



**COUNCIL OF  
THE EUROPEAN UNION**



11680/07 (Presse 167)

## **PRESS RELEASE**

2815th Council meeting

### **Agriculture and Fisheries**

Brussels, 16 July 2007

President: **Mr Jaime SILVA**  
Minister for Agriculture, Rural Development and Fisheries  
of Portugal

# **P R E S S**

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11680/07 (Presse 167)

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## **Main results of the Council**

The Council held a fruitful discussion on the reform of the wine sector and the means of improving sugar sector reform.

Following a second-reading agreement with the European Parliament, the Council adopted without discussion a Directive concerning pre-packed products.

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- <sup>1</sup>
- 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.
  - Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
  - 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 Council's Internet site or may be obtained from the Press Office.

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## PARTICIPANTS

The Governments of the Member States and the European Commission were represented as follows:

### Belgium:

Ms Sabine LARUELLE

Minister for Small and Medium-Sized Businesses, the Liberal Professions and the Self-Employed and Agriculture

Mr Kris PEETERS

Flemish Minister for Public Works, Energy, the Environment and Nature

### Bulgaria:

Mr Nihat KABIL

Minister for Agriculture and Forestry

### Czech Republic:

Mr Petr GANDALOVIČ

Minister for Agriculture

### Denmark:

Mr Hans Christian SCHMIDT

Minister for Food, Agriculture and Fisheries

### Germany:

Mr Horst SEEHOFER

Federal Minister for Food, Agriculture and Consumer Protection

### Estonia:

Mr Tiit NABER

Deputy Permanent Representative

### Ireland:

Ms Mary COUGHLAN

Minister for Agriculture and Food

### Greece:

Mr Evangelos BASIAKOS

Minister for Rural Development and Food

### Spain:

Ms Elena ESPINOSA MANGANA

Ms Mercè AMER RIERA

Minister for Agriculture, Fisheries and Food  
Minister for Agriculture and Fisheries of the Autonomous Community of Balearic Islands

### France:

Mr Michel BARNIER

Minister for Agriculture and Fisheries

### Italy:

Mr Paolo DE CASTRO

Minister for Agricultural and Forestry Policy

### Cyprus:

Mr Photis PHOTIOU

Minister for Agriculture, Natural Resources and Environment

### Latvia:

Mr Mārtiņš ROZE

Minister for Agriculture

### Lithuania:

Mr Vytautas GRUŠAUSKAS

Under-Secretary, Ministry of Agriculture

### Luxembourg:

Mr Fernand BODEN

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

Ms Octavie MODERT

### Hungary:

Mr József GRÁF

Minister for Agriculture and Rural Development

### Malta:

Mr George PULLICINO

Minister for Rural Affairs and the Environment

**Netherlands:**

Ms Gerda VERBURG

Minister for Agriculture, Nature and Food Quality

**Austria:**

Mr Josef PRÖLL

Federal Minister for Agriculture, Forestry, the  
Environment and Water Management**Pologne:**

Mr Maciej JABŁOŃSKI

Secretary of State, Ministry of Agriculture and Rural  
Development**Portugal:**Mr Jaime SILVA  
Mr Rui NOBRE GONÇALVES  
Mr Luís VIEIRAMinister for Agriculture, Rural Development and Fisheries  
State Secretary for Rural Development and Forestry  
State Secretary for Agriculture and Fisheries, attached to  
the Minister for Agriculture, Rural Development and  
Fisheries**Romania:**Mr Decebal Traian REMEȘ  
Ms Cornelia HARABAGIUMinister for Agriculture and Rural Development  
State Secretary, Ministry of Agriculture and Rural  
Development**Slovenia:**

Mr Iztok JARC

Minister for Agriculture, Forestry and Food

**Slovakia:**

Mr Miroslav JUREŇA

Minister for Agriculture

**Finland:**

Ms Sirkka-Liisa ANTILA

Minister for Agriculture and Forestry

**Sweden:**

Mr Eskil ERLANDSSON

Minister for Agriculture

**United Kingdom:**

Mr Hilary BENN

Secretary of State for Environment, Food and Rural  
Affairs**Commission:**Mr Markos KYPRIANOU  
Ms Mariann FISCHER BOEL

Member

Member

## ITEMS DEBATED

### PRESIDENCY PROGRAMME

Mr Jaime Silva outlined to Ministers the Presidency's work programme for the coming six months; the key points were as follows:

1. Reform of the wine sector
2. The "health check" review of the 2003 reform of the common agricultural policy
3. Necessary adjustments to be made in the sugar, milk and cotton sectors as part of the reform of the CAP
- 3a. Continued simplification of the CAP
4. Sustainable use of forestry resources
5. The package of proposals regarding the placing of plant health products on the market and the sustainable use of pesticides
6. Community animal health policy
7. Updating legislation on the use of hormones in animal health
8. The traceability and labelling of food of animal origin
9. Taking forward bilateral negotiations with third countries in connection with sanitary and phytosanitary (SPS) Agreements and multilateral negotiations within the *Codex Alimentarius* and the International Epizootics Organisation (OIE)
10. Illegal, unreported and unregulated (IUU) fishing, a topic on which there will be a specific conference and a Commission communication.
11. The customary end-of-year negotiations on total allowable catches (TACs) for the Community fisheries sector and the allocation of quotas to the Member States concerned.

## **GENETICALLY MODIFIED ORGANISM**

In accordance with committee procedure rules, the Council was asked to adopt a position, by qualified majority, on a Commission proposal for a Decision authorising the placing on the market of a potato product (*Solanum tuberosum L. line EH92-527-1*) genetically modified for enhanced content of the amylopectin component of starch.

The Council confirmed that the qualified majority required in order to act on the Commission proposal could not be reached. The decision on this proposal will therefore be taken by the Commission.

– **Potato product (*Solanum tuberosum L. line EH92-527-1*) genetically modified for enhanced content of the amylopectin component of starch.**

When the Swedish authorities received from BASF Plant Science a notification concerning the placing on the market of a potato genetically modified for enhanced content of the amylopectin component of starch, they sent their assessment report to the Commission; the report concluded that the genetically modified potato should be placed on the market for industrial uses.

The Commission forwarded the assessment report to all other Member States, some of which raised objections to the placing on the market of the product, in terms of molecular characterisation, allergenicity, toxicity, an inadequate monitoring plan and the detection method of the product.

In light of these objections, the Commission consulted the European Food Safety Authority (EFSA), which delivered its opinion on 24 February 2006 concluding that, from all evidence provided, the genetically modified potato was unlikely to have an adverse effect on human and animal health or the environment in the context of its proposed uses.

On 4 December 2006 the Commission consulted the relevant regulatory committee, which was unable to reach the qualified majority required in order to give an opinion.

On 13 June 2007 the Commission accordingly submitted a proposal to the Council, which should act by a qualified majority within three months from that date (i.e. by 13 September 2007).



## WINE MARKET

Following Ms Mariann Fischer Boel's presentation of the Commission's recently adopted proposal (11361/07), delegations gave their initial reactions on key issues which, in their view, needed close consideration in the future negotiations on the reform of the wine sector.

While all delegations endorsed the need for a fundamental reform of the sector and the stated objectives for such a reform, differences emerged regarding the means being proposed for meeting those objectives.

The Presidency asked the Special Committee on Agriculture to take forward in a constructive spirit its preparatory work on reaching a political agreement.

On 4 July 2007 the Commission adopted a proposal on reforming the common organisation of the European market in wine; the proposals are designed to increase the competitiveness of EU wine producers, to win back markets, to balance supply and demand, to simplify the rules, to preserve the best traditions of wine production, to reinforce the social fabric in rural areas and to respect the environment.

The Commission hopes in this way to optimise the use of the current budgetary allocation of EUR 1,3 billion.

Under the Commission proposal a number of market support measures, which are considered to be inefficient, would be **eliminated** (i.e. support for distillation and private storage, and export refunds).

The addition of sugar for enrichment – chaptalisation – would be banned, and aid for musts used for enrichment would be abolished in order to bring oenological practices into line with those approved by the OIV.

National financial envelopes would be provided in order to allow Member States to tailor crisis-management measures to their particular situations.

The sums allocated to promoting EU wines on third-country markets would amount to EUR 120 million per year.

For a five-year transitional period, planting restrictions would be kept in place and uncompetitive producers would have the possibility to leave the sector with the benefit of financial support. After 2013, restrictions on planting would be lifted to allow competitive producers to expand their production if they so chose.

Labelling rules would be made simpler in order to improve consumer information; certain wine-making practices accepted by producer countries which are members of the International Organisation of Vine and Wine (OIV) would be adopted by the EU and quality policy would be based on a geographical origin approach.

More money would go into rural development, to fund measures such as the setting up of young wine producers and environmental protection.

*For further details see: [http://ec.europa.eu/agriculture/capreform/wine/index\\_en.htm](http://ec.europa.eu/agriculture/capreform/wine/index_en.htm) .*

The proposal is based on Article 37 of the Treaty (qualified majority).

The European Parliament's opinion is expected for the beginning of 2008.

## SUGAR MARKET

The Council held a policy debate on a communication and two proposals for Regulations submitted by the Commission in order to make the restructuring of the Community sugar industry more attractive <sup>1</sup>.

The debate concentrated on the principal measures proposed to increase the effectiveness of the 2005 reform:

- Make the restructuring fund in the 3rd year of restructuring more attractive, while retaining the principle of voluntary restructuring;
- Enable growers to give up quotas on their own initiative, in order to strengthen the necessary restructuring process;
- Adopt a two-phased approach for restructuring applications in 2008/2009;
- If a final quota cut is necessary in 2010, take into account restructuring efforts already undertaken at individual undertaking level and at Member State level.

The Commission proposal received the general support of a large number of delegations, subject to certain technical adjustments which the Presidency asked the Special Committee on Agriculture to take care of so that agreement could be reached on this package in September <sup>2</sup>.

The aim of the Commission proposal was to increase the voluntary renunciation of sugar production quotas under the temporary arrangements for restructuring the sugar industry <sup>3</sup>, as the level of quotas-renunciation initially expected had not been reached.

With that in mind, and in order to avoid uncertainty that might discourage sugar undertakings, the amount of aid to be set aside for growers and machinery contractors, currently set by the Member States, would be fixed at 10 % of the aid to be granted to sugar undertakings. However, growers giving up quotas would receive an additional payment, paid retroactively, in order not to penalise those who had already given up their quotas.

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<sup>1</sup> Regulation (EC) No 320/2006 (OJ L 58, 28.2.2006, p. 42).

<sup>2</sup> The European Parliament's opinion should be delivered on 25 September.

<sup>3</sup> The restructuring scheme applies until 2010.

In the 2008/2009 marketing year, growers giving up production on their own initiative would be able to apply directly to the restructuring fund for aid on the terms specified.

In order to create a further incentive for undertakings to participate in the restructuring scheme, those giving up a certain share of their quotas in 2008/2009 would be exempt from payment of the restructuring amount for the part of the quota which had been the subject of preventive withdrawal during the 2007/2008 marketing year.

The Commission considered that the proposed amendments would enable around 3,8 million tonnes of sugar quotas to be renounced in addition to the 2,2 million tonnes already given up. If the quantity of quota renounced by 2010 was insufficient, the Commission also proposed that the level of the compulsory quota reduction should vary in relation to the number of quotas which each Member State had given up under the restructuring scheme.

**OTHER BUSINESS****(a) WTO negotiations on the Doha Development Agenda**

The Council took note of information provided by Mariann Fischer Boel on progress in the WTO negotiations on the Doha Development Agenda, following the G4 ministerial meeting held in Potsdam (19 to 23 June 2007).

The Presidency and the Council reaffirmed their support for the Commission's continuation of the negotiations on the basis of the mandate given by the Council on 18 October 2005 (13378/05).

**(b) Avian influenza**

Commissioner Kyprianou briefed the Council on the most recent developments in the outbreak of the avian influenza virus H5N1 in the EU.

The virus had appeared in a turkey farm in the Czech Republic and in wild birds in France and Germany.

The strain identified this year was similar to that found in the Middle East and Kuwait, but different from that isolated in the United Kingdom and Hungary in 2006 and early 2007.

Mr Kyprianou called on the Member States to step up their measures for prevention, vigilance and security throughout the year in order to prevent the virus spreading.

**(c) Report from the High-Level meeting of Representatives from Ministries of Agriculture and Environment of the Council of the Baltic Sea States: "Land and Sea: More cooperation, less eutrophication" (Stockholm, 19 and 20 April 2007)**

The Swedish delegation summarised the main points of the meeting:

*The High-level representatives recognise that agriculture is one of the major sources of eutrophication in the Baltic Sea and that further action is needed to reduce nutrient leakage into the sea. The countries agreed to prevent any local or regional increase in nutrient discharges into the Baltic Sea due to non-sustainable practices. In the joint statement they acknowledge the urgent need for more cooperation at all levels in order to achieve a good environmental status in the Baltic Sea. The excessive input of nutrients constitutes a serious threat to the marine environment. The environmental status of the Baltic Sea is so critical that further and targeted action to combat eutrophication is needed (11104/07).*

**(d) Request to set the compulsory set-aside at 0 % for the marketing year 2008/2009 - request from the Swedish delegation**

Sweden, supported by DE, FR, AT, DK, LU, MT, BE and ES requested that the set-aside level (currently 10 %) be set at 0 % for the 2008/2009 marketing year. This would enable the increased demand for cereals and oilseeds on the Community and world markets to be met. Without prejudice to a full review of the set-aside system in the context of the CAP Health Check, in particular its impact on the environment, the Commission announced that it accepted the principle of a 0 % set-aside level for the 2008/2009 marketing year <sup>1</sup> and would submit a proposal to that effect as soon as possible (11734/07).

**(e) Additional Legal Options in relation to the FLEGT Action Plan against illegal logging and related trade – request from the Netherlands delegation (11538/07)**

The Netherlands delegation, supported by Latvia, Hungary and Poland, drew the attention of the Council and the Commission to the need to intensify the EU's action against illegal logging and trade in timber which was leading to the disturbing disappearance of large swathes of forest. It welcomed the negotiations that were currently going on with a number of timber-producing countries (Malaysia, Indonesia and Ghana) to conclude FLEGT partnership agreements. At the same time it urged the Commission to present additional legal options as soon as possible aimed at preventing imports of illegally harvested timber into the European Union. The Commission said that a study was being made of all the options, including measures that went beyond the FLEGT approach, and that a report would be submitted towards the end of the year.

**(f) Mediterranean diet - request from the Spanish delegation (11645/07)**

Spain, supported by Italy, France and Greece, informed the Council of its initiative to promote the application for the Mediterranean diet to be included on UNESCO's list of the Intangible Cultural Heritage of Humanity.

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<sup>1</sup> See Commission Press Release of 16 July 2007 IP/07/1097.

**(g) Drought in Romania – Request from the Romanian and Bulgarian delegations (11593/07)**

The Romanian and Bulgarian delegations, supported by FR, IT, HU and PL, drew the Council's attention to the serious situation caused by the severe drought in the Black Sea region and the consequences for agriculture, particularly the growth and harvesting of cereals. The Commission asked those two delegations to send it the relevant data as soon as possible so that the most appropriate measures could be taken. The Presidency stated that the drought and possible solutions would be raised at the informal meeting of Environment Ministers.

**(h) Devastation caused by catastrophic fire in Cyprus – request from the Cypriot, Greek, Spanish and French delegations**

The Cypriot delegation, supported by the Greek, Spanish, French and Italian delegations, informed the Council of the serious situation caused by the huge fires which had devastated forests and farmland on 29 June.

The "summer" fires, exacerbated by global warming, were assuming a structural nature which called for a strategic response in the form of flexible Community aid.

Informed of the gravity of the situation, the Commission listed the tools available to compensate for Cyprus's losses and asked the Cypriot delegation to contact the relevant Commission departments as soon as possible to consider the solutions best adapted to the situation. It also pointed out that the impact of climate change on agriculture in Europe would be among the issues for discussion during the CAP Health Check.

**(i) Proposal by ten new Member States applying the SAPS concerning cross-compliance**

The ten new Member States<sup>1</sup> applying the single area payment scheme (SAPS) reiterated their request to be allowed a transitional period for implementing cross-compliance (11732/07, 10481/07).

The Commission was prepared to grant these Member States 3 years, taking into account the date of accession of Bulgaria and Romania, similar to the period which the fifteen old Member States had been allowed under the 2003 CAP reform.

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<sup>1</sup> Bulgaria, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Romania, Slovakia and Poland.

**(j) TAC for Norway pout in 2007 – request from the Danish delegation**

The Danish delegation, supported by Sweden, asked the Commission to fix a TAC of 50 000 tonnes<sup>1</sup> for Norway pout in 2007 (11629/07), on the basis of available scientific data.

Commissioner Kyprianou, on behalf of Commissioner Borg, could not accede to this request as current scientific data recommended that the fishery remain closed until at least 2008 to enable the stock to acquire a sufficient number of adults of reproductive age.

**(k) Crisis on the veal market**

The Italian delegation drew the Council's attention to the crisis caused by the increase in the price of the dairy-based raw materials used to feed young calves.

Those raw materials accounted for 50 % of the cost of producing fifteen-day old calves for fattening and the sector was therefore threatened with a structural crisis.

The Commission replied that the fixing of the set-aside rate at 0 % should provide a short-term solution to the problem of the supply of cattle feed.

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<sup>1</sup> The current 0 % TAC was fixed in December 2006.  
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**OTHER ITEMS APPROVED****AGRICULTURE****EU/ACP States, India – prices of cane sugar for 2007/2008**

The Council authorised the Commission to negotiate guaranteed prices applicable in the 2007/2008 delivery period to cane sugar originating in the ACP States and in India.

**Plant protection products on the market**

The Council confirmed the absence of a qualified majority to decide on the proposal for a Council Decision on the non-inclusion of methomyl in the list of active substances authorised for incorporation in plant protection products contained in Annex I of Directive 91/414/EEC.

**GENERAL AFFAIRS****Opening of the Intergovernmental Conference (IGC) for reforming the EU treaties**

The Council delivered an opinion in favour of convening a conference of the representatives of the governments of the EU Member States with a view to amending the treaties on which the Union is founded (11597/07).

The opening of the IGC is scheduled to take place in Brussels on 23 July 2007.

The IGC will carry out its work in accordance with the mandate set out in the European Council Presidency Conclusions (11177/07).

The amendments to the treaties will enter into force after being ratified by all the Member States in accordance with their respective constitutional requirements.

The proposal for amending the treaties follows the agreement reached by the Heads of State or Government at the last European Council summit on 21 and 22 June 2007.

## **EXTERNAL RELATIONS**

### **Kosovo – Preparations for a possible international civilian mission**

The Council adopted a Joint Action extending and amending the mandate of the EU team preparing the establishment of a possible international civilian mission in Kosovo, including an EU Special Representative component (11396/07).

The Joint Action extends the mandate of the planning team until 30 November 2007, or until 30 days after the adoption of a new United Nations Security Council resolution (UNSCR) replacing UNSCR 1244 if such new UNSCR is adopted before 1 November 2007. The resolution should also endorse the appointment of an International Civilian Representative (ICR), double hatted as EU Special Representative (EUSR).

The mandate of the preparation team is also amended in order to take account of the Comprehensive Proposal for the Kosovo Status Settlement of 26 March 2007, including the renaming of the preparation team from (International Civilian Mission) ICM/EUSR to (International Civilian Office) ICO/EUSR.

The Joint Action appoints Mr Jonas Jonsson as Head of the ICO/EUSR preparation team as from 1 August 2007.

On 15 September 2006 the Council adopted a Joint Action (2006/623/CFSP), which expires on 31 July 2007, establishing a team to contribute to preparations for a possible mission in Kosovo.

In parallel, the EU is also planning for a probable European Security and Defence Policy (ESDP) mission in Kosovo in the broader Rule of Law area.

### **Burma/Myanmar – Restrictive measures**

The Council adopted a Regulation amending Regulation (EC) No 817/2006<sup>1</sup> renewing restrictive measures in respect of Burma/Myanmar in order to align it with recent Council practice regarding the identification of competent authorities and exchanges of information between them (10878/07).

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<sup>1</sup> OJ L 148, 2.6.2006, p. 1.

## **COUNTER TERRORISM**

### **Cooperation with the African Centre for Study and Research on Terrorism**

The Council adopted the Joint Action on cooperation with the African Centre for Study and Research on Terrorism, in the framework of the implementation of the European Union Counter-Terrorism Strategy (11023/07).

The objective of the Joint Action is to support the Member States of the African Union (AU) in order to improve the organisation of their capacity of fighting terrorism. This objective fits in the framework of the European Strategy on the fight against terrorism, and in particular with regard to its stipulations on promotion of partnerships with international organisations outside the Union.

## **JUSTICE AND HOME AFFAIRS**

### **Schengen consultation network**

The Council adopted a Decision, submitted as an initiative by Germany, amending the technical specifications of the Schengen consultation network to ensure that information on the privileged status of family members of EU citizens under Directive 2004/38/EC is exchanged within the framework of the prior consultation procedure as provided for by the common consular instructions (11266/07).

Directive 2004/38/EC (OJ L 158, 30.4.2004, p. 77) lays down conditions governing the exercise of the right of citizens of the EU and their family members to move and reside freely within the territory of the Member States.

The Decision will apply from 1 January 2008.

## **DEVELOPMENT COOPERATION**

### **Relations with the ACP**

The Council adopted a Decision modifying the Internal Agreement of 17 July 2006 between the Representatives of the Governments of the Member States, meeting within the Council, on the financing of Community aid under the multi-annual financial framework for the period 2008-2013 in accordance with the revised APC-EC Partnership Agreement and the allocation of the financial assistance for the Overseas Countries and Territories (10332/07).

This Decision confirms the contributions and votes for Bulgaria and Romania under the 10th European Development Fund as they were previously estimated in the Internal Agreement on the financing of Community aid under the multi-annual financial framework for the period 2008-2013.

## **TRADE POLICY**

### **Anti-dumping – China – Ferro molybdenum**

The Council adopted a Regulation extending the suspension of the definitive anti-dumping duty imposed by Regulation No 215/2002 on imports of ferro molybdenum originating in China (11166/07).

## **INTERNAL MARKET**

### **Prepacked products**

The Council adopted, at second reading and following an agreement with the European Parliament, a Directive laying down rules on nominal quantities for prepacked products (*PE-CONS 3621/07*).

This Directive is aimed at replacing existing legislation (Directives 75/106/EEC and 80/232/EEC) in order to abolish nominal quantities of package sizes for most sectors and to maintain obligatory nominal quantities for a very limited number of goods, mainly wine and spirits.

The Directive, as amended by the Council and the European Parliament, would allow for a phase-out of national nominal quantities for milk, butter, dried pasta and coffee over a maximum of five years and for sugar over a maximum of six years. These derogations would not impose any obligation on other Member States to regulate nominal quantities.

## **APPOINTMENTS**

### **Committee of the Regions**

The Council adopted a Decision appointing members and alternate members of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2010:

(a) as members:

Mr Savvas ILIOFOTOU, Mayor of Strovolos, replacing Mr Michael ZAMPELAS,

Ms Eleni LOUCAIDOU, Municipal Councillor of Nicosia, replacing Mr Fidias SARIKAS,

Mr Savvas SAVVA, President of the Community Council of Alassa, replacing  
Mr George IACOVOU,

Mr Michalis EVTHYMIYOU, President of the Community Council of Koili, replacing  
Mr Spyros ELENODOROU;

(b) as alternate members:

Mr Andreas MOISEOS, Mayor of Larnaca, replacing Ms Barbara PERICLEOUS,

Mr Costas HADJIKAKOU, Municipal Councillor of Famagusta, replacing  
Mr Christakis VIOLARIS,

Mr Ioannis LAZARIDES, President of the Community Council of Psimolofou, replacing  
Mr Dimitris MICHAEL,

Mr Aris CONSTANTINOU, President of the Community Council of Astromeritis,  
replacing Mr Nikos KALLIS.

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