



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 7 July 2009

9024/09

LIMITE

PV/CONS	21
AGRI	186
PECHE	105

DRAFT MINUTES ¹

Subject : **2937th** meeting of the Council of the European Union (**AGRICULTURE and FISHERIES**), held in Luxembourg on 23 and 24 April 2009

¹ Information relating to the final adoption of Council acts which may be released to the public is contained in Addendum 1 to these minutes.

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1. **Adoption of the agenda**
8911/09 OJ CONS 20 AGRI 179 PECHE 99

The Council adopted the above agenda with the addition of item (i) Situation on the pigmeat market, under "Any Other Business".

2. **Approval of the list of "A" items**
8902/09 PTS A 17
+ ADD 1

The Council adopted the "A" items listed in 8902/09 + ADD 1.

Information relating to items 11-15 is set out in Addendum 1 to these minutes.

The documents in item 11 should read as follows:

Item 11. PE-CONS 3732/08 MI 574 COMPET 595 POLARM 61 COSDP 1216
PESC 1749 COARM 117 CODEC 1901
+ REV 1 (it)
+ **REV 2 (el)**
8405/09 CODEC 505 MI 142 COMPET 192 POLARM 3 COSDP 304
PESC 446 COARM 24

3. **Communication from the Commission to the European Parliament and the Council on a European Community Action Plan for the Conservation and Management of Sharks**
– Adoption of Council conclusions and exchange of views on future Plan of Action
6158/09 PECHE 29 ENV 85
7804/1/09 PECHE 71 ENV 233 REV 1
7723/09 PECHE 69 ENV 225

Following an exchange of views based on the Commission's Communication, the Council adopted conclusions on a European Community Action Plan for the conservation and management of sharks supporting the Action Plan and its specific objectives and calling for its swift and effective implementation.

4. **Green Paper on the reform of the Common Fisheries Policy**

- Presentation by the Commission
8285/09 PECHE 83

The Council took note of the presentation of the Commission's Communication and the preliminary remarks on this document by Denmark, France, Germany, Ireland, Italy, the Netherlands, Poland, Portugal, Spain, Sweden and the United Kingdom.

5. **Communication from the Commission to the Council and the European Parliament on Sustainable Development of Community Aquaculture**

- Presentation by the Commission
8286/09 PECHE 84
8677/09 PECHE 93

The Council took note of the presentation of the Commission's Communication and the preliminary remarks by almost all delegations on this document. Delegations shared the view of the Commission on the need to stimulate the sector and addressed some specific needs concerning freshwater and marine aquaculture.

6. **Simplification of the CAP**

- Policy debate
7771/09 AGRI 120
7932/09 AGRI 128
8709/09 AGRI 169

The Council held a policy debate on the basis of a Presidency questionnaire (8709/09). The Council took note of the Presidency's intention to draw up draft Council Conclusions on the Commission Communication "A simplified CAP for Europe – a success for all" (7771/09) with a view to their adoption by the Council at its next session on 25-26 May 2009.

7. **Communication from the Commission on the review of the Less Favoured Areas Scheme (delimitation of designated areas)**

- Presentation by the Commission and exchange of views
8858/09 AGRI 174 AGRIORG 47 AGRISTR 23 AGRIFIN 49
+ ADD1

The Council took note of the presentation by the Commission of its Communication "Towards a better targeting of the aid to farmers in areas with natural handicaps", of the views expressed by delegations as well as of the Presidency's intention to pursue discussions at the Working Party on "Agricultural Structures and Rural Development" and at the Special Committee on Agriculture, with a view to bringing these discussions to a close in the June Council.

8. **Any Other Business**

(a) **Piracy in Somalia**

- Request from the Spanish delegation
8422/09 PECHE 87 COAFR 121

The Council took note of the concerns expressed by the Spanish delegation, supported by the Greek, French, Bulgarian and Italian delegations, regarding the recent attacks by Somali pirates in the EEZ of Seychelles and North East of Madagascar. Spain requested an extension of the geographical scope of the EU NAVFOR Somalia – Operation Atalanta. The Commission representative agreed to inform Commissioner Ferrero-Waldner accordingly. The Chair concluded that this issue was to be examined by the appropriate forum.

(b) Eels and CITES

- Request from the Netherlands delegation
8692/09 PECHE 92

The Council took note of the request tabled by the Netherlands delegation, supported by Denmark, Greece and Poland, to ban exports and imports of eel and eel products to or from countries outside the Community. Eel (*anguilla anguilla*) is included in Annex II to Regulation No 338/97 on the protection of species of wild fauna and flora by regulating trade therein (applying the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in the Community). The Commission representative, while agreeing on the need for strong protection measures for this species, indicated that exports were possible in accordance with EU rules, although Member States could take stricter measures at national level.

(c) Common approach for gill nets in the coastal zone/harbour porpoises

- Request from the Netherlands delegation
8694/09 PECHE 95

The Council took note of the concerns of the Netherlands delegation, supported by the Belgian delegation, relating to the increase of gill net fishery and its fatal consequences for harbour porpoises and its request for further management measures for this fishery. The Polish delegation called for reliable data and a thorough analysis of the situation that varied in different Member States before taking any decision.

(d) Delays in EFF spending by Member States

- Request from the Commission
8614/09 PECHE 91

The Council took note of the information provided by the Commission on delays in EFF spending by Member States and the suggestions made by Spain and the United Kingdom. The Commission representative expressed his willingness to examine the applicability of these suggestions, while recalling the urgent need to first establish the necessary management structures in the Member States.

(e) Clearance of accounts

- Request from the Danish delegation
8830/09 AGRI 171 AGRIFIN 48

The Council took note of the views expressed by the Danish delegation regarding the clearance of accounts procedure, supported by the German, Estonian, Irish, Greek, French, Italian, Cypriot, Luxembourg, Hungarian, Netherlands, Austrian, Polish, Romanian, Slovenian, Swedish and United Kingdom delegations, and of the reply given by the Commission representative.

(f) Request to increase the top-up for 2009

- Request from the Romanian delegation
8703/09 AGRI 167

The Romanian delegation withdrew its request.

(g) Payment scheme advance as liquidity support for agriculture

- Request from the German delegation
8839/09 AGRI 172

The Council took note of the request made by the German delegation supported by the Belgian, Netherlands and Lithuanian delegations regarding a payment scheme advance as liquidity support for agriculture, as well as of the reply given by the Commission representative.

(h) Situation on the milk market

- Request from the Irish delegation
8854/09 AGRIORG 46

The Council took note of the request made by the Irish delegation supported by the Belgian, German, Greek, Spanish, French, Hungarian, Austrian, Portuguese, Slovenian and Slovak delegations regarding the situation on the milk market and the need to continue to use market management measures in order to get the market into balance as soon as possible. The Council also took note of the position of the Netherlands delegation and of the reply given by the Commission representative.

(i) Situation on the pigmeat market

- Request from the Belgian delegation
8930/09 AGRI 180

The Council took note of the request made by the Belgian delegation supported by the Irish, Greek, French, Hungarian, Austrian and Polish delegations for the introduction of temporary export refunds for fresh and frozen pigmeat. The Council also took note of the positions of Denmark, Italy and the United Kingdom, as well as of the reply given by the Commission representative.

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