



**COUNCIL OF
THE EUROPEAN UNION**

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**PV/CONS 23
AGRI 302
PECHE 209**

DRAFT MINUTES

Subject: **3237th meeting of the Council of the European Union (AGRICULTURE
AND FISHERIES), held in Brussels on 13 and 14 May 2013**

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¹ Deliberations on Union legislative acts (Article 16(8) of the Treaty on European Union), other deliberations open to the public and public debates (Article 8 of the Council's Rules of Procedure).

LEGISLATIVE DELIBERATIONS

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

"A" ITEMS

1. Amended proposal for a Directive of the European Parliament and of the Council on common procedures for granting and withdrawing international protection status (Recast) [First reading]

- Political agreement
7715/13 ASILE 11 CODEC 640 OC 198
7695/13 ASILE 10 CODEC 629
+ COR 1
+ COR 2 (pl)
approved by Coreper, Part 2, on 02.05.2013

The Council confirmed its Political agreement contained in docs. 7695/13 + COR 1.

2. Regulation of the European Parliament and of the Council concerning the European Union Agency for Network and Information Security (ENISA) and repealing Regulation (EC) No 460/2004 [First reading] (LA)

PE-CONS 4/13 TELECOM 27 MI 112 DATAPROTECT 17 JAI 120
CAB 8 INST 82 CODEC 357 OC 76

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 114 of the TFEU).

3. Directive of the European Parliament and of the Council amending Directive 2003/41/EC on the activities and supervision of institutions for occupational retirement provision, Directive 2009/65/EC on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS) and Directive 2011/61/EU on Alternative Investment Funds Managers in respect of over-reliance on credit ratings [First reading] (LA)

PE-CONS 69/12 EF 306 ECOFIN 1057 CODEC 2999 OC 764

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 53(1) of the TFEU).

4. Regulation of the European Parliament and of the Council amending Regulation (EC) No 1060/2009 on credit rating agencies [First reading] (LA)

PE-CONS 70/12 EF 307 ECOFIN 1058 CODEC 3000 OC 763

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 114 of the TFEU).

5. Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1528/2007 as regards the exclusion of a number of countries from the list of regions or states which have concluded negotiations [Second reading] (LA)

PE-CONS 13/13 ACP 42 WTO 76 UD 67 CODEC 665 OC 166

The Council approved the European Parliament's amendment to the Council's position .

The Regulation is deemed to have been adopted in the form of the Council's position at first reading thus amended, pursuant to Article 294(8)(a) of the Treaty on the Functioning of the European Union. (Legal basis: Article 207(2) of the TFEU).

6. Regulation of the European Parliament and of the Council on the strengthening of economic and budgetary surveillance of Member States in the euro area experiencing or threatened with serious difficulties with respect to their financial stability [First reading] (LA+S)

PE-CONS 5/13 ECOFIN 162 UEM 37 CODEC 462 OC 108

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 136 in combination with Article 121(6) of the TFEU).

Statement by the United Kingdom

"The UK reiterated its clear understanding that there would be no new commitments from the European Financial Stabilisation Mechanism (EFSM) following entry into force of the European Stability Mechanism (ESM) Treaty on 27 September 2012, recalling the commitment in the European Council Decision of 25 March 2011, which states that as the ESM is designed to safeguard the financial stability of the euro area as whole, Article 122(2) of the TFEU will no longer be needed for such purposes. The Heads of State or Government therefore agreed that it should not be used for such purposes."

Statement by the European Commission

"Once legislation proposed by the Commission on the two-pack is adopted, the Commission intends to take steps in the short-term towards a deep and genuine EMU as outlined in the blueprint. Short-term steps (6 to 12 months) will include:

- In its Blueprint for a Deep and Genuine EMU, the Commission considered that, in the medium-term, a redemption fund and eurobills could be possible elements of deep and genuine EMU under certain rigorous conditions. The guiding principle would be that any steps to further mutualisation of risk must go hand-in-hand with greater fiscal discipline and integration. The required deeper integration of financial regulation, fiscal and economic policy and corresponding instruments must be accompanied by commensurate political integration, ensuring democratic legitimacy and accountability.

The Commission will establish an Expert Group to deepen the analysis on the possible merits, risks, requirements and obstacles of partial substitution of national issuance of debt through joint issuance in the form of a redemption fund and eurobills. The Group will be tasked to thoroughly assess, what could be their features in terms of legal provisions, financial architecture and the necessary complementary economic and budgetary framework. Democratic accountability will be a central issue to be considered.

The Group will take into account the on-going reform of the European economic and budgetary governance and assess the added value for such instruments in this context. The Group will pay particular attention to recent and on-going reforms, such as the implementation of the two-Pack, the ESM and any other relevant instruments.

In its analysis the Group will pay particular attention to sustainability of public finances, to the avoidance of moral hazard, as well as to other central issues, such as financial stability, financial integration and monetary policy transmission.

The members of the Group will be experts in law and economics, public finances, financial markets and sovereign debt management. The Group will be invited to present its final report to the Commission not later than March 2014. The Commission will assess the report and, if appropriate, make proposals before the end of its mandate.

- An exploration of further ways within the preventive arm of the Stability and Growth Pact to accommodate under certain conditions, non-recurrent, public investment programmes with a proven impact on the sustainability of public finances made by the Member States in the assessment of their Stability and Convergence Programmes; this will be done in spring-summer 2013 in the context of the publication of its Communication on calendar of convergence towards the Medium-term Objective;

- After the decision on the next Multi-annual Financial Framework for the EU and before the end of 2013, the Commission will put forward the following proposals to complement the existing framework for economic governance: (i) measures to ensure greater ex-ante coordination of major reform projects and (ii) the creation of a "convergence and competitiveness instrument" to provide financial support for the timely implementation of sustainable growth enhancing structural reforms. This new system, fully in line with the Community method, would build on the existing EU surveillance procedures. It would combine deeper integration of economic policy with financial support and thereby respect the principle according to which steps towards more responsibility and economic discipline are combined with more solidarity. It would in particular aim at enhancing the capacity of a Member State to absorb asymmetric shocks. This instrument would serve as the initial phase towards the establishment of a stronger fiscal capacity.
- Furthermore, the Commission commits to following up in a speedy and comprehensive manner on: (i) its action plan to strengthen the fight against tax fraud and tax evasion, in particular with view to the revision of the directives identified in the action plan as well as on (ii) the measures and proposals announced by the Commission on its 2012 package on the employment and social policy area.
- Following the adoption of the Single Supervisory Mechanism, the presentation of a proposal for a Single Resolution Mechanism, which would be in charge of the restructuring and resolution of banks within the Member States participating in the Banking Union;
- Before the end of 2013, the presentation of a proposal under Article 138(2) TFEU to establish a unified position to achieve an observer status of the euro area in the IMF executive board, and subsequently for a single seat.

Building on the short-term steps announced in its Blueprint that can be realised by secondary legislation, the Commission is committed to put forward explicit ideas for Treaty changes in time for a debate before the next European Parliament elections in 2014 with a view to setting the legislative basis for the steps envisaged in the medium-term, which foresees the creation of a substantially reinforced economic and budgetary surveillance and control framework, a further developed European fiscal capacity supporting solidarity and the implementation of sustainable growth enhancing structural reforms, as well as the deeper integration of decision making in policy areas like taxation and labour markets as an important solidarity instrument."

7. Regulation of the European Parliament and of the Council on common provisions for monitoring and assessing draft budgetary plans and ensuring the correction of excessive deficit of the Member States in the euro area [First reading] (LA+S)

PE-CONS 6/13 ECOFIN 163 UEM 38 CODEC 463 OC 109

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 136 in combination with Article 121(6) of the TFEU).

Statement by the United Kingdom

(As in previous item)

Statement by the European Commission

(As in previous item)

AGENDA ITEMS

4. CAP Reform Package:

- (a) Proposal for a Regulation of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (First reading)**
- (b) Proposal for a Regulation of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy (First reading)**
- (c) Proposal for a Regulation of the European Parliament and of the Council on the financing, management and monitoring of the common agricultural policy (Horizontal regulation) (First reading)**
- (d) Proposal for a Regulation of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products (Single CMO Regulation) (First reading)**
 - Orientation debate

The Council held an orientation debate on CAP reform, with particular focus on the state of play on the issues of Active Farmer, the Young Farmers Scheme and the Small Farmers Scheme in the context of the draft Direct Payments Regulation.

6. Reform of the Common Fisheries Policy

(a) Proposal for a Regulation of the European Parliament and of the Council on the Common Fisheries Policy [First reading]

Interinstitutional file: 2011/0195 (COD)

- Revised mandate
12514/11 PECHE 187 CODEC 1166
8987/13 PECHE 181 CODEC 940
9003/1/13 PECHE 184 CODEC 945 REV 1
+ REV 1COR 1

The Council endorsed changes to the mandate for further negotiation in informal trilogues with the European Parliament on the proposal for a Regulation on the Common Fisheries Policy, with a view to finding common ground with the European Parliament on key parts of the reform, namely: fisheries management at "maximum sustainable yield" and its relation to fishing opportunities, landing obligation, regionalisation, composition of advisory councils, outline of multiannual plans, fishing capacity management, protected areas, and the creation of an expert group on compliance (fisheries control). The final compromise endorsed by Council is contained in doc. 9551/13. Sweden did not support it. The Council made the statement as set out hereafter.

Statement by the Council on multi-annual plans

"The Council is committed to working with the European Parliament and the Commission to address inter-institutional issues and agree a way forward that respects the legal position of both the Parliament and the Council to facilitate the development and introduction of multi-annual plans on a priority basis under the terms of the Common Fisheries Policy.

The Council further proposes that an inter-institutional taskforce be established to help find the most appropriate way forward".

(b) Proposal for a Regulation of the European Parliament and of the Council on the Common Organisation of the Markets in Fishery and Aquaculture Products [First reading]

Interinstitutional file: 2011/0194 (COD)

- State of play
12516/11 PECHE 188 CODEC 1167
8988/1/13 PECHE 182 CODEC 941 REV 1

The Presidency informed the Council about the successful finalisation of the political negotiation with the European Parliament on the Common Markets Organisation. Further technical meetings will be needed to work out a final text that will be presented to the Committee of Permanent Representatives.