



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 16 March 2012

**18732/11
ADD 1**

**PV/CONS 82
AGRI 890
PECHE 408**

ADDENDUM to DRAFT MINUTES

Subject: **3137th** meeting of the COUNCIL OF THE EUROPEAN UNION
(**AGRICULTURE AND FISHERIES**), held in Brussels on 15 and 16 December
2011

PUBLIC DELIBERATION ITEMS¹

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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. Proposal for a Directive of the European Parliament and of the Council amending Directive 2000/75/EC as regards vaccination against bluetongue

- Adoption

(a) of the position of the Council in first reading

(b) of the statement of the Council reasons

16696/11 AGRILEG 124 VETER 48 CODEC 1977

+ ADD 1 REV 1

17688/2/11 REV 2 CODEC 2227 AGRILEG 142 VETER 55 OC 42

The Council approved its position at first reading, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union. (Legal basis: Article 43(2) of the TFEU).

2. Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1698/2005 as regards certain provisions relating to financial management for certain Member States experiencing or threatened with serious difficulties with respect to their financial stability

PE-CONS 70/11 AGRI 804 AGRISTR 74 CODEC 2165

The Council approved the amendments set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, with the Bulgarian delegation voting against, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Articles 42 and 43 of the TFEU).

Joint statement of the Commission and the Council on budgetary impact

"The Council and the Commission consider that this Regulation shall also be considered in the context of the budgetary restraints facing all Member States, which should be reflected appropriately in the EU budget for 2012 and 2013. Any increased amounts for the payments consequent on the entry into force of this regulation should be accommodated through the procedure for the Commission to present updated figures concerning payment appropriations under heading 2 by September 2012 and, if necessary, to utilise the Global Transfer exercise for 2012, subject to other possible needs under other financial framework headings, and if then still necessary to present a draft amending budget for this sole purpose."

Council statement on co-financing and 2014-2020 perspective

"The Council confirms that the co-financing principle is a fundamental principle of Rural Development Policy, as it ensures ownership, responsibility and the selection of projects with the highest value added. Any relaxation of this principle should therefore be exceptional. The current amendment is justified by unprecedented crisis affecting international financial markets and the economic downturn and should be without prejudice to the outcome of the negotiations on the CAP legislative package for the next financing period."

3. Amended proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1290/2005 and Council Regulation (EC) No 1234/2007 as regards distribution of food products to the most deprived persons in the Union

- Political agreement
18593/11 CODEC 2435 AGRI 886 AGRIORG 251
+ ADD 1
+ ADD 2
+ **ADD 2 COR 1**
18586/11 AGRI 884 AGRIORG 250 CODEC 2433

The Council reached political agreement on the amended proposal as set out in doc. 18586/11.

Declaration by the Commission

"With regard to Commission's proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1290/2005 and Council Regulation (EC) 1234/2007 as regards distribution of food products to the most deprived persons in the Union the Commission takes note of the repeated discussions in the Council, where a blocking minority of six member states opposed the proposal.

The Commission also takes note of the joint declaration from France and Germany, where both countries declared,

- that they agree to continue the program for a transition period ending definitely on 31 December 2013 in order to allow charity organizations in Member States using the current program to take into account the new situation.
- that they consider that the conditions are not met for a proposal of a new program for a period post 2013 to be presented by the Commission and adopted by the Council.
- that they cannot agree with legal and financial proposals by the Commission of such a program in the future.

The Commission takes note of the opinion of a significant group of Member States not to pursue the program beyond 2013 and to amend the EU Regulation on the Single CMO and the future Multi-Annual Financial Framework 2014 – 2020 accordingly.

Without prejudice to its right of initiative under the Treaty, the Commission will take account of this strong opposition to any legal and financial proposal of such a program in the future."

Joint Declaration by France and Germany

"The EU regulation regarding the distribution of food products to the most deprived persons relies on the distribution of products from Union intervention stocks supplemented, on a temporary basis, by purchases on the market. Successive reforms of the CAP and market evolutions have resulted in a progressive reduction in intervention stocks, as well as the range of products available.

Recognizing the importance of the work of charity organizations in Member States using the current program, France and Germany agree to continue the program for a transition period ending definitely on 31 December 2013 in order to allow these organizations to take into account this new situation. In this context, France and Germany welcome the ongoing exchange of views between their charity organizations.

However, given the discussion in the Council, France and Germany consider that the conditions are not met for a proposal of a new program for a period post 2013 to be presented by the Commission and adopted by the Council. This is why both countries can't agree with legal and financial proposals by the Commission of such a program in the future."

Declaration by Sweden

"Sweden is of the opinion that the new proposal and the declaration by the Commission do not present enough guarantees that the program for distribution of food products to the most deprived persons in the Union, will end definitely on the 31st of December 2013, and that the future Multi-Annual Financial Framework 2014 – 2020 will be amended accordingly.

Therefore Sweden cannot support this proposal and intends to vote against it."

Statement from the Belgian, Bulgarian, Greek, Spanish, Hungarian, Italian, Lithuanian, Luxembourg, Latvian, Maltese, Portuguese, Rumanian and Slovenian delegations

"Over the last 25 years, the food program for the most deprived persons of the European Unión has allowed to make visible the European solidarity among more than 18 million persons in situation of poverty in 20 Member States.

The Member States that support this statement consider that the European Union should keep the solidarity with the neediest and with that aim declare that:

They welcome the continuity of the program in 2012 and 2013 under the Common Agricultural Policy;

It is necessary to ensure the future continuity of the distribution program in the context of the financial perspectives for the period 2014-2020, as an element for fighting poverty and social exclusion within the framework of the EU 2020 Strategy."

8. Proposal for a Regulation of the European Parliament and of the Council on the European Maritime and Fisheries Fund (repealing Council Regulation (EC) No 1198/2006 and Council Regulation(EC) No 861/2006 and Council Regulation No xxxx/2011 on integrated maritime policy

- Presentation and exchange of views
17870/11 PECHE 368 CADREFIN 162 CODEC 2255
17867/11 PECHE 367 CADREFIN 161 CODEC 2254

The Commission representative presented the proposal for a European Maritime and Fisheries Fund which will be a new important tool to finance the CFP for the period 2014-2020. She informed the Council that a considerable amount of money (EUR 6,4 billion) would be available to assist fishermen to embrace the implications of the reform i.e slightly more than under the current European Fisheries Fund.

The Fund will be the core instrument consisting of the following four pillars:

- Fisheries
- Aquaculture
- Sustainable and inclusive territorial development
- Integrated maritime policy.

Among the novelties in the proposal, she highlighted that scrapping would no longer be possible under the Fund as it has proven ineffective; instead the money would be channelled to support coastal communities. The Fund will have more focus on small scale fisheries allowing for a higher co-financing in the order of 75% instead of the normal limit of 50%. Innovations, such as gear selectivity, will receive more support, and should facilitate the progressive ban on discards. The same will be the case for aquaculture, both marine and inland aquaculture, where new forms of aquaculture with high growth potential (e.g. algae) will receive more support. She announced that a fresh water aquaculture conference would take place in Austria during 2012. With regard to integrated maritime policy, special planning and surveillance will be important. Likewise, improved maritime knowledge, such as the planned EU wide seabed mapping, will assist in improving seabed activities, such as deep sea mining. The funds will be conditional on the compliance with notably control and data collection by Member States. To sum up, the Commission proposes more money to innovation, small scale fisheries, aquaculture and coastal development.

The Council took note of the presentation.

9. CAP Reform Package

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

- Exchange of views

18074/11 AGRI 833 AGRISTR 81 CODEC 2300

The Council held an exchange of views on the Commission's proposal on rural development, based on the Presidency questionnaire set out in document 18074/11, and took note of the Member States' comments and the Commission's reply.

NON LEGISLATIVE ACTIVITIES - ADOPTIONS

(in accordance with Article 9(1) of the Council's Rules of Procedure)

4. Council Regulation on fixing for the 2012 fishing year the guide prices and Union producer prices for certain fishery products pursuant to Regulation (EC) No 104/2000

17089/11 PECHE 342 OC 57

The Council adopted the above Regulation (Legal basis: Article 43(3) of the TFEU).

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