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## OUTCOME OF THE COUNCIL MEETING

3533rd Council meeting

### Agriculture and Fisheries

Brussels, 11 May 2017

President **Roderick Galdes**  
Parliamentary Secretary for Agriculture, Fisheries and  
Animal Rights of Malta

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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**

### **FISHERIES**

#### **Technical measures**

The Council reached a general approach on the proposal on the conservation of fishery resources and the protection of marine ecosystems through technical measures, often referred to as the "proposal on technical measures" ([8151/17](#)).

The proposal, tabled by the Commission in March 2016, aims to modernise the existing rules on how, where and when fishermen may fish. These cover the operation of the gear, its design specifications, minimum sizes below which fish must be returned to the sea, spatial and temporal controls (e.g. closed/limited entry areas and seasonal closures), and measures that mitigate the impacts of fishing gear on sensitive species or areas.

The Council's position on the technical measures further improves the coherence of the Commission proposal with existing EU law and enhances two key elements: simplification and regionalisation. In particular the text streamlines the procedure for regional cooperation and strengthens the role of member states in shaping regional measures through joint recommendations, in line with the reformed Common Fisheries Policy (CFP).

The Council general approach also strikes a balance between the current rules allowing for lawful fisheries' practices, which may be maintained in order to guarantee business continuity, and the need to provide for viable and innovative solutions in the future.

Other distinctive elements of the Council position are:

- quantitative targets: the Council opts for a workable solution by ensuring that catches of marine species below minimum conservation reference sizes are reduced as far as possible
- safeguard measures: the possibility to take urgent measures if worrying decreases in stocks are confirmed; more scope is given for regional actors to participate

- high level of selectivity: the Council allows for technical innovation in full respect of the need to abide by high conservation standards, thereby helping to implement the landing obligation
- mesh size specifications: the legal basis for possible adjustments is clarified
- pulse fishing: the general approach allows for its continuation provided that there is a scientific assessment of the likely impacts of using such gears on the targeted species and on sensitive species and habitats.

The European Parliament (EP) is expected to adopt its position on this proposal in the second half of 2017, allowing negotiations to start. Both the EP and the Council must agree on the text before it can enter into force. Denmark and the Netherlands voted against the Council general approach and Germany abstained.

### **ANY OTHER BUSINESS**

#### – *United Nations Ocean Conference*

The Swedish delegation briefed ministers on the upcoming high-level United Nations Ocean Conference to support the implementation of Sustainable Development Goal 14 (SDG14) "Conserve and sustainably use the oceans, seas and marine resources for sustainable development". The conference will take place in New York on 5-9 June and will be co-hosted by Sweden and Fiji. Together with another conference on the same subject hosted by the EU in Malta in October 2017, the Ocean Conference will be the most important conference in the field in 2017. The expected outcome is a concrete commitment by all stakeholders to protect the oceans.

Delegations generally supported the Swedish initiative and SDG14, and expressed their commitment to actively participate in the ocean conferences and in activities linked to the protection of oceans.

#### – *MedFish4Ever declaration*

The Presidency and the Commission informed the Council about the ministerial conference on Mediterranean fisheries that took place in Malta on 29-30 March, and about the common declaration on the future of Mediterranean fisheries (MedFish4Ever declaration) adopted.

The MedFish4Ever declaration sets out common priorities for the Mediterranean sea in the coming 10 years and a concrete work plan to bring about a healthy environment, a thriving blue economy and sustainable fishing sector in the region.

In the ensuing debate, delegations and the Commission stressed the importance of keeping up the momentum and implementing the declaration through concrete actions, such as: improving data collection, adopting multi-annual management plans for iconic species, fostering marine protected areas, fighting against illegal, unreported and unregulated fishing, and improving control measures. At multilateral level work will continue in the General Fisheries Commission for the Mediterranean (GFCM), which brings together all riparian states and which will hold its next plenary meeting in Montenegro in October 2017.

– *African swine fever in third countries*

At the initiative of the Polish delegation, the Council was updated on and discussed the issue of the eradication of African swine fever, in particular in relation to the role of EU neighbouring countries such as Ukraine, Belarus and Moldova.

Delegations shared their concerns about the spread of the disease and underlined the importance of good international cooperation for effective prevention. The Commission restated its continued commitment to fight the disease through a multifaceted and multilateral approach, including through field visits, training and pilot projects in third countries.

It also encouraged member states to establish bilateral cooperation projects with neighbouring countries.

**OTHER ITEMS APPROVED****AGRICULTURE****Pesticides - maximum residue levels**

The Council decided not to oppose the adoption of a series of Commission regulations amending Annexes II, III and V to regulation 396/2005 as regards maximum residue levels (MRLs) for:

- dimethoate and omethoate ([7727/17](#) + [ADD 1](#) + [ADD 2](#))
- tricyclazole ([7731/17](#) + [ADD 1](#) + [ADD 2](#))
- fluopyram; hexachlorocyclohexane (HCH), alpha-isomer; hexachlorocyclohexane (HCH), beta-isomer; hexachlorocyclohexane (HCH), sum of isomers, except the gamma isomer; lindane (hexachlorocyclohexane (HCH), gamma-isomer); nicotine and profenofos ([7777/17](#) + [ADD 1](#) + [ADD 2](#))
- acrinathrin, metalaxyl and thiabendazole ([8104/17](#) + [ADD 1](#) + [ADD 2](#))
- benzovindiflupyr, chlorantraniliprole, deltamethrin, ethofumesate, haloxyfop, Mild Pepino Mosaic Virus isolate VC1, Mild Pepino Mosaic Virus isolate VX1, oxathiapiprolin, penthiopyrad, pyraclostrobin, spirotetramat, sunflower oil, tolclofos-methyl and trinexapac ([8112/17](#) + [ADD 1](#) + [ADD 2](#)) in or on certain products

Regulation 396/2005 establishes the MRLs permitted in products of animal or vegetable origin intended for human or animal consumption. These MRLs include, on the one hand, levels which are specific to particular foodstuffs intended for human or animal consumption and, on the other, a general limit which applies where no specific level has been set. MRL applications are communicated to the European Food Safety Authority (EFSA), which issues a scientific opinion on each intended new MRL. Based on EFSA's opinion, the Commission proposes a regulation to establish a new MRL or to amend or remove an existing MRL, modifying the annexes of regulation 396/2005 accordingly.

## **FISHERIES**

### **The Union's international obligations under the International Convention for the Conservation of Atlantic Tunas and the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries**

The Council decided not to oppose the adoption of a Commission amendment to regulation 2015/98 on the implementation of the Union's international obligations under the International Convention for the Conservation of Atlantic Tunas and the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries ([8343/17](#)).

The adopted regulation aims to clarify the application of the landing obligation to EU vessels subject to the measures adopted by the regional fisheries management organisations (RFMOs) to which the Union is party. The regulation thus aims to ensure that the Union's rules in this regard are in line with its international obligations and that the Union complies with decisions taken by RFMOs.

## **ECONOMIC AND FINANCIAL AFFAIRS**

### **Structural reform support programme**

The Council approved a €42.8 million programme to help member states implement structural reforms.

The programme will contribute to institutional, administrative and structural reforms aimed at enhancing competitiveness, productivity, growth, jobs, cohesion, and investment. It will operate in support of the EU's economic governance processes, financing actions and activities of European added value.

On 27 April 2017 the European Parliament gave its approval for the programme, which will cover the period 2017 to 2020. This follows an agreement with EP representatives reached on 8 February 2017.

[Regulation on the 2017-2020 structural reform support programme](#)

[Press release on the February 2017 agreement on the 2017-2020 structural reform support programme](#)

## **Financial services - consumer support programme**

The Council approved a programme to promote the involvement of consumers in policymaking in financial services.

The programme follows on from moves to restore confidence in the financial sector in the wake of the financial crisis.

On 27 April 2017 the European Parliament gave its approval for the programme, which has a €6 million budget to cover the period 2017 to 2020. This follows an agreement with EP representatives reached on 14 February 2017.

[Regulation on the 2017-2020 programme to involve consumers in policymaking in financial services](#)

[Press release on the February 2017 deal on a programme to involve consumers in financial services policymaking](#)

## **Governance at the European Commission**

The Council adopted conclusions on the European Court of Auditors' report on "Governance at the European Commission - best practice?" as set out in [8096/17](#).

## **JUSTICE AND HOME AFFAIRS**

### **Visa liberalisation - Ukraine**

The Council adopted a regulation on visa liberalisation for Ukrainian citizens travelling to the EU for a period of stay of 90 days in any 180-day period.

[Visas: Council adopts regulation on visa liberalisation for Ukrainian citizens](#)

## **Violence against women - Istanbul Convention**

The Council adopted two decisions on the signing of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

[EU to join international convention combating violence against women](#)

## **EU citizenship report 2017**

The Council adopted conclusions on the EU citizenship report 2017 ([8028/1/17](#)).

Following the Commission report, the conclusions deal with a variety of different issues. They highlight the fact that all European institutions and member states must build on previous commitments and join forces to promote, protect and strengthen EU citizenship and EU common values, increase and improve citizens' participation in the democratic life of the EU, simplify EU citizens' daily lives and strengthen security, promote equality and protect everybody in the EU from general and specific forms of discrimination.

## **EUROPEAN ECONOMIC AREA**

### **Amendments to Protocol 31 to the agreement on the European Economic Area (EEA agreement)**

The Council adopted decisions on the position to be adopted, on behalf of the EU, in the EEA joint committee concerning amendments to Protocol 31 to the EEA agreement.

These decisions amend Protocol 31 on cooperation in specific fields outside the four freedoms in order to allow the EEA EFTA states to participate in the Union activities related to the following budget lines of the EU general budget for 2017:

- 33.02.03.01 "Company law" ([7808/17](#))
- 12.02.01: "Implementation and development of the single market for financial services" ([7811/17](#))
- 02.03.01 "Internal market" and budget line 02.03.04 "Internal market governance tools" ([7814/17](#))

## **Amendment to Protocol 3 to the EEA agreement**

The Council adopted a decision on the position to be adopted, on behalf of the EU, in the EEA joint committee concerning an amendment to Protocol 3 to the EEA agreement ([7817/17](#)).

Protocol 3 determines the trade arrangements for certain categories of processed agricultural products.

## **TRANSPORT**

### **Air transport leasing – talks with the United States**

The Council adopted a decision which authorises the Commission to open negotiations with the United States for an agreement between the EU and the US on wet-lease arrangements. Wet leasing means leasing an aircraft with its crew.

For more information, see press release.

[Go-ahead for EU talks with US to extend air transport lease arrangements](#)

## **CULTURE**

### **European Year of Cultural Heritage**

The Council adopted a decision establishing a European Year of Cultural Heritage in 2018 ([PE-CONS 10/1/17 REV 1](#)).

The aim of this initiative is to raise awareness of European history and values and to strengthen a sense of European identity. At the same time, it draws attention both to the opportunities offered by our cultural heritage, and to the challenges it faces.

The legislative act will be published in the Official Journal together with the statements from the Commission and the European Parliament ([8679/1/17 ADD 1](#)).

For further details see <http://www.consilium.europa.eu/en/press/press-releases/2017/02/09-cultural-heritage/>.

**COMPANY LAW****EU programme on financial reporting and auditing**

The Council adopted a regulation extending the EU's funding to the European Financial Reporting Advisory Group (EFRAG) ([PE-CONS 17/17](#)).

Nearly €14 million will be allocated for the period 2017 to 2020 to ensure the operational continuity of [EFRAG](#). The EU's contribution accounts for around 60% of EFRAG's budget.

EFRAG's mission is to develop and promote European views in the field of financial reporting. It also tries to ensure that these views are duly taken into account within the International Accounting Standards Board, which is the independent body responsible for developing international financial reporting standards (IFRS).

In 2009, the EU launched a programme to support activities in the field of financial services, financial reporting and auditing. The beneficiaries of the programme are the IFRS Foundation, EFRAG and the Public Interest Oversight Board (PIOB).

The programme was extended under regulation [258/14](#) for the period 2014 to 2020 for the IFRS Foundation and the PIOB only.

For EFRAG, the Council and the Parliament decided to wait until a number of reforms in EFRAG's governance were completed. The governance reform of EFRAG to strengthen the EU's contribution to the development of international accounting standards was implemented on 31 October 2014.

The total allocation from the EU budget to EFRAG will amount to €23 million for the period 2014 to 2020, which matches the Commission's initial estimate.

**INTERNAL MARKET****Cosmetic products: restrictions on the use of certain fragrance substances, zinc oxide and methylisothiazolinone**

The Council decided not to oppose the adoption by the Commission of three regulations amending [regulation 1223/2009 on cosmetic products](#) with a view to restricting the use of:

- certain substances used in fragrances which caused the highest number of contact allergies cases in past years ([7647/17](#) and [7647/17 ADD 1](#))
- zinc oxide as a colorant in cosmetic products ([7462/17](#) and [7462/17 ADD1](#))
- methylisothiazolinone for rinse-off cosmetic products ([7463/17](#) and [7463/17 ADD1](#))

These draft Commission regulations are subject to the regulatory procedure with scrutiny. This means that now that the Council has given its consent the Commission may adopt them unless the European Parliament objects.

**Construction products - timber and plasters**

The Council decided not to object to two Commission regulations on the conditions for classification, without testing the reaction to fire, of:

- glued laminated timber products covered by the harmonised standard EN 14080 and structural finger jointed solid timber products covered by the harmonised standard EN 15497 ([7528/17](#) and [7528/17 ADD1](#))
- external renders and internal plasters based on organic binders covered by the harmonised standard EN 15824 and rendering and plastering mortars covered by the harmonised standard EN 998-1 ([7529/17](#) and [7529/17 ADD1](#))

These Commission regulations are delegated acts pursuant to article 290 of the Treaty on the Functioning of the EU. They can now enter into force, unless the European Parliament objects.

The Commission submitted the draft delegated acts in accordance with the procedure set out in [regulation 305/2011](#) laying down harmonised conditions for the marketing of construction products.

## **CUSTOMS UNION**

### **Regional Convention on pan-Euro-Mediterranean preferential rules of origin**

The Council supported a decision, to be taken by the Joint Committee established by the Regional Convention on pan-Euro-Mediterranean preferential rules of origin, with a view to inviting Ukraine to accede to the Convention ([8243/17](#)).

Ukraine submitted a written request for accession to the Convention on 12 September 2016.

The Council also supported a decision to be taken by the Joint Committee with a view to introducing into the Convention a possibility of duty drawback and of full cumulation in the trade covered by the Central European Free Trade Agreement (CEFTA) involving the Republic of Moldova and the participants in the EU's Stabilisation and Association Process ([8133/17](#)).

The [Regional Convention on pan-Euro-Mediterranean preferential rules of origin](#), which sets out the rules on the origin of goods traded under the agreements concluded between the contracting parties, entered into force in 2012.

## **ENVIRONMENT**

### **Minamata Convention on Mercury**

The Council adopted a decision to conclude, on behalf of the European Union, the Minamata Convention on Mercury ([5925/17](#) + [ADD1](#) + [ADD2](#)). Together with the new regulation on mercury which was adopted on 25 April ([7782/17](#) + [REV1](#) + [ADD1](#) and [PE-CONS 4/17](#)), the EU has now taken all the necessary legislative measures to ratify the Convention, which will help protect its citizens from mercury pollution.

The Minamata Convention provides an international regulatory framework to protect human health and the global environment from the harmful effects of mercury. The EU signed the treaty together with its member states<sup>1</sup> on 10 October 2013 and undertook to ensure its ratification and implementation across the Union.

The Council decision immediately enters into force and approves the Convention on behalf of the EU. The EU now needs to deposit the instrument of ratification with the United Nations.

For more information, read the [press release](#).

For more information about the Minamata Convention, see the [website](#).

## **TRANSPARENCY**

### **Public access to documents**

On 11 May 2017, the Council approved:

- the reply to confirmatory application No 08/c/02/2017 ([7639/1/17 REV 1](#))

## **DECISIONS ADOPTED BY WRITTEN PROCEDURE**

### **Public access to documents**

On 27 April 2017, the European Council approved the reply to confirmatory application No 07/c/01/17 ([7/1/17 REV 1](#)).

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<sup>1</sup> 21 member states signed the Convention on 10 October 2013, while Croatia, Cyprus, Latvia and Poland did so on 24 September 2014 and Malta on 8 October 2014. Estonia and Portugal have not signed the Convention, but they have expressed their commitment to ratify it.