



**COUNCIL OF
THE EUROPEAN UNION**



9350/13

(OR. en)

PRESSE 182
PR CO 23

PRESS RELEASE

3237th Council meeting

Agriculture and Fisheries

Brussels, 13-14 May 2013

President **Simon Coveney**
Minister for Agriculture, Food and the Marine of Ireland

P R E S S

Rue de la Loi 175 B – 1048 BRUSSELS Tel.: +32 (0)2 281 6319 / 6319 Fax: +32 (0)2 281 8026
press.office@consilium.europa.eu <http://www.consilium.europa.eu/press>

9350/13

1
EN

Main results of the Council

*As regards agriculture, ministers were briefed on the state of play of the trilogues on the **reform of the common agricultural policy (CAP)** and debated more specifically the subjects of the **active farmer requirements, the young farmers' scheme and the small farmers' scheme.***

*In addition, a qualified majority in favour of a decision on the EU position in the framework of the **International Organisation of Vine and Wine (OIV)** could not be reached.*

*Concerning fisheries issues, the Council held a debate on the outcome of the trilogues on the **reform of the common fisheries policy (CFP)**. Ministers agreed on adjustments of the negotiating mandate to the Presidency to finalise the discussions with the other EU institutions on the **basic regulation of the CFP**. These adjustments concerns **maximum sustainable yield (MSY), landing obligation, regionalisation, multiannual plans and capacity management**. The Presidency also informed the Council about a provisional agreement with the European Parliament reached at the end of the third trilogue on the **market regulation** of the CFP.*

*Finally, the ministers were briefed on the consequences for agriculture of the **proposal on tobacco products, the North East Atlantic mackerel stock, and a global summit on oceans.***

CONTENTS¹

PARTICIPANTS.....	6
--------------------------	----------

ITEMS DEBATED

AGRICULTURE	9
Reform of the common agricultural policy (CAP)	9
International Organisation of Vine and Wine (OIV)	10
FISHERIES	12
Reform of the common fisheries policy (CFP).....	12
ANY OTHER BUSINESS.....	16
Directive on tobacco products - Consequences for agriculture	16
North East Atlantic mackerel and changes in stock distribution	16
Global Oceans Action Summit	17

OTHER ITEMS APPROVED*AGRICULTURE*

– Transit of animal by-products from Bosnia and Herzegovina.....	18
– Legally binding agreement on forests in Europe - Negotiating mandate	18
– Council conclusions - Organic farming.....	19
– Negotiation of amendments to the ICCAT convention	19

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.

ECONOMIC AND FINANCIAL AFFAIRS

– Over-reliance on credit ratings	20
– Economic governance	20
– Credit rating agencies	20

JUSTICE AND HOME AFFAIRS

– Facilitation of the issuance of visas - Moldova and Ukraine	21
– European Asylum System - Asylum procedures directive	21
– United Nations Commission on International Trade Law	21

FOREIGN AFFAIRS

– Guidelines for EU restrictive measures	22
– Relations with Iraq	22
– EU accession to the Management Committee of the Special Tribunal for Lebanon	22

DEVELOPMENT COOPERATION

– Technical Centre for Agricultural and Rural Cooperation	23
---	----

TRADE

– ACP Group of States	23
-----------------------------	----

FOOD LAW

– Food additives	23
------------------------	----

TRANSPORT

– EU position on new IMO codes and amendments to other IMO instruments *	24
--	----

TELECOMMUNICATIONS

– New mandate for the EU Network and Information Security Agency	25
--	----

CUSTOMS UNION

– Drug precursors - EU-Russia cooperation agreement	25
---	----

ENVIRONMENT

– EU emissions trading scheme - Australia	25
---	----

ENERGY

– Energy efficiency directive - accession of Croatia	26
--	----

ENLARGEMENT

– Croatia - Customs waiver on goods in transit through the Neum corridor 26

– Croatia - Preparations for EU accession 26

PARTICIPANTS

Belgium:

Mme Sabine LARUELLE

Mr Kris PEETERS

Minister for the Middle Classes, SMEs, the Self-Employed and Agriculture
Minister-President of the Flemish Government and Flemish Minister for the Economy, Foreign Policy, Agriculture and Rural Policy

Bulgaria:

Mme Snezhana BLAGOEVA

Mr Tzvetan DIMITROV

Deputy Minister for Agriculture and Food
Deputy Minister for Agriculture and Food

Czech Republic:

Mme Jaroslava BENEŠ ŠPALKOVÁ

M. Jakub DÜRR

Deputy Minister for Agriculture
Deputy Permanent Representative

Denmark:

Ms Mette GJERSKOV

Minister for Food, Agriculture and Fisheries

Germany:

Ms Ilse AIGNER

Federal Minister for Food, Agriculture and Consumer Protection

Estonia:

M. Helir-Valdor SEEDER

Mr Clyde KULL

Minister for Agriculture
Deputy Permanent Representative

Ireland:

Mr Simon COVENEY

Minister for Agriculture, Food and the Marine

Greece:

Mr Athanassios TSAFTARIS

Mr Dimitrios MELAS

Minister for Rural Development and Food
General Secretary for Rural Development and Food

Spain:

Mr Miguel ARIAS CAÑETE

Minister for Agriculture, Food and the Environment

France:

Mr Stéphane LE FOLL

Mr Frédéric CUVILLIER

M. Alexis DUTERTRE

Minister for Agriculture, the Food Processing Industry and Forestry
Minister with responsibility for Transport, Oceans and Fisheries, attached to the Minister for Ecology, Sustainable Development and Energy
Deputy Permanent Representative

Italy:

Ms Nunzia DE GIROLAMO

Mr Marco PERONACI

Minister for Agricultural, Food and Forestry Policy
Deputy Permanent Representative

Cyprus:

Mr Nicos KOUYIALIS

Minister of Agriculture, Natural Resources and Environment

Latvia:

Ms Laimdota STRAUJUMA

Minister for Agriculture

Lithuania:

Mr Vigilijus JUKNA

Mr Mindaugas KUKLIERIUS

Minister for Agriculture
Deputy Minister for Agriculture

Luxembourg:

Mr Romain SCHNEIDER

Ms Michèle EISENBARTH

Minister for Agriculture, Viticulture and Rural Development, Minister for Sport, Minister with responsibility for Economic Solidarity
Deputy Permanent Representative

Hungary:

Mr György CZERVÁN

Mr Olivér VÁRHELYI

State Secretary for the Agricultural Economy, Ministry of Rural Development
Deputy Permanent Representative

Malta:

Mr Roderick GALDES

Parliamentary Secretary for Agriculture, Fisheries and Animal Rights within the Ministry for Sustainable Development, the Environment and Climate Change

Netherlands:

Ms Sharon DIJKSMA

Minister for Agriculture

Austria:

Mr Nicolaus BERLAKOVICH

Federal Minister for Agriculture, Forestry, Environment and Water Management
Deputy Permanent Representative

Mr Harald GÜNTHER

Poland:

Mr Kazimierz Florian PLOCKE

State Secretary, Ministry of Agriculture and Rural Development

Portugal:

Ms Assunção CRISTAS

Minister for Agriculture, Maritime Affairs, the Environment and Regional Planning
State Secretary for Agriculture
State Secretary for Maritime Affairs

Mr José DIOGO ALBUQUERQUE

Mr Manuel PINTO DE ABREU

Romania:

Ms Lucia Ana VARGA

Minister with responsibility for Water, Forestry and Fish Farming Mr Achim IRIMESCU State Secretary, Ministry of Agriculture and Rural Development

Slovenia:

Mr Dejan ŽIDAN

Minister for Agriculture and the Environment

Slovakia:

Mr Ľubomír JAHNÁTEK

Ms Magdaléna LACKO-BARTOŠOVÁ

Minister for Agriculture and Rural Development
State Secretary, Ministry of Agriculture and Rural Development**Finland:**

Mr Jari KOSKINEN

Mr Risto ARTJOKI

Minister for Agriculture and Forestry
State Secretary**Sweden:**

Mr Eskil ERLANDSSON

Minister for Rural Affairs

United Kingdom:

Mr Owen PATERSON

Secretary of State for Environment, Food and Rural Affairs

Mr Richard BENYON

Parliamentary Under Secretary of State, Natural Environment, Water and Rural Affairs

Lord de MAULEY

Parliamentary Under Secretary of State for Resource Management, the Local Environment and Environmental Science

Mr Richard LOCHHEAD

Cabinet Secretary for Rural Affairs and Environment (Scottish Government)

Mr Alun DAVIES

Minister for Natural Resources and Food (Welsh Assembly Government)

Ms Michelle O'NEIL

Minister for Agriculture and Rural Development (Northern Ireland Assembly)

.....

Commission:

Ms Maria DAMANAKI
Mr Dacian CIOLOȘ

Member
Member

.....

The Government of the Acceding State was represented as follows:

Croatia:

Mr Tihomir JAKOVINA

Minister for Agriculture

ITEMS DEBATED**AGRICULTURE****Reform of the common agricultural policy (CAP)**

Ministers were briefed on the state of play of trilogues between the Council, the European Parliament and the Commission on the reform of the common agricultural policy (CAP). In addition, the Presidency focused the orientation debate on certain outstanding issues which had been raised during the trilogues. Twelve trilogues have taken place since the beginning of the negotiations in April this year: four on the single CMO regulation, three each on the direct payments and the rural development regulations, and two on the horizontal regulation.

Ministers reiterated their support for the Presidency's ambition to reach a final agreement on the full reform package with the European Parliament and the Commission before the end of June. They also gave their view on three outstanding issues in the trilogues concerning the direct payments regulation: the active farmer requirements; and the nature of both the young farmers' scheme and the small farmers' scheme.

On the active farmer requirements, several delegations showed openness to a compromise solution consisting of a short mandatory 'negative list' to avoid farm payments being allocated to natural/legal persons with marginal agricultural activities (e.g. airports, sports facilities), with the possibility for member states to complete this list according to their national needs. However some member states reiterated their preference for a voluntary negative list.

On the nature of both the young farmers' scheme and the small farmers' scheme, while member states generally reiterated their commitment to the position set out in the Council's general approach, they showed openness to exploring compromise solutions, including on certain operational aspects of these schemes (in particular the maximum number of hectares eligible for the young farmers top-up and the maximum amount for farmers participating in the small farmers' scheme).

The trilogues cover the four main texts of the CAP reform:

- the proposal for a regulation establishing rules for direct payments to farmers (direct payment regulation) ([15396/3/11](#));
- the proposal for a regulation establishing a common organisation of the markets in agricultural products (single common market organisation (CMO) regulation) ([15397/2/11](#));

- the proposal for a regulation on support for rural development (rural development regulation) ([15425/1/11](#));
- the proposal for a regulation on the financing, management and monitoring of the CAP (horizontal regulation) ([15426/1/11](#)).

In March, the Council reached agreement on a general approach on the reform of the CAP ([8005/13](#); [7183/13](#), [7329/13](#), [7303/13](#), [7304/13](#); [7539/13](#) + [ADD1](#)). This general approach constituted a political agreement in the Council on the CAP reform package enabling negotiations to be launched between the Council, the Parliament and the Commission with a view to a political agreement in June this year.

The European Parliament voted on its position at first reading on the CAP reform package on 13 March 2013.

International Organisation of Vine and Wine (OIV)

The Council did not reach a qualified majority in favour of a decision establishing the position to be adopted on behalf of the EU with regard to certain resolutions to be voted in the framework of the International Organisation of Vine and Wine (OIV).

Without agreement on this decision, at the OIV general assembly on 7 June (Bucharest, Romania), the member states who are also members of the OIV will have to request the postponement of the vote on all of the draft resolutions annexed to the draft decision until an EU position is established.

This is the third time that the Council has considered a Commission proposal for an EU position to be adopted on draft resolutions which, if adopted by the OIV, would affect the *acquis*. While in June 2011 the Council did not have enough time to adopt a decision, on 18 June 2012 the Council was able to reach a qualified majority in favour. However, on 28 August 2012, Germany filed an action before the European Court of Justice for annulment of the decision of 18 June 2012 arguing that Article 218(9) of the TFUE was not the correct legal basis and that OIV resolutions were not acts having legal effects within the meaning of that Article. The Court of Justice is expected to deliver its judgement on this case is expected in the second half of 2014.

In its proposal the Commission suggests formalising the coordination of the EU position on OIV draft resolutions falling within the EU's sphere of competence. This proposal is based on Article 218(9) of the TFUE concerning international agreements.

The OIV is an intergovernmental scientific and technical organisation made up of members, observers and international organisations with a particular status that are active in the vines, wine, wine-based drinks, table grapes, raisins and other vine product sectors. The OIV has 44 members, but only 20 EU member states are also OIV members. The EU is not a member of the OIV. At present, the Commission is authorised to attend and take part in expert groups and technical commissions meetings of the OIV.

FISHERIES

Reform of the common fisheries policy (CFP)

The Council held a public debate on the outcome of the ongoing trilogue discussions with the European Parliament and the Commission on two proposals within the reform of the common fisheries policy (CFP).

- Proposal for a regulation on the CFP ([12514/11](#)) replacing the basic provisions of the CFP (basic regulation);
- Proposal for a regulation on the common organisation of the markets (CMO) in fishery and aquaculture products ([12516/11](#)), focusing on market policy issues (market regulation);

Basic regulation

Council reached agreement on a revision of its negotiating mandate to finalise the discussions with the other institutions on CFP basic regulation ([8987/13](#)).

The negotiating mandate for the Presidency was established following the general approach agreed at the Council meeting in February 2013. Since then five trilogues on the CFP basic regulation have already taken place

Using the outcome of the orientation debate which took place in April on the core issues of the negotiations, the Council agreed on the following points:

Maximum Sustainable Yield or MSY (Articles 2(2), 16 (2), 42a, 58b) - Article 2(2) on objectives has been reformulated to progressively introduce f_{MSY} (based on fishing mortality), to achieve this conservation level by 2015 "where possible" and at the latest by 2020 for all stocks; a reference to desired biomass levels was added as well. A requirement to be consistent with the MSY objectives has also been included in Article 16 (Fishing Opportunities). There is also a new requirement for the Commission to report on an annual basis to Council and the European Parliament on the progress of delivery of MSY (Article 58b). Finally, account is being taken of the difficulty to achieve management at MSY for stocks shared with third countries, introducing particular obligations on the Union to engage with those third parties for the purpose of joint management or complementary exploitation arrangements.

Multi-annual plans (Articles 9 and 10) - Some changes have been introduced in the text to improve the neutrality of Article 10 with regard to the competencies under the Treaty.

Discards/ Obligation to land (Article 15) - The *de minimis* rules have been amended so that the exemption could be applied through management plans based on scientific advice limited to a maximum of 5% of total annual catches of all species subject to an obligation (with a phase-in involving an additional 2% for the first 2 years and 1% for in the subsequent 2 years). In Paragraph 1(ter) a measure has been added which allows for the extension of the landing obligation to other stocks where there is agreement among all member states concerned. In order to ensure a simultaneous application of implementation tools together with the landing obligation, two additional measures are introduced, as secondary measures to a Union multiannual plan: a Commission delegated act containing a specific discard plan based on a regional agreement among member states, and, if this instrument is not successful for lack of time or regional agreement, a Commission delegated act on *de minimis* exemptions, limited to a maximum amount of 5% and subject to fishery-specific conditions. (paragraph 3(b)). These instruments have been added to give reasonable assurance that all implementation instruments, including the *de minimis* rules, are in place once a landing obligation changes the practice of fishing. Withy regard to the introduction calendar of the landing obligation, the starting date for the pelagic fisheries was agreed for beginning of 2015, to take account of the fact that Union legislation on technical measures still needs to be changed for the landing obligation to be implementable.

Fishing opportunities (Article 16) - The amendments relates to a requirement that total allowable catches (TACs) and quotas shall be established consistent with the objectives set down for MSY. A possibility has been added for a revision to fishing opportunities set by Council when scientific evidence on which those opportunities were based changes.

Regionalisation (Article 17) - The Council's general approach has been retained on this issue.

Fishing capacity management (Articles 34, 34a, 35) - The Articles have been amended to seek to simplify and set down more clearly the obligations of the member states. The responsibility for transmitting action plans to the European Parliament was transferred to the Commission. The cross compliance requirements, linking the obligations for capacity management to the receipt of financial assistance under the European Maritime and Fisheries Fund, have been revised.

Composition of Advisory Councils (Annex III point 2a)- A markets advisory council could be established. In addition, the representation of the fishing sector in advisory councils has been slightly reduced to 60%, reflecting the increased importance of other stakeholders for the sustainable management of fisheries at the regional level.

Expert Group on Compliance (Article 46a) - An expert committee will be established to assess, facilitate and strengthen the implementation of the obligations under the EU fisheries control system. This reflects a request by the European Parliament to add centralised monitoring and transparency to the implementation of control measures.

Protected Areas (Article 7a) - The Council endorses the European Parliament's request for further work on protected areas, in particular biologically sensitive areas. The protection shall be based on Union acts, following Member State work to identify suitable areas and prepare those measures through regional coordination.

This revised mandate will enable the Presidency to proceed with the negotiations process in order to finalise the reform of the CFP with the European Parliament and the Commission.

The Council reached agreement on a general approach on the basic provisions of the CFP on 26 February this year ([11322/1/12](#)). The European Parliament voted on its position at the plenary session on 6 February. This enabled negotiations to be launched between the Council, the Parliament and the Commission in mid-March.

Market regulation

Three trilogue discussions on market regulation have taken place since the end of February. At the last of these trilogues, held on 8 May 2013, an overall provisional agreement between the European Parliament and the Council was reached (while the Commission still maintains a reserve on some issues, including the use of delegated acts for production and marketing standards).

The first main outstanding issue was on mandatory consumer information on product marking and labelling (Articles 42 to 45). A tentative agreement was reached to enlarge the scope of mandatory information to include the gear type used in wild capture fisheries and to require a more detailed indication of the catch area. A list of gear types has still to be established at technical level. Concerning the designation of the catch area, a wider description will be allowed for long-distance fleets operating for instance in the Pacific and the Indian Oceans. The Commission could not support the overall compromise since it did not maintain the mandatory "catch date" and the more detailed information on preserved products from the Commission's proposal.

The other main outstanding issue concerned delegated and implementing acts (Articles 18a (new), 24/25, 33/34, 41, 46). An agreement was reached, based on work by the legal services of the Parliament and the Council. The compromise retains a number of empowerments to the Commission for implementing acts, but not for delegated acts. Instead, it is planned that more detail will be provided in the regulation with regard to acknowledging producer organisations and with regard to production and marketing plans. The compromise would maintain existing marketing standards until they are replaced by successor standards using the legislative procedure. The Commission maintained its position in that it requests an empowerment for delegated acts on the content of production and marketing plans.

This provisional agreement with European Parliament is subject to further technical and legal scrutiny and subsequent endorsement by Coreper

ANY OTHER BUSINESS

Directive on tobacco products - Consequences for agriculture

Greece informed the Council about the potential negative consequences for the agricultural sector of the Commission proposal for a directive on tobacco and related products.

Several member states echoed the concerns of the Greek delegation about the effects on tobacco producers of the measures provided for in the Commission proposal, in particular the ban on certain categories of products and the standardization of the packaging of tobacco products. These member states feared that the measures envisaged could trigger job losses in the tobacco production chain and increase fraud in this sector.

The Commission highlighted that this directive falls under the responsibility of the EPSCO Council. In its view the provisions proposed did not discriminate against specific types of tobacco. Moreover the proposal included measures to combat fraud.

North East Atlantic mackerel and changes in stock distribution

The United Kingdom asked the Commission to consider trade sanctions against Iceland and the Faroe Islands concerning the management of the North East Atlantic mackerel stock and the Atlanto-Scandian herring

Many member states supported the taking of such trade sanctions. However, some delegations suggested exploring further possibilities to continue negotiations with Iceland and the Faroe Islands.

As regards the mackerel stock, before proposing trade sanctions to the Council, the Commission proposes first pursuing discussions with the new Icelandic government which came to power following the recent elections. But concerning the Faroe Islands' step of setting a unilateral quota for the Atlanto-Scandian herring, the Commission is ready to initiate trade measures.

Since 2008, there has been a recurring dispute on the management of the North-East Atlantic mackerel stock between the EU on one hand and Iceland and the Faroe Islands on the other. Iceland and the Faroe Islands have set unilateral fishing quotas, refusing previous sharing arrangements negotiated between the Coastal States (EU, Norway, Iceland, Faroe Islands). Furthermore, in March 2013 the Faroe Islands also set a unilateral quota for this year for Atlanto-Scandian herring. Both fish stocks are important for a number of member states, including the United Kingdom, Ireland and France.

A legal instrument on trade sanctions to tackle this type of situation was adopted by the Council and the European Parliament in September 2012.

Global Oceans Action Summit

Ministers were briefed by the Dutch delegation on a Global Oceans Action Summit for food security and blue growth, which will take place from 9 – 13 September 2013 in The Hague ([8916/13](#)).

The main objectives of this summit are to:

- review action priorities to sustainably generate increased productivity for food security and for growth in the context of healthy oceans in a changing climate;
- showcase innovative project solutions and action partnerships amongst a wide range of stakeholders on replicable blue growth models for scaling-up action in: sustainable fisheries and aquaculture; watershed, pollution and coastal habitat management; and coastal and maritime industries including tourism;
- mobilize investments from all sources for scaled-up action and transformational change including through the launch of a new Financial Mechanism;
- present a prototype Oceans Knowledge Portal to build partnerships and knowledge on solutions for blue growth;
- mobilize broad support for the optimal positioning of Oceans in the Post-2015 Sustainable Development Agenda.

OTHER ITEMS APPROVED

AGRICULTURE

Transit of animal by-products from Bosnia and Herzegovina

The Council decided not to oppose the adoption of an amendment to regulation 142/2011 as regards the transit of certain animal by-products from Bosnia and Herzegovina ([8487/13](#)).

Commission regulation 142/2011 lays down health rules as regards animal by-products and derived products not intended for human consumption. This amendment lays down specific conditions for transit via the EU of consignments of animal by-products and derived products to third countries from Bosnia and Herzegovina due to the geographical situation and the necessity to maintain access to the Croatian port of Ploče after the accession of Croatia to the EU.

The regulatory procedure with scrutiny applies to this text, whereby, the Council, acting by qualified majority, may oppose the Commission's adoption of a draft Commission regulation. In this case, as the Council decided not to oppose the adoption, unless the European Parliament opposes the regulation within 3 months from its submission, the Commission may adopt it.

Legally binding agreement on forests in Europe - Negotiating mandate

The Council reached agreement on a position of the EU and its member states as regards the preferred United Nations (UN) organisation to adopt, host and service the legally binding agreement (LBA) on forests in Europe.

Forest Europe is an intergovernmental policy process based on common strategies, which started in 1990, and the objective of which is to ensure the sustainable management of Europe's forests. At the Ministerial Conference held in Oslo on 14-16 June 2011, ministers responsible for forests decided to take further international action consisting of the elaboration of a LBA on forests in Europe, signed a ministerial mandate for opening negotiations to that end, and established an intergovernmental negotiating committee (INC) entrusted with the task of negotiating and drafting the LBA.

On the basis of the INC recommendation, the LBA should be brought under the UN umbrella. Ahead of the next LBA negotiating session on 9 June 2013 involving all members, the agreement in Council establishes the EU mandate for negotiating the UN organisation which will adopt, host and service the LBA on forests in Europe. Negotiations on the LBA are expected to be concluded by 30 June 2013.

Council conclusions - Organic farming

The Council adopted Conclusions on organic farming. It pointed out in particular the importance of an appropriate regulatory framework for the development of this sector.

Organic production and the organic foodstuffs sector in the European Union is established as a sustainable farming and production system which fulfils a dual societal role by responding to an increasing consumer demand for organic products while also delivering public goods which contribute to the protection of the environment, animal welfare and rural development.

For further details, see [Council conclusions](#).

FISHERIES

Negotiation of amendments to the ICCAT convention

The Council decided to authorise the Commission to open negotiations on behalf of the EU on amendments to the International Convention for the Conservation of Atlantic Tunas (the ICCAT convention).

The International Commission for the Conservation of Atlantic Tunas (ICCAT) is an intergovernmental organisation responsible for the management and conservation of tuna and tuna-like species in the Atlantic Ocean and adjacent seas.

ECONOMIC AND FINANCIAL AFFAIRS

Over-reliance on credit ratings

The Council adopted a directive aimed at reducing the over-reliance by three types of investors on credit ratings when making their investments.

The directive amends directive 2003/41/EC on the activities and supervision of institutions for occupational retirement provision; directive 2009/65/EC on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities; and directive 2011/61/EU on alternative investment funds managers in respect of over-reliance on credit ratings.

Economic governance

The Council today¹ adopted the so-called "two-pack" of regulations aimed at further improving economic governance in the euro area, namely:

- a regulation on enhanced monitoring and assessment of draft budgetary plans of euro area member states, with closer monitoring for those in an excessive deficit procedure ([6/13](#));
- a regulation on enhanced surveillance of euro area member states that are experiencing or threatened with serious financial difficulties, or that request financial assistance ([5/13](#)).

For full details see press release [9430/13](#)

Credit rating agencies

The Council today² adopted a directive and a regulation amending the EU's rules on credit rating agencies (CRAs) ([69/12](#) and [70/12](#)).

Adoption of the legislation follows agreement reached with the European Parliament at first reading on 27 November 2012, and subsequent approval by the Permanent Representatives Committee on 5 December 2012.

For full details see press release [9465/13](#)

¹ The decision was taken without discussion at a meeting of the Agricultural and Fisheries Council.

² The decision was taken without discussion at a meeting of the Agricultural and Fisheries Council.

JUSTICE AND HOME AFFAIRS

Facilitation of the issuance of visas - Moldova and Ukraine

The Council adopted two decisions on the conclusion of the agreements between the EU and the Republic of Moldova ([10871/12](#)) and Ukraine ([11044/12](#)) amending the agreements between the European Community and both countries on the facilitation of the issuance of visas.

Visa facilitation agreements go usually hand-in-hand with readmission agreements between the EU and third countries.

European Asylum System - Asylum procedures directive

The Council confirmed a political agreement on the amended recast of the Asylum Procedures Directive. After confirmation of the political agreement, the text will be finalised by the lawyer-linguists so that the Council can adopt its first reading position as an "A" item at a forthcoming Council. Subsequently, the Council's position at first reading will be communicated to the European Parliament with a view to approval without amendments at second reading.

The asylum procedures directive sets common standards on procedures that member states must apply for granting and withdrawing refugee status so as to ensure that applications for international protection are treated alike, irrespective of which member state they are examined in.

Denmark, Ireland and the United Kingdom are not taking part in the amended directive.

United Nations Commission on International Trade Law

The Council adopted a decision on the position to be adopted, on behalf of the European Union, in the United Nations Commission on International Trade Law and its Working Group III regarding the negotiation of a legal standard on online dispute resolution for cross-border electronic commerce transactions.

FOREIGN AFFAIRS**Guidelines for EU restrictive measures**

The Council approved new elements to be included in the guidelines on implementation and evaluation of restrictive measures in the framework of the EU Common Foreign and Security Policy.

Relations with Iraq

The Council approved the Community position for the Cooperation Council with Iraq, in relation to the adoption of the rules of procedure of the Cooperation Council and of the Cooperation Committee, and the establishment of specialised subcommittees and the adoption of their terms of reference. This is with a view to the partial provisional application of the EU-Iraq Partnership and Cooperation Agreement, signed on 11 May 2012.

EU accession to the Management Committee of the Special Tribunal for Lebanon

The Council adopted the following conclusions:

"Recalling all relevant conclusions of the Council, the EU reaffirms its full support for the Special Tribunal for Lebanon. The EU has become the second largest financial contributor of this Tribunal. In this context, in line with its policy of deciding to apply for membership of international bodies on a case-by-case basis, following thorough analysis of the merits of the specific application, the Council agrees that the European Union should apply to become a member of the Management Committee of the Tribunal, provided that this step does not affect adversely the membership status or role of any EU Member State currently represented in the Management Committee. The Council stresses the importance of this step in particular to monitor how the EU contribution is used.

The Council agrees that the following rules should apply:

- A member of the EU Delegation to the United Nations in New York will be the representative of the European Union in the Management Committee of the Tribunal;
- The EU will treat information dealt with in the Management Committee of the Tribunal with due regard to the confidentiality of its proceedings;
- The EEAS, in coordination with the Commission, will regularly report to the Mashreq/Maghreb Working Party."

DEVELOPMENT COOPERATION**Technical Centre for Agricultural and Rural Cooperation**

The Council approved a draft decision of the ACP-EU Committee of Ambassadors with a view to extending the term of office of members of the Executive Board of the Technical Centre for Agricultural and Rural Cooperation for a period of three months.

TRADE**ACP Group of States**

The Council approved the European Parliament's amendments on a Proposal for a Regulation of the European Parliament and of the Council amending Annex I to Council Regulation (EC) No 1528/2007 as regards the exclusion of a number of countries from the list of regions or states which have concluded negotiations ([8848/13](#)).

FOOD LAW**Food additives**

The Council decided not to oppose the adoption of a Commission regulation correcting, clarifying and completing a list of authorised food additives ([6961/13](#)).

The Commission regulation is subject to the so called regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt the regulation, unless the European Parliament objects.

TRANSPORT**EU position on new IMO codes and amendments to other IMO instruments ***

The Council decided that the EU will agree to the adoption by the International Maritime Organisation (IMO) of an IMO Instruments Implementation Code (III Code), an IMO Code on Recognised Organisations (RO Code) and related amendments to international conventions ([8763/13](#)).

The III Code is designed to assist states in the implementation of several relevant conventions, such as the Convention for the Safety of Life at Sea (SOLAS) and the Convention for the Prevention of Pollution from Ships (MARPOL), with the goal of enhancing maritime safety and the protection of the marine environment.

The RO Code aims to provide flag states with a standard for the assessment and authorisation of recognised organisations as well as mechanisms for the oversight of recognised organisations, and to clarify the responsibilities of recognised organisations.

The adoption of these codes also requires certain amendments to the conventions concerned.

The Council also agreed to the adoption by the IMO of amendments to some other IMO instruments, updating references in the Condition Assessment Scheme for older ships, providing for clarifications to the International Safety Management Code and introducing a new training requirement into SOLAS chapter III, the High Speed Craft Codes 1994 and 2000, and the Dynamically Supported Craft Code ([8759/13](#); statements on both decisions: [9182/13](#) + [ADD 1](#) + [ADD 2](#)).

TELECOMMUNICATIONS

New mandate for the EU Network and Information Security Agency

The Council adopted a regulation setting out a new mandate for the European Union Network and Information Security Agency (ENISA), following an agreement reached with the European Parliament at first reading ([4/13](#)).

ENISA, whose current mandate will expire on 13 September this year, was set up in 2004 with the goal of ensuring a high level of network and information security across the EU. The new regulation updates the agency's tasks, strengthens its governing structure and streamlines its procedures, so as to enhance its efficiency.

For more details, see also the press release on the outcome of the negotiations between the Council and the Parliament on this matter ([5921/13](#)).

CUSTOMS UNION

Drug precursors - EU-Russia cooperation agreement

The Council authorised the signing of an agreement with Russia aimed at strengthening cooperation in order to prevent the diversion of drug precursors from the legal trade of substances used in the illicit manufacture of narcotic drugs and psychotropic substances ([8178/13](#)).

ENVIRONMENT

EU emissions trading scheme - Australia

The Council adopted a decision authorising the Commission to open negotiations on linking the EU emissions trading scheme with an emissions trading system in Australia.

ENERGY

Energy efficiency directive - accession of Croatia

The Council adopted a directive adapting directive 2012/27/EU on energy efficiency by reason of the accession of Croatia ([8284/13](#)).

The directive is based on Article 50 of the Act of Accession of Croatia¹ and provides for necessary technical adaptations to the energy efficiency directive.

For more information on the energy efficiency directive see press release [14392/12](#) and for general information on energy efficiency see [Commission's website](#).

ENLARGEMENT

Croatia - Customs waiver on goods in transit through the Neum corridor

The Council adopted a regulation providing for waivers from the obligation to lodge entry and exit summary declarations for Union goods moved across the Neum corridor, as a part of the Croatia's preparations to join the EU ([8214/13](#)).

The Neum corridor is a place where the territory of Bosnia and Herzegovina reaches the Adriatic coast, thus separating the area of Dubrovnik from the rest of the territory of Croatia.

Croatia - Preparations for EU accession

The Council approved fourteen legal acts amending amending EU legislation in a wide range of policy areas to take account of the accession of Croatia to the European Union.

¹ OJ L 112, 24.04.2012, p. 34