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2294th Council meeting

**- GENERAL AFFAIRS -**

Luxembourg, 9 October 2000

Presidents : **Mr Hubert VEDRINE**  
Minister for Foreign Affairs

**Mr Pierre MOSCOVICI**  
Minister attached to the Minister for Foreign  
Affairs, with responsibility for European Affairs

of the French Republic

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***For further information call 02/285.87.04, 02/285.64.23 or 02/285.74.59***

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**Denmark :**

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Mr Friis Arne PETERSEN State Secretary for Foreign Affairs

**Germany :**

Mr Joschka FISHER Federal Minister for Foreign Affairs and Deputy Federal Chancellor  
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Mr Robin COOK Secretary of State for Foreign and Commonwealth Affairs  
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\* \* \*

**Commission :**

Mr Romano PRODI  
Mr Michel BARNIER  
Mr Franz FISCHLER  
Mr Pascal LAMY  
Mr Christopher PATTEN

President  
Member  
Member  
Member  
Member

\* \* \*

**General Secretariat of the Council :**

Mr Javier SOLANA

Secretary-General/High Representative for CFSP

**BALKANS – COUNCIL CONCLUSIONS****– FRY – COUNCIL DECLARATION<sup>1</sup>**

The European Union welcomes the election of Mr Kostunica as President of the FRY.

In voting for him, the people have chosen democracy and Europe. As a result, in accordance with its message to them on the eve of the elections, the Council has radically reviewed the EU's policy towards the FRY. It has taken the following decisions.

**1 - Sanctions**

The Union has decided to lift all sanctions imposed on the FRY since 1998, with the exception of the provisions affecting Milosevic and those associated with him.

The decisions to lift the oil embargo and the air embargo immediately were adopted.

**2 - Economic and financial cooperation**

The Council has decided to allow the FRY to benefit from the CARDS programme. The activities of the European Agency for Reconstruction will be extended to the FRY.

The Union will maintain and extend its humanitarian aid programmes to vulnerable persons resident in the FRY, particularly to displaced persons and to refugees from the former Yugoslavia.

The European Union confirms its resolve to make an active contribution to the re-establishment of navigation on the Danube and to participate in feasibility studies for the reconstruction and modernisation of the FRY's infrastructure on a regional basis.

The Finance Ministers of the Union will examine, in consultation with the international financial institutions, the conditions for integrating the FRY into the international financial community as rapidly as possible.

The Council has asked for the European Commission and the World Bank, under the aegis of the Steering Committee for the Balkans (HLSG) to be jointly responsible for evaluating the needs and for coordinating economic and financial assistance to the FRY.

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<sup>1</sup> The Council also adopted the Common Position and the two Regulations on the lifting of sanctions against the FRY – cf. Annex.

### 3. Closer relationship with the European Union

The Council has also decided to propose to the FRY that it participate in the stabilisation and association process launched at the Cologne European Council. Accordingly, the Council invites the FRY to rapidly set up a "Joint EU /FRY Task Force" in order to examine ways of progressing towards a stabilisation and association agreement.

The Council has asked the Commission to submit to it proposals on extending to the FRY the benefit of the asymmetrical Community preferences adopted at the GAC on 18 September.

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By implementing all of these measures without delay, the European Union intends to contribute to the establishment of democracy and the rule of law in the FRY, to the success of the major political, economic and social reforms it will introduce and to its opening up to Europe. The FRY's full participation in the Stability Pact for South-East Europe will help in this matter. The Council has asked the Coordinator of the Stability Pact, in his capacity as special envoy of the European Union, to submit to it proposals to that effect as soon as possible.

The fifteen EU Member States each express their desire to reestablish or normalise their diplomatic relations with the FRY as soon as possible.

The European Union also hopes that the FRY will start a reconciliation process with its neighbours and will re-establish relationships of trust and cooperation.

The European Union will help meet these objectives as far as it is able.

Accordingly, the President of the FRY will be invited to the Zagreb Summit (24 November 2000).

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In the context of the mandate on the Balkans defined at the Lisbon European Council, the Council has asked Mr SOLANA, Secretary-General, High Representative for the CFSP, to attach particular importance to relations between the European Union and the new FRY and to submit a report to that effect to the forthcoming General Affairs Council.

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The French Foreign Affairs Minister, President of the Council of the Union, will travel to Belgrade on Tuesday 10 October to inform President Kostunica of these decisions and invite him to meet the Heads of State or of Government of the Union at the forthcoming Biarritz European Council.

– ***KOSOVO***

On the basis of a presentation by Mr Kouchner, the Council took stock of the preparations for the municipal elections in Kosovo on 28 October 2000. It expressed its full support for the work of Mr Kouchner and of UNMIK.

– ***ZAGREB SUMMIT***

On the basis of information provided by the Presidency, the Council welcomed the state of preparations for the Zagreb Summit. It took good note of the Presidency's intention to continue its concertation with the countries concerned by the Summit. The Council also invited its competent instances to prepare a joint action for the financing which the EU will provide for the Summit.

– ***CARDS REGULATION***

The Council heard a presentation by Commissioner Patten on the draft regulations concerning CARDS as well as the European Agency for Reconstruction, and invited its competent bodies to examine them with a view to adopting a decision on the subject as soon as possible.

**MIDDLE EAST – COUNCIL DECLARATION**

Given the gravity of the situation, and over and above the individual responsibilities which have been referred to by the Security Council in Resolution No 1322 of 7 October, the European Union considers that it is a matter of absolute priority for the two sides, in the hours ahead, to take the parallel de-escalation measures which are necessary and to avoid any fresh provocation.

The European Union is convinced that two peoples who must co-exist have no other option than immediately to resume the path towards negotiations for peace, Israelis and Palestinians having both, in recent weeks, overcome so many of the obstacles long considered insurmountable.

The European Union calls upon the Israeli Prime Minister to speak to the Palestinian people and on the President of the Palestinian Authority to speak to the Israeli people and to unite their efforts: in this critical period no effort must be spared to prevent fear and hatred from gaining the upper hand, so that the dialogue may resume as soon as possible.

The Council has asked Mr Javier SOLANA, Secretary-General, High Representative for the CFSP, to travel to the region as a matter of urgency.

## **EFFECTIVENESS OF THE UNION'S EXTERNAL ACTION – CONCLUSIONS**

The European Council invited the Council to take the necessary steps to ensure that optimum use was made of the various means at the Union's disposal for more effective and comprehensive external action by the Union.

The Council considers that reinforcing the coherence of the Union's external action and realising its policy objectives are priorities if the Union is to pull its full weight in international affairs.

To make better use of the collective means at the Union's disposal and improve the synergy between Community action and Member State action, the Council has taken the following measures:

### **1. Reinforcing coordination between the Commission and the Member States**

**1.1.** The Council refers to its conclusions of 18 May 2000 which were approved following the Commission's report on the implementation of the guidelines for reinforcing operational coordination between the Community and the Member States. The report pointed to certain improvements but also the persistence of real difficulties of on-the-spot coordination, with considerable differences according to the regions and countries concerned.

### **1.2. Coordination and Transparency**

The Council considers that the current streamlining of procedures for managing Community external aid programmes should be backed up by a firm commitment on the part of the Commission and the Member States to increased transparency concerning all their cooperation activities, including those at local level, in all regions of the world that receive such assistance.

The Council therefore calls on the Commission, in conjunction with the Member States, to continue and to intensify the work currently being done, especially by implementing the Council's decisions of 9 March 1998 and 18 May 2000, and to organise, on the spot, a regular mutual exchange of information on all aspects of the relevant cooperation programmes, including the preparation of and follow-up to the implementation of individual projects, so as to ensure effective coordination of the assistance efforts made by the Community and each Member State and to reinforce their coherence and complementarity. The practical details of the on-the-spot coordination will be the subject of guidelines proposed by the Commission, which the Council's subordinate bodies will have to examine with a view to adoption by the Council when the first policy debate on the EU's external action is held in January or February 2001. The guidelines will have to be incorporated into the Community's various cooperation programmes.

The Council stresses that the aims of greater transparency and of a regular mutual exchange of information between the Commission and the Member States in the context of Community aid programmes must also be pursued in the geographically determined groups and committees in Brussels.

### **1.3. Role of the recipient country**

In accordance with its conclusions of 18 May 2000, the Council also calls on the Commission and the Member States to reinforce the role of the recipient country in defining its strategies and development programmes as well as the general coordination of resources.

### **1.4. Dialogue with the other donors of funds**

The Council points out that greater coordination within the Union does not mean shutting out the wider dialogue that also needs to be improved with the other donors of funds, especially the Bretton Woods institutions and the UN agencies.

### **1.5. Evaluation**

The Council and the Commission undertake to implement these coordination efforts forthwith. It is agreed that a review should be made at the time of the first annual policy debate in January or February 2001 on the basis of a Presidency report involving an evaluation by the Commission and the heads of mission on the spot and taking account of the work already done, and that the initial focus should be, for practical reasons, on the countries and regions mentioned in Annex No 1. An overall assessment concerning the other partner countries should be available in the course of 2001.

## **2. Making better use of the Union's overall effort and increasing its effectiveness**

### **2.1. Drawing up an instrument summarising relations between the Union and third countries**

To improve the preparation of its discussions on external action, the Council wishes to have as soon as possible information summarising the whole field of relations between the Union and each of the partner countries.

To this end, the Council considers that the first "summary files" on relations between the Union and certain third countries, drawn up on the initiative of the Secretary-General/High Representative, are a useful source of information. The Council calls on the Member States and the Commission to supply in good time the relevant information on their bilateral relations with all the Union's partners which is necessary for drawing up and updating complete files. To begin with, the Council calls on the Secretary-General/High Representative, in association with the Commission, to supply the complete files concerning the countries and regions listed in Annex No 2 before the first policy debate in January or February 2001.

In connection with this exercise, the Council emphasises the importance of having a summary by country of the financial assistance provided by the Community and the Member States in all its forms: Community budget, EDF, EIB, macro-financial aid, bilateral budget aid and bilateral credits, contributions made to such assistance by international financial institutions, rescheduling and cancellation of debts. It is also essential to have information on what is being done by the other donors.

A summary of this kind requires a systematic pooling of the financial data held by the Commission, the Member States and the international organisations. The Council asks the Presidency, assisted by the next Presidency, to see that there is suitable coordination between the Commission, the Council General Secretariat and the Member States for collecting, adjusting and updating these data, in particular by using the data available in the international bodies.

## **2.2. Scoreboard of commitments and disbursements**

The Council also calls on the Commission to draw up, for the first policy debate in January or February 2001, a scoreboard showing – country by country for the preceding financial year – the state of commitments, disbursements and commitments outstanding in respect of the main programmes financed by the Community budget and by the EDF.

## **2.3. Streamlining of Commission departments and simplification of administrative procedures for external action**

The Council's objective is the concrete improvement of the management of Community aid to third countries – an improvement that is necessary for the European Union's international credibility and the visibility and effectiveness of its external action as a whole. The Council therefore welcomes the intentions expressed by the Commission in this area. The Council notes the Commission's intention of rationalising its departments and its proposals for simplifying the management procedures for external aid. In this connection, the recasting of the Financial Regulation is an important opportunity to assist the process of modernising the management of external aid by means of a horizontal application of sound management measures. In this context, the Council recalls its conclusions of 18 September 2000 on the implementation of a system for the automatic release of dormant commitments.

Taking note of the Commission's proposals on staff, the Council stresses the importance of the availability of the administrative capacity and the expertise that are needed to achieve the Community's external objectives.

## **2.4. Following up the reform**

In the interests of improving the impact of external aid, the Council calls on the Commission to continue and intensify its evaluation programme and to submit an annual summary report, with an initial report for the policy debate in January or February 2001. It also requests the Commission to submit for that meeting the expected improvements concerning the management of the main Community programmes.

## **2.5. Complementarity between the Community and its Member States**

The Council stresses the need for the Community and its Member States to establish greater complementarity between their assistance measures for third countries while preserving the Commission's responsibilities. It calls on the Commission to look at the conditions for greater cooperation with the Member States or their implementing agencies, especially in the identification of projects, the exchange of expertise and, where appropriate, the management of certain projects. It asks the Commission to send it a report on this question in the course of 2001.

## **3. Common strategies**

The Council notes the importance of common strategies for the coordination, coherence and effectiveness of external action. It calls on the Secretary-General/High Representative to submit, for the first policy debate in January or February 2001, an evaluation report on the operation of the common strategies already adopted and on ways of making optimum use of this instrument in the future.

## **4. Holding a policy debate at the beginning of each year**

The Council has agreed to hold an initial policy debate on the whole of the Union's external action and in particular on external aid and its effectiveness at its meeting in January or February 2001 on the basis of a report from the Presidency incorporating quantitative and qualitative contributions from the Secretary-General/High Representative, the Commission, the Presidency and the Member States and taking into account the work being done in the Development Council. The debate will make it possible to take stock of the progress achieved in improving the effectiveness of all aspects of Community aid and to determine the basic principles and the main policy objectives of the effectiveness of the Union's external action for the year ahead. The institutions of the Union and the Member States are asked to take account of the outcome of the debate.

The Council asks the Presidency, assisted by the General Secretary/High Representative, and the Commission to report to the European Parliament on those results.

**ANNEX No 1****WESTERN BALKANS**

Albania  
Croatia  
Bosnia-Herzegovina  
FYROM

**MEDITERRANEAN**

Egypt  
Israel  
Jordan  
Lebanon  
Morocco  
Syria  
Palestinian territories

**WEST AFRICA AND SOUTHERN AFRICA**

Niger  
Nigeria  
Senegal  
South Africa  
Mozambique  
Rwanda

**ANNEX No 2****APPLICANT STATES**

Bulgaria  
Cyprus  
Estonia  
Hungary  
Latvia  
Lithuania  
Malta  
Poland  
Romania  
Slovakia  
Czech Republic  
Slovenia  
Turkey

**WESTERN BALKANS**

Albania  
Croatia  
Bosnia-Herzegovina  
FYROM

**MEDITERRANEAN**

Algeria  
Egypt  
Israel  
Jordan  
Lebanon  
Libya  
Morocco  
Syria  
Tunisia

**FSU STATES**

Armenia  
Azerbaijan  
Belarus  
Georgia  
Moldova  
Russia  
Ukraine

**BARCELONA PROCESS: PREPARATION FOR THE EURO-MEDITERRANEAN MEETING OF FOREIGN MINISTERS IN MARSEILLES**

The Council took cognizance of the information communicated by the Presidency with a view to the fourth ministerial Euro-Mediterranean meeting in Marseilles on 15 and 16 October 2000. It noted in particular that a Presidency mission was visiting the capitals of the Mediterranean partner countries in order to sound them with a view to relaunching the Barcelona process, and that work on the Peace and Stability Charter was being expedited.

**MEDA II: FINANCIAL REFERENCE AMOUNT**

The Council held an exchange of views on the sole point still outstanding over the MEDA II Regulation, namely the multiannual reference amount to be entered therein for financial assistance for the period 2000-2006 (7 years).

It asked the Permanent Representatives Committee to continue examining the matter in order to enable it to come to a conclusion before the ministerial Euro-Mediterranean meeting in Marseilles.

## **BANANAS**

The Council considers that the Commission communication dated 4 October 2000 provides a basis for settling the banana dispute, which now can and must be resolved rapidly. The Council asks the competent bodies to examine the technical aspects of that communication, taking particular account of the concerns expressed by some delegations.

The Council invites the Commission to submit, in good time, the outcome of the negotiations held under Article XXVIII of the GATT. The Council will take a decision when it has seen that report, taking into account the situation of Community producers and consumers, and the Union's commitments towards the ACP countries.

The Council calls on the European Parliament to adopt a position on the Commission proposal of 10 November 1999 (COM (1999) – 582), supplemented by the communication of 4 October 2000 (COM (2000) –), in order to allow the Council to examine the proposal in depth with the aim of finalising its proceedings.

## **ACCESS TO THE COMMUNITY MARKET FOR PRODUCTS ORIGINATING IN THE LDC**

The Council heard a presentation by Commissioner LAMY on the Commission's proposal to grant customs relief without quantitative restrictions to products originating in the least developed countries. It welcomed this Commission initiative, and instructed the Permanent Representatives Committee to consider the dossier, including its most sensitive aspects.

**PREPARATION FOR THE INFORMAL EUROPEAN COUNCIL MEETING IN  
BIARRITZ**

The Presidency briefed the Council on how it intended to conduct the informal European Council meeting in Biarritz on 13 and 14 October 2000 and on the matters to be addressed there.

Following the customary meeting with the President of the European Parliament, the two working sessions in the morning and the afternoon as well as dinner on Friday 13 October will be devoted to in-depth discussion of the IGC's 4 main topics (composition and internal organisation of the Commission, weighting of votes in the Council, extension of qualified majority voting, closer cooperation).

Over lunch the same day, the Heads of State or Government are to address topical issues, namely developments in FRY/Serbia, the situation in the Middle East and the problems on the oil market.

During the morning on Saturday 14 October the meeting will consider the Charter of Fundamental Rights in the presence of the three Vice-Presidents of the Convention (Mr Herzog, the President, being prevented from attending by illness) and also how to supplement Article 7 of the TEU on breach of the fundamental principles.

## **OIL SUPPLIES TO THE EUROPEAN UNION**

The Council heard President PRODI outline the main lines of the Commission communication on oil supplies to the European Union and Member States' initial comments with a view to its examination at the European Council meeting in Biarritz. The Council thanked the Commission for this work on an issue which, in the light of the oil price levels reached and their instability, is a cause for concern.

On the basis of this communication, the Council proposed that the following major questions be examined at the informal European Council meeting in Biarritz:

- better coordination of Member States' recourse to their strategic stocks
- continuing improved dialogue between producer and consumer countries, precedence being given to the common expression of European Union interests, in the context of the ministerial dialogue, the next session of which will take place from 17 November in Riyadh, and cooperation with Russia in the fields of oil and gas
- a package of measures which should lead to a reduction in the European economy's dependence on oil.

**LETTER OF AMENDMENT NO 1 TO THE PRELIMINARY DRAFT BUDGET FOR 2001**

Following a statement by President PRODI on staff requirements enabling the Commission to implement the process of internal reform upon which it has embarked, most delegations were in favour of granting the Commission 400 additional posts, as requested in its draft letter of amendment referred to the Council.

The Council instructed the Permanent Representatives Committee to finalise without delay the technical aspects of this approach in order that the Council might forward the letter of amendment to the European Parliament under the budgetary procedure.

## **OTHER BUSINESS**

### ***– Nuclear safety***

The Council noted a statement by the Austrian delegation on the treatment of the subject of nuclear safety in the context of the accession negotiations.

### ***– Situation in the Moluccas***

The Council noted a statement by the Netherlands delegation on the mission of Union Heads of Mission to Jakarta to the Moluccas.

### ***– Transmittable diseases***

The Council noted a statement by President PRODI calling the Council's attention to the Commission communication on the need to step up action to combat the major transmittable diseases (AIDS, malaria and tuberculosis) in the context of reducing poverty.

The Commission communication recommends three main targeted activities:

- improving the impact of action already taken in the fight to contain the major transmittable diseases affecting the poorest populations,
- making the cost of essential medicines more accessible through a concerted worldwide approach,
- investing more in research and development to combat the three major transmittable diseases.

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## INTERGOVERNMENTAL CONFERENCE

### – Ministerial conclave

A ministerial meeting of the Intergovernmental Conference in conclave was held on the afternoon of Sunday 8 October in advance of the Council meeting the next day. The meeting, chaired by Minister MOSCOVICI, was devoted to the following topics: weighting of votes in Council, closer cooperation and possible amendment of Article 7 of the TEU.

### – Exchange of views with the President of the European Parliament

The customary exchange of views with the President of the European Parliament, Ms FONTAINE, accompanied by Mr BROK and Mr TSATSOS, took place in the afternoon of Monday 9 October. It provided the opportunity for a progress report on IGC discussions, with particular reference to the three topics dealt with in the ministerial conclave, on which Mr MOSCOVICI reported.

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ANNEX

Common Position  
on support for a democratic FRY  
and the immediate lifting of certain restrictive measures

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Whereas:

- (1) In its message to the Serbian people on 18 September 2000, the Council reaffirmed that a democratic change would lead to a radical change in the European Union's policy towards the Federal Republic of Yugoslavia (FRY), particularly in the area of sanctions,
- (2) Following the elections on 24 September 2000, a new President of the Federal Republic of Yugoslavia was democratically elected and formally sworn in, namely Mr V. Kostunica,
- (3) On 9 October 2000 the Council approved a "Declaration on the FRY", which provides in particular for a radical review of the European Union's policy towards the FRY,
- (4) In these circumstances, the restrictive measures against the FRY should be lifted, in accordance with the commitments made by the European Union,
- (5) The ban on the sale and supply of petroleum and petroleum products should be lifted immediately, as should the ban on commercial or private flights between the FRY and the European Community,
- (6) Specific restrictive measures against Mr Milosevic and persons associated with him must be maintained,
- (7) The embargos on arms exports and on the supply of equipment which might be used for internal repression or terrorism are not affected.
- (8) Whereas action by the Community is needed in order to implement some of the measures cited below,

HAS DEFINED THIS COMMON POSITION:

*Article 1*

Common Position 1999/273/CFSP of 23 April 1999 concerning a ban on the supply and sale of petroleum and petroleum products to the Federal Republic of Yugoslavia<sup>1</sup> shall be repealed.

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<sup>1</sup> OJ L 108, 27.4.1999, p. 1.

*Article 2*

Article 4 of Common Position 1999/318/CFSP of 10 May 1999 concerning additional restrictive measures against the Federal Republic of Yugoslavia <sup>1</sup> shall be repealed.

*Article 3*

The Common Positions listed below:

- Common Position 1998/240/CFSP of 19 March 1998 on restrictive measures against the Federal Republic of Yugoslavia <sup>2</sup>, with the exception of Articles 1 and 2 thereof,
- Common Position 1998/326/CFSP of 7 May 1998 concerning the freezing of funds held abroad by the Federal Republic of Yugoslavia and Serbian Governments <sup>3</sup>,
- Common Position 1998/374/CFSP of 8 June 1998 concerning the prohibition of new investment in Serbia <sup>4</sup>,
- Common Position 1999/318/CFSP of 10 May 1999 concerning additional restrictive measures against the Federal Republic of Yugoslavia <sup>5</sup>,

will be revised in order to maintain only those restrictive provisions directed against Mr Milosevic and persons associated with him.

*Article 4*

This Common Position shall take effect on the day of its adoption.

*Article 5*

This Common Position shall be published in the Official Journal.

Done at Luxembourg,

For the Council  
The President

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<sup>1</sup> OJ L 123, 13.5.1999, p. 1.  
<sup>2</sup> OJ L 95, 27.3.1998, p. 1.  
<sup>3</sup> OJ L 143, 14.5.1998, p. 1.  
<sup>4</sup> OJ L 165, 10.6.1998, p. 1.  
<sup>5</sup> OJ L 123, 13.5.1999, p. 1.

## Council Regulation

### **repealing Regulation (EC) No 2111/1999 prohibiting the sale and supply of petroleum and certain petroleum products to certain parts of the Federal Republic of Yugoslavia (FRY)**

The Council of the European Union,

Having regard to the Treaty establishing the European Union, and in particular Article 301 thereof,

Having regard to Common Position No ( ) of 9 October 2000 on support to a democratic FRY and the immediate lifting of certain restrictive measures,

Having regard to the proposal from the Commission,

Whereas:

- (1) In its message to the Serbian people on 18 September 2000, the Council reaffirmed that a democratic change would lead to a radical change in the European Union's policy towards the Federal Republic of Yugoslavia (FRY), particularly in the area of sanctions,
- (2) Following the elections on 24 September 2000, a new President of the Federal Republic of Yugoslavia was democratically elected and formally sworn in, namely Mr V. Kostunica,
- (3) The ban on the sale and supply of petroleum and certain petroleum products to the FRY should be lifted immediately,

Has adopted this Regulation:

#### *Article 1*

Regulation (EC) No 2111/1999<sup>1</sup> is hereby repealed.

#### *Article 2*

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

*Done at Luxembourg, 9 October 2000.*

*For the Council  
The President*

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<sup>1</sup> OJ L 258, 5.10.1999, p.12.

**Council Regulation**  
**repealing Regulation (EC) No 2151/1999 imposing a ban on flights between the territories**  
**of the Community and the Federal Republic of Yugoslavia other than the Republic of**  
**Montenegro or the Province of Kosovo**

The Council of the European Union,

Having regard to the Treaty establishing the European Community, and in particular Article 301 thereof,

Having regard to Common Position No (...) of 9 October 2000 on support to a democratic FRY and the immediate lifting of certain restrictive measures,

Having regard to the proposal from the Commission,

Whereas:

- (9) In its message to the Serbian people on 18 September 2000, the Council reaffirmed that a democratic change would lead to a radical change in the European Union's policy towards the Federal Republic of Yugoslavia (FRY), particularly in the area of sanctions,
- (10) Following the elections on 24 September 2000, a new President of the Federal Republic of Yugoslavia was democratically elected and formally sworn in, namely Mr V. Kostunica,
- (3) The ban on commercial or private flights between the FRY and the European Community should be lifted immediately,

Has adopted this Regulation:

*Article 1*

Regulation (EC) No 2151/1999<sup>1</sup> and Articles 1 and 3 of Regulation (EC) No 607/2000<sup>2</sup> are hereby repealed.

*Article 2*

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

*Done at Luxembourg, 9 October 2000*

*For the Council*  
*The President*

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<sup>1</sup> OJ L 264, 12.10.1999, p. 3.

<sup>2</sup> OJ L 73, 22.3.2000, p. 4.

## **ITEMS APPROVED WITHOUT DEBATE**

### **EXTERNAL RELATIONS**

#### **EU Annual Report on Human Rights**

The Council adopted the EU Annual Report on Human Rights, which will be published. The Report pursues the following objectives:

- to make known and to share the European Union commitment:
  - = The European Union is founded on the principles of liberty, democracy and respect for human rights and fundamental freedoms and the rule of law. The principles proclaimed in the Universal Declaration underlie its activities both internally and externally.
  - = In 1998, on the occasion of the celebration of the 50th anniversary of the Universal Declaration of Human Rights, the European Ministers for Foreign Affairs, gathered in Vienna, solemnly restated their commitment to human rights and agreed on concrete measures to strengthen the European Union's ability to act in this field.
  - = This report is the second of its kind, following the one published in October 1999; it implements one of the measures announced in Vienna. It does not aim to pass judgment, but to make the commitment of the European Union to universal respect for human rights and fundamental freedoms better known and to share it. It is not intended to be exhaustive, but seeks to ensure greater transparency for the principal positions and activities of the EU and to be a reference document on the latter for the period which it covers, namely 1 July 1999 to 30 June 2000.
  - = Although its contents are primarily focused on the external activities of the European Union and its role on the international stage, this second report, in accordance with the wishes expressed at the first European Union Human Rights Forum which met in Brussels from 30 November to 1 December 1999 during the Finnish Presidency, also includes a substantial section devoted to human rights within the European Union. This looks at the activities undertaken by the Fifteen in a number of priority areas (racism, security and justice, social exclusion, rights of the child, women's rights). The European Union is aware that it must begin by applying to itself the principles for which it stands.

- to increase transparency and promote dialogue with civil society
  - = Dialogue and cooperation between governments and civil society, and support for the Human Rights Defenders, are of the utmost importance for achieving progress in the global implementation of human rights and fundamental freedoms. The European Union is committed to strengthening this relationship further, at the level of both Member States' Governments and EU institutions.
  - = In this context, two specific events aimed at promoting dialogue and transparency deserve to be mentioned in particular: the first annual EU Human Rights Discussion Forum (30 November – 1 December 1999 in Brussels), and the Conference on "The European Union and the Central Role of Human Rights and Democratic Principles in the Relations with Third Countries" (Venice, May 2000).
- to restate the legal bases for, and the role of the various players in, European human rights policy, and the principles which underpin it
  - = The EU takes universality of human rights, as reaffirmed by the World Conference on Human Rights (Vienna, 1993), as a central principle which guides its action.
  - = The Treaty on European Union and the Treaty establishing the European Community contain several provisions relating to human rights, which constitute the foundation and basis for EU action in this area.

### **Relations with Bulgaria – autonomous measures regarding agricultural products**

The Council adopted a Regulation establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measures, of certain agricultural concessions provided for in the Europe Agreement with Bulgaria.

It should be noted that, in March 1999, the Council authorised the Commission to open negotiations with the ten associated CEECs with a view to establishing new mutual concessions for agricultural products. These negotiations are based on the future-developments clauses in the Europe Agreements, aim at the progressive liberalisation of trade in agricultural products and are set in the context of the accession process.

The Commission was able to conclude the negotiations with Bulgaria and their outcome is due to form the subject of an additional protocol to the Europe Agreement. However, in view of the procedural period required for such a protocol to enter into force, the Commission proposed that, as an autonomous and transitional measure, the Council introduce the concessions agreed at the negotiations through a Regulation to take effect from 1 July 2000. Bulgaria for its part would also take the necessary action to comply with its undertakings arising from the outcome of the negotiations.

### **Association with Poland – extension for State aid**

The Council adopted a Decision on the position to be adopted by the Community within the Association Council established by the Europe Agreement signed on 16 December 1991 between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part, regarding extension for a further five-year period, in accordance with Article 63(4)(a) of the Europe Agreement.

That provision states that, for the purpose of assessing public aid granted by Poland, that country will, for the first five years after the entry into force of the Agreement, be regarded as an area identical to those areas of the Community covered by Article 92 (now Article 87)(3)(a) of the EC Treaty (i.e. areas where the standard of living is abnormally low or where there is serious under-employment). The Europe Agreement also provides for that period to be renewed every five years by decision of the Association Council.

As the first period has expired, Poland is requesting a five-year extension. The Commission considers that Poland fulfils the criteria used to determine eligibility of a region for the aid referred to in Article 87(3)(a) TEC (including per capita GDP less than 75% of the average GDP of the Community). It is therefore proposed that the Association Council grant the requested extension.

### **Relations with Bulgaria – participation in the MEDIA II programme**

The Council adopted a Decision concerning the Community position within the Association Council on the participation of Bulgaria in a Community programme within the framework of the common audiovisual policy

It should be noted that the MEDIA II programme (encouraging the development and distribution of European audiovisual works and training for professions in the European audiovisual industry) is open to the participation of associated Central European countries in accordance with the conditions set out in the Additional Protocols to the Association Agreements on participation in Community programmes.

### **Relations with the Associated CCEE – participation in the Community programme in the field of youth – Decision concerning Romania**

The Council adopted a Decision concerning the Community position within the Association Council on the participation of Romania in the "Youth" Community action programme.

Like the other associated Central and Eastern European countries, Romania participated in the "Youth for Europe" programme, which ended on 31 December 1999; the arrangements for its participation had been established by a Decision of the Association Council. Romania also wishes to participate in the new "Youth" programme, covering the period 2000-2006. A further Decision of the Association Council is required for that purpose; such is the object of this Commission proposal.

## EC-ASEAN

The Council authorised the Commission to negotiate a protocol amending the 1980 EC-ASEAN Cooperation Agreement by including cooperation in the field of technical regulations, standards and conformity assessment.

## Relations with Russia

The Council noted the information provided by the Presidency and the High Representative on the progress of preparations for the EU-Russia Summit in Paris on 30 October 2000.

The (provisional) agenda should revolve around the following items:

- Political developments in the European Union and in the Russian Federation
  - = European Union:
    - ESDP
    - enlargement
  - = Russian Federation:
    - political and economic reform
- EU-Russian relations
  - = Prospects for the strategic partnership
  - = Economic cooperation and investment
  - = Cooperation in the field of Justice and Home Affairs (including organised crime)
  - = Nuclear safety, waste and irradiated nuclear fuels
- International issues
  - = Western Balkans
  - = Caucasus
- Other business

The Council approved the European Union's position for the fourth Cooperation Council meeting with Russia (Moscow, 12 October 2000).

## EU support for the peace process in Colombia – conclusions

"The European Union reaffirms its political support for the peace effort initiated by President Pastrana. Together with the international community, it wishes to be of active assistance in the negotiating process which, against a background of consultation of civil society and with the agreement of all parties, should lead to peace rooted in human rights, humanitarian law and fundamental freedoms.

Continuing its present efforts, the European Union will implement a substantial European programme of socio-economic and institutional support for the peace process in Colombia, aimed at promoting and protecting respect for human rights, humanitarian law and fundamental freedoms, improving the living conditions of the local populations, encouraging the cultivation of alternative crops and the protection of biodiversity and supporting the introduction of structural reforms in all fields which fuel armed conflict."

## **Burma/Myanmar**

The Council adopted a common position concerning the extension of Common Position 96/635/CFSP of 28 October 1996 on Burma/Myanmar, which expires on 29 October 2000, for a period of six months without substantive amendment.

## **Relations with Switzerland**

The Council approved a draft Decision of the EC-Switzerland Joint Committee amending the Agreement between the European Economic Community and the Swiss Confederation consequent upon the introduction of the Harmonised Commodity Description and Coding System.

The aim of the draft Decision is to adapt the tariff provisions of the EEC-Switzerland Agreement, based on the Customs Cooperation Council Nomenclature (CCCN), to bring them into line with the Harmonised Commodity Description and Coding System (HS) which replaced the CCCN as of 1 January 1988.

## **Relations with San Marino**

The Council approved a draft Decision of the EC-San Marino Cooperation Committee No 2/2000 amending the list of customs offices referred to in Article 7(1)(a) of the Interim Agreement on trade and customs union between the European Economic Community and the Republic of San Marino.

The draft Decision is intended to add two new customs offices to the Annex to the Interim Agreement on trade and customs union between the European Economic Community and the Republic of San Marino signed on 27 November 1992.

## **Measures for inter-Korean rapprochement**

The EU hailed the inter-Korean summit in Pyongyang as a success and intends to assess the results in due course. In line with the Council conclusions of 19 July 1999 on the Korean Peninsula, the EU would now like to express its desire to encourage the Democratic People's Republic of Korea to continue the inter-Korean reconciliation process as well as the dialogue and negotiation with the various parties involved in the discussions to ensure the stability and security of the Korean Peninsula. The EU therefore plans to implement the following measures in the short term, without prejudice to its support for KEDO (in the context of the ongoing negotiations) and to maintenance of structural humanitarian and food aid.

1. Stepping up of the political dialogue making it possible not only to gain a better idea of the views of the DPRK, especially in the context of the present developments, but also to stress the concerns and expectations of the EU. The next political dialogue meeting could, therefore, be held in the troika format in Pyongyang, at "Asia Directors" level.

2. Increasing the DPRK's access to experience gained in the area of confidence-building measures by organising seminars and visits to appropriate European institutions and by promoting cooperation with the DPRK in the ARF.
3. Implementation of preparatory measures by the Commission in particular (feasibility studies, identification missions) with a view to possible medium-term technical assistance measures in priority sectors. These measures will reflect the European Union's objective of promoting positive changes, particularly to benefit the neediest people, including in the economic sphere.
4. Examination of the possibilities of improving DPRK access to the European market.

Implementation of these measures will be regularly assessed. Depending on the findings, and on the progress made by the DPRK in accommodating the concerns expressed by the EU in July 1999 in particular, further measures may be envisaged."

### **EU-Morocco Association Council**

The Council established the European Union's position for the 1st meeting of the EU-Morocco Association Council to be held on 9 October (see Press Release UE-MA 2703/00 Presse 371).

### **EU-Bulgaria Association Council**

The Council established the European Union's position for the 6th meeting of the EU-Bulgaria Association Council to be held on 10 October (see Press Release UE-BG 1915/00 Presse 369).

### **EU-Poland Association Council**

The Council established the European Union's position for the 7th meeting of the EU-Poland Association Council to be held on 10 October (see Press Release UE-PL 1416/00 Presse 370).

### **Cooperation Council meeting with Azerbaijan**

The Council established the European Union's position for the 2nd meeting of the Cooperation Council with Azerbaijan to be held on 10 October (see Press Release 12013/00 Presse 365).

**Cooperation Council meeting with Georgia**

The Council established the European Union's position for the 2nd meeting of the Cooperation Council with Georgia to be held on 10 October (see Press Release 12014/00 Presse 366).

**Cooperation Council meeting with Armenia**

The Council established the European Union's position for the 2nd meeting of the Cooperation Council with Armenia to be held on 10 October (see Press Release 12015/00 Presse 367).

**TRADE QUESTIONS****Anti-dumping – Japan (black colorformers)**

The Council approved a Council Regulation imposing a definitive anti-dumping duty on imports of black colorformers originating in Japan.

A definitive anti-dumping duty is being imposed on imports of black colorformers, falling within CN code ex 2932 29 80 and originating in Japan.

For the purpose of the present proceeding, a black colorformer is a chemical colorformer which, when used to coat paper for the production of carbonless copy paper or thermal paper, generates by its own properties a black image on the paper without having to be mixed with other colorformers.

The rate of anti-dumping duty applicable to the net free-at-Community-frontier price, before duty, is 18,9%.

Unless otherwise specified, the provisions in force concerning customs duties will apply.

### **Protection against dumped imports**

The Council approved a Regulation amending Regulation (EC) No 384/96 on protection against dumped imports from countries not members of the European Community.

The aim of this proposal is to:

- maintain the special market economy regime for Russia and China as it stands;
- grant the special market economy regime to anti-dumping proceedings involving Ukraine, Vietnam and Kazakhstan, given the level of economic reforms in these three countries; extend this regime to those countries currently classed as non-market economies but which are members of the WTO (i.e. Georgia, Kyrgyzstan, Mongolia) and to automatically extend it to any non-market economy country which joins the WTO in the future;
- to revise the criteria for individual treatment in anti-dumping cases.

### **Accession of Oman to the World Trade Organisation**

The Council and the Representatives of the Governments of the Member States, meeting within the Council, gave their agreement to the accession of Oman to the WTO. This joint position is being submitted by the Commission to the WTO on behalf of the Community and its Member States.

### **International Natural Rubber Council**

The Council approved the Community position for the 17th Special Session of the International Natural Rubber Council (INRC) to be held from 9 to 13 October 2000 in Kuala Lumpur.

### **International Jute Organisation**

The Council approved the European Community position on the format and content of the future instrument for the international cooperation in jute sector to replace the International Jute Organisation (IJO) in liquidation.

## **INTERNAL MARKET**

### **Emissions from motor vehicles**

The Council adopted its common position with a view to the adoption of a Directive of the European Parliament and of the Council amending Council Directive 70/220/EEC concerning measures to be taken against air pollution by emissions from motor vehicles.

Directive 70/220/EEC lays down the specifications for the testing of emissions of the motor vehicles falling within its scope. In view of the recent experience gained and the rapidly developing state of the art of on-board diagnostic systems, it is appropriate to adapt those specifications accordingly.

## **APPOINTMENTS**

### **Committee of the Regions**

The Council adopted Decisions appointing two members and one alternate member of the Committee of the Regions:

- Mr Hugh HALCRO-JOHNSTON (UK) has been appointed member of the Committee of the Regions in place of Mr Lewis Shand SMITH for the remainder of the latter's term of office, which runs until 25 January 2002.
- Mr Jean-Pierre TESSEIRE (F) has been appointed member of the Committee of the Regions in place of Ms Dominique VLASTO for the remainder of the latter's term of office, which runs until 25 January 2002.
- Ms Adela María BARRERO FLOREZ (E) has been appointed alternate member of the Committee of the Regions in place of Mr Jaime HEVIA RUIZ for the remainder of the latter's term of office, which runs until 25 January 2002.

## **TRANSPARENCY**

### **Public access to Council documents**

The Council has endorsed the reply to the confirmatory application by Mr Michael TRAEST for access to documents, with the Danish, Netherlands, Finnish and Swedish delegations voting against.