Decision 2014/335/EU, Euratom of 26 May 2014 on the system of own resources of the European Union ⁽²⁾, and, on the expenditure side, with the contents of the agreement in principle reached on 10 November 2020 on the multiannual financial framework 2021-2027.
- (3) Given the need to adopt a Council position on the second draft general budget of the European Union for the financial year 2021 as soon as possible with a view to a budget being definitively adopted before the beginning of the financial year 2021, thus ensuring the continuity of the Union's action, it is justified to shorten, in accordance with Article 3(3) of the Council's Rules of Procedure, the eight-week period for the information of National Parliaments laid down in Article 4 of Protocol No 1,

HAS DECIDED AS FOLLOWS:

Sole Article

The Council's position on the second draft general budget of the European Union for the financial year 2021 was adopted by the Council on 14 December 2020.

The full text can be accessed for consultation or downloading on the Council's website: <http://www.consilium.europa.eu/>

Done at Brussels, 14 December 2020.

For the Council

The President

M. ROTH

⁽¹⁾ COM(2020) 839 final.

⁽²⁾ OJ L 168, 7.6.2014, p. 39.

COUNCIL DECISION (EU) 2020/2137**of 15 December 2020**

on the position to be taken on behalf of the European Union within the CARIFORUM-EU Trade and Development Committee established by the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part, as regards the establishment of a Special Committee on Services

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part ⁽¹⁾ ('the Agreement'), was signed on 15 October 2008 and has been provisionally applied since 29 December 2008.
- (2) Pursuant to Article 230(4) of the Agreement, the CARIFORUM-EU Trade and Development Committee may set up and oversee any special committee to deal with matters falling within its competence.
- (3) In order to deal more efficiently with all matters of the Agreement that relate to trade in services, the CARIFORUM-EU Trade and Development Committee intends to adopt a decision establishing a Special Committee on Services.
- (4) It is appropriate to establish the position to be taken on the Union's behalf within the CARIFORUM-EU Trade and Development Committee as the decision establishing a Special Committee on Services will have legal effects in the Union.
- (5) The position of the Union within the CARIFORUM-EU Trade and Development Committee as regards the establishment of a Special Committee on Services should therefore be based on draft Decision of the CARIFORUM-EU Trade and Development Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be taken on the Union's behalf within the CARIFORUM-EU Trade and Development Committee established by the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part, as regards the establishment of a Special Committee on Services shall be based on the draft Decision of the CARIFORUM-EU Trade and Development Committee ⁽²⁾.

2. Minor changes to the draft Decision of the CARIFORUM-EU Trade and Development Committee may be agreed to by the representatives of the Union in the CARIFORUM-EU Trade and Development Committee without further decision of the Council.

Article 2

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

⁽¹⁾ OJ L 289, 30.10.2008, p. 3.

⁽²⁾ See document ST 13287/20 on <http://register.consilium.europa.eu>

Done at Brussels, 15 December 2020.

For the Council
The President
J. KLOECKNER

COUNCIL DECISION (EU) 2020/2138**of 15 December 2020**

on the position to be taken on behalf of the European Union within the Joint Committee established by the Common Aviation Area Agreement between the European Union and its Member States, of the one part, and Georgia, of the other part, with regard to the adoption of the rules of procedure of the Joint Committee

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2) in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Common Aviation Area Agreement between the European Union and its Member States, of the one part, and Georgia, of the other part ⁽¹⁾ ('the Agreement') was concluded by the Union by means of Council Decision (EU) 2020/948 ⁽²⁾ and entered into force on 2 August 2020.
- (2) Article 22 of the Agreement establishes a Joint Committee composed of representatives of the Parties ('the Joint Committee') to ensure the administration and proper implementation of the Agreement.
- (3) Article 22(3) of the Agreement provides that the Joint Committee is to adopt its rules of procedure.
- (4) In order to ensure the proper implementation of the Agreement, the Joint Committee's rules of procedure should be adopted.
- (5) It is appropriate to establish the position to be taken on the Union's behalf in the first meeting of the Joint Committee, since the decision of the Joint Committee adopting its rules of procedure will have legal effects on the Union. The position of the Union within the Joint Committee should be based on the draft Joint Committee Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be taken on behalf of the Union in the first meeting of the Joint Committee set up by Article 22 of the Common Aviation Area Agreement between the European Union and its Member States, of the one part, and Georgia, of the other part, with regard to the adoption of the rules of procedure of the Joint Committee, shall be based on the draft Decision of the Joint Committee ⁽³⁾.

2. Minor changes to the draft Decision of the Joint Committee may be agreed to by the representatives of the Union within the Joint Committee without a further decision of the Council.

Article 2

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

⁽¹⁾ OJ L 321, 20.11.2012, p. 3.

⁽²⁾ Council Decision (EU) 2020/948 of 26 June 2020 on the conclusion, on behalf of the Union, of the Common Aviation Area Agreement between the European Union and its Member States, of the one part, and Georgia, of the other part (OJ L 212, 3.7.2020, p. 3).

⁽³⁾ See document ST13385/20 at <http://register.consilium.europa.eu>

Done at Brussels, 15 December 2020.

For the Council
The President
J. KLOECKNER

COUNCIL DECISION (EU) 2020/2139**of 15 December 2020**

on the position to be taken on behalf of the European Union within the Joint Committee established by the Euro-Mediterranean Aviation Agreement between the European Union and its Member States, of the one part, and the Hashemite Kingdom of Jordan of the other part, with regard to the adoption of the rules of procedure of the Joint Committee

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2) in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Euro-Mediterranean Aviation Agreement between the European Union and its Member States, of the one part, and the Hashemite Kingdom of Jordan of the other part ⁽¹⁾ ('the Agreement') was concluded by the Union by means of Council Decision (EU) 2020/953 ⁽²⁾ and entered into force on 2 August 2020.
- (2) Article 21 of the Agreement establishes a committee, composed of representatives of the Contracting Parties ('the Joint Committee'), to ensure the administration and proper implementation of the Agreement.
- (3) Article 21(3) of the Agreement provides that the Joint Committee is to adopt its rules of procedure.
- (4) In order to ensure the proper implementation of the Agreement, the Joint Committee's rules of procedure should be adopted.
- (5) It is appropriate to establish the position to be taken on the Union's behalf in the first meeting of the Joint Committee, since the decision of the Joint Committee adopting its rules of procedure will have legal effects on the Union. The position of the Union within the Joint Committee should be based on the draft Joint Committee Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be taken on behalf of the Union in the first meeting of the Joint Committee set up by Article 21 of the Euro-Mediterranean Aviation Agreement between the European Union and its Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, with regard to the adoption of the rules of procedure of the Joint Committee, shall be based on the draft Decision of the Joint Committee ⁽³⁾.

2. Minor changes to the draft Decision of the Joint Committee may be agreed to by the representatives of the Union within the Joint Committee without a further decision of the Council.

Article 2

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

⁽¹⁾ OJ L 334, 6.12.2012, p. 3.

⁽²⁾ Council Decision (EU) 2020/953 of 26 June 2020 on the conclusion, on behalf of the Union, of the Euro-Mediterranean Aviation Agreement between the European Union and its Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part (OJ L 212, 3.7.2020, p. 12).

⁽³⁾ See document ST 13481/20 at <http://register.consilium.europa.eu>

Done at Brussels, 15 December 2020.

For the Council
The President
J. KLOECKNER

COUNCIL DECISION (EU) 2020/2140**of 15 December 2020**

on the position to be taken on behalf of the European Union within the Joint Committee established by the Euro-Mediterranean Aviation Agreement between the European Union and its Member States, of the one part, and the government of the State of Israel, of the other part, with regard to the adoption of the rules of procedure of the Joint Committee

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2) in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Euro-Mediterranean Aviation Agreement between the European Union and its Member States, of the one part and the government of the State of Israel, of the other part ⁽¹⁾ ('the Agreement') was concluded by the Union by means of Council Decision (EU) 2020/952 ⁽²⁾ and entered into force on 2 August 2020.
- (2) Article 22 of the Agreement establishes a committee composed of representatives of the Contracting Parties ('the Joint Committee') to ensure the administration and proper implementation of the Agreement.
- (3) Article 22(3) of the Agreement provides that the Joint Committee is to adopt its rules of procedure.
- (4) In order to ensure the proper implementation of the Agreement, the Joint Committee's rules of procedure should be adopted.
- (5) It is appropriate to establish the position to be taken on the Union's behalf in the first meeting of the Joint Committee, since the decision of the Joint Committee adopting its rules of procedure will have legal effects on the Union. The position of the Union within the Joint Committee should be based on the draft Joint Committee Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be taken on behalf of the Union in the first meeting of the Joint Committee set up by Article 22 of the Euro-Mediterranean Aviation Agreement between the European Union and its Member States, of the one part, and the government of the State of Israel, of the other part, with regard to the adoption of the rules of procedure of the Joint Committee, shall be based on the draft Decision of the Joint Committee ⁽³⁾.
2. Minor changes to the draft Decision of the Joint Committee may be agreed to by the representatives of the Union within the Joint Committee without a further decision of the Council.

Article 2

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

⁽¹⁾ OJ L 208, 2.8.2013, p. 3.

⁽²⁾ Council Decision (EU) 2020/952 of 26 June 2020 on the conclusion, on behalf of the Union, of the Euro-Mediterranean Aviation Agreement between the European Union and its Member States, of the one part and the government of the State of Israel, of the other part (OJ L 212, 3.7.2020, p. 10).

⁽³⁾ See document ST 13483/20 at <http://register.consilium.europa.eu>

Done at Brussels, 15 December 2020.

For the Council
The President
J. KLOECKNER

COUNCIL DECISION (EU) 2020/2141**of 15 December 2020**

on the position to be taken on behalf of the European Union within the Joint Committee established by the Common Aviation Area Agreement between the European Union and its Member States and the Republic of Moldova, with regard to the adoption of the rules of procedure of the Joint Committee

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2) in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Common Aviation Area Agreement between the European Union and its Member States and the Republic of Moldova ⁽¹⁾ ('the Agreement') was concluded by the Union by means of Council Decision (EU) 2020/951 ⁽²⁾ and entered into force on 2 August 2020.
- (2) Article 22 of the Agreement establishes a Joint Committee composed of representatives of the Parties ('the Joint Committee') to ensure the administration and proper implementation of the Agreement.
- (3) Article 22(3) of the Agreement provides that the Joint Committee is to adopt its rules of procedure.
- (4) In order to ensure the proper implementation of the Agreement, the Joint Committee's rules of procedure should be adopted.
- (5) It is appropriate to establish the position to be taken on the Union's behalf in the first meeting of the Joint Committee, since the decision of the Joint Committee adopting its rules of procedure will have legal effects on the Union. The position of the Union within the Joint Committee should be based on the draft Joint Committee Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be taken on behalf of the Union in the first meeting of the Joint Committee set up by Article 22 of the Common Aviation Area Agreement between the European Union and its Member States and the Republic of Moldova, with regard to the adoption of the rules of procedure of the Joint Committee, shall be based on the draft Decision of the Joint Committee ⁽³⁾.

2. Minor changes to the draft Decision of the Joint Committee may be agreed to by the representatives of the Union within the Joint Committee without a further decision of the Council.

Article 2

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

⁽¹⁾ OJ L 292, 20.10.2012, p. 3.

⁽²⁾ Council Decision (EU) 2020/951 of 26 June 2020 on the conclusion, on behalf of the Union, of the Common Aviation Area Agreement between the European Union and its Member States and the Republic of Moldova (OJ L 212, 3.7.2020, p. 8).

⁽³⁾ See document ST 13515/20 at <http://register.consilium.europa.eu>

Done at Brussels, 15 December 2020.

For the Council
The President
J. KLOECKNER

**COUNCIL DECISION (CFSP) 2020/2142
of 17 December 2020**

**amending Decision (CFSP) 2018/1789 in support of combating the illicit trade in and proliferation of
small arms and light weapons in the Member States of the League of Arab States**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28(1) and 31(1) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 19 November 2018, the Council adopted Decision (CFSP) 2018/1789 ⁽¹⁾ in support of combating the illicit trade in and proliferation of small arms and light weapons in the Member States of the League of Arab States.
- (2) Article 5(2) of Decision (CFSP) 2018/1789 provides that that Decision is to expire 24 months after the date of conclusion of the agreement referred to in Article 3(3) of that Decision.
- (3) On 30 October 2020, the Small Arms Survey (SAS), which is the implementing Agency of the project referred to in Article 1 of Decision (CFSP) 2018/1789, requested the authorisation of the Union to extend the implementation period set out in that Decision by six months, thereby bringing the total duration of the implementation period to 30 months. The requested extension is due to the COVID-19 pandemic and the subsequent postponement of a number of activities provided for by the project.
- (4) The requested amendment of Decision (CFSP) 2018/1789 concerns Article 5(2) thereof.
- (5) The extension of the implementation period set out in Decision (CFSP) 2018/1789 by six months can be performed without any financial resource implication,

HAS ADOPTED THIS DECISION:

Article 1

Article 5(2) of Decision (CFSP) 2018/1789 is hereby replaced by the following:

‘2. This Decision shall expire 30 months after the date of the conclusion of the agreement referred to in Article 3(3).’.

Article 2

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

Done at Brussels, 17 December 2020.

For the Council
The President
S. SCHULZE

⁽¹⁾ Council Decision (CFSP) 2018/1789 of 19 November 2018 in support of combating the illicit trade in and proliferation of small arms and light weapons in the Member States of the League of Arab States (OJ L 293, 20.11.2018, p. 24).

COUNCIL DECISION (CFSP) 2020/2143**of 17 December 2020****amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 31 July 2014, the Council adopted Decision 2014/512/CFSP ⁽¹⁾.
- (2) On 19 March 2015, the European Council agreed that the necessary measures would be taken to clearly link the duration of the restrictive measures to the complete implementation of the Minsk agreements, bearing in mind that the complete implementation was foreseen for 31 December 2015.
- (3) On 29 June 2020, the Council adopted Decision (CFSP) 2020/907 ⁽²⁾, renewing Decision 2014/512/CFSP until 31 January 2021 in order to enable it to further assess the implementation of the Minsk agreements.
- (4) Having assessed the implementation of the Minsk agreements, the Council considers that Decision 2014/512/CFSP should be renewed for a further six months in order to enable the Council to further assess their implementation.
- (5) Decision 2014/512/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The first subparagraph of Article 9(1) of Decision 2014/512/CFSP is replaced by the following:

‘1. This Decision shall apply until 31 July 2021.’.

Article 2

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

Done at Brussels, 17 December 2020.

For the Council
The President
S. SCHULZE

⁽¹⁾ Council Decision 2014/512/CFSP of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 229, 31.7.2014, p. 13).

⁽²⁾ Council Decision (CFSP) 2020/907 of 29 June 2020 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 207, 30.6.2020, p. 37).

COUNCIL IMPLEMENTING DECISION (CFSP) 2020/2144**of 17 December 2020****implementing Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 31(2) thereof,

Having regard to Council Decision 2010/788/CFSP of 20 December 2010 concerning restrictive measures against the Democratic Republic of the Congo and repealing Common Position 2008/369/CFSP ⁽¹⁾, and in particular Article 6 thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 20 December 2010, the Council adopted Decision 2010/788/CFSP.
- (2) On 2 November 2020, the United Nations Security Council Committee established pursuant to United Nations Security Council Resolution 1533 (2004) updated the information relating to one person subject to restrictive measures.
- (3) Annex I to Decision 2010/788/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Decision 2010/788/CFSP is hereby amended as set out in the Annex to this Decision.

Article 2

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Done at Brussels, 17 December 2020.

For the Council
The President
S. SCHULZE

⁽¹⁾ OJ L 336, 21.12.2010, p. 30.

ANNEX

In Annex I to Decision 2010/788/CFSP, Part (a) (List of persons referred to in Article 3(1)), entry 7 is replaced by the following:

‘7. Thomas LUBANGA

Place of birth: Ituri, Democratic Republic of the Congo.

Nationality: Democratic Republic of the Congo.

Address: Democratic Republic of the Congo.

Date of UN Designation: 1 November 2005.

Other information: Arrested in Kinshasa in March 2005 for UPC/L involvement in human rights abuses violations. Transferred to the ICC on 17 March 2006. Convicted by the ICC in March 2012 and sentenced to 14 years in prison. On 1 December 2014, ICC appeals judges upheld Lubanga’s conviction and sentence. Transferred to a prison facility in the DRC on 19 December 2015 to serve out his sentence of imprisonment. He was released on 15 March 2020 after having served his ICC sentence. INTERPOL-UN Security Council Special Notice web link: <https://www.interpol.int/en/How-we-work/Notices/View-UN-Notices-Individuals>

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Thomas Lubanga was the President of the UPC/L, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in the trafficking of arms, in violation of the arms embargo. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children in Ituri from 2002 to 2003. He was arrested in Kinshasa in March 2005 for UPC/L involvement in human rights abuses violations and transferred to the ICC by the DRC authorities on 17 March 2006. He was convicted by the ICC in March 2012 and sentenced to 14 years in prison. On 1 December 2014, ICC appeals judges upheld the conviction and sentence. He was transferred to a prison facility in the DRC on 19 December 2015 to serve out his sentence of imprisonment.’

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