



**COUNCIL OF
THE EUROPEAN UNION**



9625/12

PRESSE 194

PR CO 27

PRESS RELEASE

3165th Council meeting

Agriculture and Fisheries

Brussels, 14 and 15 May 2012

President

Ms Mette GJERSKOV

Minister for Food, Agriculture and Fisheries of Denmark

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Main results of the Council

*Concerning fisheries, ministers held a public debate on the **environmental aspects of the common fisheries policy (CFP)** and the **European maritime and fishery fund (EMFF)** within the framework of the CFP reform.*

*As regards agriculture, the Council held a public debate on the specific issue of the **greening of the common agricultural policy (CAP)** within the framework of the CAP reform.*

*The Council was then briefed on a **conference on aquaculture, the consequences of the closure of fishing by EU vessels in Mauritanian waters and the animal welfare requirements before slaughter.***

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¹ 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.

PARTICIPANTS

The governments of the member states and the European Commission were represented as follows:

Belgium:

Ms Sabine LARUELLE

Minister for the Middle Classes, SMEs, the Self-Employed and Agriculture

Mr Carlo DI ANTONIO

Minister for Public Works, Agriculture, Rural Affairs, Nature, Forests and Heritage

Mr Kris PEETERS

Minister President of the Flemish Government and Flemish Minister for the Economy, Foreign Policy, Agriculture and Rural Policy

Bulgaria:

Mr Miroslav NAYDENOV

Minister for Agriculture and Food

Czech Republic:

Mr Petr BENDL

Minister for Agriculture

Denmark:

Ms Mette GJERSKOV

Minister for Food, Agriculture and Fisheries

Ms Hanne LAUGER

Head of Office, Ministry for Food, Agriculture and Fisheries

Germany:

Ms Ilse AIGNER

Federal Minister for Food, Agriculture and Consumer Protection

Mr Robert KLOOS

State Secretary, Federal Ministry of Food, Agriculture and Consumer Protection

Estonia:

Ms Keit PENTUS

Minister for the Environment

Mr Helir-Valdor SEEDER

Minister for Agriculture

Ireland:

Mr Simon COVENEY

Minister for Agriculture, Food and the Marine

Greece:

Ms Georgia BAZOTI-MITSONI

Secretary General for Food and Agriculture

Mr Andreas PAPASTAVROU

Deputy Permanent Representative

Spain:

Mr Miguel ARIAS CAÑETE

Minister for Agriculture, Food and the Environment

France:

Mr Eric ALLAIN

Director-General for Policies on Agriculture, Agri-food and Territories at the Ministry of Agriculture

Ms Sophie MARTIN LANG

COREPER I Adviser to the Permanent Representation

Italy

Mr Mario CATANIA

Minister for Agricultural, Food and Forestry Policy

Cyprus:

Mr Sofoclis ALETRARIS

Minister for Agriculture, Natural Resources and Environment

Latvia:

Ms Laimdota STRAUJUMA

Minister for Agriculture

Mr Edvards SMILTĒNS

Parliamentary Secretary, Ministry of Agriculture

Lithuania:

Mr Mindaugas KUKLIERIUS

Deputy Minister for Agriculture

Luxembourg:

Mr Romain SCHNEIDER

Minister for Agriculture, Viticulture and Rural Development

Ms Michèle EISENBARTH

Deputy Permanent Representative

Hungary:

Mr György CZERVÁN

State Secretary, Ministry of Rural Development

Malta:

Mr George PULLICINO

Minister for Resources and Rural Affairs

Netherlands:Mr Henk BLEKER
Mr Derk OLDENBURGMinister for Agriculture and Foreign Trade
Deputy Permanent Representative**Austria:**

Mr Harald GÜNTHER

Deputy Permanent Representative

Poland:Mr Marek SAWICKI
Mr Kazimierz PLOCKEMinister for Agriculture and Rural Development
State Secretary, Ministry of Agriculture and Rural
Development**Portugal:**

Ms Assunção CRISTAS

Minister for Agriculture, Maritime Affairs, the
Environment and Regional Planning
Deputy Permanent Representative

Mr Pedro COSTA PEREIRA

Romania:Mr Daniel CONSTANTIN
Mr Achim IRIMESCUMinister for Agriculture and Rural Development
State Secretary, Ministry of Agriculture and Rural
Development**Slovenia:**

Mr Franc BOGOVIČ

Minister for Agriculture and the Environment

Slovakia:

Mr Ľubomír JAHNÁTEK

Minister for Agriculture and Rural Development

Finland:Mr Jari KOSKINEN
Mr Risto ARTJOKIMinister for Agriculture and Forestry
State Secretary, Ministry of Agriculture**Sweden:**

Mr Eskil ERLANDSSON

Minister for Rural Affairs

United Kingdom:

Mr Jim PAICE

Minister of State for Agriculture and Food Department for
Environment, Food and Rural Affairs
Parliamentary Under-Secretary of State, (Natural
Environment and Fisheries)

Mr Richard BENYON

Commission:Ms Maria DAMANAKI
Mr Dacian CIOLOȘMember
Member

.....

The government of the acceding state was represented as follows:

Croatia:

Ms Snježana ŠPANJOL

Deputy Minister for Agriculture

ITEMS DEBATED

FISHERIES

Reform of the common fisheries policy

The Council held two public debates in the framework of the common fisheries policy (CFP) reform. The first discussion focused on achieving environmental sustainability through maximum sustainable yield (MSY) and the integration of environmental law requirements into the proposal covering the basic provisions of the CFP ([12514/11](#)). The second debate explored further the proposal for a regulation on the European maritime and fisheries fund (EMFF), replacing the existing European fisheries fund ([17870/11](#)).

Environmental aspects of the CFP and MSY

All the member states agreed to the inclusion of MSY as an objective in the CFP, to ensure the sustainability of resources and better prospects for the fishing sector. However, most delegations urged a gradual approach: the deadline for reaching the MSY for certain fish stocks could be set in 2015, in line with the EU's international commitments (Johannesburg), if scientific advice was available and no third countries were involved in the fishery. In other cases, in particular when the scientific information available was poor, a deadline could be set in 2020 at the latest. Most member states favoured a focussed political objective in the basic regulation, while details on implementation should be addressed through individual multiannual plans.

As regards mixed fisheries, most of the member states considered it a challenge to reach MSY simultaneously for all stocks caught in a mixed fishery. This held in particular for the Mediterranean, where mixed fisheries constituted the rule and where fisheries were shared with third countries. Most delegations acknowledged the need to reconcile the targets for the various stocks in a pragmatic way, based on specific scientific advice. To avoid more vulnerable stocks being overfished, delegations requested the introduction of technical measures (gear selectivity, closed areas or seasons) within the multiannual plans implementing the MSY objective. Some delegations underlined that the scientific methods for managing mixed stocks were in an infant state and that therefore a flexible framework was needed. Others pointed out that the interaction of stocks also played a role, and that an under-fished stock could present a problem with regard to other stocks on which it fed.

While member states broadly considered that EU environmental requirements should be incorporated in the CFP, some delegations pointed out that socio-economic factors should balance environmental requirements. Relevant elements of the marine strategy framework directive and Natura 2000 directive should be taken into account in the CFP if the provisions were made consistent. The EMFF could be a tool for better integrating the environmental requirements. In some cases, the regional level could play an important role in this matter, with the Commission being responsible for disseminating good practice.

EMFF

The EMFF proposal must be seen in the context of the Commission proposal for a multiannual financial framework (MFF) for 2014-2020, as well as the CFP reform package.

Delegations broadly agreed on the EMFF proposal, pointing out that the EU should finance the ambitious CFP reform proposed. Several member states questioned whether the part of the fund dedicated to controls and data collection was sufficient under the current proposal. With this in mind, some countries mentioned a possible transfer from the allocations for direct management to the allocation for shared management.

Views differed on whether to maintain funding for modernising the fishing fleet and scrapping fishing boats through the EMFF, as was currently the case. Under the current proposal, the Commission does not plan to continue this funding. Member states were also divided on the storage aid which is part of the Commission proposal for the EMFF: some delegations considered this measure necessary as a safety net for the fish market while others were against providing public money for such market interventions and worried about their distorting effect on competitiveness.

Many delegations considered that the criteria for allocating funding between member states were not precise enough and were still waiting for the figures for allocation following the decision on the MFF. Several member states welcomed the criteria relating to small-scale fisheries and the criteria for aquaculture (See "other business").

In July 2011, the Council held an initial public exchange of views on Commission proposals for the reform of the CFP

In addition, as regards this reform, the Council held policy debates in March on the three main proposals for regulations in the CFP reform "package": basic provisions of the CFP, common organisation (CMO) of the markets in fishery and aquaculture products and the European maritime and fisheries fund (EMFF). The debate on the proposal for a regulation on the CFP focussed on the issue of a discard ban.

A the last Council meeting in April, the policy debates covered regionalisation and transferable fishing concessions (TFCs), two specific issues raised in the basic provisions of the CFP.

A final debate on the "general approach" to reform of the CFP will be organised by the Presidency in June.

AGRICULTURE

CAP reform - Greening

Ministers held an orientation debate on the greening of the common agricultural policy (CAP) within the framework of the CAP reform ([9599/12](#)). The debate covered provisions contained in three of the main proposals of the CAP reform package:

- Regulation for direct payments to farmers ([15396/1/11](#));
- Regulation on the financing, management and monitoring of the CAP (the "horizontal" regulation) ([15426/1/11](#));
- Regulation for rural development ([15425/1/11](#)).

While broadly supporting the principle of greening the CAP for the period 2014-2020 under the pillar I, delegations nonetheless made clear that, in order to achieve this ambition, an adjustment of the modalities proposed by the Commission was required.

Most delegations stressed that any additional greening measures had to be consistent with their specific objective circumstances be easy to apply and monitor, with the implementation costs remaining proportional and avoiding unnecessary red tape. A more flexible approach would help to take into account the diversity of agricultures in the EU and would avoid a "one size fits all" approach.

Many Member States considered that the scope of farming practices that are "green by definition" had to be widened to include pillar II agri-environment practices, as well as practices under national or regional environmental certification schemes. The Commission expressed openness to consider an adjustment of its proposal to take this into account.

On the three mandatory greening measures, a number of adjustments were suggested by delegations:

- on crop diversification, most delegations considered that there was a need to increase the minimum threshold, the minimal number of crops requested and to adjust the definition of crop. Moreover land predominantly covered by permanent grassland needed to be taken into account.
- on the retention of permanent grassland, and to maintain the management of these areas at regional or national level instead of farm level as proposed by the Commission,
- on the Ecological focus area (EFA) and the 7% requirement most delegations wanted more flexibility and suggested a minimum farm area threshold; , areas under pillar II agri-environment schemes with high benefits for the environment and climate needed to be taken into account.

Instead of the three mandatory greening measures as proposed by the Commission (crop diversification, permanent grassland and EFAs), some delegations would prefer a "menu" approach where member states could choose from a list of measures Other Member States would prefer to build greening upon existing instruments, especially cross compliance in pillar I and agri-environment schemes in pillar II.

Finally, a large majority of delegations estimated that the level of sanctions applicable when the greening objectives are not met should not go beyond the level of the greening payment and therefore should not affect the basic payment itself.

The CAP reform package was presented by the Commission at the Agriculture Council meeting in October 2011. The Council already held policy debates on the proposals for regulation on direct payments, rural development and on the single common market organisation during the three last Agriculture Council meetings in November and December last year and in January this year. In March this year Ministers held a debate on the simplification of the CAP. During its last meeting in April, the Council held an orientation debate on young farmers, small farmers, voluntary coupled support and top ups for farmers in areas with natural constraints, as well as on internal distribution, active farmer and capping of support to large farms.

In June, the Danish Presidency intends to organise an orientation debate on the proposal on rural development and to present a progress report on the CAP reform.

OTHER BUSINESS

Aquaculture - Salzburg conference

Ministers were briefed by the Commission on a conference on "CFP: which future for aquaculture?" which took place in Salzburg on 11 May 2012.

As a follow-up to this conference in Austria, 21 member states signed a joint statement on the future role of freshwater aquaculture in the CFP (Austria, Belgium, Bulgaria, the Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Ireland, Latvia, Lithuania, Luxembourg, Poland, Portugal, Romania, Slovakia, Slovenia and Spain) ([9839/12](#)). This statement underlines the importance of aquaculture in the EU that can provide long-term sustainability in ecological, economic and social terms and contribute to the availability of food supplies and the recovery of fish stocks. Given that aquaculture plays a vital role for the economy, employment and the quality of life in rural areas, this sector should consequently be encouraged and promoted in particular through the EMFF (see previous point).

Austria and the Commission hosted a high-level conference on the future of aquaculture. The aim was to discuss how the member states, the Commission, the European Parliament and the stakeholders could help to unlock the potential for further development of aquaculture, in particular freshwater aquaculture in Europe. The Commission considers that a reformed CFP can support the sustainable growth of EU aquaculture. Ideas were raised during the conference on how to promote aquaculture through an EU coordinated approach based on strategic guidelines, common priorities and exchange of best practices.

This conference launched a consultation process on aquaculture which will end with a conference in Spain in November this year. On the basis of this consultation, the Commission will present guidelines on this issue next year.

Closure of fishing by EU vessels in Mauritanian waters

The Council was briefed by the Polish delegation on the consequences of the closure of fishing by EU vessels in Mauritanian waters ([9835/12](#)).

Several member states supported the Polish request to the Commission for action to overcome the current deadlock in negotiations with Mauritania, recalling the considerable importance of this partnership agreement for the EU fishing fleet.

Currently, fishing vessels from six member states (Poland, the Netherlands, Lithuania, Latvia, the United Kingdom and Germany) were severely affected by the decision to close the pelagic fishery in Mauritanian waters from 24 April 2012.

This decision was taken by the Commission because the annual EU quota for this area is nearly exhausted. The closure affects freezer trawlers under the fisheries partnership agreement between the EU and Mauritania, fishing mainly for pelagic species such as sardine, sardinella and mackerel. The member states concerned have been informed of this decision, which was taken to prevent overfishing.

This fisheries agreement allows EU vessels from 12 EU countries to fish in Mauritanian waters. The current protocol is about to expire on 31 July 2012 and negotiations with Mauritania should resume soon.

Animal welfare - Stunning before slaughter

The Swedish delegation expressed concerns regarding the enforcement of the general requirement to stun animals before slaughter ([9704/12](#)).

Some member states joined the Swedish delegation's concerns on a possible overuse of the possibility to slaughter animals without preliminary stunning. The Commission drew the attention to the existing EU framework and invited the Member States to ensure that the derogation is not used beyond its purpose. Recommendations on religious slaughtering have been published in 2011 and a study is ongoing to evaluate the opportunity for informing the consumer on this type of slaughtering by a mandatory labelling.

According to directive 93/119, animals should be stunned before slaughter. However, in the case of animals subject to particular methods of slaughter required by certain religious rites this requirement does not apply. It is claimed that in certain member states this possibility of slaughter without stunning is used wider than what is foreseen by the legislator.

Considering that there is an increasing interest among consumers for animal welfare, Sweden therefore invited other member states to take appropriate action to avoid misuse of religious exemptions to stunning. It also suggested that the Commission could initiate for example targeted controls performed by the Food and Veterinary Office (FVO), prepare an harmonised procedure for approval and control of operators performing unstunned slaughter. Furthermore, Sweden suggested specific labelling as a tool to inform consumers of the method of slaughtering.

OTHER ITEMS APPROVED**AGRICULTURE****Partnership agreements against illegal logging with Central Africa and Liberia**

The Council adopted two decisions on the conclusion of voluntary partnership agreements on forest law enforcement, governance and trade in timber and derived products to the European Union (FLEGT). The first agreement was concluded between the EU and the Central African Republic ([14034/11](#) + [14036/11](#)) and the second agreement between the EU and the Republic of Liberia ([11101/11](#) + [11104/11](#)).

The partnership agreements with Central Africa and Liberia were signed on 14 November 2011 and 22 July 2011 respectively. The European Parliament gave its consent to the conclusion of these agreements at its part-session from 17 to 20 January 2011.

In October 2003 Council adopted conclusions on an EU Action Plan for Forest Law Enforcement Governance and Trade (FLEGT), presented by the Commission which called for measures to address illegal logging through the development of voluntary partnership agreements with timber producing countries. The EU already has FLEGT partnership agreements with Ghana Congo and Cameroon.

EU guidelines for G20 agriculture meeting

The Council endorsed draft EU guidelines for the G20 agriculture vice-ministers/deputies meeting on 17-18 May 2012 in Mexico City.

The Mexican G20 Presidency has requested G20 agriculture vice ministers/deputies to draw up recommendations on agricultural production and productivity as a follow-up to the 2011 action plan on food price volatility and agriculture, to be submitted to the G20 summit in Los Cabos (18 and 19 June 2012).

The recommendations will take account of the report prepared by a number of international organisations and coordinated by the FAO and the OECD, entitled "Improving Global Sustainable Agricultural Productivity Growth and Bridging the Gap for small family farms". On 12-13 April 2012, G20 agriculture vice ministers/deputies met in Mexico City to discuss a draft of the above report. On 17-18 May 2012, G20 agriculture vice ministers/deputies will meet again in Mexico City to complete their discussions and agree on recommendations to be submitted to the G20 summit.

In the field of agriculture, the Mexican G20 Presidency focuses on two priorities:

- ensuring compliance with the commitments set in the November 2011 Cannes declaration and the action plan on food price volatility and agriculture;
- generating consensus on specific initiatives that can help increase world agricultural productivity, with emphasis on smallholders.

APPOINTMENTS

Committee of the Regions

The Council appointed Mr Detlef MÜLLER (Germany) as a member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2015 ([9540/12](#)).
