



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 4 August 2003 (13.08)
(OR. fr)**

11949/03

PUBLIC 6

NOTE

Subject: MONTHLY SUMMARY OF COUNCIL ACTS
JUNE 2003

This document gives:

- in **Annex I**, a list of legislative acts finally adopted by the Council in June 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 June 2003 ¹, 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.

JUNE 2003			
FINAL LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
2513rd Council meeting (Economic and Financial Affairs), on 3 June 2003 Decision of the European Parliament and of the Council on computerising the movement and surveillance of excisable products Tax package • Council Directive on taxation of savings income in the form of interest payments • Council Directive on a common system of taxation applicable to interest and royalty payments made between associated companies of different Member States	PE-CONS 3609/03	60/03, 61/03, 62/03 63/03	Opposed by IRL, UK Abstention L Qualified majority
	7242/03 + COR 1 (it) + COR 2 (da)	64/03, 65/03, 66/03, 67/03, 68/03, 69/03, 70/03, 71/03, 72/03, 73/03, 74/03, 75/03, 76/03, 77/03, 78/03, 79/03, 80/03	Unanimity
	5926/3/03 REV 3 + REV 3 COR 1 (it) + REV 4 (da) + REV 4 COR 1 (da) + REV 5 (sv)		Unanimity

JUNE 2003			
FINAL LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
2515th Council meeting (Transport/Telecommunications/Energy), on 5 and 6 June 2003 Council Regulation opening and providing for the administration of a tariff quota for imports of canned tuna covered by CN codes 1604 14 11, 1604 14 18 and 1604 20 70	9378/03	81/03, 82/03, 83/03	Opposed by E Qualified majority
2516th Council meeting (Agriculture and Fisheries), on 11, 12, 17, 18, 19, 25 and 26 June 2003 Council Regulation amending Regulation (EC) No 1255/97 as regards the use of staging points	9473/03 + COR 1 (da,fi,fr)	84/03	Abstention by UK Qualified majority
Council Directive amending Directive 94/68/EEC as regards reinforcement of controls on movements of ovine and caprine animals	9471/03 + COR 1 (fr)		Qualified majority
Regulation of the European Parliament and of the Council amending Regulation (EC) No 999/2001 as regards the extension of the period for transitional measures	PE-CONS 3617/03		Qualified majority

JUNE 2003			
FINAL LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
Directive of the European Parliament and of the Council amending Council Directive 68/151/EEC, as regards disclosure requirements in respect of certain types of companies	PE-CONS 3620/03	85/03	Qualified majority
Council Directive amending Directives 66/401/EEC on the marketing of fodder plant seed, 66/402/EEC on the marketing of cereal seed, 68/193/EEC on the marketing of material for the vegetative propagation of the vine, 92/33/EEC on the marketing of vegetable propagating and planting material, other than seed, 92/34/EEC on the marketing of propagating and planting material of fruit plants, 98/56/EC on the marketing of propagating material of ornamental plants, 2002/54/EC on the marketing of beet seed, 2002/55/EC on the marketing of vegetable seed, 2002/56/EC on the marketing of seed potatoes and 2002/57/EC on the marketing of seed of oil and fibre plants as regards Community comparative tests and trials	10012/03 + COR 1 (fr) + REV 1 (fi) + REV 1 COR 1 (fi)	86/03	Qualified majority

JUNE 2003			
FINAL LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
Council Regulation amending Regulation (EC) No 2341/2002 fixing for 2003 the fishing opportunities 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	9894/03 + COR 1 (en) + COR 2 + COR 3	87/03, 88/03, 89/03	Opposed by S Qualified majority
Council Regulation on the removal of fins of sharks on board vessels	10255/03	90/03	Qualified majority
Regulation of the European Parliament and of the Council amending Regulation (EC) No 2037/2000 as regards the control of halon exported for critical uses, the export of products and equipment containing chlorofluorocarbons and controls on bromochloromethane	PE-CONS 3629/03 + REV 1 (da) + COR 1 (it) + COR 2 (fi) + COR 3 + COR 4 (de) + COR 5 (pt)		Qualified majority

JUNE 2003			
FINAL LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
2517th Council meeting (Environment), on 13 June 2003 Council Decision amending Annex 12 of the Common Consular Instructions and Annex 14a of the Common Manual on visa fees Regulation of the European Parliament and of the Council on transboundary movements of genetically modified organisms Directive of the European Parliament and of the Council on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC	9791/03 PE-CONS 3608/03 PE-CONS 3639/03	 91/03	Unanimity Qualified majority Qualified majority Explanation of vote by D ¹

¹ page 16 Annex II

JUNE 2003			
FINAL LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
2518th Council meeting (General Affairs and External Relations), on 16 June 2003 Council Regulation amending Regulation (EC) No 2505/96 opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products Council Regulation amending Regulation (EC) No 1255/96 temporarily suspending the autonomous common customs tariff duties on certain industrial, agricultural and fishery products Regulation - of the European Parliament and of the Council on aid to fight poverty diseases (HIV/AIDS, tuberculosis and malaria) in developing countries - of the European Parliament and of the Council on aid for policies and actions on reproductive and sexual health and rights in developing countries	9325/03 + COR 1 (nl) + COR 2 (es)		Qualified majority
	9572/03 + REV 1 (fi)		Qualified majority
	PE-CONS 3624/03 + COR 1 (es)	92/03, 93/03, 94/03, 95/03, 96/03, 97/03, 98/03	Qualified majority
	PE-CONS 3623/03 + COR 1 (es)		Qualified majority

JUNE 2003			
FINAL LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
Decision of the European Parliament and of the Council laying down a series of guidelines for trans-european energy networks and repealing Decision No 1254/96/EC	PE-CONS 3638/03		Qualified majority
Decision of the European Parliament and of the Council adopting a multiannual programme for action in the field of energy: "Intelligent energy – Europe" (2003-2006)	PE-CONS 3631/1/03 REV 1		Qualified majority
Directive of the European Parliament and of the Council concerning common rules for the internal market in natural gas and repealing Directive 98/30/EC	PE-CONS 3636/03	99/03	Qualified majority
Directive of the European Parliament and of the Council concerning common rules for the internal market in electricity and repealing Directive 96/92/EC	PE-CONS 3635/03	100/03, 101/03, 102/03, 103/03	Qualified majority
Regulation of the European Parliament and of the Council on conditions for access to the network for cross-border exchanges in electricity	PE-CONS 3637/03	104/03	Qualified majority

JUNE 2003			
FINAL LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
Legislative acts adopted after 2nd reading by the European Parliament in the framework of the codecision procedure Decision of the European Parliament and of the Council concerning the production and development of Community statistics on science and technology (19.06.2003) Directive of the European Parliament and of the Council on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC (19.06.2003) Directive of the European Parliament and of the Council amending Council Directive 86/609/EEC on the approximation of laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes (19.06.2003)	Ref. 10688/03 PE-CONS 3643/03 Ref. 8967/03 PE-CONS 3642/03 Ref. 10817/03		Qualified majority Qualified majority Qualified majority

STATEMENT 60/03

Re Article 1

"The Austrian, Belgian, Danish, Spanish, Finnish, French, Greek, Italian, Netherlands, Portuguese and Swedish delegations and the Commission state that this Decision is a purely non-fiscal measure aiming at the improvement of the functioning of the internal market.

Any fiscal aspects related to the use of the computerised system for the movement and surveillance of excisable products (EMCS) will require the adoption of the appropriate amendments of the Council Directive 92/12/EEC, in accordance with the provisions of the Treaty. This decision does not prejudice the legal basis of any future amendments of Directive 92/12/EEC".

STATEMENT 61/03

Re Article 1

"The IRL and UK delegations, having regard to the origins of the Decision in the report of the High Level Group on Fraud, to the Commission's communication to the Council on the measures needed to combat fraud in connection with excise duty and the fundamental purpose of the computerised system, cannot agree that the Decision is "purely non-fiscal". Ireland and the UK consider that it is a fiscal measure. As such it cannot have a legal base of Article 95 as the second paragraph of that article excludes fiscal provisions".

STATEMENT 62/03

Re Article 4(1)(b)

"The Council and the Commission state that the instruments for the exploitation of data to combat fraud will respect national legislation in this area."

STATEMENT 63/03

Re Article 4(1)(b)

"The Commission considers that the previous statement must not impede the further presentation of a Community initiative, aimed at creating a Community legal framework for the exploitation of data to fight fraud."

WITH REGARD TO THE DIRECTIVE ON TAXATION OF SAVINGS:

STATEMENT 64/03

1. "The Council reaffirms that the exchange of information, on as wide a basis as possible, is to be the ultimate objective of the European Union in line with international developments."

STATEMENT 65/03

2. "The Council considers that sufficient assurances have been obtained with regard to the application of the same measures applying the same procedures as the 12 Member States, or as Austria, Belgium and Luxembourg, in all relevant dependent or associated territories (the Channel Islands, Isle of Man, and the dependent or associated territories in the Caribbean) and asks the Member States concerned to ensure that all relevant dependent or associated territories will apply those measures from the date of implementation of the Directive, it being understood that, if and when Austria, Belgium and Luxembourg implement automatic exchange of information, any territory applying the withholding tax will also implement automatic exchange of information from the same date as those Member States."

DECLARATION 66/03

3. "The Council states that Chapter III with the exception of Articles 14 and 15 of the Directive will not apply to the new Member States."

STATEMENT 67/03

4. "The Council calls on the Commission to continue negotiations, in close conjunction with the Presidency of the Council, with the Swiss Confederation, the Principality of Liechtenstein, the Republic of San Marino, the Principality of Monaco, the Principality of Andorra and the United States of America, in order to press for the exchange of information as the ultimate objective of the European Community, and to report back to the Council by 31 December 2006 on the progress of those negotiations."

STATEMENT 68/03

5. "The Council also calls on the Commission, during the transitional period referred to in Article 10 of the Directive, to enter into discussions with other important financial centres with a view to the adoption by those jurisdictions of measures equivalent to those to be applied within the Community."

STATEMENT 69/03

6. "Austria states that the implementation of an automatic exchange of information requires, and the implementation of a withholding tax of 35% might require, the modification of the Austrian Constitution. Therefore the agreement of Austria to the relevant provisions is subject to approval by the Austrian Parliament."

WITH REGARD TO THE DRAFT AGREEMENT WITH SWITZERLAND ON SAVINGS TAXATION

STATEMENT 70/03

1. "The Council states that the draft agreement with Switzerland, as submitted by the Commission on 28 May 2003, including a provision concerning the competent authority in Gibraltar, constitutes the final offer for an agreement between the EU and this country.

The four elements of this agreement relating to Savings Taxation constitute also the basis for agreements between the European Union and Liechtenstein, Andorra, Monaco and San Marino."

STATEMENT 71/03

2. "The Council notes that the Community does not have exclusive competence to conclude an agreement with Switzerland on the tax treatment of dividends and of interest and royalty payments as mentioned in Article 15 of the draft agreement. Delegations agree nevertheless, by way of exception and without creating a precedent, that Member States will not exercise their competence in this particular case."

STATEMENT 72/03

3. "The Council and the Commission declare that the exercise of competence by the Community in respect of Article 15 of the agreement with Switzerland does not affect existing bilateral agreements with other third countries and Member States maintain their competence to conclude bilateral agreements with other third countries on the tax treatment of dividends and of interest and royalty payments between companies."

STATEMENT 73/03

4. "The Netherlands delegation states that, in its view, it is understood that the Member States maintain their competence to conclude more favourable bilateral agreements with Switzerland in the future on the tax treatment of dividends and of interest and royalty payments."

STATEMENT 74/03

5. "The Council encourages the Commission to finalise, in close conjunction with the Presidency of the Council, the draft agreements with the aforementioned European third countries as soon as possible."

WITH REGARD TO THE DIRECTIVE ON INTEREST/ROYALTIES

STATEMENT 75/03

"The Council and the Commission agree that the benefits of the Interest and Royalty Directive should not accrue to companies that are exempt from tax on income covered by that Directive."

STATEMENT 76/03

"The Council invites the Commission to propose any necessary amendments to this Directive in due time."

WITH REGARD TO THE CODE OF CONDUCT

STATEMENT 77/03

"The Council

- Welcomes the progress achieved by the Code of Conduct Group (Business Taxation) as set out in its report (7018/1/03 FISC 31 REV 1 (en)).
- Notes that the descriptions in Annex 1 of 14812/02 FISC 299, as updated by the descriptions in Annex A to 7018/1/03 FISC 31 REV 1 (en), form an agreed basis for the evaluation of rollback.
- Notes that the Code Group has considered the proposed revised or replacement measures of Member States and of dependent or associated territories for those listed in Annex C to SN 4901/99 against the established criteria of the Code of Conduct and, as set out in Annex B to 7018/1/03 FISC 31 REV 1 (en), has found that none of these are harmful within the meaning of the Code.
- Agrees that the proposed revised or replacement measures are adequate to achieve rollback of all the harmful features of the 66 measures listed in Annex C to SN 4901/99.
- Agrees to an extension of benefits beyond the end of 2005 as set out in paragraphs 15 and 17 of the Code of Conduct Group's report (7018/1/03 FISC 31 REV 1 (en)) and in paragraph 10 of the Annex to 5566/03 FISC 8.
- Approves the proposals for exchange of publicly available information arising from the Group's work on transparency and exchange of information, as set out in paragraphs 21 and 22 of 8848/02 FISC 129.

- Approves the proposals for the exchange of information in individual cases arising from the Group's work on transparency and exchange of information in the area of transfer pricing, as set out in 11077/02 FISC 208.
- Reaffirms its request to the Group to monitor standstill and the implementation of rollback and report to the Council by the end of the year."

STATEMENT 78/03

"The Swedish delegation declares that the rollback proposals concerning the tax measures that are referred to in the reservations from the Swedish delegation to the Code of Conduct Group's report (7018/03 FISC 31) are insufficient. Nevertheless, considering the importance of the fact that the tax package can be adopted, Sweden can accept the agreement as a whole."

STATEMENT 79/03

"The Council agrees, due to exceptional circumstances, to take a favourable Decision under Article 88(2) third subparagraph of the Treaty in response to the Belgian request regarding the Belgian Coordination Centres regime, which was submitted to the Council on 26 May 2003. The Council invites Coreper to take all necessary steps with a view to allowing the Council to adopt the envisaged Decision as soon as possible, and in any event before the end of June 2003."

STATEMENT 80/03

"The Austrian delegation recalls the necessity for a rapid adoption of the forthcoming Commission proposal with regard to cross-border leasing."

STATEMENT 81/03

Commission statement

"The Commission is ready, as it did in the past, to ensure that the Community market for tuna loins is adequately supplied, and for this purpose will make the necessary proposals before the expiry of the current TRQ".

STATEMENT 82/03

Commission statement

"The Commission will be carefully monitoring the situation of imports of canned tuna under the TRQ and, if the Commission considers that the EC market is being subjected to a high level of imports over a short period of time, would consider adopting appropriate measures under Article 8 of this Regulation."

STATEMENT 83/03

Statement by the Spanish delegation

"Spain reiterates its request that the Commission conduct a study evaluating the impact of the tariff rate quota (TRQ) for imports of canned tuna on the Community market, which it considers adequately supplied, and on the deterioration in preferences for current ACP suppliers and other preferential countries."

STATEMENT 84/03

Statement by the United Kingdom delegation

"The United Kingdom has abstained on this proposal because it re-opens the possibility of very long distance transport of animals for slaughter. The United Kingdom would prefer a trade in carcase meat. The UK invites the Commission to consider this issue in the context of the forthcoming proposal on the welfare of animals in transport."

STATEMENT 85/03

Joint Council/Commission statement on Articles 3 and 3a

"In order to facilitate transborder access to information on companies, the Council and the Commission welcome any measures adopted by Member States aiming at setting up a common technological platform for electronic integrated access to the data contained in national registers."

STATEMENT 86/03

Council and Commission statement

"The Council and the Commission note that the present Directive, which only concerns action by the Commission, is not likely to require any adaptation to national legislation."

STATEMENT 87/03

Council and Commission statement

"The Council and the Commission state that the setting of an unallocated Community TAC of blue whiting available in the NEAFC Regulatory Area in 2003 is to be considered an ad hoc measure. Therefore, future allocation of this TAC in the NEAFC Regulatory Area in the different management areas should respect the principle of relative stability as set out in Regulation 2341/2002."

STATEMENT 88/03

Statement by the Commission and the Belgian, Danish, German, Greek, Spanish, French, Irish, Italian, Luxembourg, Netherlands, Austrian, Portuguese and United Kingdom delegations

"The Commission and the Belgian, Danish, German, Greek, Spanish, French, Irish, Italian, Luxembourg, Netherlands, Austrian, Portuguese and UK delegations further declare that catches of the unallocated TAC of blue whiting in the NEAFC Regulatory Area in 2003 shall not be taken into account when establishing a track record for future allocation of this TAC."

STATEMENT 89/03

Swedish statement on the setting of an unallocated Community TAC of blue whiting available in the NEAFC Regulatory Area in 2003

"Sweden considers the joint statement by thirteen Member States and the Commission on the setting of an unallocated Community TAC of blue whiting available in the NEAFC Regulatory Area to be in contradiction to established Community principles for the allocation of fishing possibilities and therefore not acceptable to Sweden.

Sweden has a real interest in the fishery for blue whiting in the NEAFC Regulatory Area. Future allocation of a new Community quota in these waters in ICES Areas I and II, where no allocation at present exists, must be considered as an establishment of new fishing opportunities in accordance with Article 20.2 of Regulation 2371/2002. In such circumstances the Council shall decide on the allocation of those opportunities, taking into account the interests of each Member State.

Stating that catches of the unallocated TAC of blue whiting, in any areas of the NEAFC Regulatory Area in 2003, should not be taken into account in future allocation of such a TAC is discriminatory and not in conformity either with Community legislation or with established practices for allocating fishing possibilities.

In order not to jeopardise the blue whiting stocks the Commission has during the last five years asked Member States to abstain from fishery of blue whiting in the NEAFC Regulatory Area. Sweden has abided by that request, although there would have been legal possibilities and a real interest by Swedish fishermen for conducting such a fishery. Stating that no consideration should be given to catches taken in the NEAFC Regulatory Area in 2003 for future allocations would thus also mean that Swedish fishermen will be punished for that responsible position taken by Swedish authorities."

STATEMENT 90/03

Council statement

"The Council acknowledges the particular importance, for the purpose of this Regulation, of the application of the general Community rules concerning control provided by Regulation No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy."

STATEMENT 91/03

Council statement

(Article 2)

"The Council will ensure that, as far as possible, the terminology used for the exemptions specified in Article 2 of this Directive coincides with that to be used for the same exemptions under the future Regulation on the harmonisation of certain social provisions in the road transport sector."

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Explanation of vote by Germany

"The Government of the Federal Republic of Germany is abstaining on the proposal for a Directive of the European Parliament and of the Council on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, because:

- it has not been possible to dispel general doubts concerning its compatibility with Article 150 of the EC Treaty, and
- doubts also persist as to whether the Directive in its present form will have any positive economic effects, and in particular whether the burden which the Directive will impose on business, the citizen and the administration will be proportionate to the benefits the Directive is expected to provide."

UNTYING OF COMMUNITY AID

STATEMENT 92/03

Commission statement

"The European Commission, in its Communication of November 2002, presented to Council an approach to the untying of Community aid.

The Commission, taking into account the work of the OECD/DAC on untying, reaffirms its support for the concept of untying and its potential role in the improvement of development cooperation.

Based on the outcome of discussions in Council on this approach, the Commission will introduce legislative proposals, to provide a means to integrate the approach on untying of aid into all relevant legal bases of development-related financial instruments of the Community."

FINANCIAL FRAMEWORK

STATEMENT 93/03

COMMISSION STATEMENT (re Article 10(1), second sentence) on the amended proposal for a Regulation of the European Parliament and of the Council on aid for poverty diseases (HIV/AIDS, malaria and tuberculosis) in developing countries

"The Commission, in view of the priorities for 2004 and their consequences for the preparation of the programming of the Financial Perspectives for 2005-2006 set out in its Annual Policy Strategy decision of 5 March 2003 [COM (2003) 83 final], confirms that the increased financial framework for this Regulation (351 Meuro) can be accommodated within Heading 4 of the Financial Perspectives and, in particular, within the increased envelope foreseen for Activity Based Budget Policy Area Development. The Commission has, therefore, no intention to propose using the instruments provided for by the Interinstitutional Agreement of 6 May 1999 and, in particular, to propose mobilising funds over and above the current Heading 4 envelope."

STATEMENT 94/03

COMMISSION STATEMENT (re Article 10(1), second sentence) on the amended proposal for a Regulation of the European Parliament and of the Council on aid for policies and actions on reproductive and sexual health and rights in developing countries

"The Commission, in view of the priorities for 2004 and their consequences for the preparation of the programming of the Financial Perspectives for 2005-2006 set out in its Annual Policy Strategy decision of 5 March 2003 [COM (2003) 83 final], confirms that the increased financial framework for this Regulation (73,95 Meuro) can be accommodated within Heading 4 of the Financial Perspectives and, in particular, within the increased envelope foreseen for Activity Based Budget Policy Area Development. The Commission has, therefore, no intention to propose using the instruments provided for by the Interinstitutional Agreement of 6 May 1999 and, in particular, to propose mobilising funds over and above the current Heading 4 envelope."

STATEMENT 95/03

COUNCIL STATEMENT (re Article 10(1), second sentence) on the amended proposal for a Regulation of the European Parliament and of the Council on aid for poverty diseases (HIV/AIDS, malaria and tuberculosis) in developing countries

"The Council takes note of the statement by the Commission.

The Council states that its decision not to oppose the amendment proposed by the European Parliament in the Article fixing the Financial Framework in the Regulation on the possible use of the budget flexibility instrument provided for by the Interinstitutional Agreement of 6 May 1999 does not constitute a precedent.

The Council recalls that any decision to deploy the flexibility instrument will be taken jointly by the two arms of the budget authority in accordance with the voting rules under the fifth subparagraph of Article 272 (9) of the EC Treaty."

STATEMENT 96/03

COUNCIL STATEMENT (re Article 10(1), second sentence) on the amended proposal for a Regulation of the European Parliament and of the Council on aid for policies and actions on reproductive and sexual health and rights in developing countries

"The Council takes note of the statement by the Commission.

The Council states that its decision not to oppose the amendment proposed by the European Parliament in the Article fixing the Financial Framework in the Regulation on the possible use of the budget flexibility instrument provided for by the Interinstitutional Agreement of 6 May 1999 does not constitute a precedent.

The Council recalls that any decision to deploy the flexibility instrument will be taken jointly by the two arms of the budget authority in accordance with the voting rules under the fifth subparagraph of Article 272 (9) of the EC Treaty."

STATEMENT 97/03

JOINT STATEMENT BY THE COUNCIL AND THE COMMISSION (re Article 10(1), second sentence) on the amended proposal for a Regulation of the European Parliament and of the Council on aid for poverty diseases (HIV/AIDS, malaria and tuberculosis) in developing countries

"The Council and the Commission state that they have decided not to oppose the amendment proposed by the European Parliament to the Article fixing the financial framework for the Regulation, on the possible use of the budget flexibility instrument provided for by the Interinstitutional Agreement of 16 May 1999, inasmuch as they regard it as without effect, since this Regulation can be financed under Heading 4 of the Financial Perspective, without it being necessary to have recourse to that instrument."

STATEMENT 98/03

JOINT STATEMENT BY THE COUNCIL AND THE COMMISSION (re Article 10(1), second sentence) on the amended proposal for a Regulation of the European Parliament and of the Council on aid for policies and actions on reproductive and sexual health and rights in developing countries

"The Council and the Commission state that they have decided not to oppose the amendment proposed by the European Parliament to the Article fixing the financial framework for the Regulation, on the possible use of the budget flexibility instrument provided for by the Interinstitutional Agreement of 16 May 1999, inasmuch as they regard it as without effect, since this Regulation can be financed under Heading 4 of the Financial Perspective, without it being necessary to have recourse to that instrument."

STATEMENT 99/03

Commission statement on Article 9(2)(c) and Article 13(2)(c)

"The Commission intends to interpret the term "equivalent instrument" restrictively in the sense that only instruments which are functionally equivalent to a financial plan may be approved by the parent company."

Statements made with regard to decommissioning and waste management activities

STATEMENT 100/03

Interinstitutional statement

"The European Parliament, the Council and the Commission underline the need for Member States to ensure that adequate financial resources for decommissioning and waste management activities, which are audited in Member States, are actually available for the purpose for which they have been established and are managed in a transparent way, thus avoiding obstacles to fair competition in the energy market".

STATEMENT 101/03

Statement by the German delegation

"Germany is of the opinion that the Interinstitutional Statement is not necessary because decommissioning funds are not covered by the purposes of the Directive of the European Parliament and of the Council concerning common rules for the internal market in electricity and repealing Directive 96/92/EC (Article 1). Furthermore Germany is of the opinion that the words "are managed in a transparent way" have the following meaning: "are managed according to the rules of the common market". "

STATEMENT 102/03

Commission statement

"The Commission notes the importance of ensuring that funds established for the purpose of decommissioning and waste management activities, which relate to the objectives of the Euratom Treaty, are managed in a transparent way, and used only for the said purpose. In this context, it intends, within the scope of its responsibilities under the Euratom Treaty to publish an annual report on the use of decommissioning and waste management funds. It will pay particular attention to ensuring the full application of the relevant provisions of Community law".

Other statements

STATEMENT 103/03

Commission statement on Article 10(2)(c) and Article 15(2)(c)

"The Commission intends to interpret the term "equivalent instrument" restrictively in the sense that only instruments which are functionally equivalent to a financial plan may be approved by the parent company."

STATEMENT 104/03

Statement by the Italian delegation

"While acknowledging the long term benefits in terms of reduced congestion that should result from the full implementation of this Regulation the Italian delegation recommends, when implementing the principles set out in Article 6 and developing further the guidelines on congestion management, paying great attention in order to avoid possible price increases for final users."

JUNE 2003	
OTHER ACTS	Votes made public
2512th Council meeting (Employment/Social Policy/Health/Consumer Affairs), on 2 and 3 June 2003	
Council Regulation imposing a definitive countervailing duty on imports of recordable compact disks originating in India 9320/03	
Council Regulation adopting autonomous and transitional measures concerning the import of certain processed agricultural products originating in Hungary and the export of certain processed agricultural products to Hungary 9034/1/03 REV 1	
Council Regulation adopting autonomous and transitional measures concerning the import of certain processed agricultural products originating in Hungary and the export of certain processed agricultural products to Estonia 8953/1/03 REV 1	
Council Regulation imposing definitive anti-dumping duties on imports of certain tube or pipe-fittings, of iron or steel, originating in the People's Republic of China and Thailand, and those consigned from Taiwan, whether declared as originating in Taiwan or not 9155/03	
Council Decision on the signing, on behalf of the European Community, of the Agreement in the form of an Exchange of Letters amending the Agreement between the European Community and the Socialist Republic of Vietnam on trade in textile and clothing products and other market opening measures, and authorising its provisional application 8334/03	
Council Conclusions on combating stigma and discrimination in relation to mental illness 9571/03 + COR 1 (fi)	

JUNE 2003	
OTHER ACTS	Votes made public
2513th Council meeting (Economic and Financial Affairs), on 3 June 2003 Common position adopted by the Council with a view to the adoption of a Regulation of the European Parliament and of the Council amending Council Regulation (EEC) No 1210/90 on the establishment of the European Environment Agency and the European Environment Information and Observation Network 8239/03 + ADD 2 + 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 amending Council Regulation (EC) No 178/2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety 8240/03 + ADD 2 + 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 amending Council Regulation (EC) No 1592/2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency 8241/03 + ADD 2 + 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 amending Council Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency 8242/03 + ADD 2 + ADD 1 Council Decision on the existence of an excessive deficit in France – Application of Article 104(6) of the Treaty establishing the European Community 10124/03	

JUNE 2003	
OTHER ACTS	Votes made public
2514th Council meeting (Justice and Home Affairs), on 5 June 2003 Council Act amending the Council Act of 3 November 1998 adopting rules on the confidentiality of Europol information 8939/03 Council Act amending the Staff Regulations applicable to Europol employees 8943/03 Joint Action on the European Union Military Operation in the Democratic Republic of Congo 9955/03 + REV 1 (en) + COR 1 (fr) + COR 2 (it) Council Common Position updating Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and repealing Common Position 2002/976/CFSP 10123/03 Agreements on Extradition and on Mutual Legal Assistance between the European Union and the United States of America 9153/03 + COR 1 to 7 and Procedure regarding the draft Agreements on judicial cooperation with the USA 8296/2/03 REV 2 ANNEX 2515th Council meeting (Transport/Telecommunications/Energy), on 5 and 6 June 2003 Council Decision concerning the conclusion of an Agreement aimed at renewing the Agreement on cooperation in science and technology between the European Community and the Government of the Russian Federation 9554/03 Council Regulation amending the anti-dumping measures imposed by Council Regulation (EC) No 360/2000 on imports of dead-burned (sintered) magnesia originating in the People's Republic of China 9456/03	

JUNE 2003	
OTHER ACTS	Votes made public
Council Regulation amending the anti-dumping measures imposed by Council Regulation (EC) No 1334/1999 on imports of magnesium oxide originating in the People's Republic of China 9453/03 2516th Council meeting (Agriculture and Fisheries) on 11, 12, 17, 18, 19, 25 and 26 June 2003 Council Decision on the signing, on behalf of the Community, and provisional application of the Agreement in the form of an Exchange of Letters concerning the extension of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Community and the Government of Mauritius on fishing in Mauritian waters for the period 3 December 2002 to 2 December 2003 9381/03 Council Decision on the launching of the European Union military operation in the Democratic Republic of Congo 10200/03 Proposal for amendment of the constituent acts of Community bodies following the adoption of the new Financial Regulation – Adoption 9010/03 + COR 1 (fr), 9011/03 + COR 1 (fr), 9012/03, 9013/03 + COR 1 (fr), 9014/03, 9015/03, 9016/03 + COR 1 (fr), 9017/03 + COR 1 (fr), 9018/03, 9019/03, 9020/03 + COR 1 (fr), 9021/03 + COR 1 (fr) Council Decision on a revision of the Statutes of the Economic and Financial Committee 8750/03 + COR 1 (fi) Council Decision amending Council Decision 2000/604/EC on the Composition and the Statutes of the Economic Policy Committee 9667/03	

JUNE 2003	
OTHER ACTS	Votes made public
Council Regulation adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Slovenia and the exportation of certain processed agricultural products to Slovenia 9315/03 Council Regulation adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Latvia and the exportation of certain processed agricultural products to Latvia 9487/03 Council Regulation adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Lithuania and the exportation of certain processed agricultural products to Lithuania 9489/03 Council Regulation adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in the Slovak Republic and the exportation of certain processed agricultural products to the Slovak Republic 9842/03 Council Regulation adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in the Czech Republic and the exportation of certain processed agricultural products to the Czech Republic 9841/03 Council Recommendation on the prevention and reduction of health-related harm associated with drug dependence 8069/03 The Broad Guidelines of the Economic Policies of the Member States and the Community (for the 2003-2005 period) 10782/03	Opposed by I

JUNE 2003	
OTHER ACTS	Votes made public
Second railway package • Common position adopted by the Council with a view to the adoption of a Directive of the European Parliament and of the Council amending Council Directive 96/48/EC on the interoperability of the trans-European high-speed rail system and Directive 2001/16/EC of the European Parliament and of the Council on the interoperability of the trans-European conventional rail system 8556/03 + REV 1 (nl) + REV 1 COR 1 (nl) • Common position adopted by the Council with a view to the adoption of a Directive of the European Parliament and of the Council on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification 8557/03 + COR 1 (de,el,en,es,pt) + REV 1 (nl) + REV 1 COR 1 (nl) + ADD 1 • Common position adopted by the Council with a view to the adoption of a Directive of the European Parliament and of the Council amending Council Directive 91/440/EEC on the development of the Community's railways 8011/2/03 REV 2 • Common position adopted by the Council with a view to the adoption of a Regulation of the European Parliament and of the Council establishing a European Railway Agency 8558/03 + REV 1 (nl) Common position adopted by the Council with a view to the adoption of a Directive of the European Parliament and of the Council amending Directive 94/35/EC on sweeteners for use in foodstuffs 9714/03 + COR 1 (de) + COR 2 (fr) + ADD 1	Opposed by B, F, L

JUNE 2003	
OTHER ACTS	Votes made public
2517th Council meeting (Environment), on 13 June 2003 Council Decision on the accession of the European Community to the Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution to abate Acidification, Eutrophication and Ground-Level Ozone 8565/03 + REV 1 (de,it,nl,en,da,el,es,pt,fi,sv) + REV 2 (pt) Council Regulation extending the definitive anti-dumping duty imposed by Regulation (EC) No 1784/2000 on imports of certain malleable cast iron tube or pipe fittings originating in Brazil and on imports of certain malleable cast iron tube or pipe fittings consigned from Argentina, whether declared as originating in Argentina or not, and terminating the investigation in respect of imports from one Argentinian exporter 9717/03 Common position adopted by the Council with a view to the adoption of a Regulation of the European Parliament and of the Council concerning monitoring of forests and environmental interactions in the Community (Forest Focus) 8243/03 + COR 1 (da) + COR 2 (fi) + ADD 2 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 safety of third-country aircraft using Community airports 8478/03 + ADD 1 2518th Council meeting (General Affairs and External Relations), on 16 June 2003 Council Decision concerning the rules applicable to national experts and military staff on secondment to the General Secretariat of the Council 10022/03 + REV 1 (fr) Council common position on the International Criminal Court 10400/03 + COR 1 (es) + REV 1 (fr)	

JUNE 2003	
OTHER ACTS	Votes made public
• Council Joint Action amending and extending the mandate of the European Union Special Representative for the Middle East peace process 10376/03 • Council Joint Action amending and extending the mandate of the Special Representative of the European Union in the former Yugoslav Republic of Macedonia 10378/03 • Council Joint Action extending the mandate of the European Union Special Representative for the African Great Lakes Region 10379/03 • Council Joint Action extending the mandate of the Special Representative of the European Union in Afghanistan 10380/03 • Council Joint Action extending the mandate of the Special Representative of the European Union to act as a Special Coordinator of the Stability Pact for South-Eastern Europe 10381/03 Council Regulation concerning certain restrictive measures in respect of Liberia 10008/03 + REV 1 (fi) Council Decision concerning the conclusion of the Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Norway concerning additional trade preferences in agricultural products undertaken on the basis of Article 19 of the Agreement on the European Economic Area 9774/03 Council Decision concluding the Agreement between the European Community and the Government of Japan concerning cooperation on anticompetitive activities 7122/03 + COR 1 + COR 2 (sv) + COR 3 (el) + COR 4 (sv) + REV 1(en)	

JUNE 2003	
OTHER ACTS	Votes made public
Common position adopted by the Council with a view to the adoption of a Decision of the European Parliament and of the Council adopting a multiannual programme (2004-2006) for the effective integration of Information and Communication Technologies (ICT) in education and training systems in Europe (<i>eLearning Programme</i>) 8642/03 + COR 1 (f) + COR 2 (fr) + COR 3 (fi) + ADD 1 Common position adopted by the Council with a view to the adoption of a Decision of the European Parliament and of the Council establishing a programme for the enhancement of quality in higher education and the promotion of intercultural understanding through cooperation with third countries (<i>Erasmus Mundus</i>) (2004-2008) 8644/03 + COR 1 (fr) + COR 2 (fi) + ADD 1 REV 1 + COR 1 (en) European Council meeting on 19 and 20 June 2003 Common Strategy of the European Council amending Common Strategy 1999/414/CFSP on Russia in order to extend the period of its application 10213/03 Written procedure completed on 19 June 2003 Protection of civilian populations against CBRN terrorist attacks 9787/1/03 REV 1 Written procedure completed on 20 June 2003 Council Decision implementing Common Position 2003/297/CFSP on Burma/Myanmar 10517/03	Opposed by D

JUNE 2003	
OTHER ACTS	Votes made public
Written procedure completed on 23 June 2004 Council Common Position on the control of arms brokering 10196/03 + COR 1 (pt) Written procedure completed on 24 June 2003 Council Joint Action on the continuation of the European Union Cooperation Programme for Non-proliferation and Disarmament in the Russian Federation 10391/03 and financial statement contained in the Annex to 10416/03 Written procedure completed on 25 June 2003 Council Joint Action regarding a contribution of the European Union to the conflict settlement process in Georgia/South Ossetia 10478/03 Written procedures completed on 27 June 2003 Council Decision implementing Common Position 2003/280/CFSP in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY) 10431/03 + COR 1 (fr) + COR 2 (da) + REV 1 (pt) • Council Common Position updating Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and repealing Common Position 2003/402/CFSP 10832/03, including its Annex • Council Decision implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decision 2002/974/EC 10836/03, including its Annex	

JUNE 2003	
OTHER ACTS	Votes made public
Written procedure completed on 30 June 2003 Agreements between the European Union and the Republic of Uganda, as well as between the European Union and the Democratic Republic of Congo on the status of forces of the EU Military Operation in the Democratic Republic of Congo • Authorisation for negotiations on the basis of Article 24 of the TEU 10773/03 ANNEX II and III	

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