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Main results of the Council

*Concerning Fisheries, the ministers reached a political agreement on **fishing opportunities for 2011 in the Baltic Sea**.*

*They had an exchange of views on the **annual consultations between the EU and Norway** and on the **annual meeting of the ICCAT**.*

*As regards Agriculture, ministers were briefed on proposed amendments concerning regulation on **support for rural development** and regulation on **direct support schemes for farmers** in the framework of the alignment of PAC legislation with the provision of the Lisbon Treaty.*

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- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

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ITEMS DEBATED

Fishing opportunities in the Baltic Sea for 2011

Ministers have reached a political agreement on fishing opportunities for certain fish stocks in the Baltic Sea for 2011.

This item will be included, following finalisation by the Legal/Linguistic Experts, in part "A" of the agenda for a forthcoming Council meeting.

The proposal lays down, for 2011, the total allowable catches (TACs) and quotas, representing the maximum quantities of fish from specific stocks (herring, plaice, Atlantic salmon and sprat) that can be caught in the Baltic Sea, as well as the fishing effort limits for Baltic cod stocks. The proposed measures have been established taking into account available scientific advice and, in particular, the report drawn up by the Scientific, Technical and Economic Committee for Fisheries (STECF) at the exception of cod stocks in the Baltic Sea for which catch limits and fishing effort limits are established in accordance with the rules laid down in regulation (EC) No 1098/2007 establishing a multi-annual plan for the cod stocks in the Baltic Sea.

The agreement primarily concerned the total allowable catches (TACs) and fishing quotas for Member States in Community waters of the Baltic region, the main changes to which – in terms of reduction, increase or roll-over of TACs as compared with 2010 – are summarised in the table below.

COMMUNITY TOTAL ALLOWABLE CATCHES (TACs) IN THE BALTIC SEA FOR 2011						
		COMMISSION proposal		COMMISSION targets	COUNCIL agreement	Difference from previous year
<i>Latin name</i>	ICES FISHING ZONES	TAC 2010	for 2011	for 2011	TAC 2011	
		in tonnes	in tonnes	in %	in tonnes	in %
		1	2	3	4	5**
<i>Clupea harengus</i>	Baltic Sea subdivisions 30-31 (Gulf of Botnie)	103.336	91.000	-12%	104.369	1%
<i>Clupea harengus</i>	Baltic Sea subdivisions 22-24 (Western)	22.692	15.884	-30%	15.884	-30%
<i>Clupea harengus</i>	Baltic Sea subdivisions 25-27, 28.2, 29, 32	126.376	91.640	-27%	107.420	-15%
<i>Clupea harengus</i>	Baltic Sea subdivision 28-1 (Gulf of Riga)	36.400	32.660	-10%	36.400	0%
<i>Gadus morhua</i>	Baltic Sea subdivisions 25-32 (Eastern)	51.267	58.957	15%	58.957	15%
<i>Gadus morhua</i>	Baltic Sea subdivisions 22-24 (Western)	17.700	18.800	6%	18.800	6%
<i>Pleuronectes platessa</i>	Baltic Sea subdivisions 22-32	3.041	3.041	0%	3.041	0%
<i>Salmo salar</i> *	III bcd, except subdivision 32 (22-31)	294.246	250.109	-15%	250.109	-15%
<i>Salmo salar</i> *	Baltic Sea subdivision 32	15.419	15.419	0%	15.419	0%
<i>Sprattus sprattus</i>	III bcd	379.955	265.969	-30%	288.766	-24%

Legend: Latin name - English name

Clupea harengus - herring

Gadus morhua - cod

Pleuronectes platessa - plaice

Salmo salar - Atlantic salmon

Sprattus sprattus - sprat

* AC expressed as number of individuals

** a **negative** % indicates a **reduction** in the TAC, a **positive** % indicates an **increase** in the TAC and 0 % indicates a roll-over of the TAC

In accordance with the multiannual plan applicable to stocks of Baltic cod (*Gadhus morua*) adopted on 18 September 2007¹, the Council endorsed a 15 % increase in the TACs in the Eastern Baltic, in view of the marked improvement in the stock status and a 6 % increase in the Western Baltic where the species is still vulnerable.

For herring (*Clupea harengus*), it was decided to increase slightly the TAC by 1 % for the Gulf of Botnia and to maintain a roll-over in the Gulf of Riga. However, TACs are reduced by 30 % for the Western Baltic and 15% for the Eastern Baltic (except the Gulf of Botnia).

For sprat, a decrease of 24% in the TACs was agreed. However, if further scientific information on the mortality of this fish is provided, this TAC could be revised later.

The European Parliament's participation and the Economic and Social Committee's opinion are not required (Art. 43.3 of the Lisbon Treaty) for this proposal. In order to ensure the continuity of the plan, these fisheries will be open on 1 January 2011.

¹ Regulation (EC) No 1098/2007, OJ L 248, 22.9.2007, p. 1.

EU/ Norway - annual consultations for 2011

The Council held an exchange of views on the annual consultations between the EU and Norway under their bilateral fisheries agreement.

Most of the delegations recognise the interest of this agreement with Norway but would favour a cautious approach from the EU on the level of TACs and other associated measures for the main jointly managed joint stocks in the North Sea. They would recommend also a cautious approach for other stocks of interest to identify and use for the reciprocal exchange of quotas.

The first round of consultations with Norway will take place from 17 to 19 November in Brussels.

The 1980 bilateral fisheries agreement between EC and Norway covers joint stocks in the North Sea, some jointly managed, others not. Annual TACs are set jointly by the EC and Norway for the jointly managed joint stocks. There are joint long-term management plans for cod, haddock, herring and saithe and basic principles for a long-term management plan for plaice. A ten-year agreement with Norway on mackerel was agreed in January 2010 including mutual access in the North Sea. This agreement is contingent on a satisfactory overall bilateral agreement. The reciprocal exchange of quotas needs to be in overall balance across the agreement.

Annual meeting of the ICCAT

The ministers held an exchange of views on a Commission views as regards the annual meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT) from 17 to 27 November in Paris.

A large majority of delegations pointed out the need to keep in mind the long term goals agreed with ICCAT. They opposed the proposed option to reduce strongly the quota of bluefin tuna on the basis of ICCAT scientific opinion because despite uncertainties, this opinion indicates a recovery of the stock. This should allow the objectives of the plan to be reached by 2022 by keeping the same quota level. Lots of Member states highlighted the reduction of capacities in tuna fishing fleet already decided and the economic impact of the measures. Concerning the sanctuaries on spawning areas, measures have to be decided on the basis of clear scientific options.

In preparation of the ICCAT meeting of 2008, the Council adopted a decision for the establishment of the community position in the ICCAT ([14863/08](#)). The Commission will produce a renewal of this position for the 2010 meeting with an extension of the time limit indicated in the paragraph 2.2 of the annex (originally limited to 2008 and 2009). This paragraph defines the community actions limiting the fleet overcapacity, implementing reductions in the fishing seasons, limitation of derogations and the control measure to undertake. The position is established on the ground of a recent ICCAT scientific opinion pointing out signs of stock recovery.

The ICCAT is responsible for the conservation of tuna and tuna-like species in the Atlantic Ocean and adjacent seas. The management competences of ICCAT thus cover, among others, such species as bluefin tuna, swordfish and tropical tunas. The organization was established in 1969 and has 42 Contracting Parties, including the EU, United Kingdom and France (the latter two on behalf of their overseas territories). The annual meeting of ICCAT is closely linked to the management of bluefin tuna stocks which has significant financial implications for the European tuna fishing fleets and tuna fattening farms. This annual meeting follows a meeting of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) on March 2010 where it was proposed by Monaco, with the support of the EU, to increase the level of protection of bluefin tuna.

CAP adaptation to the Lisbon Treaty - Support for rural development and direct support schemes for farmers

In the framework of the alignment of Council CAP-related legislation with the Lisbon Treaty the Council was briefed by the Commission on two proposals:

- an amendment of the regulation on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) ([14344/10](#));
- an amendment of the regulation establishing direct support schemes for farmers under the CAP ([14306/10](#)).

Most of the delegations question the alignment of the text under the provisions of article 290 and 291 of the Lisbon Treaty. However they welcomed the simplifications introduced in the proposals.

These proposals will be discussed further by the experts and will come back to the Council.

These proposals are part of a more general reshaping aiming to put in line Commission implementing powers in CAP-related legislation with the provisions of the Lisbon Treaty (49 texts are concerned). The amendments identify in particular the delegated and implementing powers of the Commission in the concerned regulations and establish the corresponding procedure for adoption of these acts.

The Lisbon Treaty substantially modifies the framework for implementing powers given to the Commission by introducing a distinction between 'delegated acts' (Article 290) and 'implementing acts' (Article 291). In the case of delegated acts, Council and the European Parliament (EP) keep control over the Commission's exercise of implementing powers. Conversely, in the case of implementing acts, such control is carried out by Member States.

As regards implementing acts, in March 2010 the Commission presented a proposal for regulation laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers ([7386/10](#)). Pending its entry into force, pursuant to the declaration concerning the implementation of Article 291 of the Lisbon Treaty ([17477/09](#)), decision 1999/468/EC continues to apply, with the exception of the regulatory procedure with scrutiny, which is not applicable.

For delegated acts, in December 2009, the Commission presented to Council and Parliament a communication ([5107/10](#)), on which the Council adopted a declaration ([17512/09](#)).

In the framework of the alignment of CAP-legislation with the Lisbon treaty, two proposals concerning the distribution of food products to the most deprived persons ([13435/10](#)) and the outermost regions ([13575/10](#)) have already been submitted to the Council. A proposal on the regulation about the financing of the CAP is expected at the end of 2010 and a proposal the “single common market organisation” regulation is expected in January. These amending acts will have to be adopted both by Council and Parliament under the ordinary legislative procedure.

Regulation N°1698/2005 on rural development provides the general guidelines of the policy and the general principles that underlie it. Thus, the objectives of rural development policy and the principles of strategic approach, programming, complementarity, consistency and conformity with other policies of the Union are fixed by this regulation. The text similarly lays down the principles of partnership, subsidiarity and equality between men and women and non-discrimination. This legal framework allows the EAFRD to support rural development programmes presented by the Member States.

In addition to the alignment to the Lisbon Treaty, this amendment foresees further provisions such as:

- reduction of the number of reports and a simplification of their content;
- extension of the provisions for supporting the setting up and the administrative operations for producer groups;
- facilitation of the use of advisory services.

Concerning direct support schemes, regulation N°73/2009 provides the conditions for direct payments to the producers, such as cross-compliance, modulation and financial discipline, farm advisory system and the modalities of payment. The text establishes also the single payment scheme comprising all the aids allocated to farmers irrespective of their production.

The amendment on the regulation for direct support schemes introduces some elements of simplification, in particular in the area of cross-compliance.

Any Other Business

FISHERIES

Northwest Atlantic Fisheries Organisation

Ministers were briefed by Estonian and Latvian delegations on the negotiations during the annual meeting of the Northwest Atlantic Fisheries Organisation (NAFO) in Halifax (Canada) from 20 to 24 September 2010. The discussions led *inter alia* to the closure of shrimp stock in 3M area. Estonia and Latvia, supported by several other delegations, highlighted the need for a better coordination of between the Member States and the Commission within the mandate in preparation of such regional meetings.

AGRICULTURE

Informal meeting of the Agriculture ministers

The Presidency provided a summary report of the discussions which took place during the informal meeting of the Agriculture ministers in La Hulpe on 21 September 2010. The discussion entitled “Choosing today for a stronger CAP tomorrow” gave the opportunity to confirm the interest of a two pillar structure for the CAP. A large spectrum of views on the future reform of the CAP were heard. This reform should include in particular a better balance between income support and the rewarding of public goods provision, and should take better into account the diversity of European agricultures ([15339/10](#)).

African swine fever

The Lithuanian delegation provided information about the situation of African swine fever in third countries neighbouring the European Union, in particular the Caucasus and the Russian Federation. The intensive trade in live pigs, pig products and feed in the region could allow the spread of this viral disease to EU. Lithuania asks for a detailed analysis of the epidemiological risk and was supported by some Member States ([14986/10](#)).

Pig meat

The Belgian delegation informed the ministers about the organisation of a reflection day on “The pig meat sector towards 2020”, which will take place on 3 December 2010 in the Flemish Parliament in Brussels. As livestock sectors are vital for a sustainable and diversified European agriculture, Belgium would like to bring together the experts of the pig meat sector from Member states to explore good practices in this area with a view to extending these at EU-level with a long-term perspective. Several delegations supported this proposal ([15278/10](#)).

Import tariff quota for raw sugar at zero duty

The Council was briefed by the Portuguese delegation on its request for the opening of a tariff quota at zero duty for imports of raw cane sugar and an exemption of import duty for sugar quota for the 2010-2011 campaign given the current market situation in the EU. Romania and some Member States supported the Portuguese request but some others, together with the Commission would prefer an analysis of the situation before any action is proposed ([15297/10](#)).

Cotton bollworm (*Helicoverpa armigera*) in Greece

The Greek delegation provided information on the infestation of cotton cultures by a parasite, the cotton bollworm (*Helicoverpa armigera*). As cotton is one of the main crops in Greece, this infestation causes huge production losses. The Commission will study how take into account the Greek request as cotton is not considered the same way as other agricultural products ([15283/10](#)).

OTHER ITEMS APPROVED

DEVELOPMENT POLICY

Financial contribution to the European Development Fund

The Council adopted a regulation fixing the financial contributions for the third instalment for 2010 to be paid by the member states contributing to the European Development Fund ([15043/10](#)).

EMPLOYMENT POLICY

Mobilisation of the European Globalisation Adjustment Fund for Ireland

The Council adopted a decision mobilising an amount of EUR 7.45 million under the European Globalisation Adjustment Fund (EGF), providing support for workers made redundant in Ireland as a consequence of the global financial and economic crisis. The amount is allocated for dismissed workers in the Irish enterprise SR Technics, arising from a decline in demand for aircraft maintenance, repair and overhaul due to the reduction in air transport activity. The support measures must be co-financed by the member states and include, inter alia, training, professional orientation, job-search and assistance for entrepreneurship.
