



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 24 April 2013

**7413/13
ADD 1**

**PV/CONS 11
AGRI 169
PECHE 95**

ADDENDUM to DRAFT MINUTES

Subject: **3225th** meeting of the Council of the European Union (**AGRICULTURE AND FISHERIES**), held in Brussels on 25 and 26 February 2013

PUBLIC DELIBERATION ITEMS¹

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¹ Deliberations on Union legislative acts (Article 16(8) of the Treaty on European Union), other deliberations open to the public and public debates (Article 8 of the Council's Rules of Procedure).

LEGISLATIVE DELIBERATIONS

(public deliberation in accordance with Article 16(8) of the Treaty on European Union)

"A" ITEMS

1. Regulation of the European Parliament and of the Council laying down specific measures for agriculture in the outermost regions of the Union and repealing Council Regulation (EC) No 247/2006 [First reading] (LA + S)

PE-CONS 67/12 AGRI 851 POSEICAN 11 POSEIDOM 12 POSEIMA 12
CODEC 2981 OC 753

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, with the Swedish and United Kingdom delegations voting against, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 42, Article 43(2) and Article 349 of the TFEU).

Statement by Sweden

"Sweden does not believe there is justification for additional funding for the support scheme for specific measures for agriculture in the Union's outermost regions. Sweden cannot accept the increase in expenditure envisaged by the proposal, and therefore intends to vote against."

2. Regulation of the European Parliament and of the Council laying down specific measures for agriculture in favour of the smaller Aegean islands and repealing Council Regulation (EC) No 1405/2006 [First reading] (LA)

PE-CONS 68/12 AGRISTR 179 AGRIORG 206 AGRIFIN 247 REGIO 154
CODEC 2982 OC 752

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 42 and Article 43(2) of the TFEU).

3. **Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms and Council Regulation (EC) No 1434/98 specifying conditions under which herring may be landed for industrial purposes other than direct human consumption [First reading] (LA)**
PE-CONS 64/12 PECHE 447 CODEC 2569 OC 615

The Council approved the amendments set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 43(2) of the TFEU).

4. **Proposal for a Regulation of the European Parliament and of the Council concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 [First reading] (LA + S)**

- Adoption
 - a) of the Council's position at first reading
 - b) of the statement of the Council's reasons
6387/13 CODEC 326 GAF 7 FIN 77 OC 59
+ ADD 1
17427/12 GAF 29 FIN 1022 CODEC 2955 OC 728
+ ADD 1
approved by Coreper, Part 2, on 20.02.2013

The Council approved its position at first reading, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union, with the United Kingdom delegation abstaining. (Legal basis: Article 325 of the TFEU).

Commission statement

"The Commission confirms that the Office has declared that it will at all times act in compliance with the Protocol No 7 on the Privileges and Immunities of the European Union and the Statute for Members of the European Parliament, fully respecting the freedom and independence of Members as provided for in Article 2 of the Statute."

Commission statement

"The Commission intends to maintain the current powers of the Director-General of the European Anti-fraud Office to lay down the conditions and detailed arrangements for recruiting at the Office, in particular as to the length of contracts and their renewals."

Statement by the European Parliament, the Council and the Commission

"Each time the European Parliament, the Council and the Commission appoint new members of the new Supervisory Committee they should also appoint those members to take office at the next partial replacement."

5. **Decision of the European Parliament and of the Council amending Decision No 573/2007/EC, Decision No 575/2007/EC and Council Decision 2007/435/EC with a view to increasing the co-financing rate of the European Refugee Fund, the European Return Fund and the European Fund for the Integration of third-country nationals as regards certain provisions relating to financial management for certain Member States experiencing or threatened with serious difficulties with respect to their financial stability [First reading] (LA)**

PE-CONS 71/12 JAI 907 ASIM 152 CADREFIN 507 CODEC 3007 OC 743

The Council approved the European Parliament's position at first reading and adopted the proposed act, with the Netherlands delegation abstaining, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. In accordance with the relevant Protocols annexed to the Treaties, the Danish delegation did not participate in the vote. (Legal basis: Articles 78(2) and Article 79(2) and (4) of the TFEU).

6. **Decision of the European Parliament and of the Council amending Decision No 574/2007/EC with a view to increasing the co-financing rate of the External Borders Fund for certain Member States experiencing or threatened with serious difficulties with respect to their financial stability [First reading] (LA)**

PE-CONS 72/12 JAI 908 FRONT 179 VISA 249 CADREFIN 508 COMIX 731
CODEC 3010 OC 742

The Council approved the European Parliament's position at first reading and adopted the proposed act, with the Netherlands delegation abstaining, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. In accordance with the relevant Protocols annexed to the Treaties, the Danish, Irish and the United Kingdom delegations did not participate in the vote. (Legal basis: Article 77(2) of the TFEU).

AGENDA ITEMS

4. CAP Reform Package

- (a) **Proposal for a Regulation of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy ("Basic Payment Scheme") [First Reading]**

Interinstitutional file: 2011/0280 (COD)

- Orientation debate
6638/13 AGRI 99 AGRIFIN 33 CODEC 363

The Council took note of delegations' views on the Presidency paper on the basic payment scheme (doc 6638/13), as well as of the comments made by the Commission representative. The Council further took note of the Presidency's conclusion that the paper was a good basis towards Council reaching a position on the issue and of the Presidency's intention to further reflect with a view to making decisive progress at the next session of the Council ("Agriculture and Fisheries") on 18-19 March 2013.

- (b) **Proposal for a Regulation of the European Parliament and of the Council on the financing, management and monitoring of the common agricultural policy (Horizontal Regulation) ("Transparency") [First Reading]**

Interinstitutional file: 2011/0288 (COD)

- Orientation debate
6640/13 AGRI 100 AGRISTR 21 AGRIORG 19 AGRIFIN 34 CODEC 364
+ COR 1

The Council accepted the legitimacy of reinforcing public control of the use of the money from the European Agricultural Guarantee Fund and the European Agricultural Fund for Rural Development and agreed that the means proposed by the Commission to achieve that objective were appropriate and proportionate.

6. Proposal for a Regulation of the European Parliament and of the Council on the Common Fisheries Policy [First Reading]

Interinstitutional file: 2011/0195 (COD)

- General approach

12514/11 PECHE 187 CODEC 1166

6108/1/13 PECHE 46 CODEC 255 REV 1

6625/13 PECHE 66 CODEC 362

The Council finalised the general approach on the proposal for a Regulation of the Common Fisheries Policy, focussing on the roll-out and modalities of the obligation to land all fish species which are managed through catch limits or, in the case of the Mediterranean Sea, minimum landing sizes (doc. 11322/1/12 REV 1 PECHE 227 CODEC 1657). Council and Commission together made a statement on the need to have implementation details in place when the landing obligations start applying in the fisheries (doc. 11322/1/12 REV 1 ADD 1 PECHE 227 CODEC 1657). The Commission welcomed the agreement reached by Council, expressing doubts about the maximum levels of *de minimis* discards and about the transitional regime allowing over-quota landings under certain conditions. The Commission reassured delegations that fishermen would not be left alone with the fundamental change of the rules. In particular, significant financial assistance from the Union would be available for pilot projects aimed at avoiding unwanted fish in the catch and for investments that would allow storage and marketing of species that used to be returned to the sea.

All Member States except Sweden supported the Council's general approach.

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