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**COUNCIL OF
THE EUROPEAN UNION**



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PRESS RELEASE

3123rd Council meeting

Agriculture and Fisheries

Brussels, 14 November 2011

President **Mr Marek SAWICKI**
Minister for Rural Development of Poland

P R E S S

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Main results of the Council

*With regard to fisheries, the Council had an exchange of views on **the external dimension of the common fisheries policy**.*

*As regards agriculture, ministers had an exchange of views on the CAP reform proposal for a regulation on **direct payments**.*

*During lunch, ministers also had a discussion on **the proposed "greening" of direct payments in the framework of the CAP reform**.*

*Finally, the Council was briefed on the implementation of the **directive concerning the welfare of laying hens**, on a **conference on forestry for climate and biodiversity**, on the **30th conference of the directors of paying agencies of the EU** and on a request made by Hungary for the **extension of the sugar quota regime to 2020**.*

*Concerning the **aid for the most deprived persons in the EU** a compromise should guarantee the effective functioning of the programme in 2012 and 2013 under specific conditions.*

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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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PARTICIPANTS

The governments of the Member States and the European Commission were represented as follows:

Belgium:

Ms Sabine LARUELLE

Minister for SMEs, the Self-Employed, Agriculture and Science Policy

Bulgaria:

Mr Miroslav NAYDENOV

Minister for Agriculture and Food

Czech Republic:

Mr Petr BENDL

Minister for Agriculture

Mr Juraj CHMIEL

Deputy Minister for Agriculture

Denmark:

Ms Mette GJERSKOV

Minister for Food, Agriculture and Fisheries

Germany:

Ms Ilse AIGNER

Federal Minister for Food, Agriculture and Consumer Protection

Mr Robert KLOOS

State Secretary, Federal Ministry of Food, Agriculture and Consumer Protection

Estonia:

Mr Helir-Valdor SEEDER

Minister for Agriculture

Ireland:

M. Thomas HANNEY

Deputy Permanent Representative

Mr Tom MORAN

State Secretary for Food and Agriculture and Marine

Greece:

Ms Georgia BAZOTI-MISONI

General Secretary for Food and Agriculture

Mr Andreas PAPASTAVROU

Deputy Permanent Representative

Spain:

Ms Rosa AGUILAR RIVERO

Minister for the Environment and the Rural and Marine Environment

Ms Rosa Maria QUINTANA

Minister for the Sea of the Autonomous Community of Galicia

Ms Ana Isabel MARIÑO

Minister for the Environment and Spatial Planning of the Autonomous Community of Madrid

France:

Mr Bruno LE MAIRE

Minister for Agriculture, Food and Fisheries, the Countryside and Land Use Planning

Italy

Mr Francesco Saverio ROMANO

Minister for Agricultural Policies, Food and Forestry

Cyprus:

Mr Sofoclis ALETRARIS

Minister for Agriculture, Natural Resources and the Environment

Latvia:

Ms Laimdota STRAUJUMA

Minister for Agriculture

Lithuania:

Mr Kazys STARKEVICIUS

Minister for Agriculture

Luxembourg:

Mr Romain SCHNEIDER

Minister for Agriculture, Viticulture and Rural Development

Hungary:

Mr György CZERVÁN

State Secretary, Ministry of Rural Development

Malta:

Mr Patrick MIFSUND

Deputy Permanent Representative

Netherlands:

Mr Henk BLEKER

Minister of Agriculture and Foreign Trade

Austria:

Mr Nikolaus BERLAKOVICH

Federal Minister for Agriculture, Forestry, the
Environment and Water Management**Poland:**Mr Marek SAWICKI
Mr Kazimierz PLOCKE
Mr Jarosław WOJTOWICZMinister for Agriculture and Rural Development
Deputy Minister for Agriculture
Under-Secretary of State, Ministry of Agriculture and
Rural Development**Portugal:**

Ms Assunção CRISTAS

Minister for Agriculture, Maritime Affairs, Environment
and Regional Planning
State Secretary for Agriculture

Mr José DIOGO ALBUQUERQUE

Romania:

Mr Valeriu TABĂRĂ

Minister for Agriculture and Rural Development

Slovenia:

Mr Dejan ŽIDAN

Minister for Agriculture, Forestry and Food

Slovakia:

Mr Zsolt SIMON

Minister for Agriculture and Rural Development

Finland:Mr Jari KOSKINEN
Mr Risto ARTJOKIMinister for Agriculture and Forestry
State Secretary**Sweden:**Mr Eskil ERLANDSSON
Mr Jan Roland OLSSONMinister for Rural Affairs
Deputy Permanent Representative**United Kingdom:**

Ms Caroline SPELMAN

Secretary of State for Environment, Food and Rural
AffairsMr Jim PAICE
Mr Richard BENYONMinister of State for Environment, Food and Rural Affairs
Parliamentary Under Secretary of State for Natural
Environment and Fisheries**Commission:**Ms Maria DAMANAKI
Mr John DALLI
Mr Dacian CIOLOȘMember
Member
Member

ITEMS DEBATED

FISHERIES

External dimension of the common fisheries policy

The Council had an exchange of views on the communication from the Commission on the external dimension of the common fisheries policy (CFP) ([12517/11](#)) as part of the proposals for the reform of the CFP.

Most of the delegations noted the importance of the external dimension of the CFP for contributing to fisheries product supply and for ensuring that the EU's sustainability policy is pursued internally and externally. Furthermore, they also stressed the key role which should be played by regional fisheries management organisations (RFMOs) and bilateral agreements, in particular in the fight against illegal, unreported and unregulated fishing.

Transparency with regard to the exploitation levels in the waters under the jurisdiction of the coastal states and with regard to evaluation of bilateral agreements including scientific stock assessment was mentioned as an important issue.

With regard to the introduction of a ship-owner's fee for having access to the high sea, Member States were rather cautious if it was to be conceived as a unilateral measure, as this could reduce the EU fleets competitiveness and consequently the EU's international presence. On the Commission's proposal to gradually increase ship-owner's fees for access to coastal states' waters under bilateral agreements, Member States were split, judging differently on the economic viability of further cost increases.

By contrast, there was general support for decoupling the sectoral support to coastal states under the bilateral agreements from access fees. In conjunction with this decoupling, most Member States asked for conditionality becoming more firm and result-oriented with regard to locally and regionally sustainable fisheries, and some Member States asked for greater coherence with the development policy at large.

A level playing field vis-à-vis third countries was considered by the majority of the delegations as an essential dimension of the future CFP. Some Member States insisted on trade measures as an instrument for defending the CFP.

Finally, some Member States were in favour of Council conclusions along the lines of those on the Fisheries Partnership Agreements adopted in 2004 but most of the delegations would prefer that the main elements of the external dimension of the CFP being introduced in the legal proposals.

During the Agriculture and Fisheries Council meeting in July 2011, the Council launched the CFP reform process by holding a public exchange of views on Commission proposals on this subject ([13028/11](#)). On that occasion, several Member States noted that the EU's external fishery policy had been given a specific place in the proposals.

In its communication on the external dimension of the CFP, the Commission noted that in a context where 85% of the world fish stocks are reported as being either fully exploited or overexploited, the EU is one of the very few major players with a strong presence in all of the world's oceans through its fleets and investments, bilateral agreements with third countries and participation in most relevant RFMOs. In addition, the EU also constitutes a main market for fishery products in terms of consumption and imports. All this gives the EU a responsibility to contribute to long-term sustainability worldwide through enhancing the performance of RFMOs and improving the functioning of bilateral fisheries agreements.

AGRICULTURE

CAP reform - direct payments

Ministers had an exchange of views on the proposal for a regulation establishing rules for direct payment to farmers under support schemes within the framework of the common agricultural policy (CAP) ([15396/11](#)+ REV 1).

The debate concentrated on the proposed structure for direct payments for 2014-2020, as well as on the distribution of direct payments between Member States and within Member States.

As regards the proposed structure for direct payments for 2014-2020 a number of Member States considered the proposal went in the right direction. However several Member States questioned the proposed definition of "active farmer" and some elements of the proposed "greening" of direct payments such as the share of national envelopes devoted to be allocated to for this the task of fraction of splitting up agricultural land to become form ecological focused areas. Simplification measures in favour of small farmers and measures to help young farmers were generally well received, although some Member States considered these two scheme should be voluntary for Member States.

In addition, a vast majority of delegations stressed that there is a need to ensure that the new procedures for direct payments be in line with the objective of simplification of the CAP.

With regard to the distribution of direct payments between Member States several delegations raised concerns, and some identified problems related to the proposals for the redistribution of payments within Member States.

The proposal on direct payments is part of the CAP reform package which was presented by the Commission during the last Agriculture Council meeting in October. On that occasion, the Council held a public debate on the whole package.

Together with the proposals on rural development, on the single common market organisation and on the financing of the CAP, the proposal for a regulation on direct payments is one of the four main proposals to be adopted by the Council and the European Parliament (ordinary legislative procedure).

The Council will continue its discussions on the CAP reform with a policy debate on rural development in December.

OTHER BUSINESS

Implementation of the laying hens directive

Ministers took note of an assessment provided by the Commission on the current state of implementation of directive 1999/74 on the protection of laying hens ([16603/11](#)).

This was based on data received from Member States and discussions held on 28 October 2011 at an expert meeting upon invitation by the Commission.

Highlighting the importance of urgently taking all the necessary measures to ensure compliance with the directive, the consequences of non-compliance were evoked.

Directive 1999/74 provides that conventional cages will have to be phased out in the EU by 1 January 2012 because they have been found unacceptable for animal welfare reasons. Those cages have to be replaced either by enriched cages or alternative systems. Member states have been primarily responsible for the implementation of the directive since its adoption.

Conference on forestry for climate and biodiversity

The Presidency briefed the Council on a conference on "Forestry for climate and biodiversity" and the EU Forestry and Nature Director Generals' meeting which took place in Ryn (Poland) from 28 to 29 September 2011 ([16612/11](#)).

The Ryn conference was hosted by the Polish Presidency. Delegates from most of the EU Member States, the Commission, the Polish Parliament and the government administration, scientists and non-governmental organisations shared their experiences on matters such as forestry management and challenges for future forestry in the European Union. They all agreed that protection of forest ecosystems is an integral part of sustainable and multifunctional forest management. The role of forests in nature conservation and adaptation to climate change was underlined by the delegates. There is a clear view that European forests have significant potential for climate change mitigation, since they because they cover a vast area and have a diverse structure.

The second day of the Ryn Conference comprised two separate and parallel events. The first was the meeting of the EU Forestry Director Generals. The main topics were: a new EU Forest Strategy and the scope of the future legally binding agreement on forests in Europe. The discussions also covered other issues related to forestry, e.g. green economy, sustainable criteria for biomass and renewable energy.

The second event was the meeting of the EU Nature Director Generals. The delegates shared their views on three main issues: an approach to a new EU legislative instrument on invasive alien species, financial instruments in nature conservation and integration of EU nature conservation policy within other main EU policies.

30th conference of the directors of paying agencies of the EU

Ministers were informed by the Polish Presidency of the general conclusions of the 30th conference of the directors of paying agencies of the EU which took place in Sopot (Poland) from 21 to 23 September 2011 ([16629/11](#)).

The two issues discussed were:

- simplification of the CAP and the reduction of administrative burdens, and
- preparation for the implementation of changes in the CAP post-2013.

Prolongation of the sugar regime

The Council took note of the request from the Hungarian delegation on the extension of the sugar quota regime to 2020.

This received varied support from the Belgian, Czech, German, Spanish, French, Lithuanian, Austrian, Portuguese, Slovak, Finnish and Romanian delegations ([16666/11](#)). The Irish, Latvian, Slovenian, and UK delegations, while sharing other delegations' concerns about the current supply problems on the sugar market, opposed any extension of the regime beyond the planned expiry in 2015.

Following the 2006 reform of the EU's sugar sector, the current quota regime is due to expire in September 2015. The Commission's CAP reform proposals do not provide for an extension of the regime beyond this date.

Distribution of food to the most deprived persons

At the request of the French delegation, the Presidency indicated that a qualified majority within the Council could be confirmed, at a later stage, in favour of the temporary continuation of the programme for the distribution of food to the most deprived persons. This should guarantee the effective functioning of the programme in 2012 and 2013 under specific conditions.

The Presidency will include this item on the agenda for one of the next Council meetings with a view to reaching an agreement on the basis of a Presidency compromise.

For more information, see press release [16899/11](#).

OTHER ITEMS APPROVED

FISHERIES

Partnership agreement between EU and Guinea-Bissau - New protocol

The Council adopted a decision on the signing on behalf of the EU, and provisional application of the protocol setting out the fishing opportunities and financial contribution provided for in the fisheries partnership agreement between the EU and the Republic of Guinea Bissau ([15179/11](#)).

The partnership agreement in the fisheries sector between the EU and Guinea Bissau was concluded in 2008. The main objective of the protocol to this agreement is to define the fishing opportunities offered to EU vessels as well as the financial contribution due, separately, for access rights and for sectoral support. Following the negotiations, a new protocol was initialled on 15 June 2011, the date on which the current protocol expired. In order to allow EU vessels to carry out fishing activities, the new protocol should be signed and applied on a provisional basis, pending the completion of the procedures for its formal conclusion.

In addition to the the signing of the provisional application of the new protocol, the Council also adopted also a regulation concerning the allocation of fishing opportunities between Member States ([15177/11](#)).

AGRICULTURE

Forestry - 2006 international tropical timber agreement

The Council adopted a decision on the conclusion, on behalf of the EU, of the 2006 international tropical timber agreement ([5812/11](#)).

The conference set up within UNCTAD (United Nations Conference on Trade and Development) concluded its work on the replacement of the 1994 international tropical timber agreement with the adoption of a new agreement on 27 January 2006. The agreement was opened for signing at the UN in New York.

Although tropical timber agreements are generally trade agreements covered by Article 133 of the Treaty establishing the European Community, they are considered as unconventional commodity agreements covering both trade and the environment through sustainable management for the conservation of tropical tree species.

The purpose of this decision is therefore to approve the 2006 international tropical timber agreement and authorise the EU to deposit the instrument of approval with the UN international treaties office.

RESEARCH

Fuel cells hydrogen joint undertaking

The Council adopted a regulation adapting the current provisions governing the Fuel Cells and Hydrogen Joint Undertaking in order to facilitate research actions and make it easier to increase funding levels for the project ([14993/1/11](#)).

The fuel cells and hydrogen joint technology initiative is a public-private partnership supporting research, development and demonstration activities in fuel cell and hydrogen energy technologies in Europe. Its aim is to accelerate the market introduction of these technologies realising their potential as a vector in a carbon-lean energy system.

To implement the initiative, the founding members set up a joint undertaking in May 2008 for the period up to 2017 with the objective of pooling resources from public and private sources¹.

¹ [Fuel cells and hydrogen joint undertaking](#)

HEALTH

In vitro diagnostic medical devices

The Council decided not to oppose the adoption by the Commission of a directive aimed at establishing the procedure a manufacturer must follow in order to affix the "CE marking" to "Variant Creutzfeldt-Jakob disease" assays.

The directive will amend directive 98/79/EC on *in vitro* diagnostic medical devices, which provides that the list of devices in annex II to that directive can be extended following the regulatory procedure with scrutiny.

In accordance with that procedure, now that the Council has given its consent, the Commission may adopt the directive unless the European Parliament objects.

EMPLOYMENT

Mobilisation of the European Globalisation Adjustment Fund for Ireland

The Council adopted three decisions mobilising a total amount of EUR 35.7 million under the European Globalisation Adjustment Fund (EGF), providing support for workers made redundant in the Irish construction sector. An amount of EUR 21.7 million is allocated to workers made redundant in particular in the specialised construction sector. An amount of EUR 12.7 million is mobilised for dismissed workers specialised in the construction of buildings, and a further EUR 1.4 million will be spent on dismissed persons formerly working in the field of architectural and engineering activities, technical testing and analysis. The Irish construction sector has been severely affected by a decline in the building activity hit by the severe credit crunch in the banking sector as a consequence of the global financial and economic crisis.
