



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 22 October 2004 (03.11)
(OR. fr)**

13798/04

PUBLIC 8

NOTE

Subject : MONTHLY SUMMARY OF COUNCIL ACTS
 SEPTEMBER 2004

This document contains:

- in **Annex I**, a summary of definitive legislative acts adopted by the Council in September 2004. This is accompanied by statements in the minutes which may be released to the public (**Annex II**). The summary also mentions any votes against and abstentions, explanations of vote, and the voting rules applicable;
- in **Annex III**, a list of the other acts ¹ adopted by the Council in September 2004, with a reference, where appropriate, to voting results, explanations of vote 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 definitive adoption of legislative acts are authentic. Extracts from the minutes in question may also be obtained from the Transparency Department ("transparency@consilium.eu.int").

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

SEPTEMBER 2004			
DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
2603rd Council meeting (General Affairs and External Relations) on 13 September 2004 Council Decision amending Regulation (EC) No 998/2003 of the European Parliament and of the Council on the animal health requirements applicable to the non-commercial movement of pet animals to take account of the accession of Malta Regulation of the European Parliament and of the Council amending Regulation (EC) No 1726/2000 on development cooperation with South Africa Directive of the European Parliament and of the Council amending Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading within the Community, in respect of the Kyoto Protocol's project mechanisms	11313/04 PE-CONS 3673/04 PE-CONS 3671/04 + REV 1 (nl) + REV 2 (lt) + COR 1 (pt)	156/04	Qualified majority Qualified majority FR, AT against Qualified majority

SEPTEMBER 2004			
DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/VOTING EXPLANATIONS AND VOTING RULES
2605th Council meeting (Competitiveness (Internal Market, Industry and Research)) on 24 September 2004			
Council Regulation amending Regulation (EC) No 2287/2003 as concerns fishing opportunities in Greenland waters	12083/2/04 REV 2	157/04	Qualified majority
Council Regulation amending Regulations (EC) No 1452/2001, (EC) No 1453/2001 and (EC) No 1454/2001 as regards the conditions for the re-exportation and re-dispatch of products covered by the specific supply arrangements	9676/04	158/04	Qualified majority
Council Decision adapting Decision 2004/246/EC by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia	11240/04		Qualified majority

STATEMENT 156/04

"France has always actively supported the adoption of a text which allows credits from projects using the "flexible mechanisms" under the Kyoto Protocol to be linked to the Community allowance trading scheme. This legal instrument should thus enable European businesses to limit the cost of reducing their greenhouse gas emissions, while facilitating financing for projects and for the transfer of "clean" technologies in developing countries.

This would provide significant support, as of 2005, for a rapid start to the Clean Development Mechanism in the developing countries, and for preparing Joint Implementation projects in the countries listed in Annex I, in particular in countries with economies in transition.

However, France does not agree with the text submitted for Council approval.

The text unjustifiably discriminates against credits from non-greenhouse sources, namely from nuclear and hydro-electric energy. For the latter, which is a renewable energy, discrimination arises de facto since the criteria applied, on which there is no consensus at international level, are impracticable.

In adopting such a position, the European Union is restricting the scope of international commitments that it has endorsed. It is sending a negative signal to countries receiving incoming investment whereas such investment is not generating carbon dioxide.

This choice, which has been made on grounds not directly related to combating climate change, could in the future have an unfavourable influence on energy independence and energy policy in third countries, and even in the European Union.

In studying the draft framework law on energy that is to determine the country's long-term energy policy, France's national representation has, on the contrary, recently confirmed its interest in maintaining the nuclear sector and in developing renewable energy sources for power generation.

France accordingly regrets that it is compelled to vote against the text submitted to the Council; it is harmful to the European Union's multilateral position and limits action which is desirable in the fight against climate change."

STATEMENT 157/04

Statement by the United Kingdom

"The United Kingdom offers its support to this Regulation making fishing quotas available to Community operators in line with the modified fisheries Protocol with Greenland. However, the United Kingdom deeply regrets the continuing absence of a quota for a directed cod fishery in Greenland waters and expresses its strong wish to see such a quota reinstated at the earliest possible opportunity."

STATEMENT 158/04

Statement by the Commission

"At the Spanish delegation's request, the Commission representative made it clear that the term "products" in the first sentence of Article 3(5) of Regulation No 1454/2001, as amended by the current Regulation, covers unprocessed, packaged or processed products."

SEPTEMBER 2004	
OTHER ACTS	Votes made public
2603rd Council meeting (General Affairs and External Relations) on 13 September 2004 Council Decision amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditor of the Banca d'Italia 11885/04 Council Decision adopting implementing rules concerning Regulation (EC) No 45/2001 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data 9987/04 + COR 1 (en) + COR 2 (en) + COR 3 (fr) Council Regulation amending Regulation (EEC) No 3030/93 on common rules for imports of certain textile products from third countries 11379/04 Council Regulation terminating the anti-dumping proceedings concerning imports of certain flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, not clad, plated or coated, in coils, not further worked than hot-rolled, originating in India, Taiwan and Serbia and Montenegro 11650/04, 11871/04 + ADD 1 Council Regulation terminating the anti-dumping proceedings concerning imports of certain flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, not clad, plated or coated, in coils, not further worked than hot-rolled, originating in Bulgaria and South Africa 11651/04, 11872/04 + ADD 1 Council Regulation imposing a definitive countervailing duty and collecting definitively the provisional duty imposed on imports of certain graphite electrode systems originating in India 11954/04	

SEPTEMBER 2004	
OTHER ACTS	Votes made public
Council Regulation imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain graphite electrode systems originating in India 11957/04 Council Joint Action amending Joint Action 2004/523/CFSP on the European Union Rule of Law Mission in Georgia, EUJUST THEMIS 11490/04, 11610/04 Council Decision on the principles, priorities and conditions contained in the European Partnership with Croatia 9376/04 Council Decision on the financial provisions applicable to the general budget of the European Defence Agency 10986/04 Decision of the representatives of the Governments of the Member States, meeting within the Council, on the privileges and immunities granted to the European Defence Agency and to its staff members 11502/04 + REV 1 (en) 2605th Council meeting (Competitiveness (Internal Market, Industry and Research)) on 24 September 2004 Council Decision authorising the Kingdom of Spain to extend until 7 March 2005 the Agreement on mutual fishery relations with the Republic of South Africa 11749/04 Council Decision authorising the Portuguese Republic to extend until 9 April 2005 the Agreement on mutual fishery relations with the Republic of South Africa 11773/04	

SEPTEMBER 2004	
OTHER ACTS	Votes made public
Steel products • Council Regulation on administering of the double-checking system without quantitative limits in respect of the export of certain steel products from the Republic of Moldova to the European Community 11509/04 + COR 1 (de) • Council Decision concerning the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Republic of Moldova establishing a double-checking system without quantitative limits in respect of the export of certain steel products from the Republic of Moldova to the European Community 11511/04 + COR 1 (de) + COR 2 (de) + COR 3 (pt,fi) + COR 4 (sl) + REV 1 (lv,hu) Council Decision concluding consultations with Guinea-Bissau under Article 96 of the ACP-EC Partnership Agreement 10955/04 + REV 1 (pt), 11199/1/04 REV 1 Council Decision amending Decision 2001/131/EC concluding the consultation procedure with Haiti under Article 96 of the ACP-EC Partnership Agreement 11347/04 + REV 1 (it) Council Decision approving the conclusion by the Commission of an Agreement for Cooperation in the Peaceful Uses of Nuclear Energy between the European Atomic Energy Community (EURATOM) and the Cabinet of Ministers of Ukraine 12033/04 + COR 1 + COR 2 (pt) + REV 1 (it) Council Decision on the signature and provisional application of a Protocol to the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, and the Slovak Republic to the European Union 11146/04 + COR 1 + COR 2 + COR 3 (en,fr,cs,da,de,el,es,et,fi,it,lv,mt,nl,pl,pt,sk,sl,sv) + COR 4 REV 1 (hu)	

SEPTEMBER 2004	
OTHER ACTS	Votes made public
Council Regulation adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Bulgaria and the exportation of certain processed agricultural products to Bulgaria 11447/04 + COR 1 + COR 2 (sv) Council Common Position concerning restrictive measures against certain officials of Belarus 12151/04 Common Position adopted by the Council with a view to adopting a Decision of the European Parliament and of the Council establishing a multiannual Community programme to make digital content in Europe more accessible, usable and exploitable 10458/04 + COR 1 (et) + REV 1 (da) + REV 2 (es) + REV 3 (sk) + ADD 1 + ADD 1 COR 1 (sk) Council Regulation imposing a definitive anti-dumping duty on imports of glyphosate originating in the People's Republic of China 12299/04	AT against NL, SV against
