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European Union

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PV CONS 35  
AGRI 309  
PECHE 296

**DRAFT MINUTES**  
COUNCIL OF THE EUROPEAN UNION  
**(Agriculture and Fisheries)**  
18 June 2019

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## 1. Adoption of the agenda

The Council adopted the agenda set out in 10214/1/19 REV 1.

## 2. Approval of "A" items

### Non-legislative list

10216/19

The Council adopted the "A" items listed in 10216/19 including COR and REV documents presented for adoption. Statements related to these items are set out in the Addendum.

For the following items the documents should read as follows:

### Agriculture

#### 1. Conclusions on biosecurity

*Adoption*

approved by Coreper, Part 1, on 29.05.2019

9571/19

+ **REV 1 (fr)**

AGRI

VETER

### EU positions for international negotiations

#### 4. Council Decision on the EU position in the EU-CTC Joint Committee on a common transit procedure on amendments to the Convention

*Adoption*

approved by Coreper, Part 1, on 12.06.2019



9914/19

9691/19

+ **REV 1 (it)**

UD

### Justice and Home Affairs

#### 7. Council Decision on EU participation in GRECO with observer status

*Adoption*

approved by Coreper, Part 2, on 13.06.2019



10326/19 + ADD 1  
9884/19

+ **COER 1 (fi)**

DROIPEN

## FISHERIES

### Legislative deliberations

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

3. **Regulation on the European Maritime and Fisheries Fund** **1****C** 10297/19 + ADD 1  
*Partial General approach*

The Council reached a partial General approach on the European Maritime and Fisheries Fund as set out in Council document 10297/19.

The Council took note of the statements made by AT,EE,SE,LT,LV and PL.

### Non-legislative activities

4. Communication on the state of play of the Common Fisheries Policy (CFP) and consultation on the Fishing Opportunities for 2020 10186/19  
10301/19 + **COR 1**  
*Presentation by the Commission*  
*Exchange of views*

## AGRICULTURE

### Legislative deliberations

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

5. **Post-2020 CAP reform package** **1****C** 10008/19
- a) **Regulation on CAP Strategic Plans**
  - b) **Regulation on financing, management and monitoring of the CAP**
  - c) **Regulation on common market organisation (CMO) of agricultural products**

*Progress report*

The "Agriculture and Fisheries" Council took note of the Presidency Progress report (doc. 10008/19) reflecting the state of play of discussions in the Council on the CAP reform and of delegations' and Commission's comments on it.

The Council also took note of the information provided by the Spanish delegation on the outcome of the congress on the post-2020 CAP green architecture "Digging deeper into Eco-Schemes" that took place in Zafra on 29-31 May 2019 (doc. 10100/19).

## Any other business

### Fisheries

6. a) Eastern Baltic cod: Critical situation of the stock and need for comprehensive actions 10243/19  
*Information from the Lithuanian delegation, supported by Latvian and Polish delegations*
- b) Joint Recommendations under Article 11 of Regulation 1380/2013 (CFP) 10259/19  
*Presentation by the Commission on the state of play*

### Agriculture

- c) **Outcome of the CAP Green Architecture post-2020 Congress entitled "Digging deeper into Eco-Schemes" (Zafra, Spain, 29-31 May 2019)** 10100/19  
*Information from the Spanish delegation*

Item 6 c) was addressed under item 5.



First reading



Item based on a Commission proposal



Public debate proposed by the Presidency (Article 8(2) of the Council's Rules of Procedure)

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**Statements to the legislative "B" items set out in 10214/1/19 REV 1**

**Ad "B" item 3:**      **Regulation on the European Maritime and Fisheries Fund**  
*Partial General approachX*

**STATEMENT BY ESTONIA**

"Estonia considers the European Maritime and Fisheries Fund (EMFF) as an important tool for achieving the objectives of the Common Fisheries Policy. Estonia can generally support the direction of the Presidency compromise on the regulation of the EMFF for the Partial General Approach (PGA). However, we find that financial instruments have not been addressed well in the PGA.

Estonia strongly finds that in relation to financial instruments, the list of eligible activities should be less restrictive. Financial instruments should be treated as a tool to ensure equal competition rather than means of direct support. This is very important for Estonia, where the relatively small fisheries sector finds it increasingly difficult to guarantee suitable conditions for loans from financial institutions. Therefore, we consider it necessary that derogation from certain non-eligible costs listed in Article 13 of the EMFF should be established for financial instruments. Financial instruments differ from grant support and it is common in the Multiannual Financial Framework that while the financial instruments need to contribute to overcoming existing market barriers, the list of eligible activities is less restrictive in the case of financial instruments than in case of grant support.

One possible solution would be to add the following paragraph to the EMFF regulation:

*“Article 15 new*

*Conditions for the Financial Instruments*

*The non eligible costs listed in points (a) and (b) of Article 13 shall not apply to the support granted in form of Financial Instruments when provided to final recipient and without gross grant equivalent of aid.*

*The non eligible costs listed in points (f), (h), (j), (k), (l) of Article 13 shall not apply to the support granted in form of Financial Instruments.”*

In conclusion, we consider it necessary to address this issue during proceeding discussions in trilogues, as this is an important matter for Estonia for the future implementing the Fund."

## STATEMENT BY LITHUANIA AND LATVIA

"European Maritime and Fisheries Fund should adequately support the fishing fleet in the next programming period and we consider provisions of the draft regulation insufficient in this regard. The foreseen support for innovations and investments on board does not address the reality of the technically obsolete EU fishing vessels and is economically questionable.

Part of the European Union fishing fleet is technically obsolete, equipped with highly fuel-consuming and CO2 emitting engines. The vessel construction itself makes impossible to modernise or innovate and it is extremely costly to ensure proper working and fish handling conditions on board.

In our view, the possibility for the fishing fleet renewal under the future fund needs to be consistent with the latest amendment to the Guidelines for the examination of State aid to the fishery and aquaculture sector, which allows for the aid for the renewal of the fishing fleet in outermost regions.

We suggest extending possibility for the fishing fleet renewal under the future fund by envisaging possibility to support replacement of old vessels with the newer ones, not exceeding the fishing capacity ceilings of Member State.

Therefore, Lithuania and Latvia propose to introduce a new Article dealing with the fishing fleet renewal under the future fund, namely allowing support for replacement of old vessels with newer ones.

*“Article 15 new  
Replacement of a fishing vessel*

*By way of derogation from Article 13 (b), support to achieve the specific objective in Article 14 (1)(a) for the replacement of a fishing vessel by a newer one shall comply with the following conditions:*

- a) the replaceable vessel belongs to a fleet segment for which the latest report on fishing capacity, referred to in Article 22(2) of Regulation (EU) No 1380/2013, has shown a balance with the fishing opportunities available to that segment;*
- b) the replacement does not result in exceeding the fishing capacity ceilings of Member State, set out in Annex II of the Regulation No 1380/2013;*
- c) the replaceable fishing vessel is older than 25 years at the date of submission of the application for support;*
- d) the acquired vessel has been registered in the fleet register for at least 3 calendar years preceding the year of submission of the application for support;*
- e) the replaced and the acquired fishing vessels are not longer than 40 meters in length overall.””*

## **STATEMENT BY AUSTRIA**

"Austria regrets that the co-financing rates and aid intensities have been raised considerably compared to the original Commission proposal. The implementation of the CFP is a common task for the EU, its Member States and the sector. High co-financing rates will lead to an increased dependency on the EU budget, while high aid intensities will reduce the direct responsibility of the private sector. Consequently, the leverage effects of the EMFF are substantially curtailed.

In addition, Austria is concerned that some of the newly introduced eligible operations might lead to an increase in capacity and thus to overfishing and therefore might endanger the results achieved so far in the implementation of the CFP."

## **STATEMENT BY POLAND**

"Poland would like to draw attention to the fact that the compromise text as adopted by the Council does not fully meet the needs of the fisheries sector in the Baltic Sea region, and calls for a regional approach to be introduced. In its current form, the Partial General Approach will not make it possible fully and effectively to obviate the consequences of the catastrophic status of stocks in the Baltic Sea. Since 2015, Poland has repeatedly pointed to the deteriorating condition of Eastern cod, seeking support from both the European Commission and the States in the region for the development of remedial instruments. The European Maritime and Fisheries Fund as currently proposed does not reflect the reality of the situation. The ICES advice for 2020 for the Baltic Sea basin recommends a zero TAC for stocks of Eastern cod and Western herring.

For some time now, Poland has been taking measures aimed at protecting the cod population in the Baltic Sea, i.e. maintaining closure periods for cod spawners, introducing a trawling ban in the six-mile zone (nautical miles), as well as limiting the fishing of sandeel. Given the lack of agreement among States in the region concerning the necessity of taking remedial action to improve fish stocks in the Baltic Sea, there is a high risk that the condition of such stocks will deteriorate further. In view of this situation, Poland opposed the adoption of the Partial General Approach concerning the European Maritime and Fisheries Fund in the proposed wording. Given the above, Poland called for the adoption of long-term remedial measures that will effectively contribute to the recovery of stocks in the Baltic Sea while taking into account the negative socio-economic consequences."

## **STATEMENT BY SWEDEN**

"The proposal's text includes the possibility to finance capacity-enhancing measures at the same time it more than doubles the total amount Member States can allocate to capacity-related measures. The proposal lacks adequate conditions to prevent overcapacity, which can lead to overfishing. The Presidency compromise goes therefore on the opposite direction as compared to the goals of the Common Fisheries Policy and the transition to sustainable fisheries as well as EU's international commitments within the framework of Agenda 2030. Sweden therefore votes against the Presidency compromise text."