



**COUNCIL OF
THE EUROPEAN UNION**



15479/05 (Presse 349)

PRESS RELEASE

2702nd Council Meeting

Agriculture and Fisheries

Brussels, 20-22 December 2005

President **Ms Margaret BECKETT**
Secretary of State for the Environment, Food and Rural
Affairs

of the United Kingdom

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Main Results of the Council

The Council adopted a Directive on Avian Influenza and reached political agreement on a Decision setting the EU contribution for eradication measures in the event of an outbreak.

The Council adopted the total allowable catches and quotas for 2006. The Council also adopted the TACs and quotas in the Baltic Sea for 2006.

The Council also adopted, without debate, conclusions on improving openness and transparency in the Council.

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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:

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Denmark:

Mr Hans Christian SCHMIDT
Mr Lars BARFOED

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State Secretary, Ministry of Consumer Protection, Food
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Minister for Rural Development and Food

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State Secretary for Relations with Parliament, State
Secretary for Agriculture, Viticulture and Rural
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Minister for Agriculture, Rural Development and Fisheries

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Ms Ingrid PETERSSON

State Secretary to the Minister for Agriculture

United Kingdom:

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Secretary of State for the Environment, Food and Rural Affairs

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Parliamentary Under-Secretary of State, Department of the Environment, Food and Rural Affairs

Mr Jim KNIGHT

Parliamentary Under-Secretary of State for Rural Affairs, Landscape and Biodiversity

Mr Ross FINNIE

Minister for Environment and Rural Development (Scottish Executive)

Commission:

Mr Joe BORG

Member

Mr Markos KYPRIANOU

Member

Ms Mariann FISCHER BOEL

Member

General Secretariat of the Council:

The Governments of the Accessing States were represented as follows:

Bulgaria:

Mr Roussi IVANOV

Deputy Permanent Representative

Romania:

Mr Mugur CRACIUN

Secretary of State, Ministry of Agriculture, Forests and Rural Development

ITEMS DEBATED**TACS AND QUOTAS 2006**

(14920/05+ ADD 1+ ADD 2)

After several hours of negotiations, the Council adopted by qualified majority, and on the basis of a Presidency compromise, in agreement with the Commission and amended at the meeting, the Regulation on the TACs and quotas establishing for 2006 the fishing possibilities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required. The Swedish delegation abstained. The text will be adopted and published once all official languages are available.

The TACS and quotas for 2006 are amended as mentioned in the Annex below. In general, the biggest increases compared to the initial proposal for each species and for the areas concerned are for anchovy (Portuguese Coast, West Portugal, Azores) with +17,65%, anglerfish (Bay of Biscay) with +22%, Norway lobster (+30% in Norwegian Sea) and plaice in the Irish Sea, Eastern and Western Channel (+17%).

The main features of the compromise are as follows:

- Deep sea species (Article 7) : the fishing effort for 2006 is being reduced by 10% , instead of -20% in the proposal. A 10% reduction of the fishing effort had already been achieved for deep sea species for 2005 compared to 2003 levels.
- Allocation of the EC TAC for blue whiting: following the late EU/Norway Agreement on 16 December, the EU TAC is set at 402 558 tonnes, shared by 8 Member States. However, three delegations agreed to transfer 7 000 tonnes to three other delegations in order to ensure a balance in the allocation of national quotas.
- Anchovy in sub-area VIII (Bay of Biscay, Article 5): a precautionary TAC level of 5 000 tonnes is set from 1 March 2006; however this quantity may not be fished before 1 March 2006 and the TAC may be revised in the light of new scientific advice in 2006. The Commission will stop fishing activities on anchovy in this area if the scientific advice provided by its Committee (STECF) indicates that the spawning stock biomass at spawning time is less than 28 000 tonnes. The proposal initially foresaw a total ban on fishing for anchovy in area VIII which could be revised on the basis of the latest scientific advice and where TACs would be set by the Commission on the basis of the spawning biomass assessed in May 2006.

- A derogation of 3 additional days for enhanced observer coverage (cod, nephrops, southern hake and sole fishing): with a view to better control fisheries, the compromise foresees the allocation to Member States of three extra days for vessels carrying on board specific gears in the framework of an enhanced programme of observer coverage in partnership between scientists and the fishing industry.
- The system of sanctions proposed by the Commission in the event of non-compliance of a vessel with the obligations concerning fishing effort limitation or other obligations (maximum number of days, conditions for derogations, notification of fishing gear, use of two groupings of gear, transit, recording of data) was deleted from Annex III. Fishing effort for vessels in the context of the recovery of certain stocks (Cod, Annex IIIa):
 - The calculation of the fishing effort, initially expressed in kilowatt/day, was deleted.
 - Days at sea for cod: reduction of the limitation of the fishing effort - from -15% to an average of -5% - and a subsequent increase of the maximum number of days a vessel may be present within an area by fishing gear per year.
- Nephrops and southern hake stocks (Annex II B): the number of days at sea (240) remains unchanged.
- Sole stocks in the Western Channel: a derogation from the fishing effort limitation in number of days is introduced for vessels fishing with static nets greater than 120 mm and with a track record of less than 300 kg of sole under specific conditions. The 10% reduction of the fishing effort (216 days/year at sea instead of the current 240 days/year at sea) remains unchanged.

As usual, the proposal took account of the latest scientific advice from the independent International Council for the Exploration of the Sea (ICES) and the Commission's own Scientific, Technical and Economic Committee on Fisheries (STECF), as well as input from stakeholders. The Commission presented its proposal to the Council on 5 December 2005¹.

¹ See press release IP73/05 http://europa.eu.int/comm/fisheries/news_corner/press/inf05_73_en.htm
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Species (common name)	Species (Latin name)	ICES fishing zone	TACs 2005 Final ¹	Commission proposals for TACs 2006 ²	% difference from TACs 2005	Council decision 20-22 December 2005	% difference from TACs 2005	% difference from Commission proposal 2006
TACs for 2005, Commission proposals for 2006 TACs and Council decisions 20-22 December 2005								
American Plaice	<i>Hippoglossoides platessoides</i>	NAFO 3M	0	0	0,00%	0	0,00%	0,00%
American Plaice	<i>Hippoglossoides platessoides</i>	NAFO 3LNO	0	0	0,00%	0	0,00%	0,00%
Anchovy	<i>Engraulis encrasicolus</i>	VIII	30000	0	-100,00%	5000	-83,33%	100,00%
Anchovy	<i>Engraulis encrasicolus</i>	IX, X, CEECAF 34.1.1 (EU waters)	8000	6800	-15,00%	8000	0,00%	17,65%
Anglerfish	<i>Lophiidae</i>	Ila (EU waters), IV (EU waters)	10314	10314	0,00%	10314	0,00%	0,00%
Anglerfish	<i>Lophiidae</i>	IV (Norwegian waters)	1800	pm		1750	-2,78%	
Anglerfish	<i>Lophiidae</i>	Vb (EU waters), VI, XII, XIV	4686	4686	0,00%	4686	0,00%	0,00%
Anglerfish	<i>Lophiidae</i>	VII	25082	27798	10,83%	26456	5,48%	-4,83%
Anglerfish	<i>Lophiidae</i>	VIIIa,b,d,e	6120	6120	0,00%	7462	21,93%	21,93%
Anglerfish	<i>Lophiidae</i>	VIIIc, IX, X, CEECAF 34.1.1 (EU waters)	1955	1662	-14,99%	1857	-5,01%	11,73%
Atlantic halibut	<i>Hippoglossus hippoglossus</i>	V, XIV (Greenland waters)	1000	pm		1000	0,00%	
Atlantic halibut	<i>Hippoglossus hippoglossus</i>	NAFO 0, 1 (Greenland waters)	200	pm		200	0,00%	
Basking shark	<i>Cetorhinus maximus</i>	EU waters of zones IV, VI and VII	0	0	0,00%	0		
Bigeye tuna	<i>Thunnus obesus</i>	Atlantic Ocean	44475,4	pm		46507	4,57%	
Blue ling	<i>Molva dypterygia</i>	Ila, IV, Vb, VI, VII (EU waters)	Not relevant	Not relevant		Not relevant		
Blue marlin	<i>Makaira nigricans</i>	Atlantic Ocean	103	pm		103	0,00%	
Blue whiting*	<i>Micromesistius poutassou</i>	I, II, III, IV, V, VI, VII, VIIIa,b,d,e, XII, XIV, XIIIc, IX, X, CEECAF 34.1.1	901257			402557	-55,33%	
Bluefin tuna	<i>Thunnus thynnus</i>	Atlantic Ocean (east of longitude 45° W) and Mediterranean	18331	pm		18301	-0,16%	
By-catches		NAFO 0, 1 (Greenland waters)	2000	pm		2000	0,00%	
Capelin	<i>Mallotus villosus</i>	V, XIV (Greenland waters)	50050	pm		0	-100,00%	
Capelin	<i>Mallotus villosus</i>	Iib	0	pm		0		
Capelin	<i>Mallotus villosus</i>	NAFO 3NO	0	0		0	!	
Cod	<i>Gadus morhua</i>	I, II (Norwegian waters)	19499	pm		18920	-2,97%	

Species (common name)	Species (Latin name)	ICES fishing zone	TACs 2005 Final ¹	Commission proposals for TACs 2006 ²	% difference from TACs 2005	Council decision 20-22 December 2005	% difference from TACs 2005	% difference from Commission proposal 2006
Cod	<i>Gadus morhua</i>	Skagerrak	3773	3315	-12,14%	3207	-15,00%	-3,26%
Cod	<i>Gadus morhua</i>	Kattegat	1000	850	-15,00%	850	-15,00%	0,00%
Cod	<i>Gadus morhua</i>	I, IIb	17757	pm		17229	-2,97%	
Cod	<i>Gadus morhua</i>	IIa (EU waters), IV	22659	pm		19260	-15,00%	
Cod	<i>Gadus morhua</i>	Norwegian waters south of 62° N	411	pm		382	-7,06%	
Cod	<i>Gadus morhua</i>	Vb (EU waters), VI, XII, XIV	721	613	-14,98%	613	-14,98%	0,00%
Cod	<i>Gadus morhua</i>	VIIa	2150	1828	-14,98%	1828	-14,98%	0,00%
Cod	<i>Gadus morhua</i>	VIIIb-k, VIII, IX, X, CEEAF 34.1.1 (EU waters)	6200	5270	-15,00%	5580	-10,00%	5,88%
Cod	<i>Gadus morhua</i>	NAFO 0, 1 including V, XIV (Greenland waters)	0	pm		0		
Cod	<i>Gadus morhua</i>	NAFO 2J3KL	0	0		0		
Cod	<i>Gadus morhua</i>	NAFO 3NO	0	0		0		
Cod	<i>Gadus morhua</i>	NAFO 3M	0	0		0		
Cod and haddock	<i>Gadus morhua and Melanogrammus aeglefinus</i>	Vb (Faroese waters)	500	pm		500	0,00%	
Combined quota		EU waters of zones Vb, VI and VII	Not relevant	Not relevant		Not relevant		
Common dab and Flounder	<i>Limanda limanda and Platichthys flesus</i>	IIa (EU waters), IV (EU waters)	18000	16200	-10,00%	17100	-5,00%	5,56%
Common sole	<i>Solea solea</i>	IIIa, IIIb,c,d (EU waters)	900	900	0,00%	900	0,00%	0,00%
Common sole	<i>Solea solea</i>	II, (IIa), IV (EU waters)	18320	pm		17470	-4,64%	
Common sole	<i>Solea solea</i>	Vb (EU waters), VI, XII, XIV	68	68	0,00%	68	0,00%	0,00%
Common sole	<i>Solea solea</i>	VIIa	960	960	0,00%	960	0,00%	0,00%
Common sole	<i>Solea solea</i>	VIIIb, c	65	64	-1,54%	64	-1,54%	0,00%
Common sole	<i>Solea solea</i>	VIII d	5700	5720	0,35%	5720	0,35%	0,00%
Common sole	<i>Solea solea</i>	VIIe	865	940	8,67%	940	8,67%	0,00%
Common sole	<i>Solea solea</i>	VIII f, g	1000	880	-12,00%	950	-5,00%	7,95%
Common sole	<i>Solea solea</i>	VIII h, j, k	650	553	-14,92%	650	0,00%	17,54%
Common sole	<i>Solea solea</i>	VIII a, b	4140	4060	-1,93%	4060	-1,93%	0,00%

Species (common name)	Species (Latin name)	ICES fishing zone	TACs 2005 Final ¹	Commission proposals for TACs 2006 ²	% difference from TACs 2005	Council decision 20-22 December 2005	% difference from TACs 2005	% difference from Commission proposal 2006
Deep Sea Sharks		V, VI, VII, VIII, IX (EU and International waters)	6763		-100,00%		-100,00%	
Deep Sea Sharks		X (EU and international waters)	120		-100,00%		-100,00%	
Flatfish		Vb (Faroese waters)	600	pm		450	-25,00%	
Greater silver smelt	<i>Argentina silus</i>	I, II (EU and International waters)	116	116	0,00%	116	0,00%	0,00%
Greater silver smelt	<i>Argentina silus</i>	III, IV (EU and International waters)	1331	1331	0,00%	1131	-15,03%	-15,03%
Greater silver smelt	<i>Argentina silus</i>	V, VI, VII (EU and International waters)	5310	5310	0,00%	5310	0,00%	0,00%
Greenland halibut	<i>Reinhardtius hippoglossoides</i>	Ila (EU waters), IV, VI (EU and International waters)	1042	1042	0,00%	1052	0,96%	0,96%
Greenland halibut	<i>Reinhardtius hippoglossoides</i>	I, II (Norwegian waters)	100	pm		75	-25,00%	
Greenland halibut	<i>Reinhardtius hippoglossoides</i>	I, II (International waters)	0	pm		0		
Greenland halibut	<i>Reinhardtius hippoglossoides</i>	V, XIV (Greenland waters)	6300	pm		6300	0,00%	
Greenland halibut	<i>Reinhardtius hippoglossoides</i>	NAFO 0, 1 (Greenland waters)	1500	pm		1500	0,00%	
Greenland halibut	<i>Reinhardtius hippoglossoides</i>	NAFO 3LMNO	8254	8038	-2,62%	8038	-2,62%	0,00%
Haddock	<i>Melanogrammus aeglefinus</i>	I, II (Norwegian waters)	2260	pm		2760	22,12%	
Haddock	<i>Melanogrammus aeglefinus</i>	Norwegian waters south of 62° N	761	pm		707	-7,10%	
Haddock	<i>Melanogrammus aeglefinus</i>	IIIa, IIIbcd (EU waters)	3 610	pm		2935		
Haddock	<i>Melanogrammus aeglefinus</i>	Ila (EU waters), IV	51321	pm		44546	-13,20%	
Haddock	<i>Melanogrammus aeglefinus</i>	VIb, XII, XIV	702	597	-14,96%	597	-14,96%	0,00%
Haddock	<i>Melanogrammus aeglefinus</i>	Vb, VIa (EU waters)	7600	7810	2,76%	7810	2,76%	0,00%
Haddock	<i>Melanogrammus aeglefinus</i>	VII, VIII, IX, X, CEECAF 34.1.1 (EU waters)	11520	11520	0,00%	11520	0,00%	0,00%
Hake	<i>Merluccius merluccius</i>	IIIa, IIIbcd (EU waters)	1284	1323	3,04%	1323	3,04%	0,00%
Hake	<i>Merluccius merluccius</i>	Ila (EU waters), IV (EU waters)	1496	1541	3,01%	1541	3,01%	0,00%
Hake	<i>Merluccius merluccius</i>	Vb (EU waters), VI, VII, XII, XIV	23888	24617	3,05%	24617	3,05%	0,00%
Hake	<i>Merluccius merluccius</i>	VIII a, b, d, e	15932	16419	3,06%	16419	3,06%	0,00%
Hake	<i>Merluccius merluccius</i>	VIIIc, IX, X, CEECAF 34.1.1 (EU waters)	5968	6661	11,61%	6661	11,61%	0,00%
Herring	<i>Clupea harengus</i>	Norwegian waters south of 62° N	1102	pm		963	-12,61%	

Species (common name)	Species (Latin name)	ICES fishing zone	TACs 2005 Final ¹	Commission proposals for TACs 2006 ²	% difference from TACs 2005	Council decision 20-22 December 2005	% difference from TACs 2005	% difference from Commission proposal 2006
Herring	<i>Clupea harengus</i>	IIIa (Skagerrak and Kattegat) – HER/03A	106846	pm		70217	-34,28%	
Herring	<i>Clupea harengus</i>	I, II (EU and International waters)	89537	pm		62000	-30,75%	
Herring	<i>Clupea harengus</i>	IIa (EU waters), IV, VIId	50000	pm		42500	-15,00%	
Herring	<i>Clupea harengus</i>	IV north of 53°30' N	305557	pm		272851	-10,70%	
Herring	<i>Clupea harengus</i>	IVc, VIId	74293	pm		50023	-32,67%	
Herring	<i>Clupea harengus</i>	Vb, VIaN (EU waters), VIb	29440	pm		33340	13,25%	
Herring	<i>Clupea harengus</i>	VIaS, VIIbc	14000	14000	0,00%	15400	10,00%	10,00%
Herring	<i>Clupea harengus</i>	VIa Clyde	1000	800	-20,00%	800	-20,00%	0,00%
Herring	<i>Clupea harengus</i>	VIIa	4800	4800	0,00%	4800	0,00%	0,00%
Herring	<i>Clupea harengus</i>	VIIe, f	1000	1000	0,00%	1000	0,00%	0,00%
Herring	<i>Clupea harengus</i>	VIIg, h, j, k	13000	11050	-15,00%	11050	-15,00%	0,00%
Horse mackerel	<i>Trachurus spp.</i>	IIa (EU waters), IV (EU waters)	40616	pm		40957	0,84%	
Horse mackerel	<i>Trachurus spp.</i>	Vb (EU waters), VI, VII, VIIIA, b, d, e, XII, XIV	133223	pm		135257	1,53%	
Horse mackerel	<i>Trachurus spp.</i>	VIIIc, IX	55000	46750	-15,00%	55000	0,00%	17,65%
Horse mackerel	<i>Trachurus spp.</i>	X, CECAF Azores	3200	3200	0,00%	3200	0,00%	0,00%
Horse mackerel	<i>Trachurus spp.</i>	CECAF Madeira Islands	1600	1280	-20,00%	1280	-20,00%	0,00%
Horse mackerel	<i>Trachurus spp.</i>	CECAF Canary Islands	1600	1280	-20,00%	1280	-20,00%	0,00%
Industrial fish		IV (Norwegian waters)	800	pm		800	0,00%	
Lemon sole and Witch	<i>Microstomus kitt & Glyptocephalus cynoglossus</i>	IIa (EU waters), IV (EU waters)	6500	5850	-10,00%	6175	-5,00%	5,56%
Ling	<i>Molva molva</i>	I, II (EU and International waters)	45	45	0,00%	45	0,00%	0,00%
Ling	<i>Molva molva</i>	III (EU waters)	136	136	0,00%	136	0,00%	0,00%
Ling	<i>Molva molva</i>	IV (EU waters)	3966	3966	0,00%	3966	0,00%	0,00%
Ling	<i>Molva molva</i>	V (EU and International waters)	48	48	0,00%	48	0,00%	0,00%
Ling	<i>Molva molva</i>	VI, VII, VIII, IX, X, XII, XIV (EU waters and international waters)	14966	14966	0,00%	14966	0,00%	0,00%

Species (common name)	Species (Latin name)	ICES fishing zone	TACs 2005 Final ¹	Commission proposals for TACs 2006 ²	% difference from TACs 2005	Council decision 20-22 December 2005	% difference from TACs 2005	% difference from Commission proposal 2006
Ling	<i>Molva molva</i>	IV (Norwegian waters)	1000	pm		1000	0,00%	
Ling	<i>Molva molva</i>	EU waters of zones IIa, IV, Vb, VI, VII	Not relevant	Not relevant		Not relevant		
Ling and Blue ling	<i>Molva molva and Molva dypterigia</i>	Vb (Faroese waters)	3240	pm		3065	-5,40%	
Mackerel	<i>Scomber scombrus</i>	IIa (Norwegian waters)		pm				
Mackerel	<i>Scomber scombrus</i>	IIa (EU waters), IIIa, IIIb, c, d (EU waters), IV	17067	pm		17621	3,25%	
Mackerel	<i>Scomber scombrus</i>	IIa (non-EU waters), Vb (EU waters), VI, VII, VIII a, b, d, e, XII, XIV	217477	pm		225837	3,84%	
Mackerel	<i>Scomber scombrus</i>	Vb (Faroese waters)	2763	pm			-100,00%	
Mackerel	<i>Scomber scombrus</i>	VIIIc, IX, X, CECAF 34.1.1 (EU waters)	24873	pm		26176	5,24%	
Megrims	<i>Lepidorhombus spp.</i>	IIa (EU waters), IV (EU waters)	1740	1740	0,00%	1740	0,00%	0,00%
Megrims	<i>Lepidorhombus spp.</i>	Vb (EU waters), VI, XII, XIV	2880	2448	-15,00%	2880	0,00%	17,65%
Megrims	<i>Lepidorhombus spp.</i>	VII	19263	16374	-15,00%	18300	-5,00%	11,76%
Megrims	<i>Lepidorhombus spp.</i>	VIII a,b,d,e	2237	1901	-15,02%	2125	-5,01%	11,78%
Megrims	<i>Lepidorhombus spp.</i>	VIIIc, IX, X, CECAF 34.1.1 (EU waters)	1336	1136	-14,97%	1269	-5,01%	11,71%
Northern Albacore	<i>Germo alalunga</i>	Atlantic Ocean (north of latitude 5° N)	50053,5	pm		40820	-18,45%	
Northern prawn	<i>Pandalus borealis</i>	IIIa	5719	pm		11200	95,84%	
Northern prawn	<i>Pandalus borealis</i>	IIa (EU waters), IV (EU waters)	4980	pm		4980	0,00%	
Northern prawn	<i>Pandalus borealis</i>	Norwegian waters south of 62°00' N	1051	pm		1058	0,67%	
Northern prawn	<i>Pandalus borealis</i>	V, XIV (Greenland waters)	5675	pm		5675	0,00%	
Northern prawn	<i>Pandalus borealis</i>	NAFO 0, 1 (Greenland waters)	4000	pm		4000	0,00%	
Northern prawn	<i>Pandalus borealis</i>	NAFO 3L	144	245	70,14%	245	70,14%	0,00%
Northern prawn	<i>Pandalus borealis</i>	NAFO 3M	Not relevant	pm		0		
Norway lobster	<i>Nephrops norvegicus</i>	IIIa (EU waters), IIIbed (EU waters)	4700	4700	0,00%	5170	10,00%	10,00%
Norway lobster	<i>Nephrops norvegicus</i>	IIa (EU waters), IV (EU waters)	21350	21597	1,16%	28417	33,10%	31,58%

Species (common name)	Species (Latin name)	ICES fishing zone	TACs 2005 Final ¹	Commission proposals for TACs 2006 ²	% difference from TACs 2005	Council decision 20-22 December 2005	% difference from TACs 2005	% difference from Commission proposal 2006
Norway lobster	<i>Nephrops norvegicus</i>	Vb (EU waters), VI	12700	13255	4,37%	17675	39,17%	33,35%
Norway lobster	<i>Nephrops norvegicus</i>	VII	19544	17450	-10,71%	21498	10,00%	23,20%
Norway lobster	<i>Nephrops norvegicus</i>	VIII a, b, d, e	3100	3500	12,90%	4030	30,00%	15,14%
Norway lobster	<i>Nephrops norvegicus</i>	VIIIc	162	146	-9,88%	146	-9,88%	0,00%
Norway lobster	<i>Nephrops norvegicus</i>	IV (Norwegian waters)	1000	pm			-100,00%	
Norway lobster	<i>Nephrops norvegicus</i>	IX, X, CECAF 34.1.1 (EU waters)	540	486	-10,00%	486	-10,00%	0,00%
Norway pout	<i>Trisopterus esmarki</i>	Ila (EU waters), IIIa, IV (EU waters)	0	0		0		
Norway pout	<i>Trisopterus esmarki</i>	IV (Norwegian waters)	5000	pm		5000	0,00%	
Other species		IV (Norwegian waters)	7000	pm		7000	0,00%	
Other species		EU waters of zones Ila, IV, VIa north of 56° 30'N	Not relevant ⁴	Not relevant		not relevant		
Other species		I, II (Norwegian waters)	450	pm		450	0,00%	
Other species		Vb (Faroeese waters)	760	pm		760	0,00%	
'Penaeus' shrimps	<i>Penaeus spp.</i>	French Guyana	4000	4000	0,00%	4000	0,00%	0,00%
Plaice	<i>Pleuronectes platessa</i>	Skagerrak	7448	6460	-13,27%	1615	-78,32%	-75,00%
Plaice	<i>Pleuronectes platessa</i>	Kattegat	1900	1615	-15,00%	1920	1,05%	18,89%
Plaice	<i>Pleuronectes platessa</i>	IIIbcd (EU waters)	3766	3766	0,00%	3766	0,00%	0,00%
Plaice	<i>Pleuronectes platessa</i>	Ila (EU waters), IV	57370	pm		55820	-2,70%	
Plaice	<i>Pleuronectes platessa</i>	Vb (EU waters), VI, XII, XIV	982	786	-19,96%	786	-19,96%	0,00%
Plaice	<i>Pleuronectes platessa</i>	VIIa	1608	1367	-14,99%	1608	0,00%	17,63%
Plaice	<i>Pleuronectes platessa</i>	VII b, c	160	136	-15,00%	144	-10,00%	5,88%
Plaice	<i>Pleuronectes platessa</i>	VII d, e	5151	4378	-15,01%	5151	0,00%	17,66%
Plaice	<i>Pleuronectes platessa</i>	VII f, g	476	405	-14,92%	476	0,00%	17,53%
Plaice	<i>Pleuronectes platessa</i>	VII h, j, k	466	396	-15,02%	396	-15,02%	0,00%
Plaice	<i>Pleuronectes platessa</i>	VIII, IX, X, CECAF 34.1.1 (EU waters)	448	448	0,00%	448	0,00%	0,00%
Pollack	<i>Pollachius pollachius</i>	Vb (EU waters), VI, XII, XIV	563	450	-20,07%	450	-20,07%	0,00%
Pollack	<i>Pollachius pollachius</i>	VII	17000	13600	-20,00%	15300	-10,00%	12,50%

Species (common name)	Species (Latin name)	ICES fishing zone	TACs 2005 Final ¹	Commission proposals for TACs 2006 ²	% difference from TACs 2005	Council decision 20-22 December 2005	% difference from TACs 2005	% difference from Commission proposal 2006
Pollack	<i>Pollachius pollachius</i>	VIII a, b, d, e	1680	1680	0,00%	1680	0,00%	0,00%
Pollack	<i>Pollachius pollachius</i>	VIIIc	328	262	-20,12%	262	-20,12%	0,00%
Pollack	<i>Pollachius pollachius</i>	IX, X, CECAF 34.1.1 (EU waters)	288	230	-20,14%	288	0,00%	25,22%
Redfish	<i>Sebastes spp.</i>	V, XII, XIV	15513	pm		9463	-39,00%	
Redfish	<i>Sebastes spp.</i>	I, II (Norwegian waters)	1500	pm		1500	0,00%	
Redfish	<i>Sebastes spp.</i>	V, XIV (Greenland waters)	15938	pm		13229	-17,00%	
Redfish	<i>Sebastes spp.</i>	Va (Icelandic waters)	3000	pm		0	-100,00%	
Redfish	<i>Sebastes spp.</i>	Vb (Faroese waters)	4000	pm		3000	-25,00%	
Redfish	<i>Sebastes spp.</i>	NAFO 3M	7813	7813	0,00%	7813	0,00%	0,00%
Redfish	<i>Sebastes spp.</i>	NAFO 3LN	0	0		0		
Redfish	<i>Sebastes spp.</i>	NAFO 3O	7000	7000	0,00%	7000	0,00%	0,00%
Roundnose grenadier	<i>Coryphaenoides rupestris</i>	NAFO 0, 1 (Greenland waters)	1035	pm		192	-81,45%	
Roundnose grenadier	<i>Coryphaenoides rupestris</i>	V, XIV (Greenland waters)	285	pm		285	0,00%	
Roundnose grenadier	<i>Coryphaenoides rupestris</i>	Vb, VI, VII (EU and international waters)	5253		-100,00%		-100,00%	
Saithe	<i>Pollachius virens</i>	I, II (Norwegian waters)	3600	pm		3600	0,00%	
Saithe	<i>Pollachius virens</i>	I, II (International waters)	0	pm		0		
Saithe	<i>Pollachius virens</i>	Ila (EU waters), IIIa, IIIbcd (EU waters), IV	69600	pm		59160	-15,00%	
Saithe	<i>Pollachius virens</i>	Norwegian waters south of 62° N	947	pm		880	-7,07%	
Saithe	<i>Pollachius virens</i>	Vb (Faroese waters)	2500	pm		2800	12,00%	
Saithe	<i>Pollachius virens</i>	Vb (EU waters), VI, XII, XIV	15044	12787	-15,00%	12787	-15,00%	0,00%
Saithe	<i>Pollachius virens</i>	VII, VIII, IX, X, CECAF 34.1.1 (EU waters)	5574	4738	-15,00%	4738	-15,00%	0,00%
Sandeel	<i>Ammodytidae</i>	IV (Norwegian waters)	10000	pm		0	-100,00%	
Sandeel	<i>Ammodytidae</i>	Ila (EU waters), IIIa, IV (EU waters)	655960	pm		25000	-96,19%	
Short fin squid	<i>Illex illecebrosus</i>	NAFO sub-zones 3 and 4	Not relevant					
Skates	<i>Rajidae</i>	NAFO 3LNO	8500	8500	0,00%	8500	0,00%	0,00%

Species (common name)	Species (Latin name)	ICES fishing zone	TACs 2005 Final ¹	Commission proposals for TACs 2006 ²	% difference from TACs 2005	Council decision 20-22 December 2005	% difference from TACs 2005	% difference from Commission proposal 2006
Skates and rays	<i>Rajidae</i>	Ila (EU waters), IV (EU waters)	3220	2737	-15,00%	2737	-15,00%	0,00%
Snow crab	<i>Chionoecetes spp.</i>	NAFO 0, 1 (Greenland waters)	1000	1000	0,00%	1000	0,00%	0,00%
Sole	<i>Solea spp.</i>	VIIIc, d, e, IX, X, CECAF 34.1.1 (EU waters)	1216	1216	0,00%	1216	0,00%	0,00%
Southern Albacore	<i>Germa alalunga</i>	Atlantic Ocean (south of latitude 5° N)	1914,7	pm		1914	-0,04%	
Sprat	<i>Sprattus sprattus</i>	IIIa	46250	50000	8,11%	50000	8,11%	0,00%
Sprat	<i>Sprattus sprattus</i>	IIIbed (EU waters)	490636	468000	-4,61%	468000	-4,61%	0,00%
Sprat	<i>Sprattus sprattus</i>	Ila (EU waters), IV (EU waters)	250000	pm		263540	5,42%	
Sprat	<i>Sprattus sprattus</i>	VIIId, e	7680	6144	-20,00%	6144	-20,00%	0,00%
Spurdog/dogfish	<i>Squalus acanthias</i>	Ila (EU waters), IV (EU waters)	1136	pm		961	-15,40%	
Swordfish	<i>Xiphias gladius</i>	Atlantic Ocean (north of latitude 5° N)	7700,4	pm		6760	-12,21%	
Swordfish	<i>Xiphias gladius</i>	Atlantic Ocean (south of latitude 5° N)	6966,7	pm		5780	-17,03%	
Turbot and brill	<i>Psetta maxima & Scophthalmus rhombus</i>	Ila (EU waters), IV (EU waters)	4550	4095	-10,00%	4323	-4,99%	5,57%
Tusk	<i>Brosme brosme</i>	EU waters of zones Ila, IV, Vb, VI, VII	Not relevant	Not relevant				
Tusk	<i>Brosme brosme</i>	IV (Norwegian waters)	200	pm		200	0,00%	
White hake	<i>Urophycis tenuis</i>	NAFO 3NO	5000	5000	0,00%	5000	0,00%	0,00%
White marlin	<i>Tetrapturus alba</i>	Atlantic Ocean	46,5	pm		46,5	0,00%	
Whiting	<i>Merlangius merlangus</i>	IIIa	723	pm		910	25,86%	
Whiting	<i>Merlangius merlangus</i>	Ila (EU waters), IV	19800	pm		17370	-12,27%	
Whiting	<i>Merlangius merlangus</i>	Vb (EU waters), VI, XII, XIV	1600	1360	-15,00%	1360	-15,00%	0,00%
Whiting	<i>Merlangius merlangus</i>	VIIa	514	437	-14,98%	437	-14,98%	0,00%
Whiting	<i>Merlangius merlangus</i>	VIIb-k	21600	18360	-15,00%	19940	-7,69%	8,61%
Whiting	<i>Merlangius merlangus</i>	VIII	3600	3600	0,00%	3600	0,00%	0,00%
Whiting	<i>Merlangius merlangus</i>	IX, X, CECAF 34.1.1 (EU waters)	816	653	-19,98%	653	-19,98%	0,00%
Whiting and Pollack	<i>Merlangius merlangus and Pollachius pollachius</i>	Norwegian waters south of 62° N	190	pm		190	0,00%	

Species (common name)	Species (Latin name)	ICES fishing zone	TACs 2005 Final ¹	Commission proposals for TACs 2006 ²	% difference from TACs 2005	Council decision 20-22 December 2005	% difference from TACs 2005	% difference from Commission proposal 2006
Witch flounder	<i>Glyptocephalus cynoglossus</i>	NAFO 2J3KL	0	0	%	0		
Witch flounder	<i>Glyptocephalus cynoglossus</i>	NAFO 3NO	0	0		0		
Yellowtail flounder	<i>Limanda ferruginea</i>	NAFO 3LNO	0	0		0		
¹ Council Regulation (EC) No 27/2005 of 22 December 2004, Annexes IA, IB, IC, ID, IE and Council Regulation 2270/2004 of 22 December 2004.								
² Proposal for a Council Regulation fixing TACs and quotas for 2006, Annexes IA, IB, IC, ID								
³ As amended by Council Regulation (EC) No 1300/2005								
⁴ As amended by Council Regulation (EC) No 860/2005								
Atlantic salmon is expressed by number								
*blue whiting; EC-TAC reduced following the EC-Norway fishing agreement 16-12-05								

TACS AND QUOTAS 2006 - BALTIC SEA

(14919/05)

The Council adopted by a qualified majority, with the Swedish delegation voting against, the Council Regulation fixing for 2006 the fishing opportunities and associated conditions for certain fish stocks in the Baltic Sea, the Belts and the Sound on the basis of a Presidency compromise endorsed by the Commission. The Swedish delegation indicated its intention to make a statement.

The main features of the compromise are:

- The TAC for cod in the Eastern Baltic remains the same as in the proposal with an increase (45 339 tonnes) compared to its current level in 2005 (38 882 tonnes); the TAC in the Western Baltic would remain as in the envisaged proposal (28 400 tonnes) with a slight increase compared to its current level in 2005 (24 700 tonnes). A comparative table on TACS is annexed.
- Fishing effort limitation: the compromise foresees, as scheduled in the initial proposal, a roll-over of the fishing effort limitation in comparison with the current situation in the Western Baltic with a 61-day fishing ban on cod and flatfish fisheries in the Western Baltic and a decrease of the fishing effort limitation in the Eastern Baltic with a 92-day fishing ban, as agreed at the International Baltic Sea Fishery Commission, on cod fisheries in sub areas 25-27 of Eastern Baltic for specific fishing gears. This effort limitation would be divided into periods of closure during the summer (east) and the spring (west). An additional fishing effort limitation outside these periods, left to the appreciation of the Member States, of 30 days in the Western Baltic and 27 days in sub areas 25-27 will be applied. The total fishing day ban amounts to 91 days in the Western Baltic and 119 days in sub areas 25-27, instead of the existing fishing effort limitation scheme of 61 days in the Western Baltic and 138 days in sub areas 25-32. Vessels with an overall length of less than 12 metres fishing with static gears can fish provided that their by-catch of cod does not exceed 10%. Areas 28-32 are excluded from the ban due to the low concentration of cod in these fishing areas.
- Restrictions on fishing: three areas are closed during the spawning season - 1 May to 31 October - instead of an all-year round closure. However, a derogation is granted for specific fishing gears with larger mesh sizes in the case of fisheries for salmon.
- Margin of tolerance and prior notification: the master of a Community vessel with a certain quantity of cod on board must notify to the authorities of the flag State the quantity of species in live weight for all catch retained on board, when crossing the Baltic Sea from west to east and vice-versa. However, a derogation from this obligation is introduced for vessels equipped with Vessel Monitoring System (VMS).

- Restrictions on fishing for flounder and turbot: the compromise prohibits the fishing of flounder and turbot in fishing areas of the Eastern Baltic for three and a half months for flounder (15 February to 31 May) and two months for turbot (1 June to 31 July).

The Commission will present a long-term recovery plan for Baltic cod in early 2006.

The proposal submitted by the Commission to the Council on 29 November 2005 provides for the setting of TAC and quotas in the Baltic sea (Annex I) and for fishing effort limits (Annex II) as well as technical and control measures (Annex III). TACs for 2006 were generally set at a higher level than during 2005 with, in particular, an increase of roughly +15% of the TAC on cod stocks and also a decrease (-15%) on sprat stocks. But the proposal also implied an increase of the fishing effort limitation in comparison with the current situation in the Western Baltic with a 91 days ban on cod fisheries in the Western Baltic (instead of 61 days as now) and a decrease of the fishing effort limitation in the Eastern Baltic with 118 days on cod fisheries in the Eastern Baltic (instead of 138 days as now). This effort limitation would be divided into periods of closure during the summer and the spring, combined with the closure of fisheries on Sundays during certain periods. Three areas were also closed to fishing activity. The legal basis is Council Regulation (EC) No 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy, and in particular Article 20 of that Regulation on the allocation of fishing opportunities . It has no implication for the Community budget.

The current Annex III to Regulation (EC) No 27/2005 sets transitional technical and control measures for cod fisheries in the Baltic Sea. Current provisions of this Regulation provide for a summer ban on cod fisheries for 2 months in the Western Baltic (1 March to 30 April) and four and a half month ban in the Eastern Baltic (1 May to 15 September), and the closure of three fishing areas in the Baltic Sea.

According to scientific advice provided by the International Council for the Exploration of the Sea (ICES) last June, the situation of the cod stock in the Baltic Sea on the west side (areas 22-24) as well as on the east side (areas 25-32) is very serious: the spawning biomass in these respective areas is considered at risk of reduced reproductive capacity. The fishing mortality rate suggests that the stock is overexploited. The Member States concerned by the fisheries in the Baltic Sea are Denmark, Sweden, Estonia, Finland, Latvia, Lithuania, Poland and Germany.

2005 Baltic Sea TACs, Commission proposals for 2006 Baltic Sea TACs and Council Decision for 2006								
Species (common name)	Species (Latin name)	ICES fishing zone	EC TAC 2005 in tonnes	Commission proposals for EC TAC 2006 in tonnes	% difference from EC TAC 2005	Council Decision for EC TAC 2006 in tonnes	% difference from TAC 2005	% difference from Commission proposal
herring	Clupea harengus	Baltic Sea sub-divisions 30-31	86856	91600	5,46%	91600	5,46%	0%
herring	Clupea harengus	Baltic Sea sub-divisions 22-24	46000	47500	3,26%	47500	3,26%	0%
herring	Clupea harengus	Baltic Sea sub-divisions 25-27, 28.2, 29, 32	116172	115842	-0,28%	115842	-0,28%	0%
herring	Clupea harengus	Baltic Sea sub-divisions 28-1	38000	40000	5,26%	40000	5,26%	0%
cod	Gadus morhua	Baltic Sea sub-divisions 25-32	38882	45339	16,61%	45339	16,61%	0%
cod	Gadus morhua	Baltic Sea sub-divisions 22-24	24700	28400	14,98%	28400	14,98%	0%
plaice	Pleuronectes platessa	III b, c,d	3766	3766	0,00%	3766	0,00%	0%
atlantic salmon	Salmo salar	III b, c,d	451260	451260	0,00%	451260	0,00%	0%
atlantic salmon	Salmo salar	Baltic Sea sub-division 32	15419	15419	0,00%	15419	0,00%	0%
sprat	Sprattus sprattus	III b, c,d	490636	420826	-14,23%	420826	-14,23%	0%
Nota Bene: figures for atlantic salmon are expressed in numbers								

SOLE STOCKS

The Council reached unanimous political agreement on the part of the proposal for a Regulation concerning the Bay of Biscay sole stock, on the basis of a compromise drawn up by the Presidency and endorsed by the Commission (5199/04). The Council will formally adopt the Regulation at a forthcoming meeting when the legal/linguistic experts have finalised the text.

Discussed since January 2004, the draft Regulation has been split into two parts: under the Presidency compromise a multi-annual plan for the sustainable exploitation of the Bay of Biscay sole stock is established while the other part of the proposal concerning the Western Channel sole stocks is left for a decision at a later stage.

Whereas the proposal envisaged a recovery plan aimed at rebuilding the sole stocks in both areas within safe biological limits, the compromise aims to bring the spawning stock biomass of Bay of Biscay sole above a precautionary level of 13 000 tonnes in 2008. After this date a long-term target level of fishing mortality and a rate of reduction in fishing mortality will be decided by the Council. Instead of an effort limitation scheme based on the setting of a maximum permissible level of kilowatt-days, the compromise offers two alternatives: either a special sole fishing permit in the Bay of Biscay will be granted to vessels fishing more than 2 000 kg of sole by the Member States or, for a Member State whose quota for sole in this area is less than 10% of the total TAC, the level of fishing effort must not exceed the reference level of the fishing effort in 2005. This fishing effort is the sum of the engine power in kilowatt and of the number of days fishing in the area.

AVIAN INFLUENZA

(8630/05 +ADD 1, 15551/05 ADD 1 and 2)

The Council unanimously adopted the revised avian influenza Directive as set out in 15146/05 and entered in its minutes the Commission statement set out in Addendum 1 to 15551/05. The Council also reached unanimous political agreement on the text regarding the Decision setting the EU contribution for eradication measures, as laid down in 15551/05 ADD 2 on the basis of a compromise drawn up by the Presidency and endorsed by the Commission. The text will now go to the legal/linguists and will subsequently be formally adopted at a future Council.

These proposals were submitted to the Council last May.

The aim of the Directive is to update current Community measures on Avian Influenza (AI) laid down in Council Directive 92/40/EEC, with the objective of achieving better prevention and control of outbreaks and reducing the health risks, the costs and losses and the negative impact on the whole of society due to this disease. This Directive will enter into force in the Member States by 1 July 2007.

The draft Decision presented to the Council (15551/05 Add 2) sets at **50%** the Community co-financing rate for HPAI *and* LPAI, for the costs incurred by the Member State in compensating livestock owners for the killing of poultry or other captive birds and for the destruction of animals, the destruction of animal products, the cleaning and disinfection of holdings and equipment, the destruction of contaminated feedingstuffs and the destruction of contaminated equipment, where such equipment cannot be disinfected.

The proposal for a Decision set the Community co-financing rate at 30% in the case of Low Pathogenic Avian Influenza (LPAI) for costs incurred in the event of a stamping-out policy being applied following LPAI outbreaks. The reduced contribution compared with High Pathogenic Avian Influenza (HPAI) outbreaks is justified according to the Commission by the fact that Member States should keep the option not to apply a stamping-out policy in case of LPAI, and a higher Community contribution might induce them not to make adequate use of this option. The Community co-financing rate was set at 50% in the cases of HPAI for the Member States' surveillance programmes to be implemented annually. As regards vaccination, Community financial support as specified above continues to be granted only in case of emergency vaccination. In a similar manner, no changes were introduced to existing provisions on co-financing of HPAI control measures.

The thorniest issue at stake concerned the Decision, as it determined the appropriate share of the financial burden between the Member States and the Community. At technical level, several delegations suggested they would support a 50% co-financing rate for both HPAI and LPAI, bearing in mind the risk of the virus mutating from a benign to a severe status.

Under the current legislation - Decision 90/424/EEC - a Community financial contribution (50%) is granted to the Member States for some of the expenditure which they may incur when eradicating HPAI, namely for reimbursement to farmers who have had their birds slaughtered and destroyed to eradicate the disease, for cleansing and disinfection, and for the destruction of eggs, feedingstuffs and other materials likely to be contaminated. The Community may also reimburse 100% of vaccine costs and 50 % of the costs incurred in carrying out emergency (but not preventive) vaccination.

The legal basis being Article 37 of the Treaty, the advisory procedure applies, where the Opinion of the European Parliament is not legally binding. The European Parliament issued its Opinion on 1 December.

GM LINE 1507

(13042/05, 14565/1/05)

The Council did not reach agreement on the proposal for a Decision authorising the placing on the market of food containing genetically modified maize line 1507. As the required qualified majority for adoption or rejection of the proposal was not obtained, the file will be forwarded to the Commission for a decision to be taken.

The proposal is based on Regulation (EC) No 1829/2003 on genetically modified food and feed, and applies, *inter alia*, the specific requirements of the latter with regard to labelling, monitoring for environmental effects, and entry into the Community register. It also provides for notification of the Decision to the Parties to the Cartagena Protocol pursuant to Regulation (EC) No 1946/2003.

On 3 March 2005 the European Food Safety Authority gave its opinion stating that there was no evidence indicating that the placing on the market of these food products was likely to cause adverse effects on human or animal health or on the environment. On 3 June 2005 a draft Commission Decision authorising the food products in question was put to the vote in the Standing Committee on the Food Chain and Animal Health, which was unable to deliver an opinion.

BETTER REGULATION FOR THE COMMON AGRICULTURAL POLICY - Council conclusions

The Council adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN UNION,

STRESSING that an improved regulatory framework in the European Union, at Community and Member State level, is a key to delivering jobs and growth;

STRESSING the importance of better regulation to European competitiveness;

RECOGNISING that improving the regulatory framework is a joint responsibility of the EU Institutions and the Member States and the importance of the Interinstitutional Agreement on Better law-making as a framework for cooperation between the institutions;

RECOGNISING the importance of simplifying agricultural legislation in order to reduce the administrative burdens for all actors in the agriculture sector in the EU, in support of our Lisbon objectives.

IN THIS CONTEXT RECALLING

- discussions at the Agriculture and Fisheries Council in December 2004 on the Commitment of the Commission to simplify agricultural legislation;
- the European Council Conclusions of 22-23 March 2005 requesting the Commission and the Council to press ahead with work related to improving the regulatory environment;
- the Commission Communication on an EU common methodology for assessing administrative costs imposed by legislation¹;
- the ECOFIN Council Conclusions: Better regulation: Measurement of Administrative burdens of 8 November 2005²;

1. WELCOMES the Commission Communication on Simplification and Better Regulation for the Common Agricultural Policy³ and;

¹ 13629/05

² 13989/05

³ 13494/05

2. RECOGNISES steps taken by the Commission to simplify agricultural legislation;
3. TAKES NOTE OF the new actions under preparation;
4. WELCOMES the intention of the Commission to produce an Action Plan in 2006.

With regard to the Action Plan the Council:

1. EMPHASISES the need for technical simplification to reduce administrative burdens, and not only the volume, of legislation.
2. STRESSES that the Action Plan should set out, on a rolling basis, actions to deliver reductions in administrative burdens for all actors in the agriculture sector.
3. INVITES the Commission to identify in the Action Plan particular policy areas and instruments for simplification; to incorporate a review of, and recommendations in respect of, the efficiency of controls at the farm level; and taking into account those policy areas and instruments set out in its Communication "Implementing the Community Lisbon Programme: A strategy for simplification of the regulatory environment"¹.
4. BELIEVES that the Commission should take forward its work on reducing administrative burdens in the agricultural sector in a coordinated way, taking account of contributions from other policy areas.
5. INVITES the Commission to explore, in cooperation with Member States, options for establishing measurable targets for the reduction of the administrative burden of EU regulation in the Agriculture Sector, and INVITES the Commission to explore how best to integrate the measurement of administrative burdens into its Action Plan, and on that basis present a roadmap to the Council.
6. WELCOMES the Commission proposal to convene the CAP Simplification experts group and requests the Commission to do so in early 2006 to assist in the preparation of the Action Plan. To this end REQUESTS the Commission to write to all Member States setting out the terms of reference of this Group and inviting the Member States to identify representatives of their competent National authorities.

¹ 13976/05

7. INVITES the Commission to provide a draft of the Action Plan for discussion by the proposed CAP Simplification Conference, in 2006, and set to work on concrete CAP Simplification.
8. REQUESTS the Commission to inform the Council of the Action Plan as soon as possible and no later than the end of 2006 and to report annually on progress to Council."

EU/US WINE AGREEMENT

The Council adopted by a qualified majority a Council Decision on the conclusion of the agreement between the European Community and the United States on trade in wine, as contained in *14287/05*. The Greek delegation abstained. The German, Portuguese and Austrian delegations voted against.

The Council agreed to include in its minutes the Commission statement contained in the Annex to *15219/05*, as well as the statements made by the Italian and Portuguese delegations, and the joint statement from the French and Spanish delegations (which the Luxembourg delegation supported).

The Agreement constitutes the first phase of negotiations between the EC and the United States and provides for a second phase which will begin 90 days after the entry into force of the agreement. This Agreement establishes the mutual recognition by each of the Parties of their wine making practices and of both Parties' wine names of origin. It also provides for the United States' acceptance of the main principles of the Community labelling rules and a peace clause. It is expected that the Agreement will be signed and concluded with the United States in the early part of 2006.

It is recalled that on 23 November the EC had already concluded an intermediate agreement with the US in the form of an exchange of letters (Council Decision No 2005/798/EC).

The second phase of negotiations will deal with geographical indications, names of origin, traditional expressions, low-alcohol wines, certification, wine making practices and the setting up of a joint committee.

CROSS-COMPLIANCE

The Council took note of the concerns raised by the German delegation¹ regarding implementation of cross-compliance in the field of food and feedstuff safety and of the comments of the Commission representative (15536/05).

The German delegation expressed in particular its concerns as regards the possibility of a heavy administrative burden should Member States be required to carry out systematic checks with regard to the "hygiene package" (Regulations (EC) Nos 852/2004, 853/2004 and 183/2005). In reference to Regulation (EC) No 178/2002², the rules laid down by the "hygiene package" for primary agricultural production are setting cross-compliance requirements. The German delegation warned of the risk of setting a precedent by extending the initial scope of the cross-compliance requirements foreseen by Annex III of Regulation (EC) No 1782/2003³, which cites some articles of Regulation (EC) No 178/2002.

The Czech delegation, supporting the German delegation, stressed that the integration of the hygiene package legislation within the cross-compliance requirements would generate more administrative problems, and suggested replacing the current provisions of Annex III in order to make it more simple.

The French delegation, supported by the German, Dutch, Belgian, Irish, Luxembourg, Italian and Portuguese delegations, suggested suspending Regulation (EC) No 178/2002 until further precisions could be provided as regards its scope and its requirements or withdrawing its elements from Annex III if no further details were provided.

Commissioner Fischer-Boel, having made it clear that the hygiene package was an effective part of the cross-compliance requirements, indicated that the possibility given to the Member States to postpone the integration of this legislation until 2006 would enable them to adapt to the new system. She also stressed that these requirements represented a clear obligation for Member States, under which all direct payments were linked to compliance with environmental, health and animal welfare standards. Moreover, she suggested that non-compliance with the hygiene rules would lighten the whole process of cross-compliance and would send a wrong signal to the public. She concluded that excluding the hygiene package from Annex III would neither be legally nor politically possible, as all Community rules on cross-compliance had to be respected by Member States following the final agreement reached in June 2003 in the framework of the reform of the Common Agriculture Policy.

¹ This item, raised by the German delegation at the Special Committee on Agriculture on 12 December, was already supported by a wide number of delegations.

² Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety *Official Journal* 31, 1.02.2002, pp. 1-24.

³ Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers

OTHER BUSINESS

– Simplification of the Common Fisheries Policy (15721/05)

The Council took note of the presentation by Commissioner Borg and held an exchange of views on the Communication from the Commission to the Council and European Parliament: 2006-2008 Action Plan for simplifying and improving the Common Fisheries Policy. The Action Plan will establish the key areas and related simplifying measures for better legislation for the benefit of fishermen and public administration at national and Community levels. The Council invited the Commission to present a multi-annual action plan at its meeting in April 2005.

Several delegations welcomed the work of the Commission and answered positively to the following questions:

- (i) Do Ministers continue to believe that simplification of the CFP is a priority in the short- and long-term?
- (ii) Do Ministers agree that there should be regular reviews of progress made in simplifying the CFP, for example at the end of each Presidency?

Some of these delegations raised the following issues: the need to maintain the Council competences', the importance of concrete effects of the envisaged measures, and an annual progress report on the implementation of the Action Plan.

Commissioner Borg thanked the delegations for their support and their useful remarks. He explained that the main aims of the Action Plan were to ensure that the legislative texts produced at Community level were clear and unambiguous, to enable fishermen to have rapid access to concise information, and to reduce the excessive administrative burden. He indicated that this Plan would neither affect the Council competences' nor the procedure and that measures of simplification will not be implemented at the expense of the efficiency of the CFP. He pointed out that the Action Plan will have concrete effects on fishermen as well as on the industry and that it was likely, among other subjects, to address the issue of TACS and quotas, the technical measures for the protection of the juveniles, control measures and reporting obligations. He noted that when elaborating the Communication, all stakeholders had been consulted and that the Action Plan will involve all participants of the sector. He concluded that the Council will be kept regularly informed on the progress of the Action Plan.

– ***Restructuring measures for the fisheries sector affected by the current economic crisis***

Commissioner Borg provided oral information to the Council on the envisaged restructuring measures for the fisheries sector affected by the current economic crisis. The issue of the consequences for the fishing industry of the rises in fuel prices had been brought up several times, most recently in June 2005 by Belgium and in September 2005 by the Presidency and the Commission.

The Commissioner announced the launch of two initiatives that were the result of the previous month's extensive consultation between the Commission and representatives of the fisheries sector as well as the Member States.

A Communication addressing the problem to be adopted in the beginning of 2006 will be supplemented by a proposal for a Regulation concerning the *de minimis* rules for public aid in the fisheries sector. The Regulation will facilitate aid for the restructuring of the European fishery fleets, which might consist of the introduction of *energy-efficient* motors and fishing gears (reducing dependency on fuel consumption). In this context Borg pointed out that the Council would be in a position to decide as to whether the aid to the fishery sector would be *co-financed* by the Community through the European Fisheries Fund once adopted, while pointing out that any altering of the *de minimis* rules must not result in an increase of the overall capacity of European fleets.

He also underlined that all measures taken under the Communication should not focus exclusively on short-term compensatory measures in the face of higher fuel prices, but aim at finding long-term solutions, which implies the creation of a balance between fishing effort and fish stocks through the reduction of overcapacities as well as research into more efficient energy use.

– ***Avian influenza***

Commissioner Kyprianou provided a written update (15982/05) to the Council on the latest state of play concerning the outbreak of avian influenza due to the highly pathogenic virus H5N1 in Asia and its consequences in Europe.

The Council took note and looks forward to a satisfactory conclusion of the Beijing conference early next year.

– ***Bluetongue***

The Spanish delegation, supported by the Portuguese delegation stressed in a written document (15719/05) the need for financial and political support from the Community in eradicating and controlling the bluetongue disease with EU neighbouring countries in the Maghreb (especially Morocco in the framework of the EU/Morocco agreement) in order to avoid the spread of this cross-border disease, as it is known to be transmitted by mosquitoes. These delegations indicated that discussions between the European Community and Morocco would be carried out between April and May 2006 and that the fight against bluetongue and rabies should be included in an Action Plan in order to control both diseases more effectively. The Greek delegation supported the fight against the outbreak in North-African neighbouring countries as a positive contribution to reducing and eradicating the disease.

Commissioner Kyprianou, having fully agreed on the need to control and combat the two diseases, noted that in the framework of the Cooperation Agreement monitored by the Commissioners responsible for External Relations, a twin project had been established in July by the Action Plan to address various veterinary issues with Morocco. The project includes an epidemiology survey and the control of certain diseases. He concluded that he would take due account of the Spanish request when the project was further implemented.

This issue had already been raised at the November Council in 2004 (14446/04). By that time the Spanish delegation, supported by the Portuguese delegation, pointed out the need to conclude the association agreement with Morocco so that Community funds could be allocated to co-finance within the Community budget actions aimed at surveying and combating animal diseases, especially bluetongue (14875/04).

– ***Animal welfare Action Plan***

Commissioner Kyprianou provided oral information to the Council on the Animal Welfare Action Plan to be issued in January 2006. He noted that he had already briefed the Council in December 2004 (see 15873/04, p.38) on his intention to draw up an Action Plan on Animal Welfare and expressed his regrets at not being able to present it formally today because of technical problems. He pointed out that there had been wide consultation of the public, the industry and the main stakeholders when the Action Plan was drawn up, and indicated that Member States would also have the opportunity to present their comments once it was presented to the Council and the European Parliament, soon after its formal adoption by the Commission at the beginning of 2006.

The Danish delegation welcomed the Action Plan on Animal Welfare and mentioned its specific concerns as regard animal transport as well as its request for a Community ban on imports of dog and cat skins, such a ban being considered as stronger and more efficient than measures taken at national level.

– *Poultry meat prices*

The Italian delegation, supported by the Belgian, Greek, Maltese, French, Spanish, Hungarian, Netherlands, Latvian, German Polish and Portuguese delegations¹, expressed its concerns in a written document (15722/05) regarding the economic impact of avian influenza on the poultry industry in the EU and asked the Commission to take appropriate measures to support the businesses severely affected by the dropping prices of poultry meat.

Commissioner Fischer-Boel acknowledged a sharp drop in poultry meat prices largely due, according to her, to the media coverage of the recent avian influenza outbreak, mostly in Asia (see the relevant item), and the fact that the press made a connection between the disease and a possible impact on human health, and also to the seasonal variation in prices. She underlined that the Common Market Organisation for poultry did not provide for any specific instrument other than export refunds. In this regard she noted that the Commission had already used this tool, by recently increasing the level of export refunds for one day-old chicks and chicken and turkey hatching eggs as well as for chicken cuts². She stressed that this increase, the first since 2003, showed the willingness of her Institution to tackle the problem of persistently low prices and might help in the medium-term to reduce stocks of frozen poultry meat. However, she made clear that such measures would not have an immediate effect and that the market situation might improve by the beginning of 2006. She concluded that she would continue to monitor the market closely.

At the Council meeting on 24 October, the French delegation, supported by Italy and Hungary, had already submitted a document stressing the need to take into account the economic implications of avian influenza (see 13130/05).

¹ The Cypriot delegation also supported the request from the Italian delegation.

² See the outcome of the Management Committee meetings on 16 and 24 November 2005:
<http://europa.eu.int/comm/agriculture/minco/manco/poultry/752.pdf>
<http://europa.eu.int/comm/agriculture/minco/manco/poultry/753.pdf>

– *Export refund for live animals*

(15544/05)

The Danish delegation, supported by the United Kingdom and Swedish delegations, drew the attention of the Council and the Commission to the need to abolish refunds for exports of live bovine animals for slaughter as soon as possible, on the grounds that a report by the Commission on the recovery of export refunds for live animals for the period from October 2003 to October 2004 showed serious violations of the animal welfare rules. These delegations also encouraged the trade in meat instead of living animals and welcomed the announcement made by the European Commission of its intention to put an end to export refunds for live animals¹.

The Irish, Austrian, French, Spanish, Hungarian, Italian, Portuguese, Latvian, Luxembourg and Belgian delegations expressed their concerns as regard the initiative taken by the Commission to end export refunds for live animals. Given the commitment made by the EC at the World Trade Organization Ministerial Conference in Hong-Kong (13-18 December 2005) to put an end to all its forms of export support by 2013, these delegations pointed out that maintaining the export refunds in agriculture was crucial as part of the future negotiations with exporting third countries and that abolishing this instrument would send the wrong signal to trade partners. Furthermore, they also stressed that, if EU operators withdrew from the markets, operators from third countries would immediately replace them resulting in longer travel distances for cattle exported from South-America and without any guarantees that third countries exporting cattle would apply the same strict animal welfare requirements to their exporters as the ones imposed on EU exporters.

The German, Finnish and Dutch delegations supported keeping export refunds only for breeding animals. The Cypriot and Dutch delegations suggested postponing this measure until next year.

¹ See IP05/1647:
<http://europa.eu.int/rapid/pressReleasesAction.do?reference=IP/05/1647&format=HTML&aged=0&language=EN&guiLanguage=en>

Commissioner Fischer-Boel explained that she had deliberately waited for the end of the WTO negotiations in Hong-Kong before putting forward a proposal to end the export refunds for live animals. She also noted that, as the situation on the internal beef market was now positive with high prices since the decoupling scheme had been put in place, and since consumption had largely recovered from the BSE crisis and was even exceeding levels known before the crisis, there was no longer any justification for the continuation of such support. She said that this proposal would be submitted at the next Management Committee meeting on 23rd December 2005 and that, pursuant to the comitology rules¹, if the measures proposed were not in accordance with the opinion of the Committee, they would be communicated by the Commission to the Council forthwith. In that event, the Commission might defer application of the measures which it had decided on for a period which should in no case exceed three months.

The Danish delegation had already raised the issue of export support for live animals at the Council meeting on 26 April (8219/05).

– ***World Trade Organisation (WTO)***

The Council took note of the conclusions of the negotiations at the WTO Ministerial Conference in Hong-Kong (13-18 December 2005)².

– ***Organisation of future work***

For all information concerning the joint programme of the Austrian and Finnish presidencies in 2006 please contact the Press Office.

¹ OJ L 184 of 17.7.1999, COUNCIL DECISION of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission.

² For detailed information see:

http://www.wto.org/english/thewto_e/minist_e/min05_e/final_text_e.htm
15479/05 (Presse 349)

OTHER ITEMS APPROVED

AGRICULTURE

Wine*

The Council adopted a Regulation amending Regulation No 1493/1999 on the common organisation of the market in wine (*13465/05 and 15724/05 ADD1*). The amendments made are mainly technical, pending a broader proposal on reforming the sector to be presented next year. The Regulation replaces the obligation to distil by-products of wine-making with the obligation to withdraw such by-products under supervision in the wine-producing areas of Slovenia and Slovakia.

It also amends Regulation No 1493/1999 regarding the classification of the wine-growing areas in Poland as wine-growing zone A.

The Regulation authorises a number of oenological practices and processes which were authorised on an experimental basis in some Member States, under the conditions set out in Regulation No 1622/2000. The results obtained suggest that these practices and processes are beneficial to improving the management of wine production and the conservation of these products, whilst posing no health risks to consumers. The International Organisation of Vine and Wine (OIV) has already authorised these experimental practices carried out in Member States.

The Regulation adds the possible use of pieces of oak wood to the authorised oenological practices and processes; this practice is accepted by the OIV and permitted for several third countries in their wine agreements with the EU. A statement from the Commission notes that the conditions of use of this practice will be determined subsequently.

The Regulation extends until the end of 2007 a derogation for certain sparkling wines so that they can be obtained by adding one or more wine-sector products which do not originate in the specified region whose name the wine bears.

Finally, the Regulation authorises the use of certain languages and specific wording in the labelling of wines.

EU/Thailand - Modification of concessions for rice*

The Council adopted a Decision approving the conclusion of an Agreement between the EC and Thailand concerning the modification of concessions on rice under the GATT (15215/05, 15726/05). The Greek, Italian and Portuguese delegations abstained.

The Decision formalises the Agreement initialled between the EC and Thailand providing for a bound rate of duty of EUR 65/t for husked rice, EUR 175/t for semi-milled and milled rice and EUR 128/t for broken rice. It is expected that the Agreement will now be formally concluded with Thailand in the coming days.

The Agreement will apply from 1 September 2005 and implies a derogation from Regulation No 1785/2003 until 30 June 2006 pending reform of the common organisation of the market in rice (amendment of Regulation 1785/2003).

Animal by-products

The Council took note of a report from the Commission on the measures taken by Member States to ensure compliance with Regulation No 1774/2002 laying down health rules concerning animal by-products not intended for human consumption (15502/05).

Transmissible spongiform encephalopathies road map

The Council took note of a report on the transmissible spongiform encephalopathies (TSE) road map (15537/05 ADD1).

The TSE road map is intended as a discussion paper on possible future amendments to bovine spongiform encephalopathy (BSE) measures in the short, medium and long-term, prompted by the improved BSE situation in the EU.

Protection of new varieties of plants

The Council and the Commission agreed on a joint statement regarding the preparation for Union for the Protection of New Varieties of Plants (UPOV) meetings, statements and voting.

Forest Law Enforcement*

The Council adopted a Decision authorising the Commission to open negotiations for partnership agreements to implement the EU Action Plan for Forest Law Enforcement, Governance and Trade (FLEGT) and a Regulation on the establishment of a FLEGT licensing scheme for imports of timber into the European Community (*13660/05, 15102/05, 15068/05 ADD 1*).

On 24 October 2005 the Council unanimously reached a political agreement on both texts.

The Regulation and the Decision will pave the way for a new licensing scheme under which specified timber products exported from a partner country and arriving in the EU at any customs point designated for release for free circulation must be covered by a FLEGT licence issued by the partner country, stating that the timber products have been produced from domestic timber that was legally harvested or from timber that was legally imported into a Partner Country in accordance with national laws as laid down in the respective Partnership Agreement. The Regulation establishes a legal framework necessary for the introduction of a timber licensing scheme. This scheme would be implemented on a voluntary basis.

Outermost regions of the EU - Specific measures for agriculture*

The Council reached a political agreement on a Regulation laying down specific measures for agriculture in order to remedy the difficulties caused by the remoteness, insularity and distant location of the outermost regions of the EU (*15365/05, 15366/1/05 ADD1*).

The Regulation provides for specific supply arrangements, measures to assist local agricultural products, accompanying targeted measures and financial provisions. With regard to the handicaps of these regions and in order to boost trade, imports of certain agricultural products will be exempt from duties; aid will also be granted for the supply of products of Community origin to the outermost regions.

The Community will finance the measures provided for in the Regulation up to an annual maximum as follows:

French overseas departments: EUR 84,7 million,

Azores and Madeira: EUR 77,3 million and

Canary Islands: EUR 127,3 million.

Member States will submit a draft programme to the Commission in the framework of the financial allocation. The draft programme will comprise a forecast supply balance indicating the products, the quantities thereof and the amount of aid for supply from the Community as well as a draft programme of support for local production.

The Regulation repeals Regulations Nos 1452/2001, 1453/2001 and 1454/2001. It will apply for each Member State concerned as from the date on which the Commission notifies its approval of the overall programme.

Relations with Bulgaria and Romania - Trade concessions for wines

The Council adopted a Decision approving the conclusion of Agreements with Bulgaria and Romania on reciprocal trade concessions for certain wines and amending Regulation No 933/95 (16330/1/04).

In order to implement the results of the negotiations on new concessions for certain wines the Agreements were adopted pending the conclusion and adoption of Additional Protocols to the Association Agreements with Bulgaria and Romania containing provisions for the mutual protection of wine names and spirit designations.

FISHERIES

NAFO- Greenland halibut

The Council unanimously adopted a Regulation establishing a rebuilding plan for Greenland halibut in the framework of the Northwest Atlantic Fisheries Organisation (14484/05, 14486/05, 13375/04). This Regulation will apply from 1 January 2006. Its aim, following the adoption by NAFO of a 15-year rebuilding plan for Greenland halibut, is to implement a recovery plan for the Greenland halibut stock in NAFO Sub-area 2 (east of the meridian of 64°30' west longitude in the area of Hudson Strait, to the south of Subarea 0, to the south and west of Subarea 1 and to the north of the parallel of 52°15' north latitude) and Divisions 3KLMNO¹. The objective of the plan will be to attain a level of exploitable biomass of five years and older of 140 000 tonnes on average allowing a stable yield over the long term in the Greenland halibut fishery. In order to rebuild the stock, the NAFO plan provides for a progressive reduction of the TAC level until 2007 -18 500 tonnes in 2006 and 16 000 tonnes in 2007 - as well as control measures to ensure the effectiveness of that plan. Only vessels fishing with a special fishing permit issued by a flag Member State are allowed to fish in the areas mentioned above. Vessels can only land their fishing quantities in designated ports.

¹ More details on the areas concerned can be found at: <http://www.nafo.ca/about/frames/about.html>

Future cooperation in the North East Atlantic fisheries

The Council authorised the Commission to enter into negotiations to amend the Convention on Future Multilateral Cooperation in the North East Atlantic Fisheries and approved negotiating directives to that end.

The aim is to update the Convention, to widen its scope, to review its objectives and to review the means to achieve the objectives.

Southern hake and Norway lobster*

The Council unanimously adopted a Regulation establishing measures for the recovery of the Southern hake and Norway lobster stocks in the Cantabrian Sea and Western Iberian peninsula and amending Regulation (EC) No 850/98 (*14254/05 and 14270/05*).

The Regulation provides for the introduction of annual total allowable catches (TACs) for Southern hake and Norway lobster as well as the limitation of the fishing effort-measured as the sum, in any calendar year, of the products across all relevant vessels of their installed engine power measured in kw and their number of days fishing – in specified areas of the Cantabrian Sea and Western Iberian Peninsula.

Furthermore, amending Regulation (EC) No 850/98, the Regulation establishes geographically and temporarily limited (1 June to 31 August and 1 May to 31 August respectively) prohibitions of fishing with gears targeting Norway lobster - notably creels as well as bottom trawls or similar towed nets operating in contact with the bottom of the sea.

Fisheries control programmes - EU financial contribution

The Council adopted a Decision extending until 31 December 2006 a Decision 2004/465/EC on an EU financial contribution towards Member States fisheries control programmes (*15269/05*).

Priorities and actions suitable for EU financial support remain unchanged, and periods given to Member States to report on progress made have been modified in consequence. Two new actions suitable for Community financial support have however been added in order to further increase the level of technical assistance to the Commission's services: studies on fisheries control as well as arrangements designed to facilitate the implementation of new technologies on control.

The financial contribution for 2006 amounts to EUR 35 million. The decision will apply from 1 January 2006.

Baltic Sea recovery measures *

The Council adopted a Regulation for the conservation of fishery resources through technical measures in the Baltic Sea, the Belts and the Sound and amending Regulation (EC) No 1434/98 (15160/05 and 15250/05 ADD1).

The Regulation includes the following technical measures:

- In 2007, in subdivisions 25-32, the maximum number of vessels using driftnets must not exceed 40% of the number of such vessels in the period 2001-2003.
- When fishing is conducted using gillnets, entangling nets or trammel nets the maximum allowable length is 9 km of nets for vessels with an overall length of up to and including 12 m and 21 km of nets for vessels with an overall length of more than 12 m.
- The prohibition on fishing from 15 May to 31 August in the Bornholm Deep is deleted from the original proposal by the Commission, as well as the prohibition on retaining cod on board from 15 June to 15 August.
- Article 21 of the initial proposal, defining certain periods and geographical areas in which the retention on board of flounder, plaice, turbot and brill is prohibited, is not retained in the final Regulation. The provisions of Article 21 are instead included in the TAC and quota Regulation for Baltic stocks for 2006 pending the adoption of a TAC for flounder and turbot.
- The minimum landing sizes remain as follows:
 - with regard to flounder: 21 cm in subdivisions 22 to 32 is only maintained for subdivisions 26 to 28. In subdivisions 22 to 25 the minimum landing size has been increased to 23 cm, while in subdivisions 29 to 32 it has been decreased to 18 cm;
 - with regard to salmon: 60 cm in subdivisions 22 to 32 is maintained except for subdivision 31, where a minimum size of 50 cm applies.
 - a minimum size for sea trout has been introduced, notably 40 cm in subdivisions 22 to 25 and 29 to 32 and 50 cm in subdivisions 26 to 28.

A joint statement is attached to the Regulation, in which the Council invites the Commission to submit in 2006 a proposal for a single definition of driftnet covering all EC waters.

(For more details see Press Release 14178/05, p. 11).

EXTERNAL RELATIONS

Euratom participation in the Korean Peninsula Energy Development Organisation

The Council adopted a Decision authorising the Commission to open negotiations on a limited renewal of Euratom participation in the Korean Peninsula Energy Development Organisation¹.

International Criminal Tribunal for the former Yugoslavia – Freezing of assets

The Council adopted a Decision implementing common position 2004/694/CFSP by amending the list of persons to whom economic sanctions should apply for having been indicted by the International Criminal Tribunal for the former Yugoslavia (ICTY) (15803/05).

Following the transfer of Mr Ante Gotovina to ICTY detention units, his name has been removed from the list.

DEVELOPMENT COOPERATION

South Africa - EU enlargement

The Council adopted a Decision concluding the Additional Protocol to the Agreement on Trade, Development and Cooperation between the EU and South Africa in order to take account of the accession of ten new Member States in May 2004 (12075/05).

The Additional Protocol, signed in Pretoria last June, provides for the necessary technical adaptations of the Agreement that ensue from the accession of the new contracting parties, in particular regarding institutional and trade provisions and rules of origin.

¹ www.kedo.org

European Development Fund - Contributions for 2006

The Council adopted a Decision laying down, for the financial year 2006, the schedule of calls for contributions from the 15 EU Member States previous to enlargement to the ninth European Development Fund (15730/05). The contributions, a total of EUR 2,83 bn, are to be paid in three instalments.

The Council also adopted the Decision fixing the contribution for the first instalment for 2006 amounting to EUR 1,460 bn (15728/05).

JUSTICE AND HOME AFFAIRS**SISNET**

The Council adopted the 2006 budget for SISNET and, following the report of the Court of Auditors, it gave discharge to the Secretary-General and the Deputy Secretary-General in respect of the 2004 budget's implementation.

Europol - 2004 budget – Audit report and discharge to the director

The Council gave discharge to the Director of Europol in respect of the budget for 2004 after examining the audit report of the Joint Audit Committee of Europol (15118/05).

Eurojust - Activity report 2004

The Council took note of the 2004 Activity Report of the Joint Supervisory Body of Eurojust. The Presidency will forward it to the European Parliament for information (12530/05).

EU Drugs strategy 2005-2012 - Outcome of the United Kingdom Presidency's activities

The Council took note of the main achievements of the United Kingdom Presidency in the drugs field (15776/05).

On internal issues, a series of thematic debates took place within the context of the action plan. On international cooperation, the Presidency focused on the following actions:

- increasing the EU's drug assistance to Afghanistan and its neighbours;
- exploring the scope for enhanced action on drugs with Russia;
- continuing and developing active engagement with the Latin America and Caribbean region; and
- exchanging information on Member States' and the Commission's assistance and activity in third countries to identify duplications and gaps.

The Dutch and Luxembourg Presidencies put in place an EU drugs strategy for 2005-2012¹ and an action plan within that strategy for 2005-2008². These are divided into five areas: coordination, demand reduction, supply reduction, international cooperation and information, research and evaluation.

ECONOMIC AND FINANCIAL AFFAIRS

Finland - Limit for beer imports

The Council adopted a Decision extending for one year the authorisation granted to Finland to apply a quantitative limit of 16 litres for beer imports by travellers from non-EU countries (15807/05, 14905/05).

This special measure is aimed at helping to alleviate the current fiscal and economic problems faced by Finland, and constitutes a derogation to common EU rules on turnover taxes and excise duties on imports in international travel.

The derogation is subject to a time limit, expiring in 2006, in order to take account of the need for equal EU rules to prevent distortions of competition resulting from the application of different limits when external frontiers linking the Community to third countries are crossed.

¹ 15074/04

² 8652/1/05

Finland, which has a border with Russia where alcohol is much cheaper, requested an extension of the existing restriction on beer imports with the purpose of addressing fiscal, economic, social, health and public order problems.

In 2000 Finland was granted a derogation until the end of 2005 to limit personal imports of beer by individuals from countries other than Member States to not less than 6 litres. Finland applied the derogation, only to a limited extent and restricted the import of beer on the basis of its national law to not less than 16 litres.

Mongolia - European Bank for Reconstruction and Development

The Council adopted a Decision enabling the European Bank of Reconstruction and Development to finance operations in Mongolia.

Enlargement of the euro area

The Council adopted a Regulation aimed at facilitating the introduction of the euro in other EU Member States by adapting the legal framework and setting up rules which can easily be applied to any future entrant of the euro area (*14883/05*).

Under the Regulation, new entrants to the euro area, some of which have declared their wish to join as from 2007, will have three options to choose from for adapting to the single currency:

- the same that applied to the original twelve Member States that established the euro area in 1999: first the euro would be adopted as currency, then banknotes and coins would be introduced after a transitional period;
- a "big bang" scenario where adoption of the euro and the introduction of banknotes and coins would coincide; or
- a "big bang" scenario combined with a phasing-out period for usage of the national currency. Usage of the national currency would be allowed for one year in specific legal instruments (invoices, company books, etc.).

The Regulation amends Regulation 974/98.

TRADE POLICY

Anti-dumping - Korea - Electronic microcircuits (DRAMs)

The Council adopted a Regulation amending Regulation No 1480/2003 imposing a definitive countervailing duty and collecting definitely the provisional duty imposed on imports of certain electronic microcircuits known as DRAMs (Dynamic Random Access Memories) originating in the Republic of Korea (15026/05).

Belarus - Textile products

The Council adopted a Decision authorising the signing and the provisional application of an Agreement between the EU and Belarus on trade in textile products, extending until 31 December 2006 the existing Agreement with a number of adjustments of quantitative limits (15236/05).

In 2006 Belarus will be, together with North Korea and Montenegro, the only country subject to textile quotas in the EU.

Jordan - Agricultural products

The Council adopted a Decision approving the conclusion of an Agreement between the EU and Jordan on reciprocal liberalisation measures for trade in agricultural and processed agricultural products and amending the EU-Jordan Association Agreement (14972/05 + COR 1).

The EU-Jordan Association Agreement has been in force since 1 May 2002.

Ukraine - Economies in transition - Anti-dumping investigations

The Council adopted a Regulation removing Ukraine from the list of economies in transition listed in the basic anti-dumping Regulation in order to change the way in which EU anti-dumping investigations are carried out for that country (15357/05 + COR1).

The normal value of Ukrainian exporters and producers in anti-dumping investigations will now be calculated on the basis of prices and costs applicable in Ukraine.

The graduation of Ukraine to market economy status for the purpose of anti-dumping investigation follows the conclusions of the Ukraine-EU summit of 1 December 2005 which recognised the progress made by Ukraine towards the establishment of market economy conditions (15222/05).

By Regulation 384/96¹ (the basic anti-dumping Regulation) and Regulation 2026/97² (the basic anti-subsidy Regulation) the Council adopted common rules for protection against dumped, and subsidised imports from non-EU countries, respectively.

Anti-dumping - China - Polyethylene terephthalate

The Council adopted a Regulation amending Regulation 1467/2004 imposing definitive anti-dumping duties on imports of polyethylene terephthalate ("PET") originating, inter alia, in China (15875/05).

World Trade Organisation - Multi-chip integrated circuits

The Council adopted a Decision on the conclusion of an Agreement on duty-free treatment of multi-chip integrated circuits (13973/05).

The Agreement eliminates applied duties and charges on multi-chip integrated circuits, whilst leaving the World Trade Organisation bound rates unchanged.

Agreements with Japan and New Zealand - EU enlargement

The Council adopted Decisions approving the conclusion of Agreements with Japan and New Zealand, under the GATT, relating to the modification of concessions in the schedules of ten new Member States in the course of their accession to the EU (13190/05, 15709/05).

The Council also adopted Regulations concerning the implementation of both Agreements amending Regulation No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (15190/05, 15710/05).

¹ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation No 461/2004 (OJ L 77, 13.3.2004, p. 12).

² OJ L 288, 21.10.1997, p. 1. Regulation as last amended by Regulation No 1973/2002 (OJ L 305, 7.11.2002, p. 4).

INTERNAL MARKET

Motor vehicles - Wheels for cars and trailers, front-lighting systems

The Council agreed on a common approach with a view to adopting two Decisions approving draft Regulations of the United Nations Economic Commission for Europe (UN/ECE):

- on wheels for passenger cars and their trailers (*14451/05*), and
- on the approval of adaptive front-lighting systems for motor vehicles, in order to fit them with headlamps that can have their beam pattern adapted to better suit the type of road (*14454/05*).

The main purpose of the UN/ECE Regulations is to establish harmonised technical prescriptions, thereby avoiding the creation of technical barriers to trade in motor vehicles between the contracting parties, while ensuring a high level of safety and environmental protection.

Both Council Decisions, after obtaining assent from the European Parliament, will enable the European Commission to vote in favour of the draft Regulations at a forthcoming meeting of the UN/ECE forum for harmonisation of vehicle regulations.

The EU has been a party to the UN/ECE Agreement since 1998.

SHIPPING

Activities of third countries in the field of cargo shipping

The Council adopted a Decision relating to the activities of certain third countries in the field of cargo shipping (*3651/05*).

The Decision codifies and repeals Decision 78/774/EEC as amended by Decision 89/242/EEC, substituting the various acts incorporated in it by putting it together with only such amendments as are required by the codification exercise itself.

ATOMIC QUESTIONS

System of nuclear safeguards

The Council took note of a report on a new framework for Euratom safeguards.

The report follows a review of nuclear safeguards verification activities under the Euratom Treaty¹.

RESEARCH

Euratom - International agreement on nuclear energy systems

The Council took a Decision, by qualified majority, approving the accession of the European Atomic Energy Community to a Framework Agreement for International Collaboration on Research and Development of Generation IV Nuclear Energy Systems (*14929/05 + COR 1*).

Generation IV systems are: gas-cooled fast reactor, lead-cooled fast reactor, molten salt reactor, sodium-cooled fast reactor, supercritical-water-cooled reactor and very-high-temperature reactor.

ENVIRONMENT

Bathing water quality

Following the agreement reached by the Council and the European Parliament in the Conciliation Committee (see press release *13230/1/05*), the Council adopted a Directive concerning the management of bathing water quality and repealing Directive 76/160/EEC (*3659/05*).

¹ See Commission communication "Euratom Safety and Security - Activities in 2003" (*5377/05*).

LEGAL AFFAIRS

Court of Justice of the EU - Authorities designated by the new EU Member States

The Council approved amendments to the supplementary rules of the Court of Justice in order to include in the lists annexed to the supplementary rules the authorities designated by the ten Member States that joined the EU in May 2004 (14650/05).

APPOINTMENTS

Committee of the Regions

The Council adopted a Decision (15085/05) appointing:

– as members:

Mr Arnoldas Abramavičius, member of Zarasai district municipal council, in place of Mr Ramūnas Garbaravičius, and

Mr Antanas Gustaitis, mayor of Prienai district municipality, in place of Mr Darius Gudelis;

– as alternate members:

Mr Edmundas Čėsna, member of Raseiniai district municipal council, in place of Mr Arnoldas Abramavičius, and

Mr Vytautas Račkauskas, mayor of Visaginas district municipality, in place of Mr Antanas Gustaitis, and

Mr Povilas Žagunis, mayor of Panevėžys district municipality, in place of Mr Alfredas Pekeliūnas

of the Committee of the Regions for the remainder of the current term of office, which ends on 25 January 2006.

TRANSPARENCY**Improving openness and transparency in the Council* - Council conclusions**

The Council adopted the following conclusions (15834/05 + ADD1):

"In recent years, the Council's work has become much more open and visible. As the Union's main decision-making institution, co-deciding many of the Union's legislative acts with the European Parliament, the Council's proceedings are already open to a very large extent. Part of its deliberations are open to the public, and most of its official documents are accessible to the public in accordance with existing EU rules.

In order to further open up its work in accordance with the existing Treaties and rules, the Council has decided to take practical steps to improve openness and transparency of its formal sessions and to reach the widest possible audience. The Council has decided to give immediate effect to the following measures which concern formal sessions of the Council:

1. All legislative proposals under the co-decision procedure which, given their importance, are presented orally by the Commission in a Council session, and the ensuing debate on them, are open to the public.
2. All final Council deliberations on legislative proposals under the co-decision procedure, i.e. all debates that take place once the other institutions or bodies have submitted their opinions, will be open to the public. The relevant items which are marked on the provisional agenda for the Council session concerned by an asterisk (*) will be marked with the words "public deliberation".
3. When drawing up the agenda for each Council session, Coreper may consider making other deliberations on co-decision items at the Council, in addition to 1. or 2., open to the public in accordance with Article 8 (3) of its Rules of Procedure.
4. The vote on all legislative acts adopted under the co-decision procedure is taken in public. The outcome of the vote is displayed visibly on the television screen relaying the vote to the public.
5. The Council will in the future hold more debates in public on important new legislative proposals on items other than those covered by the co-decision procedure in accordance with Article 8 (3) of its Rules of Procedure.

6. As far as the Council's non legislative work is concerned, in addition to policy debates on the Council's operational programme and the annual work programme of the Commission, when drawing up the provisional agenda for each Council session, the Presidency may propose that the Council may decide that its deliberations on non-legislative items be held in public if they involve important issues affecting the interests of the Union and its citizens.
7. Public debates and public deliberations on the agenda of any given Council session, as well as public votes on co-decision items, are grouped together as far as possible. Documents for open Council sessions are made public in accordance with the relevant EU rules.
8. The general public and the media are informed in advance of upcoming public discussions in Council sessions by announcements on the Council's web site and by publication of Council agendas on the Council's public register. In order to ensure as wide an access as possible to the general public, all public debates and deliberations, as well as public votes on co-decision items, will be broadcast in all languages through video-streaming on the Council's internet web site from the summer of 2006.

During the Austrian and Finnish Presidencies, the Council will assess the functioning of these measures. In the light of this assessment, it will reflect on all possible options for further improving openness and transparency, including, inter alia, the possibility of amending the rules of procedure."

Public access to documents

The Council adopted:

- the reply to confirmatory application 43/c/08/05 (*14799/05*);
- the reply to confirmatory application 44/c/09/05, the Czech, Danish and Swedish delegations voting against (*14827/05 + COR 1*);
- the reply to confirmatory application 45/c/01/05 (*14964/05*);