



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 3 June 2003 (06.06)
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PUBLIC 4

NOTE

Subject: MONTHLY SUMMARY OF COUNCIL ACTS
APRIL 2003

This document gives:

- in **Annex I**, a list of legislative acts finally adopted by the Council in April 2003. This is accompanied by any statements for the minutes which may be released to the public (**Annex II**). The list also shows any opposing votes and abstentions, voting explanations and voting rules applicable;

in **Annex III**, a list of other acts adopted by the Council in April 2003¹, showing any relevant voting results, voting explanations and statements which the Council has decided to make public.

This document is also available via the Internet (<http://ue.eu.int>); see under "Transparency", then "Summary of Council Acts".

It should be noted that only the minutes concerning the final adoption of legislative acts are authoritative. Extracts from the minutes in question may be obtained from the transparency section ("transparency@consilium.eu.int").

¹ Except for some acts of limited interest, such as procedural decisions, appointments, decisions of bodies set up by international agreements or minor budgetary decisions.

APRIL 2003			
FINAL LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
2500th Council meeting (Agriculture and Fisheries), on 8 April 2003			
Council Regulation amending Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs	7931/03 + COR 1 (fi)	37/03	Opposed by DK Abstention by UK Qualified majority
Council Regulation laying down specific measures concerning the market in ethyl alcohol of agricultural origin	8008/03	38/03, 39/03, 40/03	Opposed by I Qualified majority
Council Regulation introducing a system for the statistical monitoring of trade in bluefin tuna, swordfish and bigeye tuna within the Community	7528/03 + ADD 1		Qualified majority
Council Regulation amending Regulation (EC) No 1035/2001 establishing a catch documentation scheme for <i>Dissostichus spp</i>	7129/03 + COR 1 + ADD 1		Qualified majority
Council Decision amending Decision 1999/70/EC concerning the external auditors of the national central banks as regards the external auditors of the Deutsche Bundesbank	7352/03		Simple majority

APRIL 2003			
FINAL LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
Directive of the European Parliament and of the Council amending for the twenty-third time Council Directive 76/769/EEC relating to restrictions on the marketing and use of certain dangerous substances and preparations (substances classified as carcinogens, mutagens or substances toxic to reproduction – c/m/r)	PE-CONS 3606/03 + COR 1 (pt) + ADD 1		Qualified majority
Directive of the European Parliament and of the Council on the promotion of the use of biofuels or other renewable fuels for transport	PE-CONS 3622/03	41/03	Qualified majority
Council Decision concerning the assumption by the Italian State and the Sicilian Region of responsibility for expenditure over and above that established under the Council Decision of 22 July 1997 relating to security provided personally by members of agricultural cooperatives in a situation of established insolvency	7091/03	42/03	Abstentions by DK, NL, E, S Unanimity
Legislative acts adopted after 2nd reading by the European Parliament in the framework of the codecision procedure			
Regulation of the European Parliament and of the Council on the establishment of a common classification of Territorial Units for Statistics (NUTS) (8.4.2003)	Ref. 8291/03		Qualified majority

APRIL 2003			
FINAL LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
2501st Council meeting (General Affairs and External Relations), on 14 April 2003 Council Regulation establishing a specific Facilitated Transit Document (FTD), a Facilitated Rail Transit Document (FRTD) and amending the Common Consular Instructions and the Common Manual Council Regulation on uniform formats for Facilitated Transit Documents (FTD) and Facilitated Rail Transit Documents (FRTD) provided for in Regulation (EC) No..../2003 Written procedure completed on 25 April 2003 Regulation of the European Parliament and of the Council on the animal-health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC			
	7531/03	49/03	Unanimity
	7533/03		Unanimity
	PE-CONS 3610/03 + COR 1 (sv) + ADD 1		F opposed Qualified majority

STATEMENT 37/03

Statement by the Council

"The Council invites the Commission to examine the risk of conflict between rules for the registration of plant varieties and those relating to geographical indications and designations of origin and, if necessary, to seek an appropriate solution."

STATEMENT 38/03

Statement by the Council and the Commission

"The scope of this Regulation does not extend to products corresponding to the definition of spirit drinks covered by Council Regulation (EEC) No 1576/89 of 29 May 1989 laying down general rules on the definition, description and presentation of spirit drinks or to distillates which meet the definitions contained therein, but are not yet ready for direct human consumption, notably because their alcoholic strength is too high, and do not therefore require any processing other than that necessary to prepare them for direct human consumption as spirit drinks which do not fall within Annex I of the Treaty or within the CN codes in Article 1."

STATEMENT 39/03

Statement by the Commission on granting compensatory aid

"Where a decision to grant compensatory aid in five equal instalments to a distiller, who voluntarily decides to leave the Monopoly, is taken before the date stated in Article 10(2), the Commission states that the granting of such aid can be considered as taking place before that date even if up to four instalments are actually paid after that date."

STATEMENT 40/03

Statement by the Commission on the Management Committee

"When convening the Management Committee for Wine to deal with ethyl-alcohol-related matters and rules, the Commission will take care to group alcohol-related items together as far as possible, on a specific agenda, so that Member States can be represented by their experts in the field."

STATEMENT 41/03

Statement by the B/D/DK/IRL/L/P/S/FIN/UK delegations relating to Article 4(2), last sentence:

"The B/D/DK/IRL/L/P/S/FIN/UK delegations state that the inclusion of these provisions in this Directive does not imply the consent of these delegations to the principle of mandatory targets, or that they will agree to any proposal from the Commission that may be submitted under the terms of Article 4."

STATEMENT 42/03

Statement by the Commission

"The Commission reserves the right to examine the issue further and to take action if appropriate."

STATEMENT 43/03

Statement by the Council and the Commission

"The Council and the Commission intend that the measures described in this Annex be considered as part of a recovery plan under Council Regulation (EC) No 2370/2002 establishing an emergency Community measure for scrapping fishing vessels."

STATEMENT 44/03

Unilateral statement by Belgium

"According to Regulation (EC) No 2341/2002, Annex XVII, paragraph 6(b), the Commission may allocate additional steaming days to all vessels. The Commission's statement today does away with that possibility.

Since the possibility of allocating steaming days formed an integral part of the agreement reached during the Fisheries Council in December 2002, and since Belgian vessels - in view of the geographical location of the ports in relation to the North Sea fishing grounds - have to complete a relatively large number of steaming days and the fleet does not carry out any directed fishing for cod, we would ask the Commission to grant Belgium's request."

STATEMENT 45/03

Statement by the United Kingdom

"The United Kingdom welcomes the adoption of revisions to Annex XVII, but notes that there remain problems with the recovery regime for these cod stocks. These problems must be addressed in the long-term recovery measures for cod which need to be equitable and practical for fishermen to comply with, while ensuring that there is an effective regime to promote cod recovery."

STATEMENT 46/03

Statement by the Commission

on Paragraph 6(b)

"The Commission considers that a general allowance for steaming time is incompatible with a fishing effort limitation scheme based on days-out-of-port, as time spent travelling to and from fishing grounds is already counted in the track record of fishing activity which is the basis for the allocation of reduced fishing time. The essential justification for granting additional days under paragraph 6(b) is, in the Commission's view, the adjustment to the newly installed effort management scheme, such as the introduction of a one-net rule which obliges vessels to return to port to change their fishing gear and, therefore, to spend more time steaming than before. Granting additional steaming time to other vessels would significantly weaken these interim arrangements."

STATEMENT 47/03

Statement by the Commission

on Paragraph 9

"The Commission considers that vessels changing gear should not have an advantage in terms of the number of days out of port over vessels fishing always with the same gear. Should the interim days out of port system become permanent, the Commission considers that vessels fishing always with the same gear should not have any disadvantage compared to those changing gear within the same month."

STATEMENT 48/03

on Paragraph 14

"The Commission will only approve alternative control measures if it is satisfied that these alternative measures are as effective to ensure compliance as those laid down in Paragraph 14 of the amended Annex XVII."

STATEMENT 49/03

Statement by the Council and the Commission

"The Council and the Commission have taken note of, and agreed to, the request from Latvia that the instruments on FTD/FRTD will be subject to a review before the date to be fixed by the Council in accordance with Article 3(2) of the Act of Accession for the lifting of controls on persons at internal frontiers."

APRIL 2003	
OTHER ACTS	Votes made public
2500th Council meeting (Agriculture and Fisheries), on 8 April 2003	
Council Decision concerning the conclusion on behalf of the Community of the Agreement between the Government of the United States of America and the European Community on the coordination of energy-efficient labelling programs for office equipment 7117/03	
Council Decision concerning the coverage of costs incurred by the European Investment Bank for the management of the Investment Facility of the Cotonou Agreement and the Overseas Association Decision 5031/03 + COR 1 (en) + REV 1 (sv), 7811/03	
Council Decision on the conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part, to take account of the outcome of negotiations between the parties on new mutual agricultural concessions 6232/03 + COR 1 (el) + COR 2 (en,es,nl) + COR 3 (da,de,el,fi,fr,it,sv) + COR 4 (pt)	
Common Position adopted by the Council with a view to the adoption of a Directive of the European Parliament and of the Council on the approximation of the laws of the Member States relating to the type-approval of devices for indirect vision and of vehicles equipped with these devices amending Directive 70/156/EEC and repealing Directive 71/127/EEC 10880/02 + COR 1 (nl) + ADD 1 + ADD 1 COR 1 (da,en,fi,el,nl,sv)	
2501st Council meeting (General Affairs and External Relations), on 14 April 2003	
Council Regulation adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (qualified majority) 12932/02 + COR 1 + COR 2 (de,nl,da) + ADD 1 REV 1	

APRIL 2003	
OTHER ACTS	Votes made public
Council Regulation adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (unanimity) 12933/02 + COR 1 + COR 2 + COR 3 (de,da) + ADD 1 REV 1 Council Regulation amending Regulation (EC) No 393/98 imposing a definitive anti-dumping duty on imports of stainless steel fasteners and parts thereof originating in the People's Republic of China, India, the Republic of Korea, Malaysia, Taiwan and Thailand 7844/03 • Council Decision on the conclusion of an additional Protocol to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Estonia, of the other part, on Conformity Assessment and Acceptance of Industrial Products – PECA – 7341/03 • Protocol to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Estonia, of the other part, on Conformity Assessment and Acceptance of Industrial Products (PECA) 14873/02 + COR 1 + ADD 1 • Council Decision on the conclusion of an additional Protocol to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part, on Conformity Assessment and Acceptance of Industrial products – PECA – 7343/03 • Protocol to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part, on Conformity Assessment and Acceptance of Industrial Products (PECA) 14872/02 + COR 1 (nl) + COR 2 (el) + COR 3 (it) + COR 4 + COR 5 + ADD 1 + ADD 1 COR 1 Council Regulation amending Regulation (EC) No 1268/1999 on Community support for pre-accession measures for agriculture and rural development in the applicant countries of Central and Eastern Europe in the pre-accession period 13176/02 + COR 1 REV 1	

APRIL 2003	
OTHER ACTS	Votes made public
Council Decision on the conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part, to take account of the outcome of negotiations between the parties on new mutual agricultural concessions 6015/03 + COR 1 (de,it,el,fi) + COR 2 (pt) + COR 3 (fr) Council Decision on the conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part, to take account of the outcome of negotiations between the parties on new mutual agricultural concessions 6499/03 + COR 1 (el) Decision of the Council of the European Union on the admission of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union 7182/03 + COR 1 Council Decision concerning the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the former Yugoslav Republic of Macedonia concerning the system of eco points to be applied to transit traffic of the former Yugoslav Republic of Macedonia through Austria 11920/02 Council Decision concerning the implementation of Joint Action 2002/589/CFSP with a view to a European Union contribution to the destruction of ammunition for small arms and light weapons in Albania 7753/03	

APRIL 2003	
OTHER ACTS	Votes made public
Common position adopted by the Council with a view to the adoption of a Regulation of the European Parliament and of the Council adapting to Council Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in instruments subject to the procedure referred to in Article 251 of the EC Treaty 11253/1/02 REV 1 + ADD 1 Common position adopted by the Council with a view to the adoption of a Regulation of the European Parliament and of the Council relating to fertilisers 12733/02 + COR 1 (pt) + COR 2 (pt) + COR 3 (fi) + REV 1 (en,fr,de,it,nl,da,el,es,sv) + REV 1 COR 1 (en,it,da,es) + REV 1 COR 2 (es) + ADD 1 + ADD 1 COR 1 (pt) + ADD 2 Written procedure completed on 16 April 2003 Council Common Position in support of the effective implementation of the mandate of the ICTY 8157/03 Written procedure completed on 25 April 2003 Common Position adopted by the Council with a view to the adoption of a Regulation of the European Parliament and of the Council on the granting of Community financial assistance to improve the environmental performance of the freight transport system ("Marco Polo Programme") 5327/03 + ADD 1 Written procedure completed on 28 April 2003 Council Common Position on Burma/Myanmar 8155/03	