



Council of the European Union  
General Secretariat

Brussels, 22 December 2020

CM 5508/20

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PROCED

### COMMUNICATION

#### WRITTEN PROCEDURE

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Subject: Draft Regulation of the European Parliament and of the Council laying down certain transitional provisions for support from the European Agricultural Fund for Rural Development (EAFRD) and from the European Agricultural Guarantee Fund (EAGF) in the years 2021 and 2022 and amending Regulations (EU) No 1305/2013, (EU) No 1306/2013 and (EU) No 1307/2013 as regards resources and application in the years 2021 and 2022 and Regulation (EU) No 1308/2013 as regards resources and the distribution of such support in respect of the years 2021 and 2022 [2019/0254 (COD)]

Outcome of the written procedure initiated by CM 5470/20:

- Adoption of the legislative act, and
- Approval of the joint statements.

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Delegations are informed that the written procedure, opened by CM 5470/20 of 18 December 2020 was completed on 22 December 2020 and that all delegations voted in favour of, except for Latvia and Lithuania that abstained, the adoption of the Regulation of the European Parliament and of the Council laying down certain transitional provisions for support from the European Agricultural Fund for Rural Development (EAFRD) and from the European Agricultural Guarantee Fund (EAGF) in the years 2021 and 2022 and amending Regulations (EU) No 1305/2013, (EU) No 1306/2013 and (EU) No 1307/2013 as regards resources and application in the years 2021 and 2022

and Regulation (EU) No 1308/2013 as regards resources and the distribution of such support in respect of the years 2021 and 2022, as set out in document PE-CONS 29/20.

All delegations voted in favour of, except for Lithuania and Romania that abstained, the approval of the joint statements.

The required qualified majority has been reached. Therefore, the above Regulation is adopted and the joint statements are approved.

The statements are reproduced in the Annex to this CM and will be included in the summary of acts adopted by the written procedure as statements to be entered in the Council minutes, in accordance with the third subparagraph of Article 12(1) of the Council's Rules of Procedure.

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**Joint statement by the European Parliament and the Council on the outermost regions and smaller Aegean islands**

The European Parliament and the Council recall:

- the importance of specific measures for the outermost regions, in accordance with Article 349 of the Treaty on the Functioning of the European Union and Regulation (EU) No 228/2013 of the European Parliament and of the Council, to take account of the special characteristics of those regions;
- the importance of specific measures for agriculture in favour of the smaller Aegean islands established under Regulation (EU) No 229/2013 of the European Parliament and of the Council; and
- that the above issues justify special support for those regions and islands, in order to implement appropriate measures.

**Joint statement by the European Parliament and the Council on EU funding arrangements for POSEI and the smaller Aegean islands**

The European Parliament and the Council underline that the EU funding arrangements for POSEI and the smaller Aegean islands included in this Transitional Regulation for 2021 and 2022 are exceptional, reflecting the particularity of the circumstances, and do not constitute a precedent for future CAP financing, neither for the outermost regions and the smaller Aegean islands, nor for direct payments.

## Statement by Latvia

Latvia supports the urgent need to agree on CAP transitional rules in order to allow for the continuation of CAP policy in 2021 and avoid any interruption in support between the two MFF periods. It is the responsibility of the EU co-legislators to ensure that EU farmers continue food and agricultural production under CAP provisions without disruption.

The substance of the compromise on the draft Regulation is acceptable for Latvia, as conditions for implementation are well elaborated and balanced. However, the last minute introduced proposal *to maintain the current CAP budgets for the **outermost regions and the smaller Aegean islands** under Regulations 228/2013 and 229/2013* - raises a number of concerns.

While being open to finding solutions to ensure current level of funding for the regions in question, any such solution **must under no circumstances** undermine the agreement reached in **European Council** in July. All the EU Member States have their own national interests and political sensitivities. These had been widely discussed and taken into account in lengthy negotiations that lead to a very delicate compromise back in July. It is clear that compromise achieved by DE PRES does not fully respect this MFF deal.

We were ready to support a solution which would be budgetary neutral to the non-POSEI Member States. However, the proposed **use of assigned revenues, eventhough only for 2021**, is not budgetary neutral vis-à-vis the direct payment envelopes of the other MS and is creating the precedent for the future.

For the reasons expressed above Latvia **abstains from voting on** the Transitional Regulation.

### **Statement by Lithuania**

Lithuania considers that the compromise solution for the additional financing for Union's outermost regions and the smaller Aegean islands included in the Transitional Regulation for 2021 does not respect the MFF agreement and believes that the use of assigned revenues for this purpose goes against the principle of budget neutrality *vis-a-vis* other Member States.

Lithuania notes that the abovementioned solution shall not constitute a precedent for the future.

### **Joint Statement by Belgium, Denmark, The Netherlands, Slovakia and Sweden**

Belgium, Denmark, The Netherlands, Slovakia and Sweden support the compromise on the CAP transitional regulation. The support is without prejudice to the future financing of POSEI. We do not agree, in principle, with the solution of maintaining the levels of funding for POSEI by using assigned revenue. However, a swift decision on the transitional regulation is important both for giving farmers legal certainty and for managing the economic effects of Covid-19.

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