



COUNCIL OF
THE EUROPEAN UNION

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PUBLIC 7

NOTE

Subject: MONTHLY SUMMARY OF COUNCIL ACTS
JULY 2003

This document gives:

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

JULY 2003			
FINAL LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
<p>Legislative acts adopted after 2nd reading by the European Parliament in the framework of the codecision procedure</p> <p>Amendment of the constituent acts of Community bodies following the adoption of the new Financial Regulation (01.07.2003)</p> <p>I. Regulation (EC) No 1210/90 as regards the budgetary and financial rules applicable to the European Environment Agency and the European Environment Information and Observation network and access to the Agency's documents. II. Regulation (EC) No 178/2002 as regards the budgetary and financial rules applicable to the European Food Safety Agency and access to the Agency's documents. III. Regulation (EC) No 1592/2002 of the European Parliament and of the Council concerning common rules in the field of civil aviation and creating a European Aviation Safety Agency. IV. Regulation (EC) No 1406/2002 of the European Parliament and of the Council setting up a European Maritime Safety Agency.</p>	<p>Ref. 11085/03</p> <p>PE-CONS 3646/03</p> <p>PE-CONS 3647/03</p> <p>PE-CONS 3648/03</p> <p>PE-CONS 3649/03</p>		<p>Qualified majority</p> <p>Qualified majority</p> <p>Qualified majority</p> <p>Qualified majority</p>

JULY 2003

FINAL LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
<p>Regulation of the European Parliament and of the Council on the granting of Community financial assistance to improve the environmental performance of the freight transport system ("Marco Polo Programme") (03.07.2003)</p>	<p>Ref. 10827/03 PE-CONS 3651/03</p>		<p>Qualified majority</p>
<p>2520th Council meeting (Economic and Financial Affairs) on 15 July 2003</p>			
<p>Council Decision authorising Germany to conclude an agreement with Switzerland that includes provisions derogating from Articles 2 and 3 of Directive 77/388/EEC on the harmonisation of the laws of the Member States relating to turnover taxes</p>	<p>9893/03</p>		<p>Unanimity</p>
<p>Council Regulation on the harmonisation of Gross National Income at market prices ("GNI Regulation")</p>	<p>9253/03</p>	<p>105/03</p>	<p>Unanimity</p>
<p>Council Regulation relating to measures envisaged to facilitate the procedures for applying for and issuing visas for members of the Olympic family taking part in the 2004 Olympic or Paralympic Games in Athens</p>	<p>10233/03 + COR 1 + COR 2 (fi)</p>	<p>106/03</p>	<p>Unanimity</p>
<p>Directive of the European Parliament and of the Council on the prospectus to be published when securities are offered to the public or admitted to trading and amending Directive 2001/34/EC</p>	<p>PE-CONS 3656/03</p>	<p>107/03, 108/03, 109/03, 110/03</p>	<p>Abstention IRL Qualified majority</p>

JULY 2003

FINAL LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
Regulation of the European Parliament and of the Council amending Council Regulation (EEC) No 95/93 on common rules for the allocation of slots at Community airports	PE-CONS 3641/1/03 REV1	111/03	Abstention DK, S Opposed by E Qualified majority
2521st Council meeting (Economic and Financial Affairs: Budget) on 16 July 2003			
Council Decision on the compatibility with the common market of an aid that the Italian Republic intends to grant to its milk producers	10152/03 + COR 1 (it)	112/03, 113/03, 114/03, 115/03, 116/03, 117/013	Unanimity
Council Decision on the granting of aid by the Belgian Government to certain coordination centres established in Belgium	10363/03	118/03	Unanimity
2524th Council meeting (Agriculture and Fisheries) on 22 July 2003			
Council Decision concerning the conclusion of the Protocol of Amendment to the European Convention for the protection of vertebrate animals used for experimental and other scientific purposes	11208/03 + COR 1 (fr)	119/03	
Council Regulation concerning customs action against goods	11033/03	120/03, 121/03	Qualified majority

JULY 2003

FINAL LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
suspected of infringing certain intellectual property rights and the measures to be taken against goods found to have infringed such rights	+ COR 1 (de) + COR 2 (sv) + REV 1 (fi)		
Council Decision on guidelines for the employment policies of the Member States	10567/03 + COR 1 (fr)		Qualified majority
Council Decision setting up an Advisory Committee on Safety and Health at Work	10624/03 + COR 1 (es)	122/03	Unanimity
European Cooperative Society • Council Regulation on the Statute for a European Cooperative Society (SCE) • Council Directive supplementing the Statute for a European Cooperative Society with regard to the involvement of employees	10218/03 + COR 1 (de) 10245/03 + COR 1 (de) + COR 2 (fi)	123/03, 124/03, 125/03, 126/03 127/03	Unanimity Unanimity
Council Framework Decision on combating corruption in the private sector	7370/03 + COR 1 (fi) + COR 2	128/03, 129/03, 130/03, 131/03	Unanimity
Council Framework Decision on the execution in the	7369/03	132/03	Unanimity

JULY 2003

FINAL LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
European Union of orders freezing property or evidence	+ COR 1 (fr) + COR 2 (es) + REV 1 (fi) + REV 1 COR 1 (fi) + REV 2 (sv) + REV 3 (sv)		
Council Decision concerning the application to Gibraltar of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union	10725/03		Unanimity
Directive of the European Parliament and of the Council amending Council Directive 96/22/EC concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of beta-agonists	PE-CONS 3658/03	133/03	Abstention UK Opposed by E, P Qualified majority
Regulation of the European Parliament and of the Council on additives for use in animal nutrition	PE-CONS 3657/03	134/03, 135/03	Opposed by A Qualified majority
Regulation of the European Parliament and of the Council concerning traceability and labelling of genetically modified organisms and traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC	PE-CONS 3652/03	136//03, 137/03, 138/03	Opposed by DK, L, UK Qualified majority
Regulation of the European Parliament and of the Council on genetically modified food and feed	PE-CONS 3655/03	139/03, 140/03, 141/03	Opposed by A, DK, L, UK Qualified majority

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FINAL LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
<p>Directive of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC</p>	<p>PE-CONS 3659/03</p>	<p>142/03</p>	<p>Qualified majority</p>
<p>Regulation of the European Parliament and of the Council amending Regulation (EC) No 417/2002 on the accelerated phasing in of double hull or equivalent requirements for single hull oil tankers</p>	<p>PE-CONS 3640/1/03 REV 1</p>		<p>Qualified majority</p>
<p>Written procedures completed on 28 July 2003</p>			
<p>Council Decision amending Annex 2, Schedule A, of the Common Consular Instructions and Annex 5, Schedule A, of the Common Manual on the visa requirements for holders of Pakistani diplomatic passports</p>	<p>11155/03</p>		<p>Unanimity</p>
<p>Council Decision on the amendment of Annex 3, Part I, of the Common Consular Instructions and Annex 5a, Part I, of the Common Manual on third country nationals subject to airport</p>	<p>11156/03</p>		<p>Unanimity</p>

JULY 2003

FINAL LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
visa requirements			

STATEMENT 105/03

Statement by the Portuguese Delegation re Article 2(2) in Chapter II

"In Portugal's case, compliance with the time limit in Article 2 means that the data to be supplied will be based on quarterly figures.

On the other hand, the inventory of procedures and basic statistics used to calculate GNI, which is to be supplied to the Commission (Article 3) for use in its verification of sources and methods used (Article 5), relates to methods and sources used in annual estimates, which differ substantially from those used in quarterly estimates.

These factors do not prevent the data being supplied within the time limit set, although the data are likely to be revised, perhaps significantly, at a later stage (as a result of annual estimates), and verification of data quality should be based on the revised data and not on the data initially supplied."

STATEMENT 106/03

Statement by the Council and the Commission

"The Council and the Commission declare that in evaluating the derogation arrangements provided for in this Regulation for members of the Olympic family participating in the 2004 Olympic and/or Paralympic Games in Athens who are subject to the visa requirement, special attention will be paid to whether the level of security of the accreditation card issued to members of the Olympic family by the Organising Committee of the 2004 Olympic Games and in which the visa issued by the competent Greek authorities is incorporated affects the proper working of the derogation arrangements.

In accordance with the requirements of the Olympic Charter, the Greek authorities will also do their utmost to ensure that members of the Olympic family are able to enter the country without difficulty. In case of doubt, they will immediately provide the services responsible for authorising entry into EU Member States with the necessary information.

Depending on the results of the evaluation report and to prepare for future events of this kind, solutions based on event-centred documentation and reference criteria will be devised which are both easy to implement and comply with the safety standards in force. Where appropriate, the Commission will submit a proposal on the matter."

STATEMENT 107/03

Council statement

"The Council invites the Commission to take into consideration the needs of this Directive in future revisions of Council Directive 93/22/EEC of 10 May 1993 on investment services. Especially, it shall be ensured that Article 2(1)(a) of this Directive is amended according to future changes made in Council Directive 93/22/EEC of 10 May 1993 on investment services in order to ensure the continuous consistency between the two Directives."

STATEMENT 108/03

Joint UK/Spanish statement

"The UK and Spanish delegations consider that, without prejudice to Article 21 of this Directive, in case of designation of a Gibraltar authority, the arrangements agreed between both countries relative to Gibraltar authorities in the context of EU and EC instruments and related treaties (7998/00) shall apply."

STATEMENT 109/03

Statement by Ireland

"Ireland supports the overall aim and objective of this Directive and considers it an important element in the completion of a single EU financial market. However we are unable to vote in favour of its adoption, as the administrative competent authority, which Member States will be required to put in place, will not be permitted to delegate a limited number of tasks to market operators, such as stock exchanges, on an ongoing basis.

Throughout the negotiations at Council on this Directive Ireland signalled the importance it attached to ongoing delegation and believes that it represented a very reasonable request taking account of its very modest demands overall. Furthermore we feel that other Member States would not have been disadvantaged given that delegation would be subject to strict conditions and safeguards to ensure that conflict of interest issues did not arise. Without ongoing delegation, the flexibility currently available to small Member States will be removed and this will disrupt existing regulatory arrangements in Ireland."

STATEMENT 110/03

Commission statement:

"The Commission, in the review to be conducted in accordance with Article 21, will also examine the conditions relating to the sunset period in the same Article."

STATEMENT 111/03

Statement by the Spanish delegation

"Spain believes that the air transport market must become more open to competition and for that reason the technical revision of the slots Regulation, which is now on the table, should be adopted as a matter of urgency. Secondly, the system for allocating slots must undergo a thorough overhaul so as to avoid the kind of distortion produced, for example, by the "use it or lose it" rule in its current 80%-20% form, which, as well as being questionable in itself, is liable to be suspended every time external problems adversely affect part of particular airlines' business structure, thus drastically limiting new opportunities for competition and new entrants' access to the market."

STATEMENT 112/03

Council statement

"The Council takes note of the firm undertaking of the Italian Government to:

- henceforth rigorously and timeously enforce the Community milk quota system on the basis of a new decree law and to ensure that its provisions are consistent with the Community rules concerning the additional levy and with the present Council Decision,
- strictly comply with the conditions of Article 2 of the present Decision and in particular to pay the remaining amount of EUR 249 585 217 in the way foreseen in this Article;
- withdraw its pending cases before the Court of Justice concerning the clearance of accounts in relation to milk for the years 1995-1996 and 1996-1997 and not to bring new cases for similar reasons for the years 1997-1998 to 2001-2002."

STATEMENT 113/03

Council statement

"The Council notes the following Commission's assessment concerning the provisions of the new decree law 49/2003:

"The Commission considers that the law for the future management of milk quotas in Italy provides a correct legislative basis for application of the regime. Essential points are:

- mechanisms for ensuring levy collection on all deliveries over quota during the course of a period and ensuring that funds are at all times available to the authorities to cover all levy which will become due at the end of the period;
- rigorous control and sanction procedures introduced at all levels.

When fully and correctly implemented, the Commission expects to see a good functioning of the regime."

STATEMENT 114/03

Council statement

"The Council furthermore notes the Commission's intention:

- to continue to closely monitor the milk quota system in Italy and to decisively take all necessary action to remedy the situation in case of incorrect application of the milk quota system or insufficient implementation of the provisions of the new law in Italy;
- to continue to closely monitor the correct application of the present Decision and to take, if necessary, all necessary action in accordance with Article 88(1) of the Treaty and Council Regulation 659/1999;
- not to challenge the present Decision before the Court of Justice."

STATEMENT 115/03

Council statement

"The Council adopts this Decision since both Houses of the Italian Parliament have adopted a new law which is consistent with the present Decision."

STATEMENT 116/03

Council statement

"The Council furthermore notes the Commission proposal on the milk quota system which is being examined in its proper context by the AGRICULTURE Council"

STATEMENT 117/03

Statement by the Council and the Commission

"The Council and the Commission finally confirm that the present Decision is justified by an exceptional situation. The objective of this Decision is to definitively regularise the past implementation problems of the additional levy in Italy and can therefore not be invoked as a precedent for eventual future implementation problems of this levy in Italy or in other Member States."

STATEMENT 118/03

Commission statement

"The Commission recalls its statement to the minutes of the Ecofin Council on 19 March 2003 (FISC 50, 7681/03 ADD 1, 20 March 2003), and therefore reserves its right to take any appropriate action concerning the Council decision under article 88(2) of the Treaty."

STATEMENT 119/03

Commission statement

"The European Commission stresses the need for the Member States to deposit their act of ratification to the Protocol of Amendment by April 2004. The European Commission notes that lack of ratification by any Member State, Party to the Convention, would prevent the entering into force of the Protocol and halt the progress on animal welfare in the international arena. The Commission also notes that, according to long-standing case law of the Court of Justice, the Commission and the Member States are under an obligation to co-operate in respect of mixed agreements, including the matter of their ratification.

In addition, the Commission notes that, on 13 March 1998, the Council made a declaration urging the Member States that had not yet ratified or acceded to the Convention for the protection of vertebrate animals used for experimental and other scientific purposes to deposit, together with the Community, the instruments for ratification, as far as possible simultaneously, and by 1 January 2000 at the latest. Five Member States have not yet done so."

STATEMENT 120/03

Joint Statement by the Council and the Commission on traffic in low value consignments

"The Council and the Commission agree that the problems faced at certain parts of the external frontier, due to the significant traffic in low value consignments, should be examined in the Customs Code Committee to see whether further support can be offered to help Member States tackle this question."

STATEMENT 121/03

Statement by the Council on compatibility with international obligations

"The Council considers that Article 6 of the Regulation is in conformity with Member States' obligations deriving from Article 53 of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)."

STATEMENT 122/03

Statement by Denmark and the United Kingdom

"Denmark and the United Kingdom regret that it has not been possible to agree on a legal base that could be approved by the Council Legal Service. However, Denmark and the United Kingdom support fully the aim and content of the Decision to establish an advisory committee on health and safety at work and will on this occasion accept a decision based on Article 202 of the Treaty. Nevertheless, Denmark and the United Kingdom believe that this should not be considered as a precedent for further decisions establishing committees on this base."

STATEMENT 123/03

I. With regard to the Regulation

Joint Council/Commission statement

Re Article 8(1)(c)(ii)

"The Council and the Commission state that references to national legislation regarding cooperatives in this Regulation are to be understood as references to similar or analogous rules or customs, including agreements between trade unions and national cooperatives, where, as in the case of Denmark, there is no national law governing the matter."

STATEMENT 124/03

Joint Council/Commission statement

Re Article 63

"The Council and the Commission state that members of the sectorial or section meeting may appoint members of the administrative or supervisory bodies as delegates in accordance with the statutes of the SCE."

STATEMENT 125/03

Joint Council/Commission statement

Re Article 71

"The Council and the Commission state that the system of auditing provided for in Article 71 replaces the statutory auditing laid down in Article 70 in Member States where the law stipulates this system exclusively for all co-operative societies governed by the law of that State."

STATEMENT 126/03

Unilateral statement by the Italian delegation

Re Article 7

"With reference to Article 7 of the Regulation on the Statute for a European cooperative society, the Italian delegation considers that a European co-operative society intending to transfer its registered office to another Member State must, prior to the transfer, fulfil all obligations, including any of a fiscal nature, arising from the law of the Member State in which that European cooperative society is established."

STATEMENT 127/03

II. With regard to the Directive

Council statement

"The Council considers that it would be useful to coordinate the implementation of this Directive, with a view, where appropriate, to coherence and uniformity."

STATEMENT 128/03

Statement by Ireland

"Ireland declares that the definition of "breach of duty" in Article 1 of the Framework Decision on combating corruption in the private sector, which refers to "disloyal behaviour", does not encompass "whistle-blowing activities"."

STATEMENT 129/03

Statement by Germany

"Germany declares that the term "in course of business activities" in Article 2(1) of the Framework Decision on combating corruption in the private sector is interpreted in the sense that reference is made to activities in relation to the purchase of goods or commercial services."

STATEMENT 130/03

Statement by Italy

"Pursuant to Article 2(3) of the Framework Decision, Italy declares that it will limit the scope of paragraph 1 of that Article to conduct which involves, or could involve, a distortion of competition in relation to the purchase of goods or commercial services."

STATEMENT 131/03

Statement by Germany

"Pursuant to Article 2(3) of the Framework Decision, Germany declares that it will limit the scope of paragraph 1 of that Article to conduct which involves, or could involve, a distortion of competition in relation to the purchase of goods or commercial services."

STATEMENT 132/03

Council statement

"The Council notes that for the reason of the urgency of the adoption of the Framework Decision, it has not been possible to fully consider the issue of freezing with a view to restitution of property to its rightful owner, and that this issue therefore has been excluded from the scope of the Framework Decision. The Council agrees that the examination of the question shall be pursued with a view to the adoption of an additional instrument on freezing with a view to restitution as a matter of priority."

STATEMENT 133/03

Statement by the Council and the Commission

"The Council and the Commission point out that the aim of Article 11a is the elimination within five years of the use of oestradiol 17 β or its ester-like derivatives for the treatment of farm animals and its replacement with substances of equivalent effectiveness.

The Commission undertakes in addition to continue its efforts to establish at Community level harmonised maximum standards for natural sexual hormones and validated methods of analysis, taking account of physiological levels observed in farm animals."

STATEMENT 134/03

Statement by the Austrian delegation

"Austria would refer to its call, when the common position was adopted, for the use of antibiotics as feed additives to be banned as soon as possible. Austria regrets that this point was no longer included among the amendments sought by the European Parliament.

As Austria welcomes a swift second-reading agreement with the European Parliament, for the sake of an overall compromise and the earliest possible entry into force of the Regulation, Austria can go along with the compromise put forward by the Presidency."

STATEMENT 135/03

Statement by the Danish, German and Swedish delegations

"Denmark, Germany and Sweden regard the Regulation as a step in the right direction and can therefore support its adoption. However, they are sorry to see that the use of coccidiostats and histomonostats as feed additives is not to be discontinued earlier, e.g. as from 1 January 2009.

STATEMENT 136/03

Statement by the United Kingdom delegation

"The UK maintains that existing Community legislation provides a sound basis for an ordered return to decision-making on the placing on the market of products consisting of or containing GMOs. We welcome the opportunity to examine what further measures are desirable and practicable to meet consumer concerns about GMOs. However, we see no necessary connection between such measures and the effective operation of existing legislation. The UK urges the Community to restart taking decisions under this legislation as soon as possible.

The UK considers that the main criteria against which the effectiveness of any new measures on GMOs should be assessed are whether they are practicable, enforceable and consistent with our international obligations under the Cartagena Protocol on Biosafety. We regard the latter criterion as particularly important for developing countries that lack the capacity to deliver requirements going significantly beyond such obligations. The UK maintains that the text agreed by Environment Council falls short of satisfactorily meeting these criteria.

Firstly, the inclusion in the scope of the measure of traceability and labelling requirements in relation to products derived from GMOs but containing no detectable genetically modified material is unenforceable and potentially risks undermining consumer confidence. Second, as regards thresholds for the adventitious presence of GMOs that trigger such requirements, the UK maintains that 1% is the lowest level that can be reliably be achieved and detected at present.

Third, as regards the identification of GMOs in bulk shipments of agricultural commodities, we consider EU legislation should be consistent with our international obligations under the Cartagena Protocol on Biosafety.

The UK considers that the text agreed by Council does not take sufficient account of these concerns. Consequently, we decided to vote against."

STATEMENT 137/03

Statement by the Netherlands delegation

"The Netherlands is in agreement with the compromise reached with the European Parliament and would like to issue the following statement.

The Netherlands:

- is of the opinion that these regulations provide important guarantees for food and feed safety and consumer choice;
- wishes however to draw attention to the risk that the confidence of applicants, producers, consumers and the public in the future EU regime will be undermined by problems and ambiguities concerning its feasibility, openness to abuse and enforceability;
- stresses the importance of ensuring the EU regime does not cause any unnecessary increase in the burden of administration and implementation, and does not give rise to disproportionate obstacles to international trade in raw materials for food and feed products that would contravene international obligations;
- would like these points to be studied critically during the review (as included in the regulations);
- recognises, without prejudice to the points made above, that the compromises agreed between the Council and the European Parliament represent as much as can be achieved;
- wishes to stress once more that it is proceeding on the basis that the adoption of the proposal will lead to a resumption of the admission procedure for genetically modified organisms (GMOs) in the EU in the short term."

STATEMENT 138/03

Statement by the Danish delegation

"Denmark takes the view that the Regulation concerning traceability and labelling of GMOs is an important step forward, which will help ensure effective consumer information and free consumer choice.

However, Denmark considers it vitally important that there should be clear compensation rules for GMO damage which include both environmental damage and conventional damage (i.e. damage to property or personal injury). Denmark has therefore tried, in discussions, to obtain the Commission's agreement to submit a proposal for such compensation rules for GMO damage. The Commission has hitherto refused to give its agreement to do so. That is why Denmark voted against the common position on the proposal concerning traceability and labelling.

When political agreement was reached on the common position on the environmental liability Directive at the Council meeting on 13 June 2003, Denmark took note of the European Parliament's suggestion that the Commission should submit a proposal on liability for damage caused by GMOs, with the aim of completing legislation in the field of modern biotechnology. At the same time, Denmark reserved the right, in future work, to secure improvements in compensation arrangements for damage caused by GMOs.

The Commission is therefore once again urged to put forward a proposal for amendment of the environmental liability rules so as to cover both conventional damage caused by GMOs and GMO damage to all habitats and ecosystems in the EU.

As the Commission has not yet agreed to submit such a proposal, Denmark cannot support the final adoption of the Regulation on traceability and labelling."

STATEMENT 139/03

Statement by the United Kingdom delegation

Statement on the vote

"This is not a safety issue – we already have procedures in place to ensure products are rigorously assessed for safety, rather it is about informed consumer choice. Consumers need to have confidence in product labels. The UK supports genuine consumer choice, but has consistently argued for a policy based on sound science and which is practicable and enforceable. The compromise text failed to meet these objectives.

The requirement to label products derived from GMOs but which do not contain any GM material potentially opens the door to fraud on a significant scale. This will only serve to undermine consumer confidence. The proposals will also present significant practical problems for developing countries, indeed meeting the requirements will probably be impossible for the least developed countries.

On thresholds the UK maintains that, currently, 1% is the lowest level that can reliably be enforced. The UK recognises that zero presence of non-authorized GMOs having a favourable risk assessment but awaiting EU authorisation is not practical given extent to which GM crops are grown world-wide.

On the authorisation procedure, we have doubts about the omission of Article 308 of the Treaty from the legal base of the regulation. The procedure adopted is very similar to the Commission's "centralised" procedure on which the Council Legal Service advised that a legal base of Article 308 was necessary. The UK reserves the right to take such further action as it may consider appropriate.

For these reasons the UK voted against the regulation."

STATEMENT 140/03

Statement by the United Kingdom delegation

Statement on derived products

"The UK maintains that the labelling rules for derived products that do not contain GM material are unenforceable and will mislead the consumer. The UK recognises that the importance of the proposed review (article 46) in addressing these concerns. The UK therefore calls on the Commission to ensure that mechanisms are in place to collect the necessary information for the review from the date of application of the regulation and that the review includes

- Details of products on the market labelled as GM in accordance with the provisions of the regulation;
- Details of enforcement action taken by Member States to ensure compliance with the regulation;
- An assessment of the impact on developing countries; and
- A detailed assessment of the economic impact of the regulation following implementation, including enforcement costs.

The UK further calls on the Commission to ensure that a proposal to amend the regulation accompanies the report referred to in article 46. The proposal should address any difficulties over enforceability and practicality identified by the review."

STATEMENT 141/03

Statement by the Netherlands delegation

Explanation of vote

"The Netherlands is in agreement with the compromise reached with the European Parliament and would like to issue the following statement.

The Netherlands:

- is of the opinion that these regulations provide important guarantees for food and feed safety and consumer choice;
- wishes however to draw attention to the risk that the confidence of applicants, producers, consumers and the public in the future EU regime will be undermined by problems and ambiguities concerning its feasibility, openness to abuse and enforceability;
- stresses the importance of ensuring the EU regime does not cause any unnecessary increase in the burden of administration and implementation, and does not give rise to disproportionate obstacles to international trade in raw materials for food and feed products that would contravene international obligations;
- would like these points to be studied critically during the review (as included in the regulations);
- recognises, without prejudice to the points made above, that the compromises agreed between the Council and the European Parliament represent as much as can be achieved;
- wishes to stress once more that it is proceeding on the basis that the adoption of the proposal will lead to a resumption of the admission procedure for genetically modified organisms (GMOs) in the EU in the short term."

STATEMENT 142/03

Statement by the United Kingdom delegation

"The UK is setting in place all necessary arrangements for the EU Emissions Trading Scheme to start on 1 January 2005. The UK is however very concerned about the provision in Article 31 which requires Member States to implement national legislation to meet the requirements of the Directive by 31 December 2003. A period of less than six months to implement national legislation is impossibly short, particularly given that the full effects of certain provisions will not be known until further implementing Commission Regulations are adopted later this year and the need for public consultation. Whilst the UK will be able to bring into effect by that date the key provisions needed to make the Directive work on the ground, we will not be able to set in place all the legislation needed. All legislation will be in place in good time for the Scheme to begin from the start of 2005."

The above statement is supported by the Belgian, French and Austrian delegations.

JULY 2003	
OTHER ACTS	Votes made public
Written procedures completed on 7 July 2003	
<p>Council Regulation amending Council Regulation (EC) No 1081/2000 prohibiting the sale, supply and export to Burma/Myanmar of equipment which might be used for internal repression or terrorism, and freezing the funds of certain persons related to important governmental functions in that country 11005/03</p> <ul style="list-style-type: none"> • Council Common Position on Iraq and repealing Common Positions 96/741/CFSP and 2002/599/CFSP 10828/03 + COR 1 (fi) + COR 2 (sv) • Council Regulation concerning certain specific restrictions on economic and financial relations with Iraq and repealing Regulation (EC) No 2465/1996 10830/03 + COR 1 (el) + COR 2 (sv) <p>Council Joint Action concerning the appointment of an EU Special Representative for the South Caucasus 10547/03 + COR 1 (el)</p>	
Written procedure completed on 10 July 2003	
<p>Consultation of the European Parliament, the Commission and the European Central Bank on convening a conference of representatives of the governments of the Member States on a proposal for the amendment of the Treaties 11048/03 Annexes I, II and III</p>	
2520th Council meeting (Economic and Financial Affairs) on 3 June 2003	
<p>Council Decision on the statistical data to be used for the adjustment of the key for subscription to the capital of the European Central Bank 8414/03</p>	

JULY 2003**OTHER ACTS****Votes made public**

Council Regulation amending Regulation (EC) No 1601/2001 imposing a definitive anti-dumping duty and definitively collecting the provisional anti-dumping duty imposed on imports of certain iron or steel ropes and cables originating in the Czech Republic, Russia, Thailand and Turkey
10171/03

Council Regulation on common rules for imports of footwear products originating in Vietnam
10365/03 + COR 1 + COR 2 (fi)

Council Decision concerning the conclusion of the Agreement between the European Union and the Republic of Estonia on the participation of the Republic of Estonia in the European Union-led forces (EUF) in the Former Yugoslav Republic of Macedonia
9965/03

Council Decision amending Article 23 of the Protocol on the Statute of the Court of Justice
10783/03

Council Decision authorising the Kingdom of Spain to extend until 7 March 2004 the Agreement on mutual fishery relations with the Republic of South Africa
9262/03

Council Decision authorising the Portuguese Republic to extend until 9 April 2004 the Agreement on mutual fishery relations with the Republic of South Africa
9260/03

Council Resolution on social and human capital - Building social and human capital in the knowledge society: learning, work, social cohesion and gender
10351/03 + COR 1 (fi) + COR 2 (pt) + REV 1 (es)

Council Resolution on promoting the employment and social integration of people with disabilities
10244/03 + COR 1 (pt) + REV 1 (es)

JULY 2003

OTHER ACTS	Votes made public
<p>Council Opinion on the updated Stability Programme of the Netherlands 11453/03</p> <p>Draft Council Recommendation on the appointment of the President of the European Central Bank 10893/03 + COR 1 (de,it,fi)</p> <p>2522nd Council meeting (General Affairs and External Relations) on 21 July 2003</p> <p>Council Decision concerning the implementation of Joint Action 2002/589/CFSP with a view to a European Union contribution to combating the destabilising accumulation and spread of small arms and light weapons in Latin America and the Caribbean 11173/03</p> <p>Council Joint Action appointing the European Union Special Representative for the Middle East peace process and amending Joint Action 2002/965/CFSP 11365/03</p> <p>Draft Council Decision concerning the conclusion of the Agreement between the European Union and the Russian Federation on the participation of that State in the European Union Police Mission (EUPM) in Bosnia and Herzegovina 8770/03</p> <p>Council Decision implementing Council Common Position 1999/533/CFSP relating to the European Union's contribution to the promotion of the early entry into force of the Comprehensive Nuclear Test-Ban Treaty (CTBT) 11342/03 + COR 1 (en)</p> <p>Council Decision on the fulfilment of the conditions laid down in Article 3 of Decision No3/2002 of the EU-Poland Association Council of 23 October 2002 extending the period set in Article 8(4) of Protocol 2 on European Coal and Steel Community (ECSC) products to the Europe Agreement 10490/03 + COR 1 (el) + COR 2</p>	

JULY 2003

OTHER ACTS	Votes made public
<p>Council Regulation amending Regulation (EC) No 992/95 as regards tariff quotas for certain agricultural and fishery products originating in Norway 11347/03</p> <ul style="list-style-type: none">• Council decision concerning the conclusion of the Agreement for scientific and technological cooperation between the European Community and the Republic of Chile 11066/03• Council Decision on the signing of the Agreement for scientific and technological cooperation between the European Community and the Republic of Chile 8172/02 <p>Council Decision on the reallocation of funds received by the European Investment Bank for operations carried out in the Democratic Republic of Congo under the 2nd, 3rd, 4th, 5th and 6th EDFs 11232/03</p> <p>2524th Council meeting (Agriculture and Fisheries) on 22 July 2003</p> <p>Council Recommendation on the implementation of Member States' employment policies 10568/03 + COR 1 (de) + COR 2 (fr)</p> <p>Common Position adopted by the Council on 22 July 2003 with a view to the adoption of a Directive of the European Parliament and of the Council on measuring instruments 9681/03 + COR 1 (nl) + COR 2 (en,it,el) + REV 1 (pt) + REV 2 (fr) + REV 3 (es) + ADD 1 + ADD 1 COR 1 (pt)</p> <p>Common Position adopted by the Council on 22 July 2003 with a view to the adoption of a Directive of the European Parliament and of the Council on setting standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells 10133/03 + REV 2 (es) + ADD 1</p>	

JULY 2003

OTHER ACTS	Votes made public
<p>Employment in rural areas under the European Employment Strategy - Draft Council conclusions 11486/03</p> <p>Written procedure completed on 29 July 2003</p> <p>Council Decision on the extension of the European Union military operation in the Former Yugoslav Republic of Macedonia 11820/03 + REV 1 (en)</p> <p>Written procedure completed on 30 July 2003</p> <p>Council Decision on the conclusion of the Agreement between the European Community and Canada on trade in wines and spirit drinks 11012/03 + COR 1 (fr) + COR 2 (de)</p>	

