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Main Results of the Council

The Council adopted the Regulation on Tacs and quotas for 2005 and the Regulation on deep sea species for the years 2005 and 2006.

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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

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Minister-President of the Flemish Government and Flemish Minister for Institutional Reform, Agriculture, Sea Fisheries and Rural Policy

Czech Republic:

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Mr Miroslav TOMAN

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Mr Alexander MÜLLER

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Mr A. KONTOS

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Minister for Agriculture

Mr Rimantas ČEPONIS

State Secretary, Ministry of Agriculture

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State Secretary for Relations with Parliament, State Secretary for Agriculture, Viticulture and Rural Development, State Secretary for Culture, Higher Education and Research

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Director-General, Ministry of Agriculture, Forestry, the Environment and Water Management

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Mr Franc BUT

State Secretary, Ministry of Agriculture, Forestry and Food

Slovakia:

Mr Zsolt SIMON

Minister for Agriculture

Finland:

Mr Juha KORKEAOJA

Minister for Agriculture and Forestry

Sweden:

Ms Ann-Christin NYKVIST

Minister for Agriculture

United Kingdom:

Ms Margaret BECKETT

Secretary of State for the Environment, Food and Rural Affairs

Mr Ben BRADSHAW

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

Commission:

Ms Mariann FISCHER BOEL
Mr Joe BORG
Mr Markos KYPRIANOU
Mr Louis MICHEL

Member
Member
Member
Member

ITEMS DEBATED

FISHERIES

- ***Total allowable catches and Quotas for 2005 (15237/04) / Deep Sea species - Total allowable catches (Tacs) and quotas for 2005 and 2006 (15390/04)***

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 in the meeting, the Regulation on the TACs and quotas establishing for 2005 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 Council also adopted a Regulation (15391/04) fixing for 2005 and 2006 the fishing opportunities for Community vessels for certain deep sea fish stocks.

The Lithuanian delegation voted against. The Greek and Latvian delegations abstained.

1) **On the annual setting of Tacs and quotas for 2005, the adopted Regulation modifies the proposal of the Commission as follows:**

- **Tacs levels:** Figures for Tacs and quotas for 2005 and the different comparative percentages, with the existing Tacs and quotas for 2004 and the proposal presented by the Commission are annexed. The compromise covers the allocation of the fishing possibilities for each Member State in each Community fishing area in 2005. In general the major increases of Tacs and quotas to the proposal of the Commission concern herring (areas VIIg, h, j k +18,2%,) anchovy (area VIII, 30000 tonnes instead of the proposed 5000 tonnes and areas IX, X, CECAF 34.1.1 8000 tonnes (+25%) as in 2004 instead of the proposed 6400 tonnes), cod (Baltic sea subdivisions 25-32 with 38882 tonnes (+25%) instead of the proposed 31120 tonnes), anglerfish (areas Vb, VI, XII, XIV with 4686 tonnes (+47%) instead of the proposed 3180 tonnes), plaice (areas VII h j k and VIII, IX, X, CECAF 34.1.1), common Sole (area VII h, j, k +66% and 650 tonnes instead of 390 tonnes), horse mackerel (+25% areas Vb, VI, VII, VIII a,b,d, e, XII, XIV and 133223 tonnes instead of 106121), Greater silver smelt and ling (two of the three deep sea species transferred to the annual Regulation). Major decreases compared to the proposal concern herring (IIIa Skagerrak Kattegat 82696 tonnes instead of 95500 and -13.4%), mackerel (IIa, IIIa IIIb, c, d, IV 17067 tonnes instead of 18872 and -9.5%). For the three deep sea species transferred (ling, Great silver smelt and Greenland halibut), the fishing effort reduction for 2005 is 10% (see deep sea species section).
- **Proposed closed areas:** the five closed areas in the *Iberian waters* for nephrops (Annex III Part D, 18) and the closed areas in the *North Sea* have not been retained in the Regulation. For stocks subject to recovery plans such as cod in the North Sea, Kattegat, Skagerrak, eastern Channel, west of Scotland, Irish Sea, the Commission had proposed increased restrictions on fishing effort mainly through the establishment of closed areas.

- **Transitional technical and control measures**: In the *Baltic Sea* (Annex III Part A) a summer ban is maintained for cod in two areas of the Baltic Sea (subdivisions 22-24 Western Baltic for 2 months and 25-32 Eastern Baltic for four months and a half) instead of the initial period of two months for the whole Baltic Sea the Belts and the Sound. Measures of surveillance, inspection and monitoring are introduced, including special fishing permits for cod in the Baltic Sea, the holding of a logbook by the masters of vessels, the recording of exit and entry into ports through electronic devices, joint surveillance and exchange of inspectors. In the Baltic Sea restrictions for fishing cod are limited to shorter fishing areas than proposed. Restrictions on fishing for cod in *Skagerrak and Kattegat* (Part B) for a temporary period are also suppressed. In the *West of Scotland* (Part C, 13) restrictions on fishing for cod are limited to shorter fishing areas than proposed. In the *Celtic Sea* a ban is introduced until 31 March 2005; however this prohibition does not apply to beam trawlers in the month of March. Restrictions on Anchovy in the *Coast of France* (Part D, 17) are suppressed.
- **Fishing effort in the recovery of certain stocks** (Annex IV a): these provisions apply to *certain* stocks instead of only cod and sole stocks and only apply to vessels with a size equal or greater than 10 metres. Depending on the fishing gears used, the authorised maximum number of days present in the fishing areas of Kattegat, North Sea and Skagerrak, Eastern Channel West of Scotland and Irish Sea go from 9 days to 21 fishing days, but are limited to 8 days in the West of Scotland and 10 days in the Irish Sea for fishing gear such as beam trawls or static demersal nets.
- **Fishing effort in the recovery of certain southern Hake and nephrops stocks (Annex IVb)**: these provisions only apply to vessels with a size equal or greater than 10 metres and do not apply to the Gulf of Cadiz (unlike the original provisions of the proposal). The number of days at sea per month is limited to 22 instead of the 20 days initially proposed.

- **Fishing effort in the recovery of certain Western channel sole stocks (new Annex IV c replacing Annex IV a)**: these provisions only apply to vessels with a size equal or greater than 10 metres in the Ices division VIIe only for sole (and not also for cod as proposed) in the Western Channel (and not to all the North Sea areas as proposed) and to specific gears. The number of days at sea per month is limited to 20 days initially proposed. Monitoring and surveillance are scheduled.
- **Herring in sub areas III and IV (Article 10, annex II)**: the special measures are suppressed. These measures provided for in the proposal concerned the capture, sorting and landing of herring caught in North Sea, Skagerrak and Kattegat, including control and inspection programmes, fishing effort plans and where possible, temporary prohibition of fishing in areas where high by-catches rates of herring occur.

On 8 December 2004 the Commission proposed for:

- Stocks subject to recovery plans: cod in the North Sea, Kattegat, Skagerrak, eastern Channel, west of Scotland, Irish Sea - necessary increased restrictions on fishing effort mainly through the establishment of closed areas.
- Stocks for which recovery plans are underway: southern hake, Iberian-Atlantic Nephrops, Bay of Biscay and western Channel sole, eastern Baltic cod and North Sea plaice - adapted TACs and associated measures in anticipation of recovery or management plans.
- Stocks in mixed fisheries, such as haddock and whiting in the North Sea and west of Scotland (caught with cod) or sole (plaice), the Commission proposes restrictions to protect the associated depleted stocks.

As usual the proposal took account of the latest scientific advice from the independent International Council for the Exploration of the Sea (ICES) <<http://www.ices.dk>> and the Commission's own Scientific, Technical and Economic Committee on Fisheries (STECF) <http://europa.eu.int/comm/fisheries/faq/committee_en.htm>, as well as input from stakeholders. Essentially, the Commission proposed more stable total allowable catches (TACs), through the application of multi-annual recovery plans, in line with the long-term approach adopted under the reform of the Common Fisheries Policy (CFP). For certain cod stocks, the Commission proposed further restrictions on fishing effort mostly through closed areas.

Species (common name)	Species (Latin name)	ICES fishing zone	EC TACs 2004 Final ¹	Commission proposals for EC TACs 2005 ²	% difference with EC TACs 2004	Council Decision for EC TACs 2005	% difference with EC TACs 2004	% difference with Commission Proposal for EC TACs 2005
Sandeel	<i>Ammodytidae</i>	IV (Norwegian waters)	131000	10000	-92,37 To be reviewed in the course of 2005	10000	-92,36641221	0
Sandeel	<i>Ammodytidae</i>	IIa, IIIa, North Sea(1)	836200	655960	-21,55	655960	-21,554652	0
Tusk	<i>Brosme brosme</i>	EU waters of zones IIa, IV, Vb, VI, VII		Not relevant		Not relevant		
Tusk	<i>Brosme brosme</i>	IV (Norwegian waters)		200		200		0
Basking shark	<i>Cetorhinus maximus</i>	EU waters of zones IV, VI and VII	0	0	0.00%	0		
Snow crab	<i>Chionoecetes spp.</i>	NAFO 0,1 (Greenland waters)	1000	pm		0		
Herring	<i>Clupea harengus</i>	Baltic Sea sub-divisions 30-31		64000		64000		0
Herring	<i>Clupea harengus</i>	Baltic Sea sub-divisions 22-24		46000		46000		0
Herring	<i>Clupea harengus</i>	Baltic Sea sub-divisions 25-29 (except Gulf of Riga) and 32		116172		116172		0
Herring	<i>Clupea harengus</i>	Gulf of Riga(1)	39260	37424	-4,68	37424		0
Herring	<i>Clupea harengus</i>	Norwegian waters south of 62° N	1076	1102	2.42%	1102	2,416356877	0
Herring	<i>Clupea harengus</i>	IIIa (Skagerrak and Kattegat)	60164	95500	-59.86%	82696	37,45096736	-13,40732984
Herring	<i>Clupea harengus</i>	I, II (EU and International waters)	72804	78541	7,88%	78541	7,880061535	0
Herring	<i>Clupea harengus</i>	IIIa - by-catches		24150		24150		0
Herring	<i>Clupea harengus</i>	IIa (EU waters), IV, VIId	43200	50000	15.74%	50000	15,74074074	0
Herring	<i>Clupea harengus</i>	IV north of 53°30' N	260502	305557	17.30%	305557	17,29545263	0
Herring	<i>Clupea harengus</i>	IVc, VIId	66098	74293	12.40%	74293	12,39825713	0

Species (common name)	Species (Latin name)	ICES fishing zone	EC TACs 2004 Final ¹	Commission proposals for EC TACs 2005 ²	% difference with EC TACs 2004	Council Decision for EC TACs 2005	% difference with EC TACs 2004	% difference with Commission Proposal for EC TACs 2005
Herring	<i>Clupea harengus</i>	Vb, VIaN (EU waters), VIb	29340	29440	0,34	29440	0,340831629	0
Herring	<i>Clupea harengus</i>	VIaS, VIIbc	14000	14000	0.00%	14000	0	0
Herring	<i>Clupea harengus</i>	VIa Clyde	1000	1000	0.00%	1000	0	0
Herring	<i>Clupea harengus</i>	VIIa	4800	4800	0.00%	4800	0	0
Herring	<i>Clupea harengus</i>	VIIe, f	1000	1000	0.00%	1000	0	0
Herring	<i>Clupea harengus</i>	VIIg, h, j, k	13000	11000	-15.38%	13000	0	18,18181818
Roundnose grenadier	<i>Coryphaenoides rupestris</i>	NAFO 0, 1 (Greenland waters)	1350	1035	-23.33%	1035	-23.33	0
					To be reviewed in the course of 2005			
Roundnose grenadier	<i>Coryphaenoides rupestris</i>	NAFO 0, 1 (Greenland waters)				1035		
Roundnose grenadier	<i>Coryphaenoides rupestris</i>	V, XIV (Greenland waters)				285		
Anchovy	<i>Engraulis encrasicolus</i>	VIII	33000	5000	-85	30000	-9,090909091	500
Anchovy	<i>Engraulis encrasicolus</i>	IX, X, CECAF 34.1.1 (EU waters)	8000	6400	-20.00%	8000	0	25
Cod	<i>Gadus morhua</i>	I, II (Norwegian waters)	20120	19179	-4.68%	19499	-3,086	1,67
Cod	<i>Gadus morhua</i>	Skagerrak	3773	3773	0.00%	3773	0	0
Cod	<i>Gadus morhua</i>	Kattegat	1363	900	-33.97%	1000	-26,63242847	11,11111111
Cod	<i>Gadus morhua</i>	Baltic Sea Sub-divisions 25-32 - (EU waters) (1)	41650	31120	-25,28	38882	-6,645858343	24,94215938
Cod	<i>Gadus morhua</i>	Baltic Sea Sub-divisions 22-24 - (EU waters)	29600	24700	-16.55%	24700	-16,55405405	0
Cod	<i>Gadus morhua</i>	I, IIb	18322	17757	-3,08%	17757	-3,083724484	0
Cod	<i>Gadus morhua</i>	IIa (EU waters), IV	22659	22659	0.00%	22659	0	0
Cod	<i>Gadus morhua</i>	Norwegian waters south of 62° N	516	411	-20.35%	411	-20,34883721	0

Species (common name)	Species (Latin name)	ICES fishing zone	EC TACs 2004 Final ¹	Commission proposals for EC TACs 2005 ²	% difference with EC TACs 2004	Council Decision for EC TACs 2005	% difference with EC TACs 2004	% difference with Commission Proposal for EC TACs 2005
Cod	<i>Gadus morhua</i>	Vb (EU waters), VI, XII, XIV	848	721	-14,98%	721	-14,97641509	0
Cod	<i>Gadus morhua</i>	VIIa	2150	1828	-14.98%	1828	-14,97674419	0
Cod	<i>Gadus morhua</i>	VIIIb-k, VIII, IX, X, CEECAF 34.1.1 (EU waters)	5700	6200	8.77%	6200	8,771929825	0
Cod	<i>Gadus morhua</i>	NAFO 0,1 including V, XIV (Greenland waters)		pm		0		
Cod	<i>Gadus morhua</i>	NAFO 2J3KL	0	0	0.00%	0		
Cod	<i>Gadus morhua</i>	NAFO 3NO	0	0	0,00%	0		
Cod	<i>Gadus morhua</i>	NAFO 3M	0	0	0.00%	0		
Cod and haddock	<i>Gadus morhua and Melanogrammus aeglefinus</i>	Vb (Faroese waters)	500	500	0.00%	500	0	0
Northern Albacore	<i>Germo alalunga</i>	Atlantic Ocean (north of latitude 5° N)	41129,5	50053,5	21.70%	50053,5	21,69732187	0
Southern Albacore	<i>Germo alalunga</i>	Atlantic Ocean (south of latitude 5° N)	1914,7	1914,7	0.00%	1914,7	0	0
Witch flounder	<i>Glyptocephalus cynoglossus</i>	NAFO 2J3KL	0	0	0.00%	0		
Witch flounder	<i>Glyptocephalus cynoglossus</i>	NAFO 3NO	0	0	0.00%	0		
Atlantic halibut	<i>Hippoglossus hippoglossus</i>	V, XIV (Greenland waters)	1000	1000	0.00%	1000	0	0
Atlantic halibut	<i>Hippoglossus hippoglossus</i>	NAFO 0, 1 (Greenland waters)	200	200	0.00%	200	0	0
American Plaice	<i>Hippoglossoides platessoides</i>	NAFO 3M	0	0	0.00%	0		
American Plaice	<i>Hippoglossoides platessoides</i>	NAFO 3LNO	0	0	0.00%	0		
Short fin squid	<i>Illex illecebrosus</i>	NAFO sub-zones 3 and 4	No specified EU share	No specified EU share		No specified EU share		
Porbeagle	<i>Lamna nasus</i>	EU waters of zones IV, VI and VII	Not subject to restriction	Not subject to restriction		idem		

Species (common name)	Species (Latin name)	ICES fishing zone	EC TACs 2004 Final ¹	Commission proposals for EC TACs 2005 ²	% difference with EC TACs 2004	Council Decision for EC TACs 2005	% difference with EC TACs 2004	% difference with Commission Proposal for EC TACs 2005
Megrim	<i>Lepidorhombus spp.</i>	IIa (EU waters), IV (EU waters)	1890	1512	-20.00%	1740	-7,936507937	15,07936508
Megrim	<i>Lepidorhombus spp.</i>	Vb (EU waters), VI, XII, XIV	3600	2880	-20.00%	2880	-20	0
Megrim	<i>Lepidorhombus spp.</i>	VII	18099	19263	6.43%	19623	8,420354716	1,868867778
Megrim	<i>Lepidorhombus spp.</i>	VIII a,b,d,e	2101	2237	6.47%	2237	6,473108044	0
Megrim	<i>Lepidorhombus spp.</i>	VIIIc, IX, X, CEEAF 34.1.1 (EU waters)	1336	955	-28.52%	1059	-20,73353293	10,89005236
Yellowtail flounder	<i>Limanda ferruginea</i>	NAFO 3L,N,O	290	0	-100.00%	0	-100	#DIV/0!
Common dab and Flounder	<i>Limanda limanda and Platichthys flesus</i>	IIa (EU waters), IV (EU waters)	19551	15641	-20.00%	18000	-7,933098051	15,08215587
Anglerfish	<i>Lophiidae</i>	IV (Norwegian waters)		1800		1800		0
Anglerfish	<i>Lophiidae</i>	IIa (EU waters), IV (EU waters)	7000	7000	0.00%	10314		
Anglerfish	<i>Lophiidae</i>	Vb (EU waters), VI, XII, XIV	3180	3180	0.00%	4686	47,35849057	47,35849057
Anglerfish	<i>Lophiidae</i>	VII	20902	25082	20.00%	25082	19,99808631	0
Anglerfish	<i>Lophiidae</i>	VIIIa,b,d,e	5798	6120	5.55%	6120	5,553639186	0
Anglerfish	<i>Lophiidae</i>	VIIIc, IX, X, CEEAF 34.1.1 (EU waters)	2300	1840	-20.00%	1955	-15	6,25
Blue marlin	<i>Makaira nigricans</i>	Atlantic Ocean	103	103	0.00%	103	0	0
Capelin	<i>Mallotus villosus</i>	V, XIV (Greenland waters)	25795	0	-100.00%	0	-100	
Capelin	<i>Mallotus villosus</i>	IIb	0	0	0.00%	0		
Capelin	<i>Mallotus villosus</i>	NAFO 3NO	0	0	0.00%	0		

Species (common name)	Species (Latin name)	ICES fishing zone	EC TACs 2004 Final ¹	Commission proposals for EC TACs 2005 ²	% difference with EC TACs 2004	Council Decision for EC TACs 2005	% difference with EC TACs 2004	% difference with Commission Proposal for EC TACs 2005
Haddock	<i>Melanogrammus aeglefinus</i>	I, II (Norwegian waters)	2000	2260	13.00%	2260	13	0
Haddock	<i>Melanogrammus aeglefinus</i>	Norwegian waters south of 62° N	956	761	-20.40%	761	-20,39748954	0
Haddock	<i>Melanogrammus aeglefinus</i>	IIIa, IIIbcd (EU waters)	3681	3610	-1.93%	3610	-1,928823689	0
Haddock	<i>Melanogrammus aeglefinus</i>	IIa (EU waters), IV	58975	51321	-12.98%	51321	-12,97838067	0
Haddock	<i>Melanogrammus aeglefinus</i>	VIb, XII, XIV	702	702	0.00%	702	0	0
Haddock	<i>Melanogrammus aeglefinus</i>	Vb, VIa (EU waters)	6503	7600	16.87%	7600	16,86913732	0
Haddock	<i>Melanogrammus aeglefinus</i>	VII, VIII, IX, X, CECAF 34.1.1 (EU waters)	9600	11520	20.00%	11520	20	0
Whiting	<i>Merlangius merlangus</i>	IIIa	723	723	0.00%	723	0	0
Whiting	<i>Merlangius merlangus</i>	IIa (EU waters), IV	12294	19800	61.05%	19800	61,05417277	0
Whiting	<i>Merlangius merlangus</i>	Vb (EU waters), VI, XII, XIV	1600	1600	0.00%	1600	0	0
Whiting	<i>Merlangius merlangus</i>	VIIa	514	514	0.00%	514	0	0
Whiting	<i>Merlangius merlangus</i>	VIIIb-k	27000	21600	-20.00%	21600	-20	0
Whiting	<i>Merlangius merlangus</i>	VIII	4500	3600	-20.00%	3600	-20	0
Whiting	<i>Merlangius merlangus</i>	IX, X, CECAF 34.1.1 (EU waters)	1020	816	-20.00%	816	-20	0
Whiting and Pollack	<i>Merlangius merlangus and Pollachius pollachius</i>	Norwegian waters south of 62° N	190	190	0.00%	190	0	0

Species (common name)	Species (Latin name)	ICES fishing zone	EC TACs 2004 Final ¹	Commission proposals for EC TACs 2005 ²	% difference with EC TACs 2004	Council Decision for EC TACs 2005	% difference with EC TACs 2004	% difference with Commission Proposal for EC TACs 2005
Hake	<i>Merluccius merluccius</i>	IIIa, IIIbcd (EU waters)	1178	1284	9.00%	1284	8,998302207	0
Hake	<i>Merluccius merluccius</i>	IIa (EU waters), IV (EU waters)	1373	1496	8.96%	1496	8,958485069	0
Hake	<i>Merluccius merluccius</i>	Vb (EU waters), VI, VII, XII, XIV	21926	23888	8.95%	23888	8,94828058	0
Hake	<i>Merluccius merluccius</i>	VIII a, b, d, e	14623	15932	8.95%	15932	8,951651508	0
Hake	<i>Merluccius merluccius</i>	VIIIc, IX, X, CEEAF 34.1.1 (EU waters)	5950	5968	0.30%	5968	0,302521008	0
Blue whiting	<i>Micromesistius poutassou</i>	I, II (Norwegian waters)	1000	1000	0.00%	1000	0	0
Blue whiting	<i>Micromesistius poutassou</i>	I, II (International waters)	70000	70000	0.00%	70000	0	0
Blue whiting	<i>Micromesistius poutassou</i>	V, VI, VII, XII and XIV	209653	474333	126,25	474333	126,2467029	0
Blue whiting	<i>Micromesistius poutassou</i>	IIa (EU waters), IV (EU waters)	53934	122024	126,25	122024	126,2468944	0
Blue whiting	<i>Micromesistius poutassou</i>	IV (Norwegian waters)	19000	19000	0.00%	19000	0	0
Blue whiting	<i>Micromesistius poutassou</i>	VIII a, b, d, e	28585	64673	126,25	64673	126,5628826	0,139161629
Blue whiting	<i>Micromesistius poutassou</i>	VIIIc, IX, X, CEEAF 34.1.1 (EU waters)	59328	134227	126,25	134227	126,2456176	0
Blue whiting	<i>Micromesistius poutassou</i>	Vb (Faroese waters)	16000	16000	0.00%	16000	0	0
Lemon sole and Witch	<i>Microstomus kitt</i> & <i>Glyptocephalus cynoglossus</i>	IIa (EU waters), IV (EU waters)	7023	5618	-20.01%	6500	-7,446959989	15,6995372
Blue ling	<i>Molva dyptergia</i>	IIa, IV, Vb, VI, VII (EU waters)		Not relevant		idem		
Blue ling	<i>Molva dyptergia</i>	EC waters Via				900		

Species (common name)	Species (Latin name)	ICES fishing zone	EC TACs 2004 Final ¹	Commission proposals for EC TACs 2005 ²	% difference with EC TACs 2004	Council Decision for EC TACs 2005	% difference with EC TACs 2004	% difference with Commission Proposal for EC TACs 2005
Ling	<i>Molva molva</i>	I, II				45		
Ling	<i>Molva molva</i>	III				136		
Ling	<i>Molva molva</i>	EU waters of zones IIa, IV, Vb, VI, VII		Not relevant		idem		
Ling	<i>Molva molva</i>	IV (Community and international waters)				1706		
Ling	<i>Molva molva</i>	IV (Norwegian waters)		1000		1000		0
Ling	<i>Molva molva</i>	V (Community waters and international waters)				54		
Ling	<i>Molva molva</i>	VI VII, VIII, IX, X, XII, XIV (community waters and international waters)				14966		
Ling and Blue ling	<i>Molva molva and Molva dyptergia</i>	Vb (Faroese waters)	3240	3240	0.00%	3240	0	0
Norway lobster	<i>Nephrops norvegicus</i>	IIIa (EU waters), IIIbcd (EU waters)	4600	4700	2.17%	4700	2,173913043	0
Norway lobster	<i>Nephrops norvegicus</i>	IIa (EU waters), IV (EU waters)	18987	21350	12.45%	21350	12,44535735	0
Norway lobster	<i>Nephrops norvegicus</i>	Vb (EU waters), VI	11300	12700	12.39%	12700	12,38938053	0
Norway lobster	<i>Nephrops norvegicus</i>	VII	17450	17450	0.00%	18596	6,567335244	6,567335244
Norway lobster	<i>Nephrops norvegicus</i>	VIII a, b, d, e	3150	3100	-1.59%	3100	-1,587301587	0
Norway lobster	<i>Nephrops norvegicus</i>	VIIIc	180	162	-10.00%	162	-10	0
Norway lobster	<i>Nephrops norvegicus</i>	IV (Norwegian waters)		1000		1000		0
Norway lobster	<i>Nephrops norvegicus</i>	IX, X, CECAF 34.1.1 (EU waters)	600	540	-10.00%	540	-10	0

Species (common name)	Species (Latin name)	ICES fishing zone	EC TACs 2004 Final ¹	Commission proposals for EC TACs 2005 ²	% difference with EC TACs 2004	Council Decision for EC TACs 2005	% difference with EC TACs 2004	% difference with Commission Proposal for EC TACs 2005
Northern prawn	<i>Pandalus borealis</i>	IIIa	5719	5719	0.00%	5719	0	0
Northern prawn	<i>Pandalus borealis</i>	Ila (EU waters), IV (EU waters)	4880	4880	0.00%	4880	0	0
Northern prawn	<i>Pandalus borealis</i>	Norwegian waters south of 62°00' N	1051	1051	0.00%	1051	0	0
Northern prawn	<i>Pandalus borealis</i>	V, XIV (Greenland waters)	5675	5675	0.00%	5675	0	0
Northern prawn	<i>Pandalus borealis</i>	NAFO 0,1 (Greenland waters)	4000	4000	0.00%	4000	0	0
Northern prawn	<i>Pandalus borealis</i>	NAFO 3L	144	144	0.00%	144	0	0
Northern prawn	<i>Pandalus borealis</i>	NAFO 3M	Not relevant	Not relevant		idem		
'Panaeus' shrimps	<i>Panaeus spp.</i>	French Guyana	4000	4000	0,00%	4000	0	0
Plaice	<i>Pleuronectes platessa</i>	Skagerrak	9310	7448	-20.00%	7448	-20	0
Plaice	<i>Pleuronectes platessa</i>	Kattegat	1863	1900	1.99%	1900	1,986044015	0
Plaice	<i>Pleuronectes platessa</i>	IIIbcd (EU waters)	3766	3766	0.00%	3766	0	0
Plaice	<i>Pleuronectes platessa</i>	Ila (EU waters), IV	58889	57370	-2.58%	57370	-2,579429095	0
Plaice	<i>Pleuronectes platessa</i>	Vb (EU waters), VI, XII, XIV	1227	982	-19.97%	982	-19,96740016	0
Plaice	<i>Pleuronectes platessa</i>	VIIa	1340	1608	20.00%	1608	20	0
Plaice	<i>Pleuronectes platessa</i>	VII b, c	160	128	-20.00%	160	0	25
Plaice	<i>Pleuronectes platessa</i>	VII d, e	6060	4848	-20.00%	5151	-15	6,25

Species (common name)	Species (Latin name)	ICES fishing zone	EC TACs 2004 Final ¹	Commission proposals for EC TACs 2005 ²	% difference with EC TACs 2004	Council Decision for EC TACs 2005	% difference with EC TACs 2004	% difference with Commission Proposal for EC TACs 2005
Plaice	<i>Pleuronectes platessa</i>	VII f, g	560	448	-2000%	476	-15	6,25
Plaice	<i>Pleuronectes platessa</i>	VII h, j, k	466	373	-19.96%	466	0	24,93297587
Plaice	<i>Pleuronectes platessa</i>	VIII, IX, X, CECAF 34.1.1 (EU waters)	448	358	-20.09%	448	0	25,1396648
Pollack	<i>Pollachius pollachius</i>	Vb (EU waters), VI, XII, XIV	704	563	-20.03%	563	-20,02840909	0
Pollack	<i>Pollachius pollachius</i>	VII	17000	17000	0.00%	17000	0	0
Pollack	<i>Pollachius pollachius</i>	VIII a, b, d, e	1680	1680	0.00%	1680	0	0
Pollack	<i>Pollachius pollachius</i>	VIIIc	410	328	-20.00%	328	-20	0
Pollack	<i>Pollachius pollachius</i>	IX, X, CECAF 34.1.1 (EU waters)	360	288	-2000%	288	-20	0
Saithe	<i>Pollachius virens</i>	I, II (Norwegian waters)	3600	3600	0.00%	3600	0	0
Saithe	<i>Pollachius virens</i>	I, II (International waters)	0	0	0.00%	0	0	0
Saithe	<i>Pollachius virens</i>	IIa (EU waters), IIIa, IIIbcd (EU waters), IV	91200	69600	-23.68%	69600	-23,68421053	0
Saithe	<i>Pollachius virens</i>	Norwegian waters south of 62° N	1190	947	-20.42%	947	-20,42016807	0
Saithe	<i>Pollachius virens</i>	Vb (Faroese waters)	2500	2500	0.00%	2500	0	0
Saithe	<i>Pollachius virens</i>	Vb (EU waters), VI, XII, XIV	19713	15044	-23.68%	15044	-23,684878	0
Saithe	<i>Pollachius virens</i>	VII, VIII, IX, X, CECAF 34.1.1 (EU waters)	6968	5574	-20.01%	5574	-20,00574053	0
Turbot and brill	<i>Psetta maxima & Scophthalmus rhombus</i>	IIa (EU waters), IV (EU waters)	4877	4145	-15.01%	4550	-6,704941562	9,770808203

Species (common name)	Species (Latin name)	ICES fishing zone	EC TACs 2004 Final ¹	Commission proposals for EC TACs 2005 ²	% difference with EC TACs 2004	Council Decision for EC TACs 2005	% difference with EC TACs 2004	% difference with Commission Proposal for EC TACs 2005
Skates and rays	<i>Rajidae</i>	IIa (EU waters), IV (EU waters)	3503	2802	-20.01%	3220	-8,078789609	14,91791577
Skates	<i>Rajidae</i>	NAFO 3LNO		8500		8500		0
Greenland halibut	<i>Reinhardtius hippoglossoides</i>	I, II (Norwegian waters)	100	100	0.00%	100	0	0
Greenland halibut	<i>Reinhardtius hippoglossoides</i>	I, II (International waters)	0	0	0.00%	0	0	0
Greenland halibut	<i>Reinhardtius hippoglossoides</i>	V, XIV (Greenland waters)				3600		
Greenland halibut	<i>Reinhardtius hippoglossoides</i>	IIa (EU waters), IV VI (EU and international waters)	Not subject to restriction	Not subject to restriction		1042		
Greenland halibut	<i>Reinhardtius hippoglossoides</i>	NAFO 0,1 (Greenland waters)	1500	1500	0.00%	1500	0	0
Greenland halibut	<i>Reinhardtius hippoglossoides</i>	NAFO 3LMNO	8203	8254	0.62%	8254	0,62172376	0
Atlantic salmon	<i>Salmo salar</i>	IIIbcd (EU waters) excluding Sub-division 32	451260	451260	0,00	451260	0	0
Atlantic salmon	<i>Salmo salar</i>	Baltic Sea Sub-division 32	31745	15419	-51.43%	15419	-51,42857143	0
Mackerel	<i>Scomber scombrus</i>	IIa (Norwegian waters)	11000	8500	-22,73%	8500	-22,72727273	0
Mackerel	<i>Scomber scombrus</i>	IIa (EU waters), IIIa, III b,c,d (EU waters), IV	21335	18872	-11,54%	17067	-20,00468713	-9,564434082
Mackerel	<i>Scomber scombrus</i>	IIa (non-EU waters), Vb (EU waters), VI, VII, VIII a,b,d,e, XII, XIV	297595	217477	-26,92%	217477	-26,92182328	0
Mackerel	<i>Scomber scombrus</i>	Vb (Faroese waters)	3589	2763	-23.01%	2763	-23,01476734	0
Mackerel	<i>Scomber scombrus</i>	VIIIc, IX, X, CEECAF 34.1.1 (EU waters)	32305	24873	-23.01%	24873	-23,00572667	0

Species (common name)	Species (Latin name)	ICES fishing zone	EC TACs 2004 Final ¹	Commission proposals for EC TACs 2005 ²	% difference with EC TACs 2004	Council Decision for EC TACs 2005	% difference with EC TACs 2004	% difference with Commission Proposal for EC TACs 2005
Redfish	<i>Sebastes spp.</i>	V, XII, XIV	16563	15263	-7,85	15513	-6,339431262	1,637947979
Redfish	<i>Sebastes spp.</i>	I, II (Norwegian waters)	1000	1500	50.00%	1500	50	0
Redfish	<i>Sebastes spp.</i>	V, XIV (Greenland waters)	25500	pm		15938	-37,49803922	
Redfish	<i>Sebastes spp.</i>	Vb (Faroese waters)	6300	4000	-36.51%	4000	-36,50793651	0
Redfish	<i>Sebastes spp.</i>	NAFO 3M	7813	7813	0.00%	7813	0	0
Redfish	<i>Sebastes spp.</i>	NAFO 3LN	0	0	0.00%	0		
Redfish	<i>Sebastes spp.</i>	NAFO 3O		7000		7000		0
Common sole	<i>Solea solea</i>	IIIa, IIIbcd (EU waters)	520	416	-20.00%	520	0	25
Common sole	<i>Solea solea</i>	II, IV (EU waters)	17000	16350	-3,82	18320	7,764705882	12,04892966
Common sole	<i>Solea solea</i>	Vb (EU waters), VI, XII, XIV	85	68	-20.00%	68	-20	0
Common sole	<i>Solea solea</i>	VIIa	800	960	20.00%	960	20	0
Common sole	<i>Solea solea</i>	VII b, c	65	65	0.00%	65	0	0
Common sole	<i>Solea solea</i>	VIIId	5900	5700	-3.39%	5700	-3,389830508	0
Common sole	<i>Solea solea</i>	VIIe	300	865	188.33%	865	188,3333333	0
Common sole	<i>Solea solea</i>	VII f, g	1050	840	-20.00%	1000	-4,761904762	19,04761905
Common sole	<i>Solea solea</i>	VII h, j, k	390	390	0.00%	650	66,66666667	66,66666667
Common sole	<i>Solea solea</i>	VIII a, b	3600	4140	15.00%	4140	15	0

Species (common name)	Species (Latin name)	ICES fishing zone	EC TACs 2004 Final ¹	Commission proposals for EC TACs 2005 ²	% difference with EC TACs 2004	Council Decision for EC TACs 2005	% difference with EC TACs 2004	% difference with Commission Proposal for EC TACs 2005
Sole	<i>Solea spp.</i>	VIIIcde, IX, X, CECAF 34.1.1 (EU waters)	1520	1216	-20.00%	1216	-20	0
Sprat	<i>Sprattus sprattus</i>	IIIa	46250	46250	0.00%	46250	0	0
Sprat	<i>Sprattus sprattus</i>	IIIbcd (EU waters)	377665	490636	29.91%	490636	29,91301815	0
Sprat	<i>Sprattus sprattus</i>	Ila (EU waters), IV (EU waters)	238000	250000	5,04%	250000	5,042016807	0
Sprat	<i>Sprattus sprattus</i>	VIIde	9600	7680	-20,00%	7680	-20	0
Spurdog/dogfish	<i>Squalus acanthias</i>	Ila (EU waters), IV (EU waters)	4472	1136	-74,60%	1136	-74,59749553	0
White marlin	<i>Tetrapturus alba</i>	Atlantic Ocean	46.5	46,5	0,00%	46,5	0	0
Horse mackerel	<i>Trachurus spp.</i>	Ila (EU waters), IV (EU waters)	46788	38146	-18,47%	40616	-13,1914166	6,4751219
Horse mackerel	<i>Trachurus spp.</i>	Vb (EU waters), VI, VII, VIIIabde, XII, XIV	131879	106121	-19,53%	133223	1,019116008	25,53877178
Horse mackerel	<i>Trachurus spp.</i>	VIIIc, IX	55000	44000	-20.00%	55000	0	25
Horse mackerel	<i>Trachurus spp.</i>	X, CECAF Azores	3200	2560	-20.00%	3200	0	25
Horse mackerel	<i>Trachurus spp.</i>	CECAF Madeira Islands	1600	1280	-20.00%	1600	0	25
Horse mackerel	<i>Trachurus spp.</i>	CECAF Canary Islands	1600	1280	-20.00%	1600	0	25
Norway pout	<i>Trisopterus esmarki</i>	Ila (EU waters), IIIa, IV (EU waters)	173000	0	-100.00%	0	-100	0
Norway pout	<i>Trisopterus esmarki</i>	IV (Norwegian waters)	50000	5000	-90.00%	5000	-90	0
Bluefin tuna	<i>Thunnus thynnus</i>	Atlantic Ocean (east of longitude 45° W) and Mediterranean	18450	18331	-0.64%	18331	-0,64498645	0

Species (common name)	Species (Latin name)	ICES fishing zone	EC TACs 2004 Final ¹	Commission proposals for EC TACs 2005 ²	% difference with EC TACs 2004	Council Decision for EC TACs 2005	% difference with EC TACs 2004	% difference with Commission Proposal for EC TACs 2005
Bigeye tuna	<i>Thunnus obesus</i>	Atlantic Ocean	35937,2	44475,4	23.76%	44475,4	23,7586679	0
White hake	<i>Urophycis tenuis</i>	NAFO 3NO		5000		5000	#DIV/0!	0
Swordfish	<i>Xiphias gladius</i>	Atlantic Ocean (north of latitude 5° N)	6841,3	7700,4	12.56%	7700,4	12,55755485	0
Swordfish	<i>Xiphias gladius</i>	Atlantic Ocean (south of latitude 5° N)	5850	6996,7	19.60%	6966,7	19,08888889	-0,428773565
Flatfish		Vb (Faroese waters)	1000	600	-40.00%	600	-40	0
Greater Silver Smelt	<i>Argentina silus</i>	I, II		116		116		0
Greater Silver Smelt	<i>Argentina silus</i>	III, IV	1566	284	-81,86	1331	-15,0063857	368,6619718
Greater Silver Smelt	<i>Argentina silus</i>	V, VI, VII	6247	2229	-64,32	5310	-14,99919962	138,2234186
Ling	<i>Molva molva</i>	IV	4666	1706	-63,44	3966	-15,00214316	132,4736225
Ling	<i>Molva molva</i>	V	54	54	0,00	46	-14,81481481	-14,81481481
Industrial fish		IV (Norwegian waters)	800	800	0,00%	800	0	0
Combined quota		EU waters of zones Vb, VI and VII	Not subject to restriction	Not subject to restriction		Not subject to restriction		

Species (common name)	Species (Latin name)	ICES fishing zone	EC TACs 2004 Final ¹	Commission proposals for EC TACs 2005 ²	% difference with EC TACs 2004	Council Decision for EC TACs 2005	% difference with EC TACs 2004	% difference with Commission Proposal for EC TACs 2005
Other species		IV (Norwegian waters)	11000	7000	-36.36%	7000	-36,36363636	0
Other species		EU waters of zones IIa, IV, VIa north of 56° 30'N	Not subject to restriction	Not subject to restriction		Not subject to restriction		
Other species		I, II (Norwegian waters)	450	450	0.00%	450	0	0
Other species		Vb (Faroese waters)	760	760	0.00%	760	0	0
By-catches		NAFO 0,1 (Greenland waters)	2000	2000	0.00%	2000	0	0

2) On deep-sea species, the adopted Regulation modifies the proposal of the Commission as follows:

- **Concerning the proposed levels of Tacs and quotas:** Figures for Tacs and quotas for 2005 and 2006 and the different comparative percentages, with the existing Tacs and quotas for 2003 and 2004 and the proposal presented by the Commission are annexed. A **15%** reduction of the quotas for 2005/2006 is foreseen on the basis of the 2003 TACs where the proposal provided for a 30% and 50% reduction on the basis of the 2003 catches. In general, the adopted Tacs for the current species under quotas (ex: black scabbard fish VIII, IX, X, tusk IV) are higher than the proposed Tacs, as Tacs for the new species under quotas (including deep sea sharks, black scabbard fish XII, forkbeards) don't change.
- **Effort limitation (Article 8):** where the proposal foresaw 30% reduction of the fishing effort levels for the 2005/2006 period - expressed in kilowatt days absent from the ports - on the basis of the average fishing effort in 2003 and 2004, the Regulation adopted a **10%** effort reduction for 2005 only of the fishing effort of vessels deployed in 2003.
- **Concerning the scope of the Regulation:** three species - Greenland Halibut, Ling and Great Silver Smelt - initially covered by the Deep-sea species draft Regulation for 2005-2006 have been transferred to the annual Regulation on Tacs and quotas for 2005.
- **The setting of protected closed areas for orange roughy:** the initially proposed protected area foreseen mainly for West Scotland following scientific advice that the stock is heavily depleted in this particular area, is amended and reduced. Derogations are introduced to the provisions scheduled for transit through the area.

Interim management measures were put in place by means of Council Regulation No 2340/2002 of 16 December 2002 fixing for 2003 and 2004 the fishing opportunities for deep-sea fish stocks and Council Regulation No 2347/2002 of 16 December 2002 establishing specific access requirements and associated conditions applicable to fishing for deep-sea stocks recently amended by the Council Regulation concerning fishing opportunities for deep sea species following the accession of the new Member States on 1 May 2004, adopted by the Council on 20 December 2004 (15233/04).

The Commission submitted its proposal to the Council on 1 December 2004. with a view to provide fishing opportunities in accordance with scientific advice. Deep-sea stocks are fish stocks caught in waters beyond the main fishing grounds of continental shelves. They are distributed on the continental slopes or associated with seamounts. These species are slow-growing and particularly vulnerable to overexploitation.

According to scientists, catches of most deep sea stocks must urgently be reduced. Furthermore, despite recent efforts at improving data on fisheries activities, knowledge of these species is still scant. The proposal recommended therefore that fishing effort and quotas be reduced for 2005 and 2006 in fisheries that have been regulated for the past two years. It also proposed to limit effort and catches in hitherto unregulated fisheries such as deep sea sharks. For fisheries such as orange roughy, closed areas are established.

Species		Zones	Current TACs (tonnes) (1)	Commission proposal (tonnes)	% Difference with TACs 2003 and 2004	COUNCIL DECISION (tonnes) per annum for 2005 and 2006	% Difference of 2005/2006 TACs with current TACs	% Difference of 2005/2006 TACs with Commission's Proposal
Deep sea sharks	<i>Deania histricosa deania profundorum</i>	V, VI, VII, VIII, IX		3219		6763,0		110,1
Deep sea sharks (3)	<i>Deania histricosa deania profundorum</i>	X		14		14,0		1057,1
Deep sea sharks	<i>Deania histricosa deania profundorum</i>	XII		243		243,0		0,0
Black scabbardfish	<i>Aphanopus carbo</i>	I, II, III, IV	30	30	0,0	30,0	0,0	0,0
Black scabbardfish	<i>Aphanopus carbo</i>	V, VI, VII, XII	3353	1965	-41,4	3042,0	6,5	81,7
Black scabbardfish	<i>Aphanopus carbo</i>	VIII, IX, X (IX AND X BEFORE)	4000	3197	-20,1	4000,0	0,0	25,1
Black scabbardfish	<i>Aphanopus carbo</i>	CECAF 34.1.2.		4285		4285,0		0,0
Greater silver smelt	<i>Argentina silus</i>	I, II		116		not relevant(2)		
Greater silver smelt	<i>Argentina silus</i>	III, IV	1566	284	-81,9	not relevant		
Greater silver smelt	<i>Argentina silus</i>	V, VI, VII	6247	2229	-64,3	not relevant		
Alfonsinos	<i>Beryx spp.</i>	I, II, III, IV, V, VI, VII, VIII, IX, X, XII, XIV		315		328,0		4,1
Tusk	<i>Brosme brosme</i>	I, II, XIV	35	35	0,0	35,0	0,0	0,0
Tusk	<i>Brosme brosme</i>	III	40	40	0,0	40,0	0,0	0,0
Tusk	<i>Brosme brosme</i>	IV	370	134	-63,8	317,0	-14,3	136,6
Tusk	<i>Brosme brosme</i>	V, VI, VII	710	277	-61,0	604,0	-14,9	118,1

Species		Zones	Current TACs (tonnes) (1)	Commission proposal (tonnes)	% Difference with TACs 2003 and 2004	COUNCIL DECISION (tonnes) per annum for 2005 and 2006	% Difference of 2005/2006 TACs with current TACs	% Difference of 2005/2006 TACs with Commission's Proposal
Roundnose grenadier	<i>Coryphaenoides rupestris</i>	I, II, IV, VA	20	20	0,0	20,0	0,0	0,0
Roundnose grenadier	<i>Coryphaenoides rupestris</i>	III	1870	683	-63,5	1590,0	-15,0	132,8
Roundnose grenadier	<i>Coryphaenoides rupestris</i>	VB, VI, VII	5336	2290	-57,1	5253,0	-1,6	129,4
Roundnose grenadier	<i>Coryphaenoides rupestris</i>	VIII, IX, X, XII, XIV,		7217		7190,0		-0,4
Orange roughy	<i>Hoplostethus atlanticus</i>	VI	88	88	0,0	88,0	0,0	0,0
Orange roughy	<i>Hoplostethus atlanticus</i>	VII	1349	258	-80,9	1148,0	-14,9	345,0
Orange roughy	<i>Hoplostethus atlanticus</i>	I, II, III, IV, V, VIII, IX, X, XI, XII, XIV		102		102,0		0,0
Blue ling	<i>Molva dypterygia</i>	II, IV, V	138	85	-38,4	119,0	-13,8	40,0
Blue ling	<i>Molva dypterygia</i>	III	25	25	0,0	25,0	0,0	0,0
Blue ling	<i>Molva dypterygia</i>	VI, VII	3687	2328	-36,9	3137,0	-14,9	34,7
Ling	<i>Molva molva</i>	I, II	45	45	0,0	not relevant(2)		
Ling	<i>Molva molva</i>	III	136	86	-36,8	not relevant		
Ling	<i>Molva molva</i>	IV	4666	1706	-63,4	not relevant		
Ling	<i>Molva molva</i>	V	54	54	0,0	not relevant		
Ling	<i>Molva molva</i>	VI, VII, VIII, IX, X, XII, XIV	14966	7007	-53,2	not relevant		

Species		Zones	Current TACs (tonnes) (1)	Commission proposal (tonnes)	% Difference with TACs 2003 and 2004	COUNCIL DECISION (tonnes) per annum for 2005 and 2006	% Difference of 2005/2006 TACs with current TACs	% Difference of 2005/2006 TACs with Commission's Proposal
Red seabream	<i>Pagellus bogaraveo</i>	VI, VII, VIII	350	127	-63,7	298,0	-14,9	134,6
Red seabream	<i>Pagellus bogaraveo</i>	IX	1271	463	-63,6	1080,0	-15,0	133,3
Red seabream	<i>Pagellus bogaraveo</i>	X	1136	748	-34,2	1136,0	0,0	51,9
Forkbeards	<i>Phycis blennoides</i>	I, II, III, IV		36		36,0		0,0
Forkbeards	<i>Phycis blennoides</i>	V, VI, VII,		2080		2028,0		-2,5
Forkbeards	<i>Phycis blennoides</i>	VIII, IX,		267		267,0		0,0
Forkbeards	<i>Phycis blennoides</i>	X, XII		63		63,0		0,0
Greenland halibut	<i>Reinhardtius hippoglossoides</i>	IIA, IV, VI		844		not relevant(2)		
Greenland halibut	<i>Reinhardtius hippoglossoides</i>	V, XII, XIV,		1707		not relevant		

- (1) Council Regulation (EC) No 2347/2002 of 16 December 2002 establishing specific access requirements and associated conditions applicable to fishing for deep-sea stocks for 2003 and 2004 as amended by the Regulation concerning fishing opportunities for deep sea species for the new Member States adopted by the Council on 20 December 2004 (15233/04)
- (2) Species transferred to the annual Regulation on Tacs and quotas for 2005
- (3) To be reviewed in 2005

– ***Simplification of the Common Fisheries Policy***

The Council took note of the Commissioner Borg's presentation of its Communication (14514/04) on the "***Perspectives for simplifying and improving the regulatory environment of the Common Fisheries policy***" and instructed the Permanent Representatives Committee to undertake the examination of this Communication.

Commissioner Borg emphasised the need for a better law making and underlined that this Communication had been drawn up in close consultation with the Member States, in particular with the Dutch Presidency and the stakeholders. He concluded that a number of improvements were possible in a mid-term perspective as regard the simplification of the legislation provided that policy makers and the industry worked in close coordination. He stressed the need for a multi annual plan in order to improve the existing situation.

The present Communication, specific to fisheries, follows upon the Commission Framework Action Plan for "Updating and simplifying the Community acquis".

With a view to streamlining the CFP legislation, the Communication together with the accompanying working document, defines three major objectives - improvement in the clarity of existing texts, their simplification and their better accessibility; reduction of costs and constraints for public administrations; alleviation of administrative costs and constraints for fishermen - and sets out necessary developments to achieve these goals. The Communication implies in its conclusions that with a view to simplifying the CFP and improving its effective implementation, a comprehensive long-term strategy is indispensable and that it has to be prepared in close cooperation between Member States, fishermen and stakeholders concerned.

Simplification was discussed by Directors General for Fisheries on 29.9 - 1.10.2004 in the Netherlands. Broad support for the objective exists although it is to be carried out within the current inter-institutional framework. It was agreed that short term and long term priorities have to be set.

AGRICULTURE

– *Presidency conferences (16212/04, 16051/04)*

The Council (Agriculture and Fisheries) was informed on the conclusions related to the Conference which took place on 16-17 September in The Hague and adopted by the Council (Health 6 December 2004) on a "European Response to Public Health Risks from Emerging Zoonotic Diseases". Emerging diseases caused by zoonotic agents (transmissible between humans and animals, causing infection in both species) such as avian influenza, rabies or tuberculosis, are increasingly recognised as a global and regional threat and with potentially serious human health and economic impacts. Recognising the need to face the threat to health deriving from emerging zoonotic diseases and the transnational dimension of the problem, and after referring to the work already accomplished in this context as well as to conclusions of the report of the WHO/FAO/OIE joint consultation, the conclusions invite the Member States and the Commission to cooperate and adopt adequate measures at national, Community and international levels. In concrete, they refer to the need for a European Action Plan for zoonoses preparedness and control, to be implemented with the scientific support of existing agencies¹.

The Council also took note of the Presidency conclusions on the "Material and immaterial costs of eradication of animal diseases" following a conference that was held on this issue on 15/16 December in Brussels.

The Presidency recommendations stressed the growing international support for the vaccination of animals as one of the regular option for the control of animal diseases outbreaks. As regards the financing of animal disease policies, the Presidency noted that costs should also be borne through other channels than public funds, such as insurance schemes, private or private/public funds to face animal disease financial risks. These recommendations were supported by the United-Kingdom, the Belgian, the German and the Latvian delegations.

¹ European Food Safety Authority, European Centre for Disease Prevention and Control and European Environment Agency.

The Danish and Swedish delegations welcomed the initiative of the Presidency but pointed out that vaccination of animals in the case of outbreaks, should be accepted by third countries in order to avoid losing grounds at international level.

Commissioner Kyprianou announced an initiative for the setting up of an European technology platform for global animal health. He also indicated that one of the highest priority of the Commission concerning animal diseases was the outbreak of avian flu in Asia and that he was looking forward to present a revision of directive 92/40/EEC introducing Community measures for the control of avian influenza.

– ***Forest Law Enforcement, Governance and Trade (FLEGT) - 11656/04+ADD1, 15996/04, 15812/04***

The Council had a policy debate on the basis of a questionnaire drawn up by the Presidency on the proposal for a Council Regulation concerning the establishment of a voluntary FLEGT licensing scheme for imports of timber into the European Community.

As regard the first question on the provision of the proposal (article 3a) which would oblige all EU imports of timber products covered by the FLEGT Regulation to be accompanied by a Certificate of Origin in order to prevent circumvention of the licensing scheme : a large number of delegations were rather supportive of this provision to ensure the effectiveness of the whole scheme. However several delegations did not support this instrument, on the grounds that it might increase the administrative burden and the costs for the operators, that it might be considered at WTO level as barrier to trade and that prevention of circumvention could better be dealt with in the Voluntary Partnership Agreements to be concluded with timber-producing countries. These delegations made clear that the ultimate goal on illegal trade of timber would be to reach a multilateral agreement.

As regard the second question dealing with the proposed list of five timber products that would initially be covered by the FLEGT Regulation : many delegations welcomed this list while pointing out that it could be extended in the future to other processed timber products within a management committee.

Finally, a number of Member States emphasised the importance of the other actions indicated in the FLEGT Action Plan to combat illegal logging and encouraged the Commission to come forward with further legislative options to control imports of illegally harvested timber.

Commissioner Louis Michel insisted on the EU commitment at international level in the framework of the Conference on sustainable development to fight against illegal logging. He announced the funding of EUR Mion 20 by the Commission next year of activities in this field mostly led by Non Governmental Organisations (NGOs), through a budgetary line devoted to forestry. He thanked all delegations for their comments and reiterated his call for keeping article 3a on the certificate of origin in the proposal as this provision is fully compatible with the preferential rules of the EC custom code, and indicated that a short list of timber products had first been drawn up in order to focus on the products with a chain of control easy to establish.

– ***Implementation of the CAP Reform***

The Council approved without debate a declaration drawn up by the Presidency and the Commission on the implementation of the CAP reform as regard cross compliance (16226/04).

– *Simplification of the Agriculture Legislation (16115/04, 15814/1/04)*

The Council took note of the state of play submitted by the Presidency concerning the simplification of agriculture legislation and committed itself to continue the work on simplification. The Council invited the Commission to come forward with proposals to this effect.

Commissioner Fischer Boel welcomed the strong commitment of the Member States to continue working for the simplification of the legislation. She pointed out that simplification of the legislation shall reduce burdens on farmers and economic operators in the agricultural sector and the administrative burden for Member States and Commission but should not mean reducing the controls and weakening the rules. She indicated that one the weakness of the existing legislation was to focus too much on individual problems. Finally she announced that a reflection paper on this issue would be drawn up by the Commission to prepare the future. This paper would be presented to the Council in October 2005.

The Luxembourg delegation took the commitment to continue the work on this topic under its presidency.

Simplification of the legislation was one of the main objective pursued by the Presidency. This goal was expressed in a joint letter issued by the Irish and Dutch Presidencies on 10 June 2004. This letter invited delegations to come forward with concrete suggestions based on their national experiences. Several suggestions presented were in the field of Agriculture and food safety. These suggestions go from organic farming Regulations to identification and registration of animals, statistics or export refunds. It was noted in the working group that there was a large support in favour of continuing the work to simplify agriculture legislation, with a common understanding that simplification should be considered as the removal of *unnecessary* administrative or compliance burdens on either the regulated or the enforcement agencies.

OTHER BUSINESS

– ***EFSA animal protection report***

The Council took note of the request from the Swedish delegation (16189/04) to the Commission to give information on how it intends to continue its work with the results from the reports on animal protection published by European Food Safety Authority, notably concerning the protection of animals at slaughter and animal welfare aspects of the castration of piglets.

The Swedish delegation also indicated its wish that a plan of action for animal protection work in the EU be put forward by the Commission in the next few years and asked the Commission if it could, at a future Agriculture and Fisheries Council, present its priorities and timetable for such work in greater detail.

The German, Austrian, Luxembourg and Dutch delegations supported the Swedish delegation.

Commissioner Kyprianou argued that animal welfare was a clear priority for his Institution, and informed the Council of a coming proposal on the welfare of broilers (chickens farmed for their meat) to be presented for the second quarter of 2005 and of a report to be presented in the last quarter of 2005 to the European Parliament and to the Council on the socio economic consequences of the production of laying hens. As regard the castration of piglets, he mentioned that a Community Regulation of 2001 already obliged farmers to avoid any unnecessary suffering of animals, suggested to focus the efforts on the different methods of castration and indicated that he would issue a new call for research on this topic and would report to the Council. Concerning the stunning and the slaughtering, he indicated that a scientific Opinion of the EFSA given in June 2004 justified a revision of the existing Regulation of 1993 on the slaughtering of animals with regard to the growing demand from European's citizens on this issue. He mentioned that his Institution would consult all relevant stakeholders. As regards, the slaughtering methods, he mentioned that guidelines would be soon issued by the World Organisation for Animal Health (OIE).

The Presidency noted the announcement made by Commissioner Kyprianou of the Action Plan on animal welfare and of the need for new studies concerning alternative methods of castration of piglets.

– ***EU-Australia negotiations on wine - Protection of the geographical indication "Tokaj"***

The Council took note of the statement by the Hungarian delegation (16214/04) regarding the use of the geographical indication "Tokaj" for wine in the context of the current negotiations between the Community (led by the Commission) and Australia on a bilateral agreement on wine. The delegation recalled that "Tokaj" is the oldest and most renowned Hungarian geographical indication.

The Hungarian delegation was very concerned about the draft provisions whereby the EC would accept the continued use of "Tokaj" by Australian wine producers as a vine variety both in Australia and on third markets. Hungary considers this situation to be unacceptable and to carry grave economic consequences for the "Tokaj" wine growing area, if it were agreed. Hungary doubts if such provisions would be legally valid and will present its detailed arguments to the Commission. The position of the Hungarian delegation is to request that the use of "Tokaj" as a vine in Australia be phased out within twelve months after the agreement had been concluded.

The Italian, German, Slovak, Austrian, Polish, Portuguese, Spanish and French delegations supported the views expressed by the Hungarian delegation regarding the need to protect Community geographical indications at international level and in particular in the framework of the draft EU/Australia wine agreement. The Slovak delegation underlined its particular interest in this question, as the "Tokaj" geographical wine-growing area extends into its territory.

Commissioner Fischer Boel expressed her understanding for the Hungarian concerns. She indicated that, under the existing TRIPS agreement, a WTO Member may use a name as a vine variety even if it is acknowledged as a geographical indication by another Member under certain conditions. Australia claims to satisfy these conditions for Tokaj. She also pointed out, that, under the existing EC legislation, coexistence of geographical indications and vine varieties is provided for, in certain circumstances. Finally, she underlined that the draft agreement provided that the Hungarian geographical indication "Tokaj" would be fully protected by Australia, which is not the case today. She indicated that discussions are continuing with the Australian authorities and undertook to study any submission presented to the Commission by the Hungarian authorities.

– ***Cooperation on agriculture related research***

The Council took note of a written information from the Presidency (16255/04).

OTHER ITEMS APPROVED

AGRICULTURE

Sugar sector reform - Progress report

The Council took note of a report by the Commission on the stay of play on the sugar sector reform (16131/1/04).

The report notes that the current sugar regime, which runs until 30 June 2006, has remained essentially unchanged for four decades and that without a reform the EU sugar policy would not be in line with the fundamental principles of the reformed Common Agricultural Policy.

Animal welfare during transport *

The Council adopted a Regulation aimed at improving the protection and welfare of animals during transport (15103/04 and 15318/04 ADD1).

The new rules are intended to ensure that animals are not transported in a way likely to cause injury or undue suffering. A protocol annexed to the EC Treaty requires that, in formulating and implementing agriculture and transport policies, the Community and the Member States must pay full regard to the welfare requirements of animals.

The Regulation applies not only to transporters but also to other categories of operators such as farmers, traders, assembly centres and slaughterhouses.

The Regulation is aimed at enhancing the following measures:

- conditions for transporters operating long distance journeys;
- improved journey times and space allowances for animals;
- training of personnel and widen the scope of this obligation to staff at assembly centres;
- rules for the transport of horses;
- upgraded technical standards for road vehicles;
- specific requirements for all livestock vessels operating from community ports;
- responsibilities of transporters and other operators involved in the transport of animals;

- role of competent authorities in supervising transport operations and cooperation between the services concerned;
- instruments for control and better enforcement.

The Regulation amends Directives 64/432/EEC and 93/119/EC and Regulation 1255/97 and is not intended to prevent Member States to adopt stricter national measures.

Political agreement on the Regulation was reached by the Council at its meeting on 22 November 2004 (*see press release 14446/04*).

Animal feed hygiene - Consumer protection

The Council adopted a Regulation laying down rules on hygiene for animal feed, as well as conditions and arrangements for traceability and for registration and approval of establishments in the feed industry (*PE-CONS 3677/04*).

The scope of the Regulation covers:

- the activities of feed business operators at all stages, from primary production up to the placing on the market
- the feeding of food producing animals
- imports and exports of feed to and from third countries.

The Regulation aims at increasing responsibility for feed business operators to ensure that controls are carried out in accordance with Community legislation and for farmers to take measures in order to keep the risk of contamination of feed and animals at a low level. Moreover it sets up requirements on registration, transport, storage, handling and delivery of primary products.

The Regulation seeks also to ensure that imported feed attains an equivalent standard as feed produced in the Community.

Milk - Austria and Germany

The Council adopted a Regulation amending rules on direct support for farmers and a levy in the milk and milk products in order to adapt reference quantities for Austria and Germany (14409/04).

The Regulation amends Regulation 1782/2003 on common rules for support schemes and Regulation 1788/03 establishing a levy for milk products in order to take into account the milk produced in the communities of Mittelberg and Jungholz that has

been delivered to German buyers. Those communities are situated within Austrian territory but are only accessible by road from Germany.

Rural development - New EU Member States

The Council adopted a Regulation amending Regulation 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund in order to enable rural regions from the new EU Member States to benefit from support measures (14414/04).

Seeds from third countries

The Council adopted a Directive aimed at harmonising controls of seeds originating in third countries and with those produced within the EU (14688/04).

The scope of EU seed "equivalence" for seed harvested in third countries is currently restricted to certain categories of seed and new rules are seeking to extend the equivalency regime to all kinds of seeds meeting the characteristics and the examination requirements laid down in the various Community Directives on the marketing of seeds. The Directive amends the following Directives related to the marketing of:

- fodder plant seed (66/401/EEC);
- cereal seed (66/402/EEC);
- beet seed (2002/54/EC);
- vegetable seed (2002/55/EC);
- seed of oil and fibre plants (2002/57/EC).

Member States will have to comply with this Directive by 1 October 2005.

From 1998 to 2003 several Member States participated in an experiment aimed at assessing whether seed sampling and seed testing, under official supervision, may constitute improved alternatives to official seed certification. The results indicate that under certain conditions there could be a simplification of the procedures relating to official seed certification, without any significant decline in quality.

Phytosanitary matters - Negotiations with third countries

The Council agreed on practical arrangements aimed at facilitating negotiations on phytosanitary matters with third countries (15497/04).

The arrangements concern aspects such as exchange of information , consultation, coordination, representatives at meetings, reporting and travel expenses.

EXTERNAL RELATIONS

Liberia - Extension of sanctions

The Council adopted a Common Position extending the sanctions in force against Liberia until 22 December 2005. The sanctions are applied in conformity with United Nations Security Council Resolution 1521, adopted on 22 December 2003 (16052/04).

The Common Position is amending Common Position 2004/137/CFSP and the sanctions include a ban on technical assistance, services and financial assistance related to military activities, and on imports of rough diamonds and round logs from Liberia.

Liberia - Financial aid - Peace process and respect to the rule of law

The Council adopted a Decision extending for 18 months measures concerning financial support to Liberia with regard to the peace process, human rights and the rule of law (16058/04).

The Council also agreed on a letter to be sent to the Minister of Foreign Affairs of Liberia setting out the EU's reasons.

International Criminal Tribunal for the former Yugoslavia - Freezing of funds

The Council adopted a Decision taking Mr Miroslav BRALO and Mr Dragomir MILOSEVIC off the list of persons subject to a freeze of resources established by Common Position 2004/694/CFSP in view of the fact that they are now in the custody of the International Criminal Tribunal for the former Yugoslavia (ICTY) (15644/04).

The list of persons subject to a freeze of resources still contains 19 names: Ljubomir Borovcanin, Goran Borovnica, Vlastimir Djordjevic, Ante Gotovina, Goran Hadzic, Gojko Jankovic, Radovan Karadzic, Vladimir Lazarevic, Milan Lukic, Sredoje Lukic, Sreten Lukic, Ratko Mladic, Drago Nikolic, Vinko Pandurevic, Nebojsa Pavkovic, Vujadin Popovic, Savo Todovic, Dragan Zelenovic, Stojan Zupljanin.

Common Position 2004/694/CFSP aims at freezing all funds and economic resources belonging to all persons indicted by the ICTY for war crimes who are not in the custody of the Tribunal and is implementing UN Security Council Resolution 1503 (2003) which calls on all States to intensify cooperation with and render all necessary assistance to ICTY.

Appointment of a Special Coordinator of the Stability Pact for South-Eastern Europe

The Council adopted a Decision extending the mandate of Dr. Erhard Busek as Special Co-ordinator of the Stability Pact for South-Eastern Europe . The mandate will apply from 1 January 2005 until 31 December 2005 (15597/04).

Cambodia - Light weapons - Technical arrangements

The Council adopted a Decision on technical arrangements implementing Joint Action 1999/34/CFSP with a view to limit accumulation and spread of small arms and light weapons in Cambodia (16042/04).

Norway - Classified Information

The Council adopted a Decision authorising the Secretary-General/High Representative to release classified information to Norway, under the Agreement on security procedures for the exchange of classified information between Norway and EU which entered into force on 1 December 2004.

Relations with Ukraine

The Council took note of a report on the implementation of the Common Strategy of the European Union on Ukraine adopted by the European Council in 1999 and which aims to strengthen the strategic partnership between the Union and Ukraine (15989/04). During the Netherlands Presidency three main items demanded special attention:

- the elaboration of the European Neighbourhood Policy Action Plan for Ukraine;
- the EU-Ukraine summit of 8 July 2004;
- the presidential elections on 31 October and 21 November 2004 and the following political crisis in Ukraine.

Coordination and communication of EU actions in the Western Balkans

The Council took note of the second review of the guidelines for strengthening operational coordination and communication of EU action in the Western Balkans.

Human Rights - Council conclusions

The Council adopted conclusions on human rights (15817/3/04).

EUROPEAN SECURITY AND DEFENSE POLICY

ATHENA Review - Financing of military operations

The Council adopted Decisions amending Decision 2004/197/CFSP of 23 February 2004 establishing a mechanism to administer the financing of the common costs of the European Union operations having military or defence implications (ATHENA), as part of the review of this mechanism. When adopting the Decision establishing ATHENA, the Council had decided that a first review should take place before the end of 2004 (15059/04, 16027/04).

The Decisions aim on the one hand at introducing a number of adjustments to the ATHENA mechanism, including in the light of preparations for the ALTHEA operation in Bosnia and Herzegovina, and on the other hand at establishing ways in which the existing procedures under the ATHENA mechanism could better meet the needs of EU Rapid Response.

For the purpose of the early financing of EU military Rapid Response operations, it is foreseen in particular that the participating Member States will:

- either pay contributions to ATHENA in anticipation;
- or, when the Council decides to conduct an EU Military Rapid Response operation to the financing of which they contribute, pay their contributions to the common costs of that operation within 5 days following despatch of the call at the level of the reference amount, unless the Council decides otherwise.

DEVELOPMENT COOPERATION

Developing countries - Democracy and human rights *

The Council adopted a Regulation extending until the end of 2006 EU support to development and consolidation of democracy and respect of fundamental freedoms and human rights in third countries, with EUR 78 million for aid programmes (*15745/04 and 16135/04*).

The Regulation seeks to continue promotion of human rights and democratic principles by amending Regulation 976/99.

Commission Communication on EU Guidelines to support land policy design and reform processes in developing countries - *Council conclusions*

The Council adopted the following conclusions:

"The Council of the European Union and the Representatives of the Governments of the Member States meeting within the Council

1. WELCOME the Commission Communication on "EU Guidelines to support land policy design and reform processes in developing countries"², and the process of intense collaboration and consultation therein between the European Commission, Member States and civil society, which is a good example of EU policy harmonisation;

² Council Doc. 13857/04, COM (2004) 686 final

1. NOTE the Cotonou ACP-EU Partnership Agreement, and in particular its Articles 23 (b) and 31 (b) (iv);
2. HIGHLIGHT the contribution of land reform to the attainment of MDGs and the importance of equitable access to and legal certainty over land for the poor and other vulnerable groups to pursue socio-economic development objectives and agricultural growth, as well as the importance of land policies in ensuring sound natural resources management and food security;
3. UNDERLINE the role of land policy in contributing to a more equitable distribution of wealth, as land policy lies at the heart of power relations in developing countries' societies;
4. UNDERLINE the role of land policy in contributing to a greater empowerment of women and the need to create the appropriate framework to facilitate women's access to land;
5. REASSERT the political importance of land policies in providing to minorities and indigenous peoples³ access to and control over the natural resources, on which their livelihoods primarily depend, therefore contributing directly to fulfilling their fundamental rights;
6. INVITE the Commission, together with the Member States and in consultation with relevant UN agencies, to reflect further on urban land issues as well as on a better integration of rural and urban land matters;
7. WELCOME the accent put in the communication on the need to ensure the necessary balance between modern and customary tenure systems in land policy reforms;
8. UNDERLINE the importance of customary systems in providing an appropriate and cost-effective way of securing access to land for the rural poor in many developing countries, and, when transposed in national laws, in improving the legal certainty of their rights, while retaining flexibility for further evolution;

³ *In French : "populations autochtones"*

9. EMPHASISE the importance of ensuring ownership and participation by local stakeholders in the design, implementation and monitoring of land policy reform processes and the role donors must play in promoting and accompanying such processes;
10. EMPHASISE the importance of good governance for the development of adequate regulatory frameworks and land tenure management systems in order to secure land rights and the role donors may play therein;
11. INVITE the Commission and the Member States to enhance their collaboration and coordination in support of participatory land policy design and reform processes in developing countries on the basis of the principles laid out in the Communication and in the accompanying operational guidelines⁴, to reflect them in their own development policies and apply them in their development cooperation programmes."

Aid for uprooted people in Asia and Latin America

The Council adopted a Regulation extending an aid programme for uprooted people in Asia and Latin America (*PE-CONS 3686/04*).

The Regulation establishes an amount of EUR 141 million for the years 2005 and 2006.

JUSTICE AND HOME AFFAIRS

Qualified Majority Voting

The Council adopted a Decision on the transition to qualified majority voting and codecision procedure for certain areas covered by Title IV of Part Three of the Treaty establishing the European Community. The Decision will take effect as from 1 January 2005 (*15226/04*).

Schengen Information System - 2005 budget

The Council approved a budget for SISNET (the communication infrastructure for the Schengen environment) for the year 2005 (*13848/04*).

⁴ Council doc. 13857/04 ADD1 – SEC(2004) 1289 Commission Staff Working document : Annex to the Communication from the Commission to the Council and the European Parliament “EU Guidelines to support land policy design and reform processes in developing countries”.

Vehicle crime with cross-border implications*

The Council adopted a Decision on tackling vehicle crime with cross-border implications. Its aim is achieve improved cooperation within the European Union, as regards in particular the relationship between illegal car trade and other forms of organised crime, such as trafficking in drugs, firearms and human beings (15687/04).

The Decision requires Member States to:

- enhance mutual cooperation between national competent authorities,
- facilitate procedures for a quick repatriation of vehicles released by national competent authorities following their seizure,
- designate a contact point for tackling cross-border vehicle crime, and
- immediately enter a stolen vehicle alert in the Schengen Information System (SIS) and in Interpol's Stolen Motor Vehicle database.

The Council also adopted a Common Position on a draft Regulation providing access to the SIS database for authorities responsible for issuing registration certificates for vehicles, with the purpose of tackling vehicle crime (15790/04, 14238/04 and 14238/04 ADD1). The text will be forwarded to the European Parliament for a second reading under the co-decision procedure.

The draft Regulation amends the provisions of the Schengen Convention, which set up in 1990 the SIS, an electronic network between Member States containing data on lost and stolen motor vehicles.

United Kingdom - Schengen acquis *

The Council adopted a Decision on the putting into effect of parts of the Schengen acquis by the United Kingdom (15149/04 and 16018/04), mainly: mutual assistance in criminal matters between Member States; penal framework to prevent unauthorised entry, transit and residence; creation of an immigration liaison officers network; obligation of carriers to communicate passenger data; gradual abolition of checks at common borders.

Enforcement of criminal law to ship-source pollution

Subject to parliamentary scrutiny reservations by the Netherlands, the United Kingdom, Sweden, Denmark and Ireland, and the examination of the Preamble at a later stage, the Council reached a general approach on the text of a Framework Decision to strengthen the criminal-law framework for the enforcement of the law against ship-source pollution (16085/04).

The Framework Decision aims at approximating Member States provisions concerning ship-source pollution offences and at facilitating and encouraging the co-operation between the Member States to repress these offences.

This instrument is complementary to the draft Directive on ship-source pollution and on the introduction of sanctions for infringements, on which the (Transport, Telecommunications and Energy) Council adopted on 7 October 2004 a Common Position (11964/04).

The fight against intentional or negligent ship-source pollution is among the European Union's priorities. The conclusions of the Copenhagen European Council of 12 and 13 December 2002 (points 32 to 34) and the statement of the JHA Council of 19 December 2002 following the shipwreck of the tanker Prestige, in particular, express the Union's determination to adopt all the measures needed to avoid recurrences of such damage

TRADE POLICY

Tariff quotas for agricultural and industrial products

The Council adopted a Regulation providing for the administration of Community tariff quotas for imports of certain agricultural and industrial products and amending Regulation 2505/96 (15395/04).

The new Regulation opens tariff quotas at reduced or zero rates of duty and extends the validity of certain existing tariff quotas, in order to meet Community demand for the products in question under the most favourable conditions, while avoiding any disturbance to the markets for these products.

It also removes from Regulation 2505/96 certain products for which no Community tariff quota is maintained for 2005.

Suspension of duties on industrial, agricultural and fishery products *

The Council adopted a Regulation amending Regulation 1255/96 temporarily suspending tariff duties on certain industrial, agricultural and fishery products (*15396/04 and 15883/04 ADD1*).

The Regulation inserts into the list of products covered by the suspension of duties a number of new products and deletes from Regulation 1255/96 other products because it is no longer Community's interest to maintain suspension or because their descriptions need to be altered in order to take account of technical product developments and economic trends on the market.

The measures applies as from 1 January 2005.

Switzerland - Processed agricultural products

The Council adopted a Decision on the conclusion of an Agreement with Switzerland as regards the provisions applicable to processed agricultural products (*12760/04*).

Canada - Agreement on trade and investment

The Council adopted a Decision authorising the Commission to open negotiations with Canada on a Trade and Investment Enhancement Agreement.

Drugs - Controls on imports

The Council adopted a Regulation laying down rules on imports from third countries aimed at cutting off supplies of raw substances used in the production of illicit and dangerous drugs (*15231/04*).

The Regulation introduces controls on the imports of precursor chemicals used to manufacture synthetic drugs, in particular amphetamine type stimulants such as ecstasy. Many of these chemicals, which are generally not available in the Community and hence have to be imported, are also used for a range of legitimate purposes. The Regulation therefore strikes a balance between the need to stifle illicit drug production and the requirements of the industry to have access to these chemicals where required for legitimate production purposes.

The new provisions supplement a Regulation on intra-Community monitoring of drug precursors adopted by the Council in February 2004. They are also intended to fulfil the Community's obligations under a United Nations Convention on illicit traffic in narcotic drugs and psychotropic substances, adopted in Vienna in 1988.

Anti-dumping - China - Carbure de tungstène

The Council adopted a Regulation imposing a definitive anti-dumping duty on imports of tungsten carbide and fused tungsten carbide originating in China (15545/04).

Anti-dumping - China - Coumarin

The Council adopted a Regulation extending the definitive anti-dumping duty imposed by Regulation (EC) No 769/2002 on imports of coumarin originating in China to imports of coumarin consigned from India or Thailand, whether declared as originating in India or Thailand or not (15489/04).

Palestinian Authority - Liberalisation of trade in agricultural products

The Council approved a Decision amending an Interim Association Agreement between the European Community and the Palestinian Authority with a view to achieving greater liberalisation of trade in agricultural products (13822/04).

ECONOMIC AND FINANCIAL AFFAIRS

Guarantee fund for external actions *

The Council adopted a Regulation and a Decision amending the EU guarantee fund for external actions in order to take account the EU's enlargement and neighbourhood policy, as well as a Decision on investment loans to Belarus, Moldova, Russia and Ukraine (15572/04, 16191/1/04 and 16198/1/04 ADD1):

- EU enlargement

The Regulation provides that from the date of the accession to the EU, candidate countries can no longer be considered eligible to external actions of the Community and are therefore covered directly by the EU's general budget.

- EIB guaranties: neighbourhood policy and third countries

Under the Decision, the Community will grant the European Investment Bank (EIB) a global guarantee for investment projects in third countries.

The overall ceiling for credits, that may be used by 31 January 2007 at the latest, is set at EUR 19 460 million, broken down as follows:

- South-eastern neighbours (Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Former Yugoslav Republic of Macedonia, Romania, Serbia and Montenegro and Turkey): 9 185 million,
- Mediterranean countries: 6 520 million,
- Latin America and Asia: 2 480 million,
- South Africa: 825 million,
- Supporting to consolidation of the EU-Turkey customs union: 450 million.

- EIB guarantees: Belarus, Moldova, Russia, Ukraine

The other Decision provides the EIB with a guarantee for credits for investment projects in the field of environment, transport, telecommunications and energy infrastructure, in Belarus, Moldova, Russia and Ukraine with an overall ceiling of EUR 500 million. (16192/1/04).

Banking and insurance Committee structure

The Council adopted a Directive establishing a new financial services committee organisational structure aimed at enabling legislators and regulators to respond more quickly and effectively to technological change and market developments (*PE-CONS 3681/2/04*).

The Directive is part of a package of measures aimed at extending the EU committee structure used in the securities sector since 2002 to banking, insurance and investment funds. It is intended to allow more detailed cooperation between supervisors.

Four new committees are established. Two of them, the European Banking Committee (EBC) and the European Insurance and Occupational Pensions Committee (EIOPC) will, like the European Securities Committee (ESC) for securities, assist the Commission in adopting implementing measures under EU financial services directives. Two others, the Committee of European Banking Supervisors (CEBS) and the Committee of European Insurance and Occupational Pensions Supervisors (CEIOPS), have already been established; bringing together national supervisors, they aim to improve implementation of EU law in their respective fields in the Member States.

The Directive amends the following Directives:

- 93/6/EEC, 94/19/EC, and 2000/12/EC on the banking sector;
- 73/239/EEC, 91/675/EEC, 92/49/EEC, 98/78/EC and 2002/83/EC on the insurance and occupational pensions sector;
- 85/611/EEC and 2001/34/EC on the securities sector;
- 2002/87/EC on financial conglomerates.

Savings taxation - Agreements with Andorra, Liechtenstein, Monaco and San Marino

The Council adopted four Decisions approving the conclusion of Agreements with Andorra, Liechtenstein, Monaco and San Marino on the taxation of savings income in the form of interest payments (*13067/04, 13113/04, 14861/04 and 14860/04*).

The Agreements aim at ensuring taxation of savings income through the adoption of equivalent measures to those applied within the Community and laid down in Council Directive 2003/48/EC.

Cohesion policy - Progress report

The Council took note of a report on progress of the preparation of legislation for reform of EU's cohesion policy (*15423/04*).

The report outlines principles and guidelines on draft Regulations laying down provisions on the Regional Development Fund, the Social Fund and the Cohesion Fund.

INTERNAL MARKET

European standardisation - Council conclusions

The Council adopted the following conclusions:

"A. THE COUNCIL OF THE EUROPEAN UNION

1. *recalling* its Resolution of 28 October 1999⁵ on the role of standardisation in Europe and its Conclusions of 1 March 2002⁶;
2. *welcoming* the Commission Communication on the role of European standardisation in the framework of European policies and legislation⁷.
3. *recognising* that European standardisation can make a valuable contribution to the implementation of the Lisbon objectives, in particular in improving the competitiveness of European industry and businesses;
4. *recognising* that progress in making wider use of general reference to voluntary standards in the legislative context has been achieved⁸ and should be further pursued;
5. *encouraging* European standardisation to continue its contribution in all areas liable to support sustainable development;
6. *recognising* the role of European and international standardisation and the need for further progress in view of the introduction of new technologies and the smooth functioning of the internal market of services;

⁵ Council Resolution of 28 October 1999 on “The Role of Standardisation in Europe” (OJ C141 of 19 May 2000)

⁶ Council Conclusions on standardisation of 1 March 2002, (OJ C66 of 15 March 2002)

⁷ COM (2004) 674 final of 18 October 2004

⁸ Commission Staff Working Document “The Challenges for European Standardisation”

7. *recalling* the Council Resolution of 10 November 2003⁹ on “Enhancing the implementation of the New Approach Directives” and taking the view that an effective European key-marking system needs to be promoted by relevant stakeholders to allow voluntary compliance with European standards;
8. *acknowledging* that European standardisation has proven to be a successful tool for the completion of the Single Market for goods;
9. *noting* the Commission initiative to initiate and reform the institutional framework and to propose a new legal basis for the financing of European standardisation;
10. *considering* that European standardisation can play an important role to increase the competitiveness of European enterprises and taking into account the success of the New Approach and underlining its role in support of better regulation policy;
11. *highlighting* the importance of standardisation in order to achieve interoperability of systems and applications;
12. *emphasising* that standards also play an important role in innovation. In particular, they can broaden the knowledge base of the economy and integrate new technologies and research results harmoniously into the design and development process of products and services;
13. Regarding the Resolution of 28 October 1999, and noting with satisfaction the progress:
 - 1) in the commitment to international standardisation and under the obligations under the World Trade Organisation’s Technical Barriers to Trade Agreement (WTO-TBT);
 - 2) in the development, in consultation with the Member States, of guidelines for a European standardisation policy¹⁰;
 - 3) in the development of new policies diversifying the range of standardisation products (“New Deliverables”);
 - 4) in the efforts of the Commission to promote European standardisation activities.

⁹ OJ C 282 of 25 November 2003

¹⁰ Guidelines for co-operation between CEN, CENELEC and ETSI and the European Commission and the EFTA (28 March 2003); Commission Staff Working Paper SEC(2001) 1296 of 26 July 2001 “European Policy Principles on International Standardisation”; Vademecum on European Standardisation

B. ADOPTS THE FOLLOWING CONCLUSIONS:

The Council:

1. *notes* the commitment of the European standardisation organisations and the steps already undertaken to reduce the average time to issue standards and *encourages* them to pursue these efforts further;
2. *invites* all interested parties on European standardisation to remain committed to European standardisation, to contribute to the elaboration of European and international standards and to make the broadest possible use of them;
3. *invites* the European standardisation organisations to further improve efficiency and market relevance of standardisation activities, to strengthen their co-operation and co-ordination with the aim to achieve increased synergies, technical coherence and more efficient use of resources;
4. *stresses* the need to make further progress in the application of standardisation to areas such as Information and Communication Technologies (ICT), services, transport, consumer and environmental protection;
5. *calls* upon European service industries to strive to make an increased use of voluntary standards in order to enhance the internal market for services and to foster competitiveness of the European service industries;
6. *invites* the European standardisation organisations to inform the public and the market in a transparent way about their activities, the results and the benefits of European standardisation.

Recommendations for further actions:

- a) A more extensive use of European standardisation in European policies and legislation

1. *invites* the Commission and the Member States to make a wider use of European (i.e. CEN, CENELEC, ETSI) and international standards in their policies; Particular attention should be paid to the role of standards in the simplification of existing EU legislation, in order to meet the needs of stakeholders, including SMEs;
 2. *recognises* that further progress can be made in new areas of EU legislation in making wider use of general references to voluntary standards, taking into account European policies on governance and better regulation;
 3. *invites* the Member States to apprise decision-makers of the advantages of European standardisation in support of Community legislation and policies;
- b) Improving the efficiency, coherence, visibility of European standardisation and its institutional framework
1. *notes* that adequate participation in standardisation of all parties concerned (social partners, NGOs, environmental interest groups, consumers, SMEs, authorities, etc.) is not sufficiently implemented at present within all Member States. European standardisation should be recognised as a strategic tool for competitiveness and for the uniform application of technical legislation in the internal market. The commitment of everybody should be reactivated in this respect;
 2. *invites* the Commission, Member States, European and National Standardisation Organisations to consider optimising the European standardisation system, in order to make best use of resources available and to explore further options to ensure viable financing of standardisation in Europe;
- c) Promoting European standardisation in a globalised world
1. *invites* European standardisation organisations to enhance the visibility of the European standardisation system on the global market;

2. *invites* all interested parties to promote European standardisation activities in the international standardisation organisations (e.g. ISO, IEC, ITU) and to support the uniform application of international standards in the European Union in accordance with European policies;
3. *recalls* its invitation¹¹ to the Commission and the Member States to continue the promotion of standards-receptive regulatory models, such as those developed by the UN/ECE, with the Community trading partners, in order to promote international cooperation and facilitate market access;
4. *invites* the Commission to contribute to reinforce the role and show the benefits of European standardisation and European standards in the international context.

Action plan and Progress report:

1. *invites* the Commission to elaborate as a matter of priority, in co-operation with Member States and parties concerned, in particular the European standardisation organisations, an action plan aiming at further implementing the recommendations of the Communication and to monitor, together with all stakeholders, its implementation;

with regard to the ongoing measures being taken by the Commission, by the European standardisation organisations, their members and by the Member States,

2. *requests* the Commission to monitor and present a further report within an appropriate period of time;
3. *will keep* the subject of standardisation under constant review."

¹¹ Council Conclusions of 1 March 2002

EUROPEAN ECONOMIC AREA

Participation of EFTA countries in the European centre for disease prevention and control

The Council adopted a Decision enabling the European Economic Area Joint Committee to adopt a decision extending participation to EFTA States to the European centre for disease prevention and control as from 1 January 2005 (15606/04).

EMPLOYMENT

Recognition of professional qualifications *

The Council adopted a common position on a draft Directive on the recognition of professional qualifications aimed at providing simpler and clearer rules for the professions concerned. (13781/04, 13781/04 ADD1 and 15501/04 ADD1). The common position will be forwarded to the European Parliament for a second reading under the co-decision procedure.

The draft Directive seeks to consolidate into a single Directive twelve "sectoral" Directives covering doctors, nurses responsible for general care, dental practitioners, veterinary surgeons, midwives, pharmacists and architects, as well as three "general system" Directives.

INSTITUTIONAL AFFAIRS

EU Civil Service Tribunal

The Council reached a political agreement on a draft Regulation and three draft Decisions regarding the creation of the EU Civil Service Tribunal (16032/1/04).

This follows approval, under Decision 2004/752/EC of 2 November 2004, of the creation of an EU Tribunal aimed at improving the Community's court system by hearing disputes involving the European civil service (see press release 12071/04).

The political agreement covers:

- a draft Regulation determining the emoluments of the President, Members and Registrar (15742/04);
- a draft Decision concerning conditions for appointments of judges (16061/04);
- two draft Decisions concerning committee operating rules and the appointment of committee members (16033/04 and 16034/04).

APPOINTMENTS

Committee of the Regions

The Council adopted the following Decision:

- Mr Juan Carlos MARTÍN MALLÉN, Director General de Asuntos Europeos y Acción Exterior – Diputación General de Aragón, is hereby appointed an alternate member of the Committee of the Regions in place of Mr Alain CUENCA GARCÍA for the remainder of his term of office, ending on 25 January 2006 (15835/04).

Economic and Social Committee

The Council adopted Decisions appointing:

- Mr Hans KLETZMAYR is hereby appointed a member of the Economic and Social Committee in place of Mr Rudolf STRASSER for the remainder of the latter's term of office, which runs until 20 September 2006 (16086/04).
- Ms Nicole PRUD'HOMME is hereby appointed a member of the Economic and Social Committee in place of Mr Jacques VOISIN for the remainder of the latter's term of office, which runs until 20 September 2006 (16087/04).
- Mr Konstantinos POUPAKIS is hereby appointed a member of the Economic and Social Committee in place of Mr Ioannis MANOLIS for the remainder of the latter's term of office, which runs until 20 September 2006 (16088/04).