

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 169 final.

Brussels, 24 April 1978.

Proposal for a Council Regulation on a  
common measure for forestry in certain  
dry Mediterranean zones of the Community

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(submitted to the Council by the Commission)

COM(78) 169 final.

EXPLANATORY MEMORANDUM

- Following its communication entitled "Guidelines concerning the development of the Mediterranean regions of the Community, together with certain measures relating to agriculture (COM (77) 526 final), the Commission is forwarding to the Council the attached draft Regulation.
  
- This draft concerns forestry problems which are particularly serious in the dry Mediterranean areas. They are closely linked to the agriculture of the Mediterranean region, where intensive land clearance and heavy grazing have resulted locally in a drop in the quality of the soil, erosion or even, in extreme cases, the formation of desert landscape.
  
- To protect the soil against this process and to create the conditions required to bring about a satisfactory water balance, a programme of forestry measures is proposed, adapted to local conditions and requirements, in particular in hill and mountain areas. At the same time such measures would lead to timber production and to more employment both directly in the forest itself and indirectly in the wood processing industries, thereby improving the living standard of the agricultural population.
  
- Community intervention is needed because the Member States concerned cannot meet all these requirements. As the present possibilities for financial intervention by the Community are inadequate, the Commission has decided to submit to the Council the draft Regulation in question concerning joint action by the EAGGF. Although this Regulation does not deal with the other possibilities for Community intervention such as the Regional Development Fund, the Social Fund and the research and study budgets, all Community instruments must intervene in a coordinated way.
  
- The additional tasks arising from the implementation of the attached draft Regulation will make it necessary to increase existing Commission staff by two, one grade A 5/4 official and one grade C 3/2 official.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,  
and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament<sup>1</sup>

Having regard to the Opinion of the Economic and Social Committee<sup>2</sup>,

Whereas in accordance with Article 39(2)(a) of the Treaty account should be taken, in working out the common agricultural policy, of the social structure of agriculture and the structural and natural disparities between the various agricultural regions;

Whereas in order to achieve the objectives of the common agricultural policy referred to in Article 39(1)(a) and (b) special measures appropriate to production conditions in the less-favoured agricultural areas should be taken at Community level;

Whereas the aid for forestry measures with which this Regulation is concerned is designed to supplement common agricultural measures relating particularly to the Mediterranean regions of the Community;

Whereas the dry Mediterranean zones of the Community have particular problems concerning erosion, the water-holding capacity of the soil and fire risks;

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<sup>1</sup> OJ No C

<sup>2</sup> OJ No C

Whereas forestry measures are generally connected with and can contribute to :

- the conservation and/or improvement of the soil, the fauna, the flora and the surface and ground water balance;
- the productivity of agricultural land by forming windbreaks and shelter belts and by its effect on local water and weather conditions;

Whereas the forest can help provide for a better use of manpower in agriculture;

Whereas, in order to make afforestation economically more attractive, it is necessary to encourage better forest management;

Whereas it is necessary to require as a condition of Community financial participation that a satisfactory guarantee be produced as to the efficacy of such measures;

Whereas measures of this kind which concern relatively large geographical units should normally take the form of multiannual programmes;

Whereas, in order to ensure coordination between Community and national measures, the Member State concerned should have approved the programmes to be financed by the European Agricultural Guidance and Guarantee Fund, hereinafter called "the Fund" and should contribute to their financing;

Whereas, in order to ensure that the recipients of aid from the Fund comply with the conditions on which it is granted, there should be provision for an efficient control procedure and for the suspension, reduction or withdrawal of aid from the Fund;

Whereas, in view of the special difficulties of these regions, it would be appropriate for the Community to provide aid from the Fund in the form of a capital grant equal to 50% of the investment;

Whereas, in the premises, the action described above constitutes a common measure within the meaning of Article 6 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy<sup>1</sup>;

Whereas the programmes submitted by Member States require the approval of the Commission after consultation of the Standing Committee on Agricultural Structures set up by Article 1 of the Council Decision of 4 December 1962 on the coordination of policies on the structure of agriculture<sup>2</sup>; whereas consultation of the Fund Committee referred to in Article 11 of Regulation (EEC) No 729/70 should also be provided for;

Whereas the necessary steps should be taken to facilitate the financing of the investments provided for, so as to meet particular urgent needs and to help start the measures to be undertaken,

HAS ADOPTED THIS REGULATION :

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<sup>1</sup> OJ No L 94, 28.4.1970, p. 13

<sup>2</sup> OJ No 136, 17.12.1962, p. 2892/62

### Article 1

In order to raise the living standard of the agricultural population of certain dry Mediterranean zones of the Community, a common measure shall be established to improve the conditions that hamper agriculture, both the geophysical conditions and those connected with crop cultivation, and including the conservation of the soil.

The Common measure shall involve the financial participation of the Guidance Section of the European Agricultural Guidance and Guarantee Funds (EAGGF) of the Commission in forestry measures which meet the conditions laid down in Titles I and II and subject to the conditions and in accordance with the detailed rules laid down in Titles III and IV.

### TITLE I

#### Outline programme

### Article 2

The outline programme shall concern afforestation, the improvement of deteriorated forests, the construction of forest roads and supplementary measures such as research, in Italy in the Mezzogiorno, Lazio, Tuscany, Liguria, Umbria, Marche and in France in the following départements : Alpes de Haute Provence, Alpes Maritimes, Ardèche, Aude, Bouches du Rhône, Haute Corse, Corse-Sud, Gard, Hérault, Lozère, Pyrénées Orientales, Var and Vaucluse. This outline programme shall be drawn up by the Member State concerned.

### Article 3

The outline programme shall specify :

- a) the geographical area covered;
- b) the order of magnitude of the various forestry measures to be undertaken;
- c) the preliminary measures proposed, such as the collection of data and appropriate research work;
- d) the links with the general regional development programme.

### Article 4

1. The outline programme and any amendments thereto shall be forwarded to the Commission by the Member State concerned.
2. At the request of the Commission the Member State concerned shall provide additional information on the points listed in Article 3.

Article 5

The outline programme and any amendments thereto shall be approved in accordance with the procedure provided for in Article 15.

TITLE II

Special programmes

Article 6

For the purposes of this Regulation, a special programme shall mean any public multiannual programme relating to forestry measures for one or more specific geographical areas covered by the outline programme or for a large part of such an area. The special programme shall consist of one or more projects to be implemented on land which may be public, semi-public or private.

Article 7

1. The special programmes shall be part of the outline programme and shall meet the conditions laid down therein.

They shall include the following additional information :

- a) the purpose of the programme, describing the existing situation and the objectives to be attained;
- b) the area to which the programme relates, giving precise geographical information of the site of the work and of the areas which will benefit from the measures;
- c) the resources to be employed, including the description and quantification of equipment, labour and finance;
- d) the timetable for the programme, broken down by stages;
- e) the areas to be included by categories of land ownership.

2. The special programmes shall satisfy one or more of the following criteria :

- a) they shall be located in regions which have special difficulties with erosion and with the water-holding capacity of the soil;
- b) they shall relate to areas which are of general concern to an important catchment area;
- c) they shall include measures to mitigate the disadvantages arising from the fragmentation of property.

3. The special programmes shall

- provide an adequate guarantee as to their efficacy;
- contribute to the improvement of the environment.

TITLE III

Procedure for examining special programmes

Article 8

1. Applications for aid from the Fund for special programmes shall be submitted through the Member State concerned.
2. To be eligible for aid from the Fund, special programmes shall have been approved by the Member State concerned.
3. Applications for aid shall be accompanied by evidence that the special programme satisfies the conditions laid down in Title II.
4. The form and contents of the applications shall be laid down in accordance with the procedure provided for in Article 15, after consultation of the Fund Committee on the financial aspects.

Article 9

1. The granting of aid from the Fund shall be decided in accordance with the procedure provided for in Article 15, after consultation of the Fund Committee on the financial aspects.
2. The decision shall be notified to the Member State concerned and to the agency responsible for implementing the special programme.

TITLE IV

Financial and general provisions

Article 10

1. The period envisaged for completion of the common measure shall be five years from the date when this Regulation takes effect.
2. Before the expiry of the period referred to in paragraph 1, this Regulation shall be reviewed by the Council on a proposal from the Commission.



3. The estimated cost to the Fund of the common measure for the period proposed in paragraph 1 shall be 230 million units of account.
4. Article 6(5) of Regulation (EEC) No 729/70 shall apply to this Regulation.

#### Article 11

1. Aid from the Fund shall consist of capital contributions granted in one or more instalments.
2. Aid from the Fund shall amount to 50% of the cost of executing the work and the measures referred to in Article 2 within the following limits :
  - afforestation up to a maximum cost of 2 000 units of account per hectare and associated preparatory work, such as terracing or fire protection up to 1000 units of account per hectare.
  - improvement of deteriorated forest by conversion and/or by other measures such as separating forest and pasture up to a maximum cost of 1 700 units of account per hectare.
  - construction of forest roads up to a maximum cost of 12 000 units of account per hectare.
  - preparatory works and research up to a maximum cost of 8 million units of account for the five years.

#### Article 12

1. Advances may be granted on the basis of the presentation of annual work plans for carrying out, as part of a special programme, the forestry operations referred to in Article 2 in the light of the financing arrangements adopted by the Member State concerned and in accordance with the progress of the work.
2. Advances may not exceed 80% of the Community contribution to the cost of one year's work on forestry operations referred to in paragraph 1.

3. Detailed rules of application of this Article shall be adopted in accordance with the procedure provided for in Article 13 of Regulation (EEC) No 729/70.

#### Article 13

1. Payments of aid from the Fund shall be made to agencies designated for the purpose by the Member State concerned.
2. So long as aid continues to be provided by the Fund, the authorities or agencies designated for the purpose by the Member State concerned shall forward to the Commission, at its request, all supporting documents needed to show that the financial and other conditions laid down for each special programme are fulfilled. The Commission may, if necessary, make an inspection visit.

After consultation of the Fund Committee on the financial aspects, the Commission may decide to suspend, reduce or withdraw aid by the Fund in accordance with the procedure provided for in Article 15 :

- if the special programme has not been carried out as planned or
- if certain of the conditions have not been fulfilled or
- if the work has not been begun within one year from notification of the decision referred to in Article 9.

Such decision shall be notified to the Member State and to the public agency responsible for carrying out the special programme.

The Commission shall act to recover sums whose payment was not or is no longer justified.

3. Detailed rules of application of this Article shall be adopted in accordance with the procedure provided for in Article 13 of Regulation (EEC) No 729/70.

#### Article 14

1. For each special programme which has received aid from the Fund the public agency responsible therefor shall forward periodic reports to the Commission on the progress and the financial situation of this programme. These reports shall be submitted within the periods laid down in the decision to grant aid.

2. If the said public agency fails to fulfil the obligation laid down in paragraph 1 after giving such agency due notice, the decision to grant aid may be amended in whole or in part in accordance with the procedure provided for in Article 15 and after consultation of the Fund Committee on the financial aspects. The amending decision shall be notified to the Member State concerned and to the public agency in question. The Commission shall act to recover, in whole or in part, the sums paid out.
3. Detailed rules of application of this Article, in particular as regards the information to be included in the reports referred to in paragraph 1, shall be adopted in accordance with the procedure provided for in Article 15, after consultation of the Fund Committee on the financial aspects.

#### Article 15

1. Where the procedure laid down in this Article is to be followed, the Chairman shall refer the matter to the Standing Committee on Agricultural Structures, either on his own initiative or at the request of the representative of a Member State.
2. The representative of the Commission shall submit a draft of the measure to be taken. The Committee shall deliver its Opinion on such measures within a time-limit to be set by the Chairman according to the urgency of the questions under consideration. An Opinion shall be adopted by a majority of forty-one votes, the votes of the Member States being weighted as provided for in Article 148(2) of the Treaty. The Chairman shall not vote.
3. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the Opinion of the Committee, the Commission shall forthwith notify them to the Council. In that event the Commission may defer their application for not more than one month from the date of such communication.

The Council, acting by a qualified majority, may take a different decision within one month.

Article 16

The Council, acting in accordance with the procedure of Article 43 of the Treaty, may amend or add to the conditions set out in Articles 2 and 11(2).

Article 17

This Regulation shall enter into force on the third day following its publication in the Official Journal of the European Communities. This Regulation shall be binding in its entirety and directly applicable in all Member States.

# FINANCIAL STATEMENT

DATE : 10.3.1978

BUDGET LINE CONCERNED : A NEW LINE TO BE CREATED

ACTION : PROPOSED COUNCIL REGULATION CONCERNING A COMMON MEASURE TO ENCOURAGE FORESTRY IN CERTAIN DRY MEDITERRANEAN ZONES OF THE COMMUNITY.

LEGAL BASIS : ARTICLE 6 OF REGULATION 729/70/EEC

OBJECTIVES : IN THESE DRY MEDITERRANEAN FORESTS ARE VITAL FOR THE PREVENTION OF EROSION AND THE CONSERVATION OF SOIL AND WATER; AT THE SAME TIME THEY PRODUCE WOOD AND THEY CAN MAKE A USEFUL CONTRIBUTION TO EMPLOYMENT, BOTH DIRECTLY IN THE FOREST ITSELF AND INDIRECTLY IN THE WOOD PROCESSING INDUSTRIES.

FINANCIAL CONSEQUENCE	FOR THE MARKETING YEAR	CURRENT FINANCIAL YEAR (78)	FOLLOWING FINANCIAL YEAR (79)
EXPENDITURE			
-CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS)		-	20
-CHARGED TO NATIONAL ADMINISTR.		-	20
-CHARGED TO OTHER NATIONAL GROUPS		-	-
RECEIPTS			
-OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES)		-	-
-NATIONAL		-	-

YEAR 1979 ..... YEAR 1980 ..... YEAR 1981 .....

5.0.1 PLURIANNUAL PATTERN OF EXPENDITURE      20 MUCE                      40 MUCE                      60 MUCE

5.1.1 PLURIANNUAL PATTERN OF RECEIPTS

5.2 METHOD OF CALCULATION  
SEE ANNEX

6.0 FINANCING POSSIBLE WITH CREDITS INSCRIBED IN RELEVANT CHAPTER OF CURRENT BUDGET ?      YES/NO

6.1 FINANCING POSSIBLE BY TRANSFER BETWEEN CHAPTERS OF CURRENT BUDGET ?      YES/NO

6.2 NECESSITY FOR A SUPPLEMENTARY BUDGET ?      YES/NO

6.3 CREDITS TO BE WRITTEN INTO FUTURE BUDGETS ?      YES/NO

COMMENTS :

ANNEX : COST OF MEASURE

- TOTAL COST

Type of Improvement	Quantity in the 5 year period	Average Value of unit cost	Total Cost over the 5 year period
1. Afforestation	110.000 Ha	1 700 ua/Ha	187 MUCE
2. Terracing and Fire Protection	100.000 Ha	850 ua/Ha	85
3. Improving Degraded Forests	120.000 Ha	1 250 ua/Ha	150
4. Construction of Forest Roads	3.000 Km	10 000 ua/Km	30
5. Preparation Work and Studies			8
	Total Cost over 5 years :		460 MUCE

- TIMETABLE OF COSTS ( in MUCE)

Year	1979	1980	1981	1982	1983	1984	Total
Member State ( 50%)	20	40	60	60	50	-	230
Feoga ( 50%)	20	40	60	60	40	10	230

