

2534th Council meeting

– AGRICULTURE AND FISHERIES –

Luxembourg, 13 October 2003

President: **Mr Giovanni ALEMANN**
Minister for Agriculture and Forestry Policy of
the Italian Republic

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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 Small and Medium-Sized Businesses, the Liberal Professions and the Self-Employed and Agriculture

Mr Ludo SANNEN

Flemish Minister for Agriculture, Environment and Development Cooperation

Denmark:

Ms Mariann FISCHER BOEL

Minister for Food, Agriculture and Fisheries

Germany:

Mr Erhard SCHWINNE

Director-General; Ministry for Consumer Protection, Food and Agriculture

Greece:

Mr Georgios DRYIS

Minister for Agriculture

Spain:

Mr Miguel ARIAS CAÑETE

Minister for Agriculture, Fisheries and Food

France:

Mr Hervé GAYMARD

Minister for Agriculture, Food, Fisheries and Rural Affairs

Ireland:

Mr Joe WALSH

Minister for Agriculture

Mr Dermot AHERN

Minister for Communications, Marine and Natural Resources

Italy:

Mr Giovanni ALEMANNI

Minister for Agricultural and Forestry Policy

Mr Paolo SCARPA BONAZZA BUORA

State Secretary for Agricultural and Forestry Policy

Luxembourg:

Mr Fernand BODEN

Minister for Agriculture, Viticulture and Rural Development

Netherlands:

Mr Pieter Cornelis VEERMAN

Minister for Agriculture, Nature and Food Quality

Austria:

Mr Andrä RUPPRECHTER

Director-General, Federal Ministry of Agriculture, Forestry, the Environment and Water Management

Portugal:

Mr Armando SEVINATE PINTO

Minister for Agriculture, Rural Development and Fisheries

Finland:

Mr Juha KORKEAOJA

Minister for Agriculture and Forestry

Sweden:

Ms Ann-Christin NYKVIST

Minister for Agriculture, Food and Fisheries

United Kingdom:

Mr Ben BRADSHAW

Parliamentary Secretary, Privy Council Office

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Commission:

Mr Franz FISCHLER

Member

The Governments of the Acceding States were represented as follows:**Czech Republic:**

Mr Jaroslav PALAS

Minister for Agriculture

Estonia:

Mr Toomas KEVVAI

State Secretary, Ministry of Agriculture

Cyprus:

Mr Michael CONSTANTINIDIS

State Secretary, Ministry of Agriculture

Latvia:

Ms Mārtiņš ROZE

Minister for Agriculture

Lithuania:

Mr Vidmantas KANOPA

State Secretary, Ministry of Agriculture

Hungary:

Mr Tibor SZANYI

State Secretary, Ministry of Agriculture and Rural Development

Malta:

Mr Anthony GRUPETTA

Director-General at the Ministry of Agriculture

Poland:

Mr Jerzy Plewa

Deputy State Secretary

Slovakia:

Mr Zsolt SIMON

Minister for Agriculture

Slovenia:

Mr Franc BUT

Minister for Agriculture

ITEMS DEBATED

FISHERIES

WESTERN WATERS

The Council reached a political agreement by qualified majority, on the basis of a draft Presidency compromise endorsed by the Commission, on the proposal for a Council Regulation on the management of the fishing effort relating to certain Community fishing areas and resources and modifying Regulation (EEC) 2847/93. The Spanish and Irish delegations announced their intention of voting against the formal adoption of the legislative text at a forthcoming Council meeting. The Belgian delegation said that it would be abstaining.

The main elements of the political agreement are as follows:

- establishment of a biologically sensitive area to replace the current "Irish Box" (which stretches 50 miles around the Irish coast)
- establishment of a reference period (1998-2002) for drawing up the list of vessels authorised to fish
- establishment of a 100-mile protection zone for the outermost regions
- establishment of a kilowatt-day system to calculate the fleet's fishing effort
- establishment of a minimum size for vessels covered by the Regulation depending on the area (10 metres for biologically sensitive areas, 15 metres for other areas).

The initial proposal aimed in particular to:

- allow the full integration of Spain and Portugal into the Common Fisheries Policy;
- manage the fishing effort so as to avoid discrimination between Member States;

- revise the current fishing effort ceilings, taking account of the reduction in fishing possibilities in the last seven years;
- limit excess to waters in the outermost regions.

The initial proposal (15636/02), submitted to the Council at its meeting from 16 to 20 December 2002, should replace previous Regulations concerning Western waters.

Those Regulations aimed to prevent an increase in the overall fishing effort for the areas and resources covered by the 1985 Act of Accession of Spain and Portugal. In particular, they established a fishing effort limitation determined on the basis of type of fishing and area, and also on the basis of traditional fishing activities, except for Spanish vessels (40 since 1996), for an area stretching 50 miles around the Irish coast known as the "Irish Box". Under the consultation procedure (Article 37 of the Treaty), the European Parliament's opinion, which is not legally binding, was delivered at its plenary session on 4 June 2003.

MEDITERRANEAN

Commissioner FISCHLER presented the proposal for a Council Regulation concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean and amending Regulations (EC) No 2847/93 and (EC) No 973/2001 (13406/03). The Council took note of the proposal and agreed to return to it at its next meeting.

The proposal amends Regulations (EC) No 2847/93 and (EC) No 973/2001. The main Member States concerned are Italy, France, Spain and Greece. The two third countries with active fleets in the area are Japan and South Korea.

According to the Commission, stocks of hake, Norway lobster and shrimp in particular have fallen significantly in the Mediterranean. The Commission has identified over-exploited areas in the Adriatic, the Strait of Sicily, the Gulf of Lion and the Strait of Gibraltar. The subject is also on the agenda for a pan-Mediterranean conference in Venice on 25 and 26 November 2003 ¹.

In view of the importance of international waters in the area, Commissioner FISCHLER stressed the need to cooperate fully with third Mediterranean coastal States and to harmonise the proposed measures as far as possible. The proposal incorporates the principles of the common fisheries policy (CFP) but also takes into account the specific nature of fishing in the Mediterranean. The only regulation currently in force (Regulation (EC) No 1626/94) is deemed by the Commission to be ill-adapted and out-of-date.

The proposal for a Regulation ² principally aims to update the technical measures in place in the Mediterranean since 1994 and to introduce Community management of the fishing effort in the area:

- fishing gear restrictions: increasing minimum mesh size for towed nets in two stages over a period of six years (from 40 mm today to 50 mm in 2005 and 60 mm by the end of 2008); combining limits on fishing effort with technical measures.

¹ See: <http://www.delmar.cec.eu.int/fr/calendrier/200309a.htm>

² See: http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.getfile=gf&doc=IP/03/136110|RAPID&lg=FR&type=PDF

- protected areas, species and habitats: the possibility of temporarily closing areas to certain fishing methods in both Community and international waters; banning or restricting the use of certain fishing practices and fishing gears;
- delegating powers to Member States to regulate in their territorial waters fishing activities with no significant impact on the environment. This provision is consistent with the conclusions adopted by the Council last December (see below) and the Commission's desire to re-establish a balance between Community action and action by Member States, which is more specific and local;
- prohibiting certain equipment for non-commercial leisure fishing (e.g. towed nets) and reinforcing protection in the waters around Malta (25 miles).

At its meeting in December 2002 (15636/02), the Council adopted, as a "B" item, conclusions on the Community Action Plan for the conservation and sustainable exploitation of fisheries resources in the Mediterranean under the Common Fisheries Policy.

Since the proposal is based on Article 37 of the Treaty, the European Parliament needs to be consulted but its opinion has no binding legal effect. The Commission has stated that it would like the proposal to be adopted by the end of 2004. No financial impact is anticipated.

AGRICULTURE**COMMUNICATION FROM THE COMMISSION – OLIVE OIL AND COTTON***(12965/03)*

The Council held an initial detailed exchange of views on the cotton and olive oil sectors and agreed to return to those subjects, as well as to the tobacco and sugar sectors, at its next meeting on 17 and 18 November.

SPANISH NATIONAL AID – NUTS

The Council agreed to postpone discussion of the draft Decision on the granting by the Kingdom of Spain of exceptional national aid to Spanish producers in the nut sector up to a maximum of EUR 67,6 million for 2003.

In accordance with the final paragraph of Article 88(2) of the Treaty, the Commission may decide within three months of the date of a Member State's application (12 September in the case of the Spanish delegation here) to grant national aid.

ITEMS APPROVED WITHOUT DEBATE

(Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available from the Press Office.)

AGRICULTURE

Forests *

(13439/03)

The Council adopted the conclusions on forest law enforcement, governance and trade (FLEGT = Forest Law Enforcement, Governance and Trade). The conclusions support the Action Plan proposed by the Commission to combat illegal logging and associated trade, on the basis of cooperation between consumer and producer countries, the private sector and other stakeholders.

Cooperation would involve establishing a political dialogue between the Community, Member States and the countries concerned with a view in particular to strengthening land access rights for rural and/or marginalised indigenous peoples and tackling conflicts financed by illegal logging. The conclusions also supported the idea of a Regulation to control imports of illegally harvested timber and conflict timber.

In a statement annexed to the conclusions, the Danish delegation called for a Community regulation in 2004 setting up a voluntary licensing scheme.

The statement followed a communication from the Commission on the same subject (9944/03).

Act of Accession of Finland, Sweden, Austria – Transitional measures – Milk

(13351/03, 13364/03, 11281/03)

The Council adopted a Regulation extending until 30 April 2009 the period during which transitional measures may be adopted with regard to the requirements relating to the fat content of milk for human consumption produced in Finland and Sweden under the conditions set out in the 1994 Act of Accession.

The Special Committee on Agriculture had examined this proposal on 22 September 2003 (Taormina). The fat content of milk in these two States (Finland: 1%; Sweden: 3%) therefore remains below the Community norm of 3,5% for full cream milk under Regulation (EC) No 2597/97, with the difference justified on grounds of consumer preference and protection of public health (reducing the number of cardiovascular illnesses).

Organic Farming – Mutual Recognition EU/US

The Council adopted a decision authorising the Commission to enter into negotiations with the United States on mutual recognition of organic production rules and related inspection systems. Authorisation consisted of negotiating directives.

FISHERIES

Community fisheries management

(12847/03, 13197/03, 8123/03)

The Council adopted conclusions on improving scientific and technical advice for Community fisheries management. The conclusions followed a communication from the Commission on the subject. In its conclusions, the Council approved financial allocations (EUR 4 million for 2004-2006 and EUR 1 million for 2003) for the provision of scientific advice, and named the Scientific, Technical and Economic Committee for Fisheries (STECF) as the most appropriate forum to provide coherent and comprehensive advice on social, economic and biological aspects of Community fisheries.

The Council conclusions favoured scientific advice presenting a range of scenarios and long-term management options, with requests for scientific advice making clear any policy objectives to be taken into account and with coordination between Member States and the Commission, in conjunction with the International Council for the Exploration of the Sea (ICES), to improve the credibility and reliability of scientific advice.
