



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

Subject: MONTHLY SUMMARY OF COUNCIL ACTS JANUARY 2013

This document lists the acts adopted by the Council in JANUARY 2013.^{1 2}

It provides information on the adoption of legislative acts, notably:

- the date of adoption,
- the relevant Council session,
- the number of the document adopted,
- the Official Journal reference,
- applicable voting rules, voting results and, where appropriate, explanations of vote and statements published in the minutes of the Council.

¹ With the exception of certain acts of limited scope such as procedural decisions, appointments, decisions of bodies set up by international agreements, specific budgetary decisions, etc.

² In the case of legislative acts adopted in the ordinary legislative procedure, there may be a difference between the date of the Council's meeting where the legislative act is adopted and the actual date of the act in question, since legislative acts adopted in the ordinary legislative procedure are only considered to have been adopted after signature by both the President of the Council and the President of the European Parliament and the Secretaries-General of the two Institutions.

This document also contains information on the adoption of non-legislative acts that the Council has decided to make public.

This document is also available on the Council's website at:

<http://consilium.europa.eu/documents/legislative-transparency/monthly-summaries-of-council-acts>

Documents listed in the summary may be obtained from the public register of Council documents at: <http://consilium.europa.eu/documents/access-to-council-documents-public-register>

It should be noted that this documents is exclusively for the purposes of information - only Council minutes are authentic. These are available on the Council's website at:

<http://consilium.europa.eu/documents/legislative-transparency/council-minutes>

**INFORMATION ON THE ACTS ADOPTED BY THE COUNCIL
IN JANUARY 2013**

Written procedure completed on 10 January 2013

NON-LEGISLATIVE ACTS

ACT	DOCUMENT/ STATEMENTS
Council Implementing Regulation (EU) No 21/2013 of 10 January 2013 extending the definitive anti-dumping duty imposed by Implementing Regulation (EU) No 791/2011 on imports of certain open mesh fabrics of glass fibres originating in the People's Republic of China to imports of certain open mesh fabrics of glass fibres consigned from Taiwan and Thailand, whether declared as originating in Taiwan and Thailand or not OJ L 11, 16.1.2013, P. 1–7	17728/12

Written procedure completed on 14 January 2013

NON-LEGISLATIVE ACTS

ACT	DOCUMENT/ STATEMENTS
2013/37/EU: Council Decision of 14 January 2013 amending the Council's Rules of Procedure OJ L 16, 19.1.2013, p. 16–17	18130/12

Written procedure completed on 17 January 2013

NON-LEGISLATIVE ACTS

ACT	DOCUMENT/ STATEMENTS
Council Implementing Regulation (EU) No 78/2013 of 17 January 2013 imposing a definitive anti-dumping duty and collecting definitely the provisional duty imposed on imports of certain tube and pipe fittings of iron or steel originating in Russia and Turkey OJ L 27, 29.1.2013, p. 1–9	17973/12

3217th meeting of the Council of the European Union (Foreign Affairs) held in Brussels on 17 January 2013**NON-LEGISLATIVE ACTS**

ACT	DOCUMENT / STATEMENTS
Council Conclusions on Mali	5369/13
Council Decision 2013/34/CFSP of 17 January 2013 on a European Union military mission to contribute to the training of the Malian Armed Forces (EUTM Mali) OJ L 14, 18.1.2013, p. 19–21	17412/12 + REV 1 (de)
Council Decision authorising the opening of negotiations with the Republic of Mali for an agreement on the status of the European Union military mission to contribute to the training of the Malian Armed Forces (EUTM Mali)	5227/13

Written procedures completed on 21 January 2013

ACT	DOCUMENT/ STATEMENTS
Council Regulation (EU) No 40/2013 of 21 January 2013 fixing for 2013 the fishing opportunities available in EU waters and, to EU vessels, in certain non-EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements OJ L 23, 25.1.2013, p. 54–153	18134/12
Council Regulation (EU) No 39/2013 of 21 January 2013 fixing for 2013 the fishing opportunities available to EU vessels for certain fish stocks and groups of fish stocks which are not subject to international negotiations or agreements OJ L 23, 25.1.2013, p. 1–53	18133/12

STATEMENTS MADE REGARDING BOTH ACTS ABOVE:

Joint Statement by the Council and the Commission

1. Ad North Sea Horse Mackerel Management Plan

Horse mackerel (*Trachurus trachurus*) in Divisions IIIa, IVb,c, and VIIId (North Sea stock)

The Council and Commission agree that the Pelagic Regional Advisory Committee (PELRAC) in conjunction with Member States should develop a management plan for the North Sea stock of Horse Mackerel. Until this plan is developed and evaluated the Commission and Council agree, without prejudice to the Commission's right of initiative and the Council's prerogatives under Article 293(1) TFEU, with the PELRAC proposal for the proportional reduction of catches to meet the ICES recommendation of 25500t over the next three years. The Plan once evaluated will be implemented in the following year.

Joint Statement by the Council and the Commission

2. Ad Specific Data Limited Stocks

The Council and the Commission note that the fishing opportunities regulations include a number of TACs for stocks for which there is limited information on stock status and which are of low economic importance, or are taken only as by-catches, or which show low levels of quota uptake. In these cases, the Council and the Commission consider it appropriate to constrain catches at or below the TAC levels fixed for 2013. To this end, without prejudice to the Commission's right of initiative and the Council's prerogatives under Article 293(1) TFEU, the Commission and the Council consider that it would be desirable to maintain the 2013 TAC level for the stocks listed below for the following five years.

The Commission will continue working with the Member States and the relevant scientific bodies in order to improve the scientific information on these stocks. If the perception of the status of any of these stocks should change significantly during this period, the Council and the Commission agree that the TAC levels should be reviewed and revised as appropriate.

Common name	TAC Unit
Blue Ling	EU and international waters of II and IV
Blue Ling	EU and international waters of III
Cod	VIb (Rockall subunit)
Common sole	VI, Vb, international waters of XII and XIV
Common sole	VIIbc
Herring	VIIef
Greater silver smelt	EU and international waters of I and II
Greater silver smelt	EU and international waters of III and IV
Ling	EU and international waters of I and II
Ling	EU and international waters of V
Plaice	Vb(EU waters), VI, XII, XIV
Plaice	VIIbc
Plaice	VIII, IX, X and CECAF 34.1.1
Pollack	Vb(EU waters), VI, XII and XIV
Pollack	IX, X, CECAF 34.1.1 (EU)
Saithe	VII, VIII, IX, X, CECAF 34.1.1 (EC)
Sole	VIIIcde, IX, X, CECAF (EU)
Sprat	VIIde
Tusk	IIIa and EU 22-23
Tusk	EC I, II, XIV
Tusk	EC waters of IV

Joint Statement by the Council and the Commission

3. Ad Effort transfer in case of the implementation of the national technical measures on cod selectivity

The Council and the Commission acknowledge that pending the adoption of Union legislation to harmonise EU and Norway technical measures regulations in the Skagerrak, some Member States intend to implement certain of the proposed technical measures in advance in their national legislation without prejudice to EU legislation. As a result, to carry out their fisheries in the Skagerrak, a transfer of fishing effort from gear group TR2 to gear group TR1 will be required. The Member States implementing the above mentioned technical measures at the national level may transfer that effort, in accordance with the cod plan, taking into account the expected impacts of the technical measures on catch per unit effort of cod.

Joint Statement by the Council and the Commission

4. Ad Boarfish Management Plan

The Council and the Commission note that the Pelagic Regional Advisory Council have developed a multiannual plan for the management of the boarfish stock. Without prejudice to the Commission's right of initiative and the Council's prerogatives under Article 293(1) TFEU, if the relevant scientific bodies deem this plan to be precautionary then it can be followed and an in-year revision of the TAC undertaken if necessary.

Joint Statement by the Council and the Commission

5. Ad Sole and Plaice Plan

The fishing effort ceiling established by the multi-annual plan for sole and plaice in the North Sea has not been reduced for 2013 in view of the continued increase in the stock abundance of plaice. The Member States concerned undertake to introduce any appropriate measures to allocate the available fishing effort in such a way as to ensure that it does not lead to the overexploitation of the sole stock.

Joint Statement by the Council and the Commission

6. Ad Absence of agreement with the Faroe Islands

The Council and the Commission note the repeated absence of bilateral agreement with the Faroe Islands for the last several years. In this context, the Council and the Commission will examine in 2013 the consequences of this situation for the concerned Member States.

Joint Statement by the Council and the Commission**7. Ad Development of the TACs for megrims in area IV and in areas Vb, VI, XII and XIV**

The Council and the Commission agree that the differentiated development of the TACs for megrims in the North Sea (IV) and the West of Scotland (Vb, VI, XII and XIV), which constitute a single stock, is highly exceptional and applies only to 2013. Moreover, it does not constitute an adjustment in the current allocation of 35 % of the TAC for the North Sea (IV) and 65 % for the West of Scotland (Vb, VI, XII and XIV). ICES will be consulted as soon as possible regarding those aspects relating to the stock's geographical distribution in all the areas concerned.

Such a differentiated development in no way sets a precedent likely to compromise respect for the principle of relative stability. The Council and the Commission reaffirm the intangible nature of that principle, which constitutes the cornerstone of fisheries policy.

Statement by the Council**8. Ad Setting of the TACs for some short lived species**

The Council invites the Commission to submit separate TACs proposals for each stock of short lived species, following the delivery of scientific advice, so that the Council may adopt those proposals as quickly as possible, and in time for the beginning of the fishing season for each of these species.

Statement by the Commission**9. Ad The scope of the implementation of the national technical measures under Article 13**

The Commission takes the view that the Member States can apply the measures under Article 13 to their vessels within the scope of the Regulation (EC) No 1342/2008.

Statement by the Commission**10. Ad ICCAT Convention Area**

In order to remove any possible contradiction the Commission envisages proposing early in 2013 to the European Parliament and the Council any necessary amendments to Regulation 302/2009.

Statement by the Commission**11. Ad Management of the Porcupine bank, Nephrops VII**

The Commission acknowledges the additional information provided to improve the scientific understanding of the stock of nephrops in Area VII. In particular the additional survey of the Porcupine Bank has identified an increase in the abundance of nephrops.

In order to allow the required access to the grounds the Commission accepts the proposals of the NWWRAC that the period of closure should be shortened from 3 months to 1, running now from 1 to 31 May.

The Commission considers it important that additional access does not result in overfishing on this low productivity, deep water stock and negate the rebuilding of the stock. Consequently the "of which" sub TAC is retained in 2013 to restrict possible over-exploitation. However the Commission agrees to reconsider the retention of this sub-TAC on the basis of further scientific assessment and to make any in year TAC adjustment as necessary.

Statement by the Commission**12. Ad Cod plan amendment**

The Commission notes the agreement on the cod plan amendment. In view of the fact that an agreement needs to be reached to have the fishing opportunities regulations in place on 1 January 2013, the Commission is not opposed to the amended plan being followed when fixing TACs and effort limits for cod for next year, but recalls its declaration made at Coreper on 11 November and at Council on 18 and 19 December 2012.

Joint Statement by the Commission and the United Kingdom**13. Ad Avoidance of unwanted catches in the West of Scotland**

The UK and the Commission commit to engaging with other Member States active in the West of Scotland fisheries with the aim of ensuring comparably low levels of unwanted catches and discards.

Joint Statement by the Commission, the United Kingdom, France and Ireland**14. Ad Celtic Sea**

Last year selectivity measures were introduced in the Celtic Sea on the basis of a proposal from the North-Western Waters Regional Advisory Council which, while less selective than those identified by scientific advice, introduced a more selective gear which could be readily implemented. The proposal allowed for the assessment of these measures.

The Commission and the Member States concerned agree to undertake a review of these measures in 2013 with a view to identifying any necessary improvements in 2013 after discussion with stakeholders.

Member States based on the conclusions of this review and where appropriate, will agree to further selectivity measures to reduce discards in the mixed whitefish fishery by the end of 2013.

Joint Statement by the United Kingdom and Ireland**15. Ad Hague preferences**

The United Kingdom and Ireland consider that the Hague Preference constitutes an integral part of relative stability, reflecting the need to safeguard the special needs of regions where local populations are especially dependent on fisheries and related industries. This is specifically recognised in Community fisheries policy and was set down in Council Regulation No 170/83 and Council Regulation No 3760/92. It has again been restated in Council Regulation No 2371/2002.

Joint Statement by Belgium, Denmark, Germany, France and the Netherlands**16. Ad Hague preferences**

Belgium, Denmark, Germany, France and the Netherlands are of the opinion that the scales for the allocation of quotas for Member States were finally agreed upon in 1983. These scales constitute the basis of relative stability, which is a principle established by the Basic Regulation governing the Common Fisheries Policy. It is our opinion that Hague preferences are contrary to the principle of relative stability.

Joint Statement by Denmark, Germany, the Netherlands, Sweden and the United Kingdom**17. Ad Fishing mortality for cod stocks**

The reduction of fishing mortality for cod stocks has to remain a priority.

The Member States concerned will address this problem by developing discard reduction and cod avoidance measures. This may include choice of gear, use of selectivity devices, changes in when and where vessels fish (closed areas and/or closed periods) as well as fully documented fisheries. To this end Member States will develop and implement cod avoidance plans in 2013.

Statement by the United Kingdom

18. Ad Avoidance of unwanted catches in the West of Scotland

The UK has taken important steps to deliver on its Statement on selectivity measures made at the December 2011 Council of Ministers. In line with the 2011 Statement, gear selectivity, measures and spatial measures have been introduced in the West of Scotland with the aim of reducing cod mortality to significantly lower levels in line with the objectives of the cod recovery plan.

Taking into account the reform of the CFP, the UK will focus in 2013 on the West of Scotland fisheries to achieve reductions in unwanted catches and discards at the level and pace equivalent to those achieved in the North Sea. The UK will do this in the context of a major survey and assessment programme to be undertaken in partnership with the fishing industry.

In the TR1 fishery equivalence will be achieved through a multi annual programme of action. Steps will continue to be taken to incentivise harvesting of the haddock fishery in the area south of 59 degrees latitude, and thus reduce unwanted catches of cod which is predominately found north of this line. Further measures where required will be applied in cooperation with fishers to reduce fishing mortality on cod fisheries prosecuted in the area north of 59 degrees latitude.

In the TR2 fishery the UK will undertake a full examination of the measures introduced in 2012, which have been fully implemented in October 2012. The UK's objective for 2013 will be to achieve reductions in unwanted catches and discards, particularly of haddock and whiting, equivalent to reductions achieved in trials of the 2012 North Sea measures, and will put in place additional or alternative measures if scientific advice suggests this is necessary.

The UK expects that the key milestones for achieving this programme in 2013 will be:

- Mid 2013: data to be provided, and assessed in relation to outcomes achieved from measures applied in 2012; and
 - The UK will then review this data with the fishing industry and other partners and put in place any improvements which may then be required.
- We will also take into account findings emerging from the new survey and assessment programme noted above.

Statement by France

19. Ad Creation of a TAC for sea bass and red mullet

France reaffirms its strong support for the creation of a TAC for sea bass and red mullet as from 2014. The increase in landings in recent years fully justifies reinforcing the framework for catches at EU level.

France is in favour of creating a multiannual TAC over a three-year period for sea bass and red mullet (2014, 2015 and 2016). Provision will also have to be made for a clause permitting the revision of those TAC levels to take account of any new scientific factors.

In order to restrict the current trend towards the Olympic fishing of those two species, France considers it essential that catches landed since 2011 should not be taken into account in the reference period to be used as the basis for allocation among Member States.

As regards sea bass, France supports the Commission proposal to use the period from 2000 to 2010 as the reference period.

3215th meeting of the Council of the European Union (Economic and Financial Affairs) held in Brussels on 22 January 2013

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
2013/48/EU: Council Implementing Decision of 22 January 2013 amending Implementing Decision 2011/77/EU on granting Union financial assistance to Ireland OJ L 21, 24.1.2013, p. 30–31	17870/1/12 REV 1
Council Conclusions on the Special Report No 15/2012 ‘Management of conflict of interest in selected EU Agencies’	17767/12
2013/53/EU: Council Implementing Decision of 22 January 2013 authorising the Kingdom of Belgium to introduce a special measure derogating from Article 285 of Directive 2006/112/EC on the common system of value added tax OJ L 22, 25.1.2013, p. 13–14	17702/12 + COR 1 (fi)
2013/54/EU: Council Implementing Decision of 22 January 2013 authorising the Republic of Slovenia to introduce a special measure derogating from Article 287 of Directive 2006/112/EC on the common system of value added tax OJ L 22, 25.1.2013, p. 15–15	17704/12 + COR 1 (fi)
2013/55/EU: Council Implementing Decision of 22 January 2013 amending Implementing Decision 2009/1008/EU authorising the Republic of Latvia to extend the application of a measure derogating from Article 193 of Directive 2006/112/EC on the common system of value added tax OJ L 22, 25.1.2013, p. 16–16	17705/12
2013/56/EU: Council Implementing Decision of 22 January 2013 amending Implementing Decision 2010/39/EU authorising the Portuguese Republic to apply a measure derogating from Articles 168, 193 and 250 of Directive 2006/112/EC on the common system of value added tax OJ L 22, 25.1.2013, p. 17–18	17707/12 + COR 1 (fi) + COR 1 (da)

NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision 2013/44/CFSP of 22 January 2013 amending and extending Decision 2010/96/CFSP on a European Union military mission to contribute to the training of Somali security forces OJ L 20, 23.1.2013, p. 57–59	17232/1/12
Council Implementing Decision 2013/46/CFSP of 22 January 2013 implementing Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo OJ L 20, 23.1.2013, p. 65–69	5073/13
Council Regulation (EU) No 49/2013 of 22 January 2013 amending Regulation (EU) No 1284/2009 imposing certain specific restrictive measures in respect of the Republic of Guinea OJ L 20, 23.1.2013, p. 25–28	17501/12
Council Decision 2013/45/CFSP of 22 January 2013 amending Decision 2011/137/CFSP concerning restrictive measures in view of the situation in Libya OJ L 20, 23.1.2013, p. 60–64	17827/12
Council Implementing Regulation (EU) No 50/2013 of 22 January 2013 implementing Article 16(2) of Regulation (EU) No 204/2011 concerning restrictive measures in view of the situation in Libya OJ L 20, 23.1.2013, p. 29–32	17830/12
Council Decision 2013/43/CFSP of 22 January 2013 on continued Union activities in support of the Arms Trade Treaty negotiations, in the framework of the European Security Strategy OJ L 20, 23.1.2013, p. 53–56	16971/12
2013/52/EU: Council Decision of 22 January 2013 authorising enhanced cooperation in the area of financial transaction tax OJ L 22, 25.1.2013, p. 11–12	16977/12 + REV 1 (da)

3216th meeting of the Council of the European Union (Agriculture and Fisheries)) held in Brussels on 28 January 2013			
LEGISLATIVE ACTS			
ACT	DOCUMENT	VOTING RULE	VOTES
Regulation of the European Parliament and of the Council on the approval and market surveillance of agricultural and forestry vehicles	PE-CONS 51/1/12 REV 1	Qualified majority	All Member States in favour
3218th meeting of the Council of the European Union (Foreign Affairs) held in Brussels on 31 January 2013			
NON-LEGISLATIVE ACTS			
ACT		DOCUMENT / STATEMENTS	
Council Conclusions on the EU Support for Sustainable Change in Transition		17708/12	
Council Regulation (EU) No 85/2013 of 31 January 2013 amending Regulation (EC) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq OJ L 32, 1.2.2013, p. 1–4		5014/13	
Council Decision 2013/71/CFSP of 31 January 2013 concerning the temporary reception by Member States of the European Union of certain Palestinians OJ L 32, 1.2.2013, p. 19–19		5019/13	
Council Implementing Decision 2013/73/CFSP of 31 January 2013 implementing Decision 2011/486/CFSP concerning restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan OJ L 32, 1.2.2013, p. 21–22		5576/13	
Council Implementing Regulation (EU) No 86/2013 of 31 January 2013 implementing Article 11(4) of Regulation (EU) No 753/2011 concerning restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan OJ L 32, 1.2.2013, p. 5–6		5577/13	

NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision 2013/72/CFSP of 31 January 2013 amending Decision 2011/72/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia OJ L 32, 1.2.2013, p. 20–20	5321/13
Council Conclusions on the Joint Communication "Supporting closer cooperation and regional integration in the Maghreb: Algeria, Libya, Mauritania, Morocco and Tunisia	5451/13
Council Conclusions on Mali	5787/13
Council Conclusions on Somalia	5628/1/13 REV 1