



Brussels, 12 December 2012

Background¹
AGRICULTURE and FISHERIES COUNCIL
Brussels, 18 and 19 December 2012

The Council meeting will address agricultural and fisheries matters; it will start at 10.00 on Tuesday 18 December 2012 and will continue on Wednesday 19 December 2012. The Council will be chaired by Mr Sofoclis ALETRARIS, Minister for Agriculture, Natural Resources and Environment.

*Concerning fisheries, the ministers will try to find a political agreement on **2013 fishing opportunities for certain fish stocks for EU vessels in Union and certain non-Union waters and on fishing opportunities for certain fish stocks in the Black Sea.***

*The Council could also reach a political agreement on an amendment to the regulation establishing a **long-term plan for cod stocks.***

*As regards agriculture, the Presidency will present to the Council a **progress report on the reform of the common agricultural policy (CAP).***

*Finally, ministers will be briefed on **vine planting rights, a common declaration on coupled support and a conference on the movements of exotic animals.***

A first press conference on agriculture will be held on the second day of the meeting at lunch time (+/- 13.15). A second press conference on fisheries issues will take place at the end of the meeting.

*The public events and the press conferences can be followed via video streaming:
<http://video.consiliums.europa.eu>*

Video coverage of the event will be available for preview and download in broadcast quality (MPEG4) on www.eucouncil.tv

Photos of the event can be found in our photographic library on www.consilium.europa.eu/photo where they can be downloaded in high resolution.

¹ This note has been drawn up under the responsibility of the Press office.

FISHERIES

Total allowable catches (TACs) and quotas for 2013

The Council will try to reach a political agreement on two regulations concerning fishing opportunities for 2013 for EU vessels in Union and certain non-Union waters. One of the proposals concerns fish stocks which are not subject to international negotiations or agreements, while the second concerns stocks subject to international negotiations or agreements ([15254/12](#); [16291/12](#)). Traditionally, the fishing opportunities have been defined in a single text, but since last year, the Commission has tabled two separate proposals.

According to Article 43(3) of the Treaty, the Council has to adopt measures on a proposal from the Commission on the fixing and allocation of fishing opportunities.

The regulations establish the total allowable catches (TAC) and member states' fishing quotas for 2013. Each year, on a Commission proposal, the Council has to take a decision on fishing opportunities for the stocks in the Atlantic, the North Sea and international fisheries in which EU vessels participate. This are the main fishing opportunities regulations by number of regulated stocks. Along with the regulations fixing the fishing opportunities for the Baltic Sea, the Black Sea and the deep sea stocks (the latter every two years), these regulations regulate the harvesting of the stocks to levels which must be consistent with the overall objectives of the common fisheries policy (CFP). In this respect, regulation 2371/2002 sets out the objectives of the fisheries policy, which are taken into account when setting the annual catch and fishing effort limitations, to ensure that EU fisheries are ecologically, economically and socially sustainable.

The Commission proposals are based on advice from the International Council for the Exploration of the Sea (ICES) and the Scientific, Technical and Economic Committee for Fisheries (STECF). For a number of stocks, ICES provided advice on a strategy to manage those stocks consistent with reaching maximum sustainable yield (MSY) in 2015, in line with the 2002 commitment during the World Summit on Sustainable Development in Johannesburg. Achieving MSY made several TAC increases possible in 2012, providing additional income for fishermen.

The state of the situation to which the fishing opportunities proposals 2013 must respond was presented in a Commission communication ([10746/12](#)) in June. It regrets that 65% of the stocks are not fully assessed and that only 22% of the stocks under TACs are known not to be overfished. However, it highlights the fact that the state of some stocks has improved where it has been assessed. The new stocks that are no longer assessed as overfished include Iberian-Atlantic anglerfish, blue whiting, Celtic Sea sole, west of Scotland haddock, North Sea herring, North Sea plaice and Herring in the Gulf of Bothnia.

As the existing provisions in the area of the proposal are applicable until 31 December 2012, with the exception of certain effort limitations which are applicable until 31 January 2013, the regulation should apply from 1 January 2013.

² [OJ L 358, 31.12.2002, p. 59.](#)

Fishing opportunities for 2013 in the Black Sea

In addition to the fixing of general TACs and quotas, the ministers will also try to reach a political agreement on the 2013 fishing opportunities for the Black Sea ([16889/12](#)).

Fishing opportunities in the Black Sea and the way they are allocated to the Member States concerned, i.e Bulgaria and Romania, are regulated annually. Two fish stocks are managed in the Black sea: turbot (*Psetta maxima*) and sprat (*Sprattus sprattus*). For turbot, the approach taken proposes in the short term a reduction of the fishing opportunities in the Black Sea. It is expected however that this approach will result in stable or increasing quotas in the long term. It should be noted that this stock is shared with a number of other countries including Turkey and Russia.

The Commission proposal is based on the scientific advice delivered by the STECF in November 2012.

As the existing provisions are applicable until 31 December 2012 the regulation would apply from 1 January 2013.

Long-term plan for cod stocks

The Council could reach a political agreement on the basis of a Presidency's proposal for a regulation amending regulation 1342/2008 of 18 December 2008 establishing a long-term plan for cod stocks and the fisheries exploiting those stocks ([13745/12](#)).

Regulation 1342/2008 establishing a long-term plan for cod stocks and the fisheries exploiting those stocks calls for the performance of the management measures to be evaluated in the third year of implementation of the plan. The STECF evaluated the plan in 2011. Its report stated that the cod plan has not achieved its objectives and that they are unlikely to be achieved by 2015. Furthermore, the report revealed that there are flaws in the design of the regulation and problems with its implementation. In the light of this advice and of the opinions received from regional advisory committees (RACs) and the Member States, the Commission is proposing an amendment to the Regulation.

The proposal provides the following amendments to the long-term plan for cod:

- limit the scope of the plan in order to avoid increasing the effort by using different calculation methods in the member states;
- introduce flexibility in the rule about what to do in circumstances where the normal harvest rule cannot be applied, to reflect the scientific advice on a case by case basis;
- clarify and simplify the procedure for applying the procedure for excluding from the fishing-effort regime those fishing activities that catch insignificant quantities of cod;
- reduce cod discards by strengthening the obligation on Member States to take action where the data indicate a high level of over-quota catches being discarded in certain fisheries;
- strengthen the level of monitoring and control as well as request full documentation as a basic justification for the derogations where implemented;
- align the provisions of the text with the Treaty on the Functioning of the EU, in particular the new comitology procedures.

In addition the Presidency proposes to split the amendments to the long-term plan for cod stocks into a legal act based on Article 43(2) (ordinary legislative procedure) and another on Article 43(3)(adoption by the Council) covering measures on the fixing and allocation of fishing opportunities. Political agreement is being sought on the legal act based on Article 43(3). This would allow the Council to

- introduce flexibility in the rule about what to do in circumstances where the normal harvest rule cannot be applied, to reflect the scientific advice on a case by case basis;
- freeze effort allocations under certain conditions.

AGRICULTURE

Common agricultural policy reform - progress report

The Presidency will present to the ministers its progress report on the reform of the common agricultural policy (CAP) (17592/12).

This report highlights the progress achieved during the second half of 2012 on the CAP reform proposals. It has been drawn up under the responsibility of the Presidency on the basis of the positions expressed within the Council and its preparatory bodies during this semester.

The report indicates the main amendments suggested to the Commission proposals on which the Presidency has noted broad support from delegations. The Presidency's suggested amendments aim to resolve a number of issues raised by delegations, particularly with a view to ensuring that future CAP legislation is workable in practice and can be implemented in a cost-effective manner. The Council has made clear several times its determination that the reform should deliver real simplification.

This report also identifies for each of the proposals the key issues which remain outstanding as at December 2012, including issues contained in the negotiating box for heading 2 of the multiannual financial framework (MFF).

The progress report prepared by the Presidency cover the four main proposals from the CAP reform package presented by the Commission in October 2011 to the Council, i.e.:

- the proposal for a regulation establishing rules for direct payments to farmers (direct payments regulation) ([15396/3/11 REV3](#));
- the proposal for a regulation establishing a common organisation of the markets in agricultural products (Single CMO regulation) ([15397/2/11 REV2](#)).

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

The CAP reform package was presented by the Commission at the Agriculture Council meeting in October 2011. Since then, the Council has held general policy debates on the CAP reform proposals almost monthly.

The Danish Presidency also presented a progress report highlighting the progress achieved during the first half of 2012 on key issues relating to the CAP reform proposals.

In July the Council had an extensive discussion on exceptional support measures under the single CMO regulation, and on risk management under the rural development regulation. In September, the Council debated the issue of reference and intervention prices and their possible updating (single CMO) and completed the discussion on the delimitation of areas with natural constraints (rural development).

In October the Council held a further debate on the reinforcement of producer organisations (single CMO) and then turned its attention once more to the regulation on direct payments. Ministers held a policy debate on the important issues of internal convergence and young farmers.

At the Council in November, the ministers debated the greening of direct payments, the expiry -of the sugar quota regime (single CMO) and priorities under rural development.

ANY OTHER BUSINESS

Vine planting rights

The Commission will brief the ministers on vine planting rights within the framework of the proposal for a regulation establishing a common organisation of the markets in agricultural products (Single CMO regulation). The Commission will report on the recommendations of the High level group (HLG) on vine planting rights.

As part of the 2008 wine sector reform, the existing system of vine planting rights restricting wine production is expected to expire in 2015 enabling producers to increase their production if possible.

A large number of Member States called for the continuation of the system beyond 2015 whilst others have a reservation on this postponement. The Commission has set up an HLG to examine the issue of vine planting rights, which is expected to present its recommendations this month.

Common Declaration on Coupled Support

Ministers were briefed on a common declaration concerning coupled support prepared by Bulgaria, the Czech Republic, Hungary, Latvia, Poland, Romania and Slovakia and supported by Slovenia.

These delegations consider that coupled support constitutes an important instrument of the CAP because it ensures support for sectors with particular difficulties and makes a significant contribution to solving specific regional problems.

The current limitation in the national ceiling for coupled support and the impossibility of implementing other coupled support schemes do not allow new Member States to allocate more than 10% for coupled direct support. The Member States which signed the common declaration are requesting for the introduction in the proposal for direct payments of an option for the Member States applying the single area payment scheme (SAPS) to be able to notify more than 10% for coupled support for the next programming period.

Conference on the Movement of Exotic Animals

The Presidency will brief the Council about the conclusions of the international conference on the movement of exotic animals which took place on 4/5 October 2012 in Brussels.

The purpose of this event - organised jointly by the Cyprus Presidency, the EU Commission and the Federation of Veterinarians in Europe (FVE) and the Swiss federal veterinary office - was to exchange information on the ways that exotic animals enter the EU market and end up in the different EU countries, and to point out the challenges for animal health and welfare and the possible impact on public health.
