



**COUNCIL OF
THE EUROPEAN UNION**



5482/05 (Presse 13)

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2635th Council Meeting

Agriculture and Fisheries

Brussels, 24 January 2005

President

Mr Fernand BODEN

Minister for Agriculture, Viticulture and Rural Development,
Minister for Small and Medium-sized Businesses, the Liberal
Professions and the Self-Employed, Tourism and Housing, of
Luxembourg

P R E S S

Rue de la Loi 175 B - 1048 BRUSSELS Tel.: +32 (0)2 285 9589 / 6319 Fax: +32 (0)2 285 8026
press.office@consilium.eu.int <http://ue.eu.int/Newsroom>

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Main Results of the Council

The Presidency set out the broad outline of its programme in the sectors of agriculture and fisheries for the first half of 2005.

The Council took note of the Commission's intention to present a legislative proposal to offer support to the fisheries sector of the countries of South-East Asia affected by the tsunami on 26 December 2004.

In the margins of the Council, an informal meeting was held on reform of the Community sugar regime, bringing together the EU Agriculture Ministers and representatives of the sugar-producing African, Caribbean and Pacific (ACP) countries and of the least developed countries (LDCs).

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- 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.
- The documents whose references are given in the text are available on the Council's Internet site <http://ue.eu.int>.
- 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 abovementioned Council Internet site or may be obtained from the Press Office.

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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

Czech Republic:

Mr Jaroslav PALAS

Minister for Agriculture

Denmark:

Mr Ib Byrge SØRENSEN

State Secretary

Germany:

Ms Renate KÜNST

Federal Minister for Consumer Protection, Food and Agriculture

Estonia:

Ms Ester TUIKSOO

Minister for Agriculture

Greece:

Mr Alexandros KONTOS

State Secretary for Rural Development and Food

Spain:

Ms Elena ESPINOSA MANGANA

Minister for Agriculture, Fisheries and Food

France:

Mr Dominique BUSSEREAU

Minister for Agriculture, Food, Fisheries and Rural Affairs

Ireland:

Ms Mary COUGHLAN

Minister for Agriculture and Food

Italy:

Mr Giovanni ALEMANNI

State Secretary for Agricultural and Forestry Policy

Cyprus:

Mr Efthymios EFTHYMIU

Minister for Agriculture, Natural Resources and Environment

Latvia:

Mr Mārtiņš ROZE

Minister for Agriculture

Lithuania:

Ms Dalia MINIATAITĖ

Deputy Minister for Agriculture

Luxembourg:

Mr Fernand BODEN

Minister for Agriculture, Viticulture and Rural Development, Minister for Small and Medium-sized Businesses, the Liberal Professions and the Self-Employed, Tourism and Housing
State Secretary for Relations with Parliament, State Secretary for Agriculture, Viticulture and Rural Development, State Secretary for Culture, Higher Education and Research

Ms Octavie MODERT

Hungary:

Mr Imre NÉMETH

Minister for Agriculture and Regional Development

Malta:

Mr George PULLICINO

Minister for Rural Affairs and the Environment

Netherlands:

Mr Cornelis Pieter VEERMAN

Minister for Agriculture, Nature and Food Quality

Austria:

Mr Josef PRÖLL

Federal Minister for Agriculture, Forestry, the Environment and Water Management

Poland:

Mr Wojciech OLEJNICZAK

Minister for Agriculture and Rural Development

Portugal:

Mr Carlos DUARTE DE OLIVEIRA

State Secretary attached to the Minister for Agriculture, Fisheries and Forestry

Slovenia:

Ms Marija LUKAČIČ

Minister for Agriculture, Forestry and Food

Slovakia:

Mr Juraj NOCLAR

Deputy Permanent Representative

Finland:

Mr Juha KORKEAOJA

Minister for Agriculture and Forestry

Sweden:

Ms Ann-Christin NYKVIST

Minister for Agriculture, with responsibility for Consumer Affairs

United Kingdom:

Ms Margaret BECKETT

Secretary of State for the Environment, Food and Rural Affairs

Commission:

Ms Mariann FISCHER BOEL

Member

Mr Joe BORG

Member

Mr Markos KYPRIANOU

Member

Mr Peter MANDELSON

Member

Mr Louis MICHEL

Member

ITEMS DEBATED

PRESIDENCY'S WORK PROGRAMME

The President of the Council, Mr Fernand BODEN, presented the Luxembourg Presidency's programme over the first half of 2005, its main thrust and its priorities.

With regard to rural development, the second pillar of the common agricultural policy, the President stressed his aim of reaching an agreement on the Commission proposal on rural development - and on the proposal on the financing of the CAP - by the end of the Luxembourg Presidency.

As regards the markets sector, the first pillar of the CAP, the Presidency reiterated its desire to take forward the Council's work on reform of the common market organisation for sugar, pending the presentation by the Commission, possibly by the end of June, of a legislative proposal on this matter. The rice, wine and tobacco sectors should also soon be the subject of proposals for reform or amendments.

The Presidency stressed the importance of a proposal for review of Community legislation in the field of organic farming, which should be presented at a later stage, and of the proposal to amend the regulations on CAP information and promotion measures.

In the field of forestry, the Presidency stated its desire to reach an agreement on the proposal concerning the import of timber into the EU (FLEGT) and providing for the establishment of a voluntary licensing scheme for imports.

As regards food safety, matters such as preventing and combating avian influenza and welfare in the keeping of table fowls should be discussed over the following months.

In the fisheries sector, the Presidency stated its wish to make rapid progress in establishing the European Fund for Fisheries.

INFORMAL MEETING WITH THE MINISTERS OF THE SUGAR-PRODUCING ACP COUNTRIES AND LDCS

The Presidency outlined to the Member States the arrangements for the informal meeting with the Ministers of the sugar-producing ACP countries and LDCs, and briefly recalled that this meeting stemmed from an undertaking made at a previous Council to involve these countries in the discussions under way on the reform of the sugar CMO.

The Spanish delegation congratulated the Presidency on this initiative, and said that it considered the Action Plan on accompanying measures for Sugar Protocol countries affected by the reform of the EU sugar regime (5611/05), presented by the Commission, to be premature in the absence of any legislative proposal. This delegation stated that it would submit a joint statement with the ACP ministerial delegation and the representatives of the LDCs on reform of the sugar CMO.

Commissioner Fischer-Boel, questioned on the provisional timetable for reform of the regime, recalled that the Commission was awaiting the decision of the Appellate Body scheduled for 28 April, following a CMO panel initiated by three States, before returning to this issue. She stated that a legislative proposal would be presented in June or at the beginning of July, and that it would be good to have an agreement on this proposal for reform in November 2005, so that the EU could appear in the best possible negotiating position at the WTO Ministerial Conference in Hong Kong in December 2005.

After thanking the delegations and the Commission, the Presidency stressed that the views expressed by the sugar-producing ACP countries and LDCs on reform should be taken into consideration when the Commission presented its legislative proposal.

SITUATION IN THE FISHERIES SECTOR OF COUNTRIES AFFECTED BY THE TSUNAMI

The Council took note of the information provided by Commissioner Borg on the extent of the damage to the mainly small-scale fishing fleets, which had been wrecked or severely damaged, of the countries affected by the tsunami on 26 December 2004, and of the following principles on which Community action should be based:

- coordination of Community action by the Commission;
- coordination of international action by the United Nations and especially by the UN Food and Agriculture Organisation ¹ (FAO), particularly with a view to the FAO ministerial meeting on 12 March 2005;
- priority assessment of damage suffered and an adequate response to the needs of local fishing communities;
- respect for small-scale and traditional fishing methods in order to guarantee sustainable fishing.

The Council also heard the two categories of measures proposed by the Commission, relating to:

- the mobilisation of experts at Community and international level, so as to have a prompt assessment of the damage caused to the countries concerned and of the financial and logistical support required, before the abovementioned ministerial conference;
- amendment of Regulation (EC) No 2792/99 laying down the detailed rules and arrangements regarding Community structural assistance in the fisheries sector in order to enable, within the framework of the Financial Instrument for Fisheries Guidance, the transfer of small fishing vessels earmarked for scrapping in the Community to the countries affected by the disaster on 26 December 2004. A sum to cover the cost of transporting the vessels to the countries concerned could be considered. In view of the urgency of the situation, this proposal would be presented to the Council and to the European Parliament by the urgent procedure and could be placed before Ministers on 28 February 2005, enabling it to be applied in early spring.

The Council agreed to return to this matter in February and to treat it as a priority. It was the subject of an extraordinary Council meeting on 7 January 2005, the conclusions of which (5187/05) stated in paragraph 14 that the Council welcomed the Commission's initiatives making it possible to assist fishing communities.

¹ See http://www.fao.org/index_fr.htm

OTHER BUSINESS

– *Damage caused by the storm in Latvia*

The Latvian delegation, supported by the Estonian, Lithuanian, Slovak, Swedish and Danish delegations, informed the Council of the situation in its country resulting from the violent storm on 8 and 9 January 2005 and its impact in the agricultural, fisheries and forestry sectors, and expressed the wish to receive a financial contribution from the European Union in order to partially offset the losses incurred in the agricultural and fisheries sector, estimated at over EUR 9 million. Losses in the forestry sector are estimated to be at least EUR 50 million.

Commissioner Fischer-Boel said she was aware of the damage caused by the bad weather, particularly in Latvia, and recognised the considerable extent of the losses caused by the storm in that country in the agricultural and fisheries sector. She said she was willing to examine the following two courses of action:

- firstly, recourse to programmes cofinanced by the EAGGF (Guidance) and in particular stepping up the existing measures for Latvia under Objective 1;
- secondly, use of measures covered by rural development, in particular by amending measures provided for in Article 33 of Regulation 1257/1999 concerning support for rural development by the EAGGF. This Article covers among other things measures connected with agricultural and rural activities such as reforestation, restoring agricultural production potential damaged by natural disasters and the introduction of appropriate prevention instruments.

The Commissioner ended by pointing out that independently of the support instruments relating to rural development, Latvia could request assistance from the Community Solidarity Fund, which remained the main instrument for natural disasters of this kind.

– *Situation on the cereals market*

The Austrian delegation, supported by the Czech, French, Hungarian, Polish, Slovak, Italian and Belgian delegations, informed the Council of serious and lasting difficulties on the cereals market, caused in particular by the exceptional cereals harvest in Europe this year and the surpluses this had generated, the constant evolution of the parity between the euro and the dollar, and the insufficient storage capacities available to a number of countries, and of the particular case of landlocked countries without access to the sea and unable to sell their production easily without incurring high transport costs (5489/05).

These delegations asked the Commission to propose emergency measures to improve the market situation. Several of these delegations welcomed the decision taken by the Commission on 20 January in the Management Committee for Cereals to put common wheat destined for third countries up for competitive tendering and the plans for the payment of export refunds for 2 million tonnes of wheat.

Commissioner Fischer-Boel, while acknowledging the scale of cereal production in 2004 - 281 million tonnes, 52 million more than in 2003 - and the quantities of cereals in public stocks - 7,4 million tonnes, stressed that several competitive tenders had already been opened for barley, rye and oats since the start of the farming year, but that the marketing of Community cereals was hampered by an aggressive price policy on the part of third countries and the weakness of the dollar. She also noted the situation and the especially difficult conditions for the sale of stocks by the landlocked countries of the European Union. She concluded by stating that her Institution would give thought to the possibility of intervention, particularly for the new Member States, and consider how the latter could take full advantage of the existing provisions.

– *Maize market situation in Greece*

The Greek delegation informed the Council of major difficulties on the Greek national maize market and in particular of the large surplus quantities which threatened to lead to Community intervention (5567/04). The delegation asked the Commission to adopt specific intervention measures under the CMO for cereals, in accordance with Article 7 of Regulation (EC) 1784/2003, possibly to grant export support, and to cover transport costs from the north - Thrace and Macedonia in particular, where the maize surpluses originated - to the south of the country.

Commissioner Fischer-Boel, which recognising the seriousness of the situation, considered that current prices were still above the intervention threshold. Emphasising the existence of Community surpluses in several parts of the Community, she said that her Institution had thus far refused the adoption of special intervention measures for the new Member States, where the surpluses were greatest. She therefore did not believe that the adoption of special measures for the maize market in Greece was justified.

– *Veterinary control*

The Polish delegation informed the Council and the Commission of problems encountered regarding the approval by the Russian authorities of Polish milk establishments authorised to export certain products to Russia (5488/05). These problems essentially involved the inspection procedures carried out by the Russian authorities between 29 September and 3 November 2004 on establishments producing milk or animal feedstuffs; neither the results of the inspection nor the list of milk establishments approved for export had yet been provided by the Russian Federation.

The Presidency stated that a meeting of the Potsdam Group had taken place in Berlin on 19 January 2005, at the request of the Russian authorities, at which the latter had explained that they regarded the inspection times in question as quite normal.

Referring to this recent meeting, Commissioner Kyprianou welcomed the uninterrupted continuation of trade with the Russian Federation since 1 January 2005 with the introduction of the single certificate and emphasised that no disruption of trade had been recorded. He stressed that the Russian authorities had insisted on carrying out inspections in the establishments of the new Member States and regretted that this procedure was slow and costly, as the inspections were billed to the new Member States. He added that, despite the fact that Poland, along with other new Member States, had already received intra-Community recognition, the inspection procedures carried out by the Russian authorities had so far not been speeded up. He stated nevertheless that the Russian authorities had undertaken to make their inspection procedures more transparent so as to give reasons for their possible refusal of approval for certain establishments. He also announced that he would shortly be going to Moscow to settle this question, and emphasised the difficulty of negotiating with the Russian Federation, it not being a member of the WTO.

OTHER ITEMS APPROVED

AGRICULTURE

Consumer protection – Foodstuffs – Pesticide residue levels

The Council adopted a Regulation on maximum residue levels of pesticides in food and feed, designed to raise the level of consumer health protection (*9262/1/04, 9262/1/04 ADD 1 and 16109/04*).

The aim of the new, harmonised provisions is twofold: to facilitate trade in food and feed products within the Single Market and with third countries, and to ensure a consistent level of consumer protection across the EU.

Under the Regulation, maximum residue levels will always be set at Community level. The role of the European Food Safety Authority (EFSA) is also defined; it will be responsible for risk assessment, based on reports from the Member States.

The proposal overhauls and streamlines pesticides legislation by replacing four Directives with a single Regulation, at the same time as amending Regulation 91/414/EEC.

FISHERIES

EU/Côte d'Ivoire Agreement

The Council adopted a Decision on the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement with the Côte d'Ivoire on fishing off the coast of Côte d'Ivoire, for the period from 1 July 2004 to 30 June 2007 (36 months) (*14448/04*).

The fishing opportunities provided for in the Protocol are expressed in vessel numbers (freezer trawlers, pole-and-line tuna vessels, surface longliners and tuna seiners) and concern Spain, France and Portugal.

The Community financial contribution is set at EUR 1 065 000 per year.

EXTERNAL RELATIONS

Mediterranean region – EU Strategy – Presidency priorities

The Council took note of the Presidency's priorities for implementation of the EU Strategy for the Mediterranean Region.

The Luxembourg Presidency's priorities include consolidating the Barcelona *acquis* and moving it forward in a spirit of partnership with the Mediterranean countries, by intensifying the Neighbourhood Policy.

Against this background, the 7th Euro-Mediterranean Conference of Foreign Ministers (Barcelona VII) is scheduled to take place in Luxembourg on 30 and 31 May 2005.

EUROPEAN SECURITY AND DEFENCE POLICY

EU Police Mission in Kinshasa – Status of Mission Agreement

The Council approved an Agreement with the Democratic Republic of Congo setting out residence and working conditions for personnel deployed to carry out the EU Police Mission in the DRC (EUROPOL KINSHASA), which the Council decided on 9 December 2004.

EUROPOL KINSHASA will be responsible for monitoring, mentoring and advising the Integrated Police Unit tasked with helping to protect State institutions and reinforcing internal security apparatus.

Crisis management – Agreement with Morocco – ALTHEA operation

The Council adopted a Decision approving the conclusion of an Agreement with Morocco on Moroccan participation in the EU military crisis management operation in Bosnia and Herzegovina (Operation ALTHEA) (5158/05).

EU Military Rapid Response operations – Early financing

The Council adopted a Decision designed to improve the system for early financing of EU Military Rapid Response operations (*16130/04*).

The Decision establishes a new system for early financial contributions by the Member States, designed to speed up the EU's operational ability to respond rapidly to conflict situations.

This involves amending Decision 2004/197/CFSP, which set up the mechanism for administering the costs of operations with defence implications, (ATHENA). (See EU Official Journal L 63, 28.2.2004, p. 68).

JUSTICE AND HOME AFFAIRS

Stolen and lost passports – exchange of data with Interpol *

The Council adopted a Common Position on the exchange of data on lost or stolen passports with Interpol in order to improve action to prevent and combat organised crime (*15818/1/04 and 15826/1/04*).

The Common Position places a duty on Member States to exchange data on stolen, lost, or misappropriated passports with the Interpol database at the same time as they are entered in the relevant national database and in the Schengen Information System. This duty must be met as soon as the national authorities become aware that a passport has disappeared. The infrastructure necessary to facilitate consultation of the Interpol Automatic Search Facility must be ready by the end of 2005.

STRUCTURAL FUNDS

Northern Ireland – Financial aid for the peace process

The Council adopted two Regulations on financial aid for the peace process in Northern Ireland (PEACE programme) for the period 2005/2006.

The first Regulation sets a contribution of EUR 30 million to be paid to the International Fund for Ireland to complement the activities financed by the Structural Funds, especially those of the PEACE programme (*16172/1/04*).

The second Regulation extends the duration of the PEACE programme until the end of 2006. It opens the possibility of aligning measures under the PEACE programme and the International Fund for Ireland with those financed under the other Structural Funds programmes, which will end in 2006. This Regulation amends Regulation No 1260/1999 in respect of commitment appropriations under the Structural Funds for 2005 (*16064/04*).

The International Fund for Ireland was established in 1986 by agreement between Ireland and the United Kingdom, in order to promote economic and social advance, dialogue and reconciliation between nationalists and unionists.

ENVIRONMENT

Euratom - Safety of Spent Fuel Management and Radioactive Waste Management *

The Council adopted a Decision approving the accession of the European Atomic Energy Community to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (*15493/04 and 15494/04*).

INTERNAL MARKET**Road safety – Vehicle seats and safety belts ***

The Council unanimously adopted three Common Positions on three proposals for Directives designed to make it compulsory to fit safety belts in motor vehicles other than passenger cars. The three drafts are designed to contribute to the approximation of Member States' legislation in this field. The Common Positions will be forwarded to the European Parliament for second reading under the codecision procedure.

Following entry into force of the Directives, Member States will have 6 months in which to comply with their provisions.

– *Seats and head restraints*

The purpose of this proposal for a Directive is to amend Directive 74/408/EEC with regard to seats, their anchorages and head restraints (11935/04, 11935/04 ADD 1 and 16185/04 ADD 1). The proposal provides for a ban on side-facing seats in certain categories of vehicle, for safety reasons.

– *Safety belts*

The purpose of this proposal for a Directive is to amend Directive 77/541/EEC with regard to safety belts and restraint systems (11934/04, 11934/04 ADD 1 and 16186/04 ADD 1). The proposal provides for exemptions as regards the installation of restraint systems intended for disabled people.

– *Anchorage of safety belts*

The purpose of this proposal for a Directive is to amend Directive 76/115/EEC as regards anchorages for safety belts and restraint systems (11933/04, 11933/04 ADD 1 and 16187/04 ADD 1). The proposal allows exemptions for disabled people.
