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COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

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PRESS RELEASE

12116/82 (Presse 200)

817th Council meeting

- Fisheries -

Brussels, 21 December 1982

President: Mr Otto MØLLER,
State Secretary,
Ministry of Foreign Affairs
of the Kingdom of Denmark

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

Belgium:

Mr Paul de KEERSMAEKER
State Secretary, European
Affairs and Agriculture

Germany:

Mr Josef ERTL
Federal Minister for Food,
Agriculture and Forestry

Mr Hans-Jürgen ROHR
State Secretary,
Federal Ministry of Food,
Agriculture and Forestry

France:

Mr Louis le PENSEC
Minister of the Sea

Italy:

Mr Giovanni NONNE
State Secretary,
Ministry of Shipping

Netherlands:

Mr G.J.M. BRAKS
Minister for Agriculture
and Fisheries

Denmark:

Mr Henning GROVE
Minister for Fisheries

Mr Otto MØLLER
State Secretary,
Ministry of Foreign Affairs

Mr Jørgen HERTOFT
State Secretary,
Ministry of Fisheries

Greece:

Mr Alexandre ZAFIRIOU
Deputy Permanent Representative

Ireland:

Mr Patrick O'TOOLE
Minister for Fisheries

Mr Michael D'ARCY
Minister of State,
Ministry of Fisheries

Luxembourg:

Mr Jean MISCHO
Deputy Permanent Representative

United Kingdom:

Mr Peter WALKER
Minister for Agriculture,
Fisheries and Food

Mr George YOUNGER
Secretary of State for Scotland

Mr Alick BUCHANAN-SMITH
Minister of State,
Ministry of Agriculture,
Fisheries and Food

For the Commission:

Mr Gaston THORN - President

Mr Georges CONTOGEOURGIS - Member

COMMON FISHERIES POLICY

The President of the Council noted that the Council had been unable to take a decision on the set of proposals from the Commission on the common fisheries policy. ⁽¹⁾

The Commission therefore drafted a statement containing the following:

Conservation of fishery resources has been the exclusive responsibility of the Community since 1 January 1979 (Article 43 of the Treaty and Article 102 of the Act of Accession) but the Community has still not, by today, 21 December 1982, succeeded in adopting a comprehensive conservation system.

In order to enable the Community to discharge its responsibilities with regard to conservation under these circumstances, the Commission recalls that the Member States not only have the right to adopt the necessary measures, subject to their approval by the Commission, but also have the duty to take these measures in the collective interest, this being a duty which the Commission can ask them to accept. As confirmed by the Court of Justice, these rights and duties flow from the Treaty, namely Article 5 (duty of co-operation among the Member States) and Article 155 (right and obligation of supervision by the Commission).

The Commission consequently calls upon all Member States:

- to notify it without delay of the national measures of conservation they plan to adopt;
- to confirm at the same time their intention to take the necessary action, at national level, to ensure that national measures of conservation planned, which the Commission approves, are complied with;
- to respect rigorously the provisions of Council Regulation No 2057/82 (control measures), and in particular Article 9 thereof.

⁽¹⁾ Notwithstanding, the Commission's proposals as amended and supplemented following the Council's deliberations since October will stay tabled until the end of December 1982.

With a view to ensuring that the activities of the entire fishing fleet of the Member States are as orderly and stable as possible, the Commission will, in carrying out its responsibilities, and particularly when approving national conservation measures, act on the basis of the proposals ⁽¹⁾ that it has submitted to the Council.

The Commission will ensure that the different national measures of conservation are as well co-ordinated as possible and requests the Member States' co-operation in this. The national measures must constitute a temporary system that is at once practicable, effective and non-discriminatory.

The Commission is determined to use all the means in its power to ensure that the Member States respect the obligations of which it has reminded them in this declaration.

"Roll over"

In this context the Commission tabled a proposal whereby the Member States would conduct their fisheries activities, as from 1 January 1983 until a Council decision was adopted on the subject, so as to take account of the TACs available to the Community as proposed by the Commission on 18 June 1982, as amended in the meantime or as modified at a later stage to take account of new scientific information.

Nine delegations have so far approved the proposal; one delegation will state its position soon.

⁽¹⁾ The Commission's formal proposals already to hand and the amendments tabled today.

Structural policy

The Council approved a Regulation on an interim common measure for restructuring the inshore fishing industry and aquaculture. This Regulation, which is based on that adopted on 25 July 1978, provided for intervention by the EAGGF in a common measure for restructuring, modernizing and developing the inshore fishing industry and developing aquaculture. The Regulation provides inter alia for the Fund's participation in investment projects, on the one hand, to modernize or convert working fishing vessels work on which would cost at least 65,000 ECU per project, and, on the other hand, to construct, equip and modernize installations for farming fish, crustaceans and molluscs in salt water or brine. For each project the subsidy allocated from the Fund is to be 25% except in Greece, Greenland, Ireland, Northern Ireland, in Italy the Mezzogiorno and in the French Overseas Departments and Territories where the subsidy will be 50%.

Community tariff quotas for certain fishery products coming from Canada (1983)

The Council has given its approval to the opening of a tariff quota for 1983 for certain frozen fish products coming from Canada, in particular redfish, cod, fillets of cod and prepared or preserved herring flaps.

External aspect

The Council approved the conclusion of the Agreement in the form of an Exchange of Letters provisionally applying the Agreement between the Government of the Republic of Guinea-Bissau and the European Economic Community amending the Agreement on fishing off the coast of Guinea-Bissau.

The Council also noted certain statements by the Member States and by the Commission concerning the consultations or negotiations with Norway, Sweden, Norway and Sweden (Skagerrak/Kattegatt), the Faroe Islands, Mauritania and Spain and the signing of the framework agreement with Finland.

MISCELLANEOUS DECISIONS

Other question concerning fisheries

The Council adopted in the official languages of the Communities a Decision amending Decision 78/640/EEC on financial participation by the Community in inspection and surveillance operations in the maritime waters of Denmark and Ireland.

Agriculture

The Council adopted in the official languages of the Communities a Directive on the notification of animal diseases within the Community.

Without prejudice to earlier undertakings entered into by the Member States vis-à-vis international organizations (in particular the International Office of Epizootics) as regards the notification of contagious animal diseases, this Directive lays down that Member States shall notify the Commission directly of:

- outbreaks of any of the main contagious animal diseases
- the removal - after eradication of the last outbreak - of restrictions in relation to the outbreak of any of those diseases.

The Council adopted in the official languages of the Communities estimates

- concerning beef and veal intended for the processing industry for the period 1 January to 31 December 1983 ⁽¹⁾
- concerning young male bovine animals weighing 300 kg or less and intended for fattening for the period 1 January to 31 December 1983. ⁽¹⁾

⁽¹⁾ See Press Release No 11821/82 (Presse 193) of 13 and 14 December 1982.

The Council adopted in the official languages of the Communities a Decision on a financial contribution from the Community to the campaign against foot-and-mouth disease in South-East Europe.

The Council also adopted in the official languages of the Communities a Directive amending Directives 64/432/EEC and 72/461/EEC as regards certain measures relating to foot-and-mouth disease and swine vesicular disease. ⁽¹⁾

Finally, the Council adopted in the official languages of the Communities Regulations:

- determining the quantity of New Zealand butter which the United Kingdom is authorized to import in 1983 and revising the import levy for New Zealand butter (7250 tonnes - levy = 84.36 ECU/100 kg);
- amending Regulation (EEC) No 2099/82 in respect of the date on which the Italian intervention agency takes over the skimmed-milk powder (1 April 1983 instead of 1 January 1983);
- concerning the import system applicable to certain non-member countries in the sheepmeat and goatmeat sector.

Food aid

The Council adopted in the official languages of the Communities:

- a Decision concluding a Convention amending the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) on aid to refugees in the Middle East. The amended Convention is a response inter alia to UNRWA's request for a financial contribution by the Community to UNRWA's education programme for Palestine refugees;
- a Regulation on the supply of skimmed-milk powder as food aid to the United Nations Relief and Works Agency for Palestine Refugees in the Middle East (UNRWA);
- a Regulation amending Regulation (EEC) No 1040/82 on the supply of milk fats to certain developing countries and specialized bodies under the 1982 food aid programme.

⁽¹⁾ See Press Release No 11821/82 (Presse 193) of 13 and 14 December 1982.

Commercial policy and customs union

The Council adopted in the official languages of the Communities,

- a Regulation on export arrangements for certain types of non-ferrous scrap;
- a Decision on the import quotas to be opened by the Member States in respect of State-trading countries in 1983.

The Council also adopted in the official languages of the Communities:

- Regulations:

- = on temporary importation arrangements laying down the procedures and conditions whereby goods which are intended to remain temporarily in the customs territory of the Community and to be re-exported may be imported with total or partial relief from import duties;
- = increasing the volume of the Community tariff quota opened by Regulation (EEC) No 1538/82 for certain eels falling within subheading ex 03.01 A II of the Common Customs Tariff,
- a Decision concerning the conclusion of the Agreement between the European Economic Community and the Republic of South Africa negotiated under Article XXVIII of the GATT.

Financial and technical aid to non-associated developing countries

The Council adopted in the official languages of the Communities a Decision determining the general guidelines for 1983 concerning financial and technical aid to non-associated developing countries.

These guidelines confirm that the requirements of the poorest countries and of the most needy sections of the population must form the basis for Community action and, in addition, that the Community must give priority to projects for agricultural and rural development, in particular those designed to improve the food situation, with a view to helping to combat hunger in the world.

Textiles

The Council adopted in the official languages of the Communities a Regulation making the importation into Greece of certain jute products originating in Bangladesh or India subject to quantitative limitations.

The Council also decided, subject to conclusion, to sign the Agreement between the European Economic Community and the Czechoslovak Socialist Republic on trade in textile products and the Agreement in the form of an exchange of letters.

Lastly, the Council decided, subject to conclusion, to sign the Additional Protocol to the Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia on trade in textile products consequent on the accession of the Hellenic Republic to the Community.

Relations with the EFTA countries

The Council adopted, in the official languages of the Communities, Regulations on the application of:

- Decisions Nos 1/82 of the EEC-EFTA countries Joint Committees amending, in relation to the heading No 84/59, list A annexed to Protocols Nos 3 concerning the definition of the concept of originating products and methods of administrative co-operation;
- Decisions Nos 2/82 of the EEC-EFTA countries Joint Committees supplementing Annexes II and III to Protocols Nos 3 concerning the definition of the concept of originating products and methods of administrative co-operation by the addition of alternative percentage rules for the products of Chapters 84 to 92 of the Customs Co-operation Council Nomenclature;
- Decision No 3/82 of the EEC/Norway Joint Committee amending protocols Nos 1 and 2 to the EEC/Norway Agreement.

Relations with the Mediterranean countries

The Council adopted, in the official languages of the Communities, a set of Regulations:

- concerning tariff quotas, ceilings or import arrangements for certain products originating in various Mediterranean countries (Turkey, Cyprus, Algeria, Morocco and Tunisia) (1983);
- introducing ceilings and Community supervision for certain products originating in Yugoslavia (1983);
- autonomously extending until 30 June 1983 the arrangements applicable to trade with Cyprus;
- extending until 30 June 1983 the arrangements applicable to trade with Malta;
- amending Regulation (EEC) No 2925/78 regarding the period of suspension of the application of the price condition to which imports into the Community of certain types of citrus fruit originating in Spain are subject.

Transports

The Council adopted in the official languages of the Communities:

- a Regulation amending Regulation (EEC) No 3164/76 on the Community quota for the carriage of goods by road between Member States and Regulation (EEC) No 2964/79;
- a Decision authorizing the Commission to negotiate an Agreement between the European Economic Community and third countries on the rules applicable to certain types of international carriage of passengers by road, coach and bus (shuttle services).

Tax questions

The Council adopted in the official languages of the Communities a Directive amending Directive 72/464/EEC on taxes other than turnover taxes which affect the consumption of manufactured tobacco.

Research

The Council adopted in the official languages of the Communities Decisions:

- on a preparatory phase for a Community research and development programme in the field of information technologies: pilot projects to commence on 1 January 1983 (ESPRIT) (See Press Release 10650/82 (Presse 155) of 4 November 1982);
- adopting a reasearch and development programme for the European Economic Community in the field of applied metrology and reference materials (Community Bureau of References - CBR) (1983-1987).

Energy

The Council adopted in the official languages of the Communities a Decision supplementing the Decision of 28 July 1982 on the granting of support for Community projects in the hydrocarbons sector (1982).

Shipbuilding

The Council adopted in the official languages of the Communities a Directive amending Directive 81/363/EEC on aid to shipbuilding.

Appointment

The Council appointed Mr David NELIGAN Director-General of the General Secretariat of the Council of the European Communities with effect from 16 January 1983.

Bruxelles, le 20 decembre 1982.
Note Bio(82)548 aux Bureaux Nationaux
cc. aux membres du Groupe du Porte-Parole

Preparation du Conseil Peche du 21 decembre 1982

(C.STATHOPOULOS)

Les efforts pour l'etablissement d'une politique commune de la peche ont atteint un point decisif. Le Conseil des Ministres de la peche, qui aura lieu demain a Bruxelles a partir de 10h. sous la presidence du ministre des finances danois M. Christophersen, pourrait aboutir a un accord sur la base des propositions faites et des suggestions envisagees par la Commission.

Je vous rappelle que la delegation danoise avait indique lors du Conseil du 29 novembre 1982 que le Danemark continuait ses reflexions a ce sujet et ceci aussi dans le cadre des contacts bilateraux (voir Bio(82)504 suite 1 et fin).

A defaut d'un accord les negociations devraient etre considerees comme terminees et le Conseil se penchera sur les modalites d'application d'un systeme de mesures nationales a partir du 1er janvier 1983.

L'ordre du jour provisoire contient au-dela des points deja connus des Conseils precedents (voir par exemple Bio (82) 465 suite 1), une communication de la Commission au Conseil sur l'etat des negociations (ou consultations) menees avec les pays tiers.

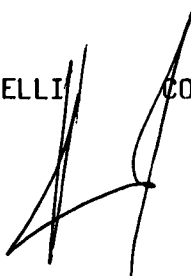
La Delegation francaise s'attend egalement a un premier rapport de la Commission sur ses entretiens exploratoires avec certaines iles des Antilles (Antigua, Barbuda, Sainte-Lucie) en vue de la negociation d'accords de peche.

Certains journalistes ayant pose la question suivante : si les resultats des negociations en cours avec les pays tiers pour 1983 pourraient influencer les efforts afin d'aboutir a un accord global. Le Porte-Parole a refuse tout commentaire sur ce point.

AMITIES

M. SANTARELLI

COMEUR 17h.30 ////



P1 Berl 1/2

Note Bio

Bruxelles, le 22 decembre 1982.

Note Bio (82)548 suite 1 aux Bureaux Nationaux

cc. aux membres du Groupe du Porte-Parole

Conseil Peche du 21 decembre 1982 (C. STATHOPOULOS)

SYNTHESE

Les efforts pour l'etablissement d'une politique commune de la peche ont echoue. Le gouvernement danois a rejete definitivement le paquet des propositions faites et des suggestions envisagees par la Commission. Ce paquet avait ete complete par des clarifications faites par le President Thorn en reponse a des demandes supplementaires que le Danemark a exprime apres le dernier Conseil europeen.

Apres le rejet des propositions par la delegation danoise le President Thorn a demande a la Presidence de constater si le Conseil est en mesure de statuer sur la base des propositions faites par la Commission. La Presidence danoise a constate que les conditions d'un vote n'etaient pas reunies.

Un systeme de mesures nationales de conservation approuvees par la Commission sera applique a partir du 1er janvier 1983. La Commission s'inspirera, des propositions FORMELLES qu'elle a soumisees au Conseil, lors de l'exercice de ses responsabilites et notamment lorsqu'elle sera appelee a approuver des mesures nationales de conservation.

Le Conseil a adopte le reglement relatif a une action commune interimaire de restructuration du secteur de la peche cotiere et de l'aquaculture (30 MECU au titre du budget 1982 voir Bio (82)261) ainsi que le reglement qui porte ouverture d'un contingent tarifaire pour 1983 de certains produits de peche congeles en provenance du Canada. Le Conseil a enfin approuve la conclusion de l'accord entre la Guinee-Bissau et la CEE modifiant l'accord concernant la peche au large de la cote de Guinee-Bissau.

UN DERNIER EFFORT DE MEDIATION

En repondant a des demandes supplementaires que le gouvernement danois a exprime apres le dernier Conseil europeen, le President Thorn a entrepris un dernier effort de mediation afin de faciliter un accord.

Le premier Ministre danois a demande entre autre d'obtenir un pourcentage eleve (70-75%) d'eventuels stocks de maquereaux dans les zones de gestion commune avec les pays tiers notamment avec la Norvege. Le President Thorn a envisage sur la base des resultats previsionnels des negociations que la Commission est en train de mener, avec la Norvege et les iles Feroe, l'octroi au Danemark d'un quota de 15.000 tonnes de maquereaux dans le Stock-Est (mer du Nord 6.500 t., mer de Norvege 5.000 t., iles Feroe 3.500 t.). En y ajoutant les 7.000 t. de maquereaux deja

proposes a l'Ouest de l'Ecosse (a pecher jusqu'au 31.3.83), les danois obtiendraient 22.000 t. En plus le President se declarait pret a s'engager pour que le Danemark obtienne une priorite absolue dans la repartition d'eventuels quotas de maquereaux jusqu'a 25.000t. dans les annees a venir. Il promettait un reajustement des quotas du hareng et du sprat dans le Skagerrak-Kattegat. Il envisageait une continuite de la mesure provisoire, qui octroyait au Danemark 2.000 t. supplementaires de cabillaud dans la mer du Nord.

Vu que les clarifications susmentionnees du President Thorn correspondaient largement aux demandes exprimees par le gouvernement danois, il y a eu un espoir de pouvoir aboutir finalement a un accord.

Le Conseil qui a debute hier vers 13h. en restreinte a suspendu apres un quart d'heure ses travaux pour donner le temps au gouvernement danois de consulter la Commission parlementaire du Folketing pour les affaires communautaires. Les autres 9 Etats membres ont conditionne leur accord a une reponse positive prealable de la part du Danemark.

Le Ministre danois M. Grove a communique vers 16h.45 au Conseil que la Commission parlementaire du Folketing a rejete definitivement le paquet.

LA TENTATIVE D'UN VOTE

Apres une suspension de la seance jusqu'a 18h.30, afin de permettre a la Commission des Communautés europeennes de tenir une reunion extraordinaire, le President Thorn avait demande formellement a la Presidence, au nom de la Commission de constater si le Conseil etait en mesure de statuer sur les propositions de la Commission, ameliorees depuis le mois de septembre. La Presidence danoise a constate que les conditions d'un vote n'etaient pas reunies, la France, le Royaume-Uni, et la Grece n'etant pas disposees a proceder a un vote formel, des lors que le Danemark invoquait l'interet vital au titre du "compromis de Luxembourg". Il y a lieu de noter cependant qu'en cas de vote formel, les 45 voix necessaires avaient ete reunies (France, Allemagne, Italie, Irlande, et les pays du Benelux votant en faveur du paquet). A l'issue du debat le President Thorn a regrette que le Conseil n'ait pu statuer sur les propositions de la Commission, fondees sur l'article 43 CEE, malgre le fait que les neuf Etats membres soient d'accords sur le fond.

LES MESURES NATIONALES

Vu la carence du Conseil, M. Contogeorgis a fait la declaration convenue par la Commission qui rappelle que depuis le 1er janvier 1979, la conservation des ressources de la peche est de la competence exclusive de la Communauté. Afin de permettre dans ces conditions a la Communauté a-t-il ajoute, d'assumer ses responsabilites en matiere de conservation, la Commission rappelle que les Etats membres n'ont pas seulement le DROIT d'adopter les mesures necessaires sous reserve de leur approbation par la Commission, mais aussi le DEVOIR de prendre ces mesures dans l'interet collectif.

Pour assurer une activite aussi ordonnee et stable que possible de l'ensemble de la flotte de peche des Etats membres, la Commission s'inspirera, des propositions qu'elle a soumisees au Conseil, lors de l'exercice de ses responsabilites et notamment lorsqu'elle sera appelee a approuver des mesures nationales de conservation. M. Contogeorgis a precise au Conseil que la Commission sera appelee a approuver les mesures nationales de conservation sur la base des propositions FORMELLES de la Commission. Celles-ci contiennent toutes les propositions formelles presentees jusqu'au mois de septembre mais pas les suggestions faites en octobre (voir Bio (82)443 suite 3), ni les idees de solutions des problemes en suspens du mois de novembre (voir Bio(82)465 suite 2 et fin).

La France estime que les mesures de conservation concernent uniquement les TAC, les Quotas et les mesures techniques, mais pas l'Acces. Pour l'Acces la France s'engage a ce que ses pecheurs exercent leurs activites conformement aux arrangements convenus au titre du reglement de base. Le Royaume-Uni estime qu'au cas ou un Etat membre ne coopererait pas au respect des mesures sur l'Acces, l'Etat membre cotier concerne peut lui-meme prendre les mesures appropriees.

Tous les Etats membres sauf le Danemark ont accepte l'adoption du "roll-over" propose par la Commission. Le Danemark fera connaitre sa position avant la fin de l'annee.

UN DERNIER ESPOIR

Le Ministre danois n'a non plus pas accepte de donner son accord ad referendum. Une derniere porte a ete laissee ouverte au Danemark en ce sens que les propositions de la Commission - avec les ameliorations introduites depuis- restent sur la table du Conseil jusqu'au 30 decembre 1982. En l'absence d'un accord "in extremis" du cote danois, des mesures nationales concertees sous l'egide de la Commission seront mises en application des le 1er janvier 1983.

Amities
M. SANTARELLI



COMEUR 13h.25////

