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⁽¹⁾ Text with EEA relevance.

II

(Information)

JOINT DECLARATIONS

EUROPEAN PARLIAMENT

COUNCIL

EUROPEAN COMMISSION

Statements on Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 ⁽¹⁾

(2021/C 185/01)

Joint political statement on the re-use of decommitted funds in Horizon Europe

In the Joint Declaration on the re-use of decommitted funds in relation to the research programme ⁽²⁾ the European Parliament, the Council and the Commission agreed to make available again to the benefit of the research programme commitment appropriations, corresponding to the amount up to EUR 0,5 billion (in 2018 prices) in the period 2021-2027 of decommitments, which results from total or partial non-implementation of projects belonging to the 'Horizon Europe' Framework Programme or its predecessor 'Horizon 2020' ⁽³⁾, as provided for in Article 15(3) of the Financial Regulation. Without prejudice to the powers of the budgetary authority and to the Commission's powers to implement the budget, the European Parliament, the Council and the Commission agree that the indicative distribution of that amount will be as follows up to:

- EUR 300 000 000 in constant 2018 prices for the cluster 'Digital, Industry and Space' in particular for quantum research;
- EUR 100 000 000 in constant 2018 prices for the cluster 'Climate, Energy and Mobility'; and
- EUR 100 000 000 in constant 2018 prices for the cluster 'Culture, Creativity and Inclusive Society'.

Statement by the Commission on recital 47

The Commission intends to implement the EIC Accelerator budget in a way to ensure that the grant-only support to SMEs, including start-ups, corresponds to the support provided under the SME instrument budget of the Horizon 2020 Programme, in accordance with the terms established in Article 48, paragraph 1 and recital 47 of the Horizon Europe Regulation.

⁽¹⁾ OJ L 170, 12.5.2021, p. 1.

⁽²⁾ OJ C 444 I, 22.12.2020, p. 3.

⁽³⁾ Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC (OJ L 347, 20.12.2013, p. 104).

Statement by the Commission on Art. 6

Upon request, the Commission intends to exchange views with the responsible Committee in the European Parliament on: (i) the list of potential partnerships candidates based on the Articles 185 and 187 TFEU which will be covered by (inception) impact assessments; (ii) the list of tentative missions identified by the Mission boards; (iii) the results of the Strategic Plan before its formal adoption, and (iv) it will present and share documents related to work programmes.

Statement by the Commission on ethics/stem cell research – Art. 19

For the Horizon Europe Framework Programme, the European Commission proposes to continue with the same ethical framework for deciding on the EU funding of human embryonic stem cell research as in Horizon 2020 Framework Programme.

The European Commission proposes the continuation of this ethics framework because it has developed, based on experience, a responsible approach for an area of science which holds much promise and that has proven to work satisfactorily in the context of a research programme in which researchers participate from many countries with very diverse regulatory situations.

1. The decision on the Horizon Europe Framework Programme explicitly excludes three fields of research from Union funding:

- research activities aiming at human cloning for reproductive purposes;
- research activities intended to modify the genetic heritage of human beings which could make such changes heritable;
- research activities intended to create human embryos solely for the purpose of research or for the purpose of stem cell procurement, including by means of somatic cell nuclear transfer.

2. No activity will be funded that is forbidden in all Member States. No activity will be funded in a Member State where such activity is forbidden.

3. The decision on Horizon Europe and the provisions for the ethics framework governing the Union funding of human embryonic stem cell research entail in no way a value judgment on the regulatory or ethics framework governing such research in Member States.

4. In calling for proposals, the European Commission does not explicitly solicit the use of human embryonic stem cells. The use of human stem cells, be they adult or embryonic, if any, depends on the judgment of the scientists in view of the objectives they want to achieve. In practice, by far the largest part of Union funds for stem cell research is devoted to the use of adult stem cells. There is no reason why this would substantially change in Horizon Europe.

5. Each project proposing to use human embryonic stem cells must successfully pass a scientific evaluation during which the necessity of using such stem cells to achieve the scientific objectives is assessed by independent scientific experts.

6. Proposals which successfully pass the scientific evaluation are then subject to a stringent ethics review organised by the European Commission. In this ethics review, account is taken of principles reflected in the EU Charter of Fundamental Rights and relevant international conventions such as the Convention of the Council of Europe on Human Rights and Biomedicine signed in Oviedo on 4 April 1997 and its additional protocols and the Universal Declaration on the Human Genome and the Human Rights adopted by UNESCO. The ethics review also serves to check that the proposals respect the rules of the countries where the research will be carried out.

7. In particular cases, an ethics check may be carried out during the lifetime of the project.

8. Each project proposing to use human embryonic stem cells must obtain the approval of the relevant national or local ethics committee prior to the start of the relevant activities. All national rules and procedures must be respected, including on such issues as parental consent, absence of financial inducement, etc. Checks will be made on whether the project includes references to licensing and control measures to be taken by the competent authorities of the Member State where the research will be carried out.

9. A proposal that successfully passes the scientific evaluation, the national or local ethics reviews and the European ethics review will be presented for approval, on a case by case basis, to the Member States, meeting as a committee acting in accordance with the examination procedure. No project involving the use of human embryonic stem cells will be funded that does not obtain approval from the Member States.

10. The European Commission will continue to work to make the results from Union funded stem cell research widely accessible to all researchers, for the ultimate benefit of patients in all countries.

11. The European Commission will support actions and initiatives that contribute to a coordination and rationalisation of HESC research within a responsible ethical approach. In particular, the Commission will continue to support a European registry of human embryonic stem cell lines. Support for such a registry will allow a monitoring of existing human embryonic stem cells in Europe, will contribute to maximise their use by scientists and may help to avoid unnecessary derivations of new stem cell lines.

12. The European Commission will continue with the current practice and will not submit to the committee acting in accordance with the examination procedure proposals for projects which include research activities which destroy human embryos, including for the procurement of stem cells. The exclusion of funding of this step of research will not prevent Union funding of subsequent steps involving human embryonic stem cells.

IV

*(Notices)*NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND
AGENCIES

COUNCIL

COUNCIL DECISION

of 6 May 2021

appointing twelve members of the Management Board of the European Chemicals Agency

(2021/C 185/02)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC ⁽¹⁾, and in particular Article 79 thereof,

Whereas:

- (1) Article 79 of Regulation (EC) No 1907/2006 provides that the Council is to appoint one representative from each Member State as a member of the Management Board of the European Chemicals Agency ('the Management Board').
- (2) The members of the Management Board are to be appointed on the basis of their relevant experience and expertise in the fields of chemical safety or the regulation of chemicals, and on the basis that relevant expertise in the fields of general, financial and legal matters is available amongst the board members.
- (3) The term of office is four years and may be renewed once.
- (4) By Decision of 7 June 2007 ⁽²⁾, the Council appointed 27 members of the Management Board.
- (5) The current members of the Management Board nominated by Czechia, Ireland, Spain, France, Italy, Luxembourg, Hungary, Netherlands, Austria, Slovenia, Finland, and Sweden, were appointed for a period that ends on 31 May 2021.
- (6) The Council received nominations from all the Member States concerned,

⁽¹⁾ OJ L 396, 30.12.2006, p. 1.

⁽²⁾ Council Decision of 7 June 2007 appointing 27 members of the Management Board of the European Chemicals Agency (OJ C 134, 16.6.2007, p. 6).

HAS ADOPTED THIS DECISION:

Article 1

The following persons shall be appointed members of the Management Board for a second term running from 1 June 2021 to 31 May 2025 (name, nationality, date of birth):

- Ms Tatjana KOLESNIKOVA, Czech, 24 November 1969,
- Mr Óscar Valentín GONZÁLEZ SÁNCHEZ, Spanish, 8 March 1972,
- Mr Paul KRAJNÍK, Austrian, 20 January 1964,
- Mr Alojz GRABNER, Slovenian, 23 July 1965,
- Ms Hanna Maria KORHONEN, Finnish, 8 August 1964.

Article 2

The following persons shall be appointed members of the Management Board for a first term running from 1 June 2021 to 31 May 2025 (name, nationality, date of birth):

- Mr Stephen Patrick CURRAN, Irish, 24 July 1962,
- Ms Karine BOQUET, French, 21 July 1973,
- Dr Pasqualino ROSSI, Italian, 16 May 1962,
- Mr Jérôme FAÉ, Luxembourg, 25 November 1989,
- Dr Szilvia DEIM, Hungarian, 21 November 1971,
- Mr Kees HOPPENER, Dutch, 15 July 1960,
- Mr Per ÄNGQUIST, Swedish, 21 May 1969.

Article 3

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

Done at Brussels, 6 May 2021.

For the Council
The President
J. BORRELL FONTELLES

Notification by the European Union made in accordance with the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part

(2021/C 185/03)

The European Union hereby notifies the United Kingdom of the following in relation to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part (the 'Trade and Cooperation Agreement').

I. REVISION TO THE LIST OF COMPETENT AUTHORITIES

The details below replace the corresponding details notified to the United Kingdom on 29 January 2021.

b) Article 690(7)(b) ⁽¹⁾: Notification of the authority competent by virtue of the domestic law of each Member State to execute an arrest warrant;

Spain

The Spanish court competent to recognise and execute arrest warrants is the Criminal Chamber (Sala de lo Penal) of the National High Court (Audiencia Nacional), except in cases where the requested person did not object to the arrest warrant issued by the UK authorities, in which case the relevant Central Investigating Court (Juzgado Central de Instrucción) would be competent.

II. ADDITIONAL OTHER NOTIFICATIONS

The notifications below are added to the notifications made to the United Kingdom on 26 February 2021.

8) Notification under Article 659(4)/Article 690(2) ⁽²⁾

The European Union notifies, on behalf of the following Member States, that Article 659 ⁽³⁾ will be extended to accounts held in non-bank financial institutions, subject to the principle of reciprocity:

Cyprus.

9) Notification under Article 660(5)/Article 690(2) ⁽⁴⁾

The European Union notifies, on behalf of the following Member States, that Article 660 ⁽⁵⁾ will be extended to accounts held in non-bank financial institutions, subject to the principle of reciprocity:

Cyprus.

11) Notification under Article 670/Article 690(2) ⁽⁶⁾

The European Union notifies, on behalf of the following Member States, that, on the basis of reciprocity, the condition of double criminality referred to in point (b) of Article 670(1) ⁽⁷⁾ will not be applied provided that the offence giving rise to the request is a) one of the offences listed in Article 599(4) ⁽⁸⁾, as defined by the law of the requesting State, and b) punishable by the requesting State by a custodial sentence or a detention order for a maximum period of at least three years:

Netherlands.

⁽¹⁾ ex Article LAW.OTHER.134(7)(b).

⁽²⁾ ex Article LAW.CONFISC.4(4)/Article LAW.OTHER.134(2).

⁽³⁾ ex Article LAW.CONFISC.4.

⁽⁴⁾ ex Article LAW.CONFISC.5(5)/Article LAW.OTHER.134(2).

⁽⁵⁾ ex LAW.CONFISC.5.

⁽⁶⁾ ex Article LAW.CONFISC.15(2)/Article LAW.OTHER.134(2).

⁽⁷⁾ ex Article LAW.CONFISC.15(1).

⁽⁸⁾ ex Article LAW.SURR.79(4).

EUROPEAN COMMISSION

COMMISSION DECISION

of 7 May 2021

amending Decision 2017/C 31/12 establishing the Commission Expert Group ‘Platform on Animal Welfare’

(Text with EEA relevance)

(2021/C 185/04)

THE EUROPEAN COMMISSION,

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

Whereas:

- (1) Commission Decision 2017/C 31/12 ⁽¹⁾ established an expert group named ‘Platform on Animal Welfare’ (‘the Platform’). The main tasks of the Platform is to assist the Commission and help to hold regular dialogue on Union matters directly related to animal welfare such as enforcement of the legislation, exchanges of scientific knowledge, innovations and good animal welfare practices.
- (2) The period of application of Decision 2017/C 31/12 was initially set until 31 December 2019 and was extended until 30 June 2021 by Commission Decision 2019/C 405/05 ⁽²⁾.
- (3) Within four years of its functioning, the Platform has become a widely recognised forum for keeping an open dialogue on animal welfare, sharing good practices and undertaking non-legislative initiatives, with the commitment of Member States’ and relevant stakeholders across the Union, aimed to improve the welfare of animals.
- (4) On 20 May 2020, the Commission adopted its communication on ‘A Farm to Fork Strategy for a fair, healthy and environmentally friendly food system’ ⁽³⁾. The Strategy includes animal welfare related actions, such as exploring options for an EU animal welfare label, working on issues related to the enforcement of the animal welfare legislation, or collecting views supporting the future revision of the animal welfare legislation. The Platform may play a significant role in shaping those actions.
- (5) Furthermore, in the context of the Regulation (EU) 2017/625 of the European Parliament and of the Council ⁽⁴⁾, the Platform could also assist the Commission with the development of guidance documents or the preparation of non-legislative acts aimed at facilitating and harmonizing the implementation of animal welfare rules, by providing input on technical and scientific issues as well as practical experience in this area.

⁽¹⁾ Commission Decision of 24 January 2017 establishing the Commission Expert Group ‘Platform on Animal Welfare’ (OJ C 31, 31.1.2017, p. 61).

⁽²⁾ Commission Decision of 29 November 2019 amending Decision 2017/C 31/12 establishing the Commission Expert Group ‘Platform on Animal Welfare’ (OJ C 405, 2.12.2019, p. 5).

⁽³⁾ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system (COM(2020) 381 final).

⁽⁴⁾ Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 7.4.2017, p. 1).

- (6) The Platform should therefore continue its activities, with a renewed membership, to provide meaningful contributions in connection with the current Commission priorities in the field of animal welfare.
- (7) It is therefore appropriate that the period of application of Decision 2017/C 31/12 should be extended by 4 years until 30 June 2025.
- (8) Decision 2017/C 31/12 should therefore be amended accordingly,

HAS DECIDED AS FOLLOWS:

Sole Article

Article 16 of Decision 2017/C 31/12 is replaced by the following:

‘Article 16

Applicability

This Decision shall apply until 30 June 2025.’

Done at Brussels, 7 May 2021.

For the Commission
Stella KYRIAKIDES
Member of the Commission

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