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OUTCOME OF THE COUNCIL MEETING

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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****Fishing opportunities for deep-sea stocks**

The Council unanimously agreed on the total allowable catches (TACs) and quotas for deep-sea stocks in the EU and international waters in the North-East Atlantic for 2017 and 2018.

The fish stocks concerned are: deep-sea sharks (unavoidable by-catch only), black scabbardfish, roundnose grenadier, alfoncino, red seabream and greater forkbeard.

In view of the vulnerability of deep-sea species and in order to prevent their over-exploitation, the Council decided to reduce the TACs for the vast majority of stocks, based on the precautionary approach. Furthermore it was possible to set one TAC based on the management approach for maximum sustainable yield (roundnose grenadier in Union and international waters of Vb, VI and VII).

EU TOTAL ALLOWABLE CATCHES (TACs) FOR DEEP-SEA SPECIES IN 2017 AND 2018					
Common name	<u>Area</u>	Proposed TAC change 2016 - 2017	Proposed TAC change 2017-2018	Council agreement TAC change 2016 – 2017	Council agreement TAC change 2017 – 2018
Deep-sea sharks	Union and international waters of V, VI, VII, VIII and IX	10t	10t	10t	10t
	Union waters of CECAF 34.1.1, 34.1.2 and 34.2	-	-	10t	10t
	Union and international waters of X	10t	10t	10t	10t

EU TOTAL ALLOWABLE CATCHES (TACs) FOR DEEP-SEA SPECIES IN 2017 AND 2018

Common name	<u>Area</u>	Proposed TAC change 2016 - 2017	Proposed TAC change 2017-2018	Council agreement TAC change 2016 – 2017	Council agreement TAC change 2017 – 2018
Deep-sea sharks - <i>Deania hystricosa</i> and <i>Deania profundorum</i>	Int. waters of XII	0	0	0	0
Black scabbardfish	Union and int. waters of I, II, III and IV	Roll over	Roll over	Roll over	Roll over
	Union and international waters of V, VI, VII and XII	-15%	-16%	-12%	-12%
	Union and international waters of VIII, IX and X	-14%	-15%	-10%	-10%
	Union and international waters of CECAF 34.1.2	-20%	-20%	-12%	-12%
Roundnose grenadier and Roughhead grenadier	Union and int. waters of I, II and IV	-20%	0%	-20%	0%
	Union and int. waters of III	-20%	-20%	-20%	-20%
	Union and int. waters of Vb, VI, VII	-25%	+2%	-25%	+2%
	Union and int. waters of VIII, IX, X, XII and XIV	-20%	-20%	-20%	-20%

EU TOTAL ALLOWABLE CATCHES (TACs) FOR DEEP-SEA SPECIES IN 2017 AND 2018

Common name	<u>Area</u>	Proposed TAC change 2016 - 2017	Proposed TAC change 2017-2018	Council agreement TAC change 2016 – 2017	Council agreement TAC change 2017 – 2018
Alfonsinos	Union and int. waters of III, IV, V, VI, VII, VIII, IX, X, XII and XIV	-5%	0%	-5%	0%
Red seabream	Union and international waters of VI, VII and VIII	-20%	-20%	-10%	-10%
	Union and international waters of IX and of CECAF 34.1.11	-13%	-14%	-5%	-5%
	Union and international waters of X	-12%	-12%	Roll over	Roll over
Greater forkbeard	Union and international waters of I, II, III and IV	-20%	-20%	-11%	-11%
	Union and international waters of V, VI and VII	-20%	-20%	-11%	-11%
	Union and international waters of VIII and IX	-20%	-20%	-11%	-11%
	Union and international waters of X and XII	-20%	-20%	-11%	-11%

This item will be included, following finalisation by the legal-linguistic experts, in part "A" of the agenda for adoption by a forthcoming Council meeting. The regulation will apply as from 1 January 2017.

The regulation on fishing opportunities for certain deep-sea stocks sets the catch limitations for EU fishing fleets as regards the most commercially important deep-sea species in the Union and international waters of the North-East Atlantic.

Deep-sea stocks are fish stocks caught in waters beyond the main fishing grounds of continental shelves. They account for about 1% of all fish caught in the North-East Atlantic.

Fishing for deep-sea species has been regulated by the EU since 2003 through total allowable catches (TACs) per species and area, and maximum fishing effort deployable in the North-East Atlantic. The fishing opportunities for deep-sea species are decided every two years on the basis of scientific advice, in line with [regulation 1380/2013](#) on the reformed Common Fisheries Policy (CFP).

Scientific advice is provided by the International Council for the Exploration of the Sea (ICES), which published its latest review of the biological status of deep-sea stocks in June 2016.

Elements of the proposal are also based on the further review undertaken by the Scientific, Technical and Economic Committee for Fisheries (STECF) in July 2016.

Under the reformed CFP, fishing opportunities should also be fixed in accordance with the precautionary principle and aim at restoring and maintaining maximum sustainable yield (MSY).

Under article 43(3) of the Treaty on the Functioning of the European Union (TFEU), it is for the Council to adopt measures on the fixing and allocation of fishing opportunities within the framework of the CFP.

Multiannual plan for demersal stocks in the North Sea

The Commission presented its proposal for a regulation establishing a multi-annual management plan for demersal stocks in the North Sea ([11636/16](#) and [ADD 1](#)).

The objective of the proposal is to guarantee the sustainable exploitation of these stocks in economic, social and environmental terms, in line with the principles of maximum sustainable yield and according to the ecosystem approach to fisheries management.

In particular, the proposal addresses the issue of mixed fisheries in the context of the new landing obligation, by incorporating all relevant stocks into a single management plan. This includes target fishing mortalities expressed in ranges for each of the stocks which would, where available, be the basis for setting annual TACs. Additionally, the plan incorporates safeguard measures to give a framework to restore stocks when they fall below safe biological limits.

This is the second new generation multiannual management plan proposed in line with the CFP reform, after the one for the Baltic Sea adopted earlier in 2016.

In the debate that followed the presentation, ministers welcomed the proposal as a good starting point but asked for more flexibility and warned against excessive administrative burden. Some also asked for scientific advice to change and adapt to the issue of mixed fisheries, by providing mixed fisheries advice instead of single-species advice. Other points raised concerned the scope of the proposal and the issue of relations with third countries fishing in the same areas.

AGRICULTURE

Report of the Agricultural Markets Task Force

The Commission was invited to present the results of the work of the Agricultural Markets Task Force and its final recommendations.

The task force's report "Improving market outcomes: enhancing the position of farmers in the supply chain" includes a series of recommendations on how to improve the position of farmers in the food chain, in particular in relation to: market transparency, risk management, access to finance and futures markets, contractual relations and competition rules. The report also addresses the problem of unfair trading practices and recommends the introduction of European-wide baseline legislation to limit this phenomenon.

Ministers broadly welcomed the report as a basis for future discussion and expressed continued commitment to improve collaboration along the food supply chain and to strengthen the bargaining position of farmers. Many ministers underlined the importance of market transparency, especially as far as prices are concerned, effective risk management and well-functioning contractual relations. The majority welcomed the recommendation to have an EU-wide legislative approach to tackle unfair trading practices, while others considered that a voluntary and/or member state level-approach would be preferable.

The issue will be discussed again at the December Agriculture and Fisheries Council with a view to adopting Council conclusions.

The establishment of the task force was part of the comprehensive package of support measures decided on by the Council in September 2015. Its mandate was to discuss a variety of relevant issues (market transparency, access for farmers to financial instruments and futures markets to hedge price risks, options for arranging contractual relations within the chain and legal possibilities for organising farmers' collective actions) with a view to improving the position of farmers in the food chain.

The task force met eight times between January and November 2016 and its chairman, Mr Cees Veerman, briefed the Council on the task force's ongoing work and expected results in June 2016.

Study on the impact of concessions in free trade agreements on agricultural products

The Commission presented to the Council the results of its economic study on the cumulative effects of concessions made in the context of free trade agreements on the EU agricultural sector.

The study covers 12 future trade agreements on the agri-food sector and their impact on producer prices and production volumes for a range of products accounting for 30% of the value of the EU exports in the sector. The results of the study highlight that significant gains can be anticipated for the EU dairy and pig meat sectors, but also show vulnerabilities for beef and rice, both in terms of trade effects and a decline in producer prices.

In the debate that followed the presentation, ministers expressed the need for balanced trade agreements that respect the vulnerabilities of some EU agricultural sectors. Some voiced concerns on specific sectors, while others mentioned the importance of protecting geographical indications and negotiating in full compliance with the EU's high standards and while ensuring the quality of products. Some concerns were also expressed regarding the methodology of the study.

The Presidency concluded that the Council intended to closely scrutinize the result of the study and would return to it at its Agriculture and Fisheries meeting in January 2017.

The study was announced by Commissioner Hogan at the meeting of the Agriculture and Fisheries Council on 15 February 2016. The study covers the trade agreements recently concluded (such as with Canada or Vietnam); major agreements for which the precise final outcome is still unknown (e.g. the Transatlantic Trade and Investment Partnership (TTIP) with the USA or the potential deal between the EU and Mercosur or with Japan); agreements for which negotiations that have not even been officially launched, but are likely to be started in the near future (e.g. Australia, New Zealand, the Philippines); and the modernisation of older agreements (e.g. Mexico or Turkey).

The debate included discussions on an AoB point on Mercosur.

EU Agricultural Research and Innovation

The Council discussed the role of research and innovation in the area of sustainable agriculture. It focused in particular on how to widen participation of newer member states in agri-food research and related funding and how to improve the implementation of the bioeconomy strategy, especially in low performing regions.

The debate built on the results of the high level conference "The role of regions in the European bioeconomy" held in Bratislava on 17 October 2016, which highlighted the importance of regions in overcoming the existing barriers to the implementation of the European Bioeconomy Strategy and in developing the European Research Area in the field of agriculture.

Ministers generally agreed on the importance of research and innovation in enhancing the competitiveness and sustainability of EU agriculture and highlighted the great potential of bioeconomy and the important role of regions in further developing it. Most ministers argued in favour of redressing any imbalances which may exist in the context of the Horizon 2020 funding and research-related activities, while some focused their remarks on the need to maintain excellence as the main driver and criterion in funding research.

Discussions were intended to inform the debate on the upcoming review of the European Bioeconomy Strategy, due by 2017, and the preparation of the working programme 2018-2020 under the Horizon 2020. With a view to that, the Presidency will summarise the Council debate in a letter addressed to Commissioners Hogan and Moedas.

The AoB point on the meeting of the extended Visegrad group was also considered jointly with research and innovation, in light of the joint declaration of the group on the issue.

ANY OTHER BUSINESS

North West Waters Regional Group: implementation of the landing obligation, including the potential issue of fisheries choke

The United Kingdom, on behalf of the North West Waters Regional Group, informed ministers of the work carried out to find solutions to the potential challenge posed by so-called “choke species”, with a view to ensuring the smooth implementation of the landing obligation.

Certain species, when brought under the landing obligation, risk causing “choke”, i.e. the prevention of full prosecution of the quota for one species, due to the risk of catching another species whose quota has been exhausted. Choke can happen at any scale, from that of an individual vessel to the entire marine region.

Delegations welcomed the initiative and the work carried out by the group, agreed on the seriousness of the issue and asked to start a debate on it, in order to avoid premature closing of fisheries in the future.

The Commission showed openness to finding solutions to the problem and to exploring options such as: the rapid adoption of multiannual plans, quota swaps, flexibilities between species and other technical measures.

Completion of action plans for EMFF specific ex-ante conditionalities

The Commission reported on the action plans for unfulfilled ex-ante conditionalities which are specific to the European Maritime and Fisheries Fund (EMFF). It also urged interested member states to take the necessary actions to ensure the completion of their action plans within the legal deadlines in order to be able to benefit from the financial support available to them under the EMFF.

On top of the general ex-ante conditionalities that apply to all the funds, four are specific to the EMFF: report on fishing capacity, multiannual national strategic plan on aquaculture, administrative capacity for data collection and administrative capacity for fisheries control.

Outcome of the informal EU Forest Directors General meeting, Bratislava 7 - 9 November 2016

The Presidency reported on the meeting, which focused on the contribution of forests and the forest sector in meeting current challenges and strategic objectives of the EU such as: moving towards a bioeconomy, meeting the targets of the Paris Agreement and the Energy union, implementing the EU Forest Strategy, and meeting the political mandate given by the Madrid FOREST EUROPE Extraordinary Ministerial Conference of October 2015. The main outcome of the meeting was the so-called Bratislava declaration “EU Forest Strategy: a new impulse on a way forward”.

Ministers supported the initiative and mentioned the importance of an active forest policy and the need to work towards a good agreement on the LULUCF (Land-use, land-use change and forestry) legislative proposal.

Animal welfare during transport

At the request of the Swedish delegation, supported by Austria, Belgium, Denmark, Germany and the Netherlands, ministers discussed the need to improve the enforcement of existing legislation on animal welfare during transport and whether existing legislation in this area should be updated.

Delegations agreed on the importance of the issue, highlighting different aspects, from the ethical question to unfair competition. Some underlined the key role of uniform implementation and enforcement of the existing rules, while a few others were also open to legislative changes.

The Commission insisted on the better enforcement of existing rules and recalled that the legislation in force already offered many tools, including sanctions, to promote the welfare of animals during transport. It further described actions undertaken to promote better enforcement and encouraged member states to use the full potential of existing rules and enforce them correctly.

Regulation EC 1/2005 on the welfare of animals during transport was agreed on in December 2004 by the Agriculture and Fisheries Council and overhauled the previous EU rules on animal transport, defining the responsibilities of all actors involved in the transport chain.

This AoB oint was discussed jointly with the one on the animal welfare platform.

Animal welfare platform

Belgium, Denmark, Germany, the Netherlands and Sweden asked the Commission to inform the Council on the state of play regarding the establishment of the EU Platform on Animal Welfare. In particular, they focused on the structure, role and responsibility of the platform, the timeframe of its creation, and the expected input of member states and stakeholders.

The Commission said it intended to have the platform operational in the first half of 2017 as a forum of discussion for all stakeholders. It also said that the platform would focus on the promotion of high standards of animal welfare and on better implementation of EU animal welfare law through the exchange of information and best practices.

The issue of the EU Platform on Animal Welfare had already been discussed at the meetings of the Agriculture and Fisheries Council on 15 February and 17 May 2016.

Endocrine disruptors

The Netherlands delegation raised the issue of guidance in the context of the Commission proposal setting out scientific criteria for the determination of endocrine disrupting properties. In particular, the Commission was invited to set up a working group to develop the guidelines necessary for competent authorities to assess the risks associated with endocrine disruptors in a harmonised way.

Delegations generally welcomed the Dutch initiative and some took the opportunity to comment on the criteria proposed by the Commission on how to define endocrine disruptors.

The Commission assured ministers it was already working on guidelines in consultation with member states and different bodies, including the European Food Safety Authority (EFSA) and the European Chemicals Agency, with a view to producing a first draft in the first half of 2017.

Ministerial conference on lumpy skin disease, Sofia 8 - 9 September

At the request of the Bulgarian delegation supported by Austria, ministers were briefed on the conclusions of the conference on lumpy skin disease. Amongst others, these conclusions include a plea to refine the protective measures, provide an advanced disease control policy and support research to fight the disease.

The Commission agreed that the disease had been one of the main challenges since 2015 but also said that, thanks to massive vaccination and a prompt response, it was now under control.

The use of geographical indications on foods which imply customary names

The Greek delegation drew the attention of the Council to the issue of the use of geographical designations on agricultural products and foodstuffs, and their link to origin or provenance.

In particular, it focused on the possible misuse of such geographical designations to the detriment of both consumers and producers. It also called on the Commission to develop an appropriate framework which would include objective criteria and guidelines for the "case-by-case examination" of those geographical designations that do not state origin or provenance.

Some delegations supported the Greek request and were in favour of fighting unfair competition stemming from these instances. The Commission expressed sympathy for the Greek request and said that any possible case of misuse should be assessed on a case-by-case basis.

Antimicrobial resistance (AMR)

The Danish delegation informed the Council of its concerns regarding the increased use of antimicrobials in the veterinary sector in some member states, as reported in the latest report of the European Medicines Agency (EMA) on "sales of veterinary antimicrobial agents in 29 European countries in 2014", calling for immediate action. It also requested that the Commission inform the Council on the timetable for the presentation of a new EU action plan on antimicrobial resistance beyond 2016.

Several ministers supported the Danish request and some voiced their specific concerns as to the preventive use of antibiotics in animal production.

The Commission said it kept antimicrobial resistance high on its political agenda and that it had been working together with the European Centre for Disease Prevention and Control (ECDC), the European Food Safety Agency (EFSA) and the European Medicines Agency (EMA) on the development of guidelines and joint actions.

It also noted that the existing AMR EU action plan expired this year and that the Commission was working on a new action plan for 2017 and beyond, following the "One-Health" approach, i.e. working together in the veterinary, human health, environmental and other fields. It encouraged all experts to participate in the first meeting of the "One-Health" network planned for February/March 2017.

Outcome of the conference on African swine fever (ASF), Warsaw 28 October 2016

The Polish delegation reported on the outcome of the ministerial conference on African swine fever, the aim of which was to exchange views on the measures already taken to control and eradicate the disease, as well as to favour harmonisation of the implemented actions.

The conference highlighted the importance of immediate and coordinated action to fight the disease and the regional and multidisciplinary nature of the challenge. It also expressed concerns on the risk associated with wild boars.

The Commission agreed with the outcome of the conference and reiterated its commitment to intergovernmental cooperation among member states but also with third countries. It called on member states to support its initiatives in this domain.

Some delegations took the opportunity to express concern over the recent outbreak of avian flu H5N8.

Negotiation of the Association Agreement between the European Union and Mercosur

In the context of the wider discussion on agriculture and free trade agreements, The Belgian, the French, German and Polish delegations asked the Commission to improve information flows to member states as regards Mercosur negotiations, as well as their participation in them. They also asked the Commission to re-examine the tariff dimension of the negotiations to make sure that agricultural trade concessions were not excessive or detrimental to the EU.

Several delegations expressed support for the initiative and, in particular, for the plea to have more information and transparency in the negotiating process.

Outcome of the meeting of the Visegrad Group extended to Bulgaria, Romania and Slovenia, Warsaw 26 October 2016

In the context of the discussion on research and innovation and on behalf of the extended Visegrad group, the Polish delegation briefed the Council on its latest meeting that had recently taken place in Warsaw. On that occasion ministers signed a common declaration asking for stronger inclusion of Central and Eastern European countries (EU-13) in the implementation of research projects under the Horizon 2020 programme in the field of agriculture, including bioeconomy.

Organic production

The Presidency informed the Council on the state of play of the proposed regulation on organic production, with regard to the negotiations with the European Parliament.

In particular, the Presidency reported on those issues tackled in the last three trilogues and several technical meetings, including on: the structure of the regulation, the substance of production rules, the database on livestock and seeds. The Presidency also reiterated its commitment to make every possible effort to reach an agreement by the end of 2016.

The proposal on organic production and labelling of organic products is aimed at revising the existing legislation on organic production and labelling of organic products so as to remove obstacles to the sustainable development of organic production in the EU. Its other objectives are to guarantee fair competition for farmers and operators, prevent fraud and unfair practices and improve consumer confidence in organic products.

The Council reached a general approach on the organic regulation on 16 June 2015 and the EP Committee on Agriculture and Rural Development (COMAGRI) voted on its report on 13 October 2015. Negotiations started in November 2015 and, so far, 12 trilogues have taken place.

22nd Conference of the Parties to the Framework Convention on Climate Change (COP 22), Marrakesh 7-18 November 2016

The German delegation drew the attention of the Council to the works of the COP 22 conference that has been underway in Marrakesh since 7 November 2016, and in particular to its focus on agriculture and the forestry sector.

It also encouraged agriculture ministers and the European Commission to be actively involved in the Marrakesh negotiations to ensure that food security is given the highest priority.

Report on the meeting of EU Directors of Wildlife Management and Hunting, Bonn 20-22 June

The German delegation debriefed the Council on the outcome of the latest meeting of EU Directors of Wildlife Management and Hunting hosted by Germany in Bonn.

Yearly informal meetings of EU directors in this field have taken place for seven years, with the result that this has become established practice. Their aim is to provide a forum for the exchange of information and experiences on best-practice approaches to wildlife conservation and hunting governance. The next meeting will be organised by Estonia.

Future of the Common agricultural policy - informal ministerial working lunch

At the informal working lunch, ministers and the Commission discussed the Future of the Common agricultural policy (CAP) post 2020 on the basis of a Presidency paper.

The latter drew the attention of ministers to the challenges that agriculture will face for the period post 2020, including volatility on the agricultural markets, food security and quality, climate change mitigation, generational continuity and increased competition from third countries.

Building on a series of events and debates organised on the same theme in 2016, the Presidency invited delegations to answer the following questions:

- Do you consider that a strong CAP can provide solutions for the economic, societal and environmental challenges outlined above?
- On which elements of the current CAP should emphasis be put in future policy talks in view of delivering on its ambitious goals?

Ministers generally agreed that a simpler, more effective and more innovative CAP has a fundamental role to play in facing future challenges and should therefore be supported by an adequate and proportionate budget. They also considered that the second pillar of the CAP, the rural development in particular, is the one element worth investing in because of its effectiveness and visibility.

OTHER ITEMS APPROVED

FISHERIES

Discard plan for certain demersal fisheries in North-Western and South-Western waters

The Council decided not to oppose the adoption by the Commission of two delegated regulations establishing a discard plan for certain demersal fisheries in North-Western waters ([13272/16](#) and [ADD 1](#)) and South-Western waters ([13273/16](#) and [ADD 1](#)).

The aim of the regulation is to adopt the measures that would facilitate the implementation of the landing obligation, which is a key objective of the Common Fisheries Policy (CFP)¹, and has applied to certain demersal fisheries in North-Western and South-Western waters since 1 January 2016.

In particular, the delegated regulations include a description of the fisheries covered by the discard plan, an exemption for high survivability and a number of de minimis exemptions.

Discard plan for mollusc bivalve *Venus* spp. in Italian territorial waters

The Council decided not to oppose the adoption by the Commission of a delegated regulation establishing a discard plan for mollusc bivalve *Venus* spp. in Italian territorial waters ([13292/16](#)).

The aim of the regulation is to adopt the measures that would facilitate the implementation of the landing obligation, which is a key objective of the Common Fisheries Policy (CFP)², and applies to mollusc bivalve *Venus* spp. in the Italian territorial waters as of 1 January 2017.

In particular, the delegated regulation specifies the species and fisheries to which specific measures would apply, such as the exemption from the minimum conservation reference size.

¹ OJ L 354, 28.12.2013, p.22.

² OJ L 354, 28.12.2013, p.22.

Discard plan for certain pelagic fisheries in South-Western waters

The Council decided not to oppose the adoption by the Commission of a delegated regulation establishing a discard plan for certain pelagic fisheries in South-Western waters ([13435/16](#)).

The aim of the regulation is to adopt the measures that would facilitate the implementation of the landing obligation, which is a key objective of the Common Fisheries Policy (CFP)¹, and has applied to certain pelagic fisheries in South-Western waters since 1 January 2016.

In particular, the delegated regulation specifies the minimum conservation reference size for horse mackerel in ICES divisions VIIIc and IX.

ENLARGEMENT

Relations with Kosovo²

The Council adopted a decision on the signing of the framework agreement between the EU and Kosovo. This agreement concerns the general principles for the participation of Kosovo in Union programmes.

The Council also decided to request the consent of the European Parliament on the conclusion of this framework agreement.

TRADE

Torture goods - amending regulation

The Council adopted an amending regulation concerning goods that can be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment.

[Torture goods: Council adopts amending regulation](#)

¹ OJ L 354, 28.12.2013, p.22.

² This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ opinion on the Kosovo declaration of independence.

Iceland - agricultural products

The Council adopted a decision to sign an agreement in the form of an exchange of letters between the EU and Iceland concerning additional trade preferences in agricultural products. It also agreed to request the consent of the European Parliament for its conclusion.

[Agreement in the form of an Exchange of Letters between the European Union and Iceland concerning additional trade preferences in agricultural products](#)

REGIONAL DEVELOPMENT

Facilitating use of cohesion policy in EU countries in a fragile financial situation

The Council adopted a regulation (PE-CONS 39/16) aimed at facilitating the use of funding from the EU cohesion policy by member states affected by a fragile financial situation. The regulation allows:

- an increase to be made to the usual co-financing rates for payments made under the European regional development fund (ERDF), the European social fund (ESF) and the cohesion fund corresponding to ten percentage points above the usual co-financing rates; the increased co-financing rates will be applicable to any member state under financial assistance after the 30 June 2016; Greece is currently the only country under financial assistance;
- an increase in the maximum co-financing rates for payments under the ERDF and the ESF for Cyprus to be made from 50% to 85% until current programme closure.

The regulation will allow the rules that have been in place since January 2014 - and that would otherwise have expired on 30 June 2016 and 30 June 2017 respectively - to continue to apply.

The top-ups do not increase the total appropriations for the affected countries, meaning that no additional EU funding is needed.

The purpose of cohesion policy is to reduce disparities between the levels of development of the EU's various regions by promoting economic growth, job creation and competitiveness.

ENERGY

Certification of sustainable biofuels

The Council adopted conclusions ([13470/16](#)) on the European Court of Auditors' Special Report No 18/2016 "The EU system for the certification of sustainable biofuels" ([12574/16](#)).
