



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 20 December 2001 (15.01)  
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**15427/01**

**PUBLIC 11**

### **TRANSPARENCY**

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Subject: MONTHLY SUMMARY OF COUNCIL ACTS  
NOVEMBER 2001

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This document contains:

- in **Annex I**, a summary of definitive legislative acts adopted by the Council in November 2001. This is accompanied by statements in the minutes which the Council decided to make public (**Annex II**). The summary also mentions any votes against and abstentions, explanations of voting, and the voting rule applicable.
- in **Annex III**, a list of the other acts <sup>1</sup> adopted by the Council in November 2001, with a reference, where appropriate, to voting results, explanations of voting and statements which the Council has decided to make public.

This document is also available via the Internet ("<http://ue.eu.int>"), see "Transparency", "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 service ("[transparency@consilium.eu.int](mailto:transparency@consilium.eu.int)").

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<sup>1</sup> 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.

| NOVEMBER 2001                                                                                                                                                                                                                                                                                             |                                          |            |                                            |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|------------|--------------------------------------------|--|
| DEFINITIVE LEGISLATIVE ACTS                                                                                                                                                                                                                                                                               | TEXTS ADOPTED                            | STATEMENTS | VOTES/EXPLANATIONS OF VOTE AND VOTING RULE |  |
| <b>2382nd Council meeting (Economic and Financial Questions) on 6 November 2001</b><br><br>Council Decision authorising the Kingdom of Spain to apply a measure derogating from Article 11 of the Sixth Directive 77/388/EEC on the harmonisation of the laws of Member States relating to turnover taxes | 12704/01<br>+ COR 1 (sv)<br>+ COR 2 (fi) |            | Unanimity                                  |  |
| <b>2383rd Council meeting (Development) on 8 November 2001</b><br><br>Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 2223/96 as regards the reclassification of settlements under swaps arrangements and under forward rate agreements                      | PE-CONS 3649/01                          | 139/01     | Qualified majority                         |  |

| NOVEMBER 2001                                                                                                                                                                                                                                                                                                                                                                                     |                                                 |                |                                            |  |
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| DEFINITIVE LEGISLATIVE ACTS                                                                                                                                                                                                                                                                                                                                                                       | TEXTS ADOPTED                                   | STATEMENTS     | VOTES/EXPLANATIONS OF VOTE AND VOTING RULE |  |
| <b>Legislative act adopted following the European Parliament's second reading in the framework of the codecision procedure</b><br><br>Directive 2001/100/EC of the European Parliament and of the Council amending Council Directive 70/220/EEC on the approximation of the laws of the Member States on measures to be taken against air pollution by emissions from motor vehicles (14.11.2001) | 13822/01<br>PE-CONS 3663/01                     |                | Qualified majority                         |  |
| <b>2386th Council meeting (General Affairs) on 19 November 2001</b><br><br>Directive of the European Parliament and of the Council amending Council Directive 91/308/EEC on prevention of the use of the financial system for the purpose of money laundering                                                                                                                                     | PE-CONS 3654/01<br>+ REV 1 (es)<br>+ COR 1 (it) | 140/01, 141/01 | Qualified majority                         |  |
| <b>2387th Council meeting (Agriculture) on 20 November 2001</b><br><br>Council Regulation amending Regulation (EEC) No 2262/84 laying down special measures in respect of olive oil                                                                                                                                                                                                               | 13885/01                                        |                | DK, D, S against<br>Qualified majority     |  |

| NOVEMBER 2001                                                                                                                                                                                                                                   |                                          |                                           |                                                  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-------------------------------------------|--------------------------------------------------|--|
| DEFINITIVE LEGISLATIVE ACTS                                                                                                                                                                                                                     | TEXTS ADOPTED                            | STATEMENTS                                | VOTES/EXPLANATIONS OF VOTE AND VOTING RULE       |  |
| <b>2388th Council meeting (Budget) on 21 November 2001</b><br><br>Decision of the European Parliament and of the Council establishing a programme of Community action to encourage cooperation between Member States to combat social exclusion | PE-CONS 3650/01<br>+ COR 1 (pt)          |                                           | Qualified majority                               |  |
| <b>2390th Council meeting (Fisheries) on 27 November 2001</b><br><br>Council Directive amending Directive 1999/29/EC on the undesirable substances and products in animal nutrition                                                             | 14115/01<br>+ REV 1 (fi)                 | 142/01, 143/01, 144/01                    | D abstention<br>Qualified majority               |  |
| <b>2391st Council meeting (Education/Youth on 29 November 2001</b><br><br>Council Regulation amending Commission Regulation (EC) No 466/2001 setting maximum levels for certain contaminants in foodstuffs                                      | 14401/01<br>+ COR 1 (el)<br>+ COR 2 (el) | 145/01, 146/01, 147/01,<br>148/01, 149/01 | DK against<br>D abstention<br>Qualified majority |  |

**STATEMENT 139/01**

**Statement by the Commission**

"The Commission commits itself to replace the relevant codes (B.9 and D.41) of Article 1(3) of Regulation No. 3605/93 with new codes (EDPB9 and EDPD41) provided for by Annex V of Regulation No. 2223/96, in time for the first budgetary data reporting following the entry into force of this Regulation."

## **STATEMENT 140/01**

### **Joint statement by the Council of the European Union and the European Commission**

"The Council of the European Union and the European Commission underline the importance, in efforts to combat the financing of terrorism, of the Directive on prevention of the use of the financial system for the purpose of money laundering.

The Representatives of the Governments of the Member States meeting within the Council agree that any offence relating to the financing of terrorism constitutes a serious crime for the purposes of that Directive."

## **STATEMENT 141/01**

### **Statement by the Commission**

"The Commission reiterates the commitment made in its work programme 2001 to launch a proposal before the end of this year for a Regulation of the European Parliament and of the Council establishing a cooperation mechanism between the competent national authorities of the Member States and the Commission in order to ensure the protection of the Communities' financial interests against illegal activities, including Value Added Tax (VAT) fraud and money laundering. This commitment has been confirmed in the Communication from the Commission concerning the Action Plan for 2001-2003 on protecting the Communities' financial interests – Fight against fraud – of 15 May 2001." <sup>1</sup>

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<sup>1</sup> COM (2001) 254 final: see paragraph 2.2.1.

## **STATEMENT 142/01**

### **Statement by the Council**

"The Council considers it essential for the protection of human and animal health that a suitable monitoring programme be established, with the specific aim of gathering a set of data which can be used to revise the maximum dioxin limits.

The Council notes the Commission's intention of recommending a monitoring programme and invites Member States to place the highest priority and the greatest importance on the implementation of such programmes."

## **STATEMENT 143/01**

### **Statement by the Commission**

"This Directive, as an integral part of a comprehensive strategy, will reduce the presence of dioxins in feed and food in the whole European Community. One prerequisite is that the monitoring of feed materials and feedingstuffs is uniformly applied across the European Community. The Commission recommends therefore in the Recommendation accompanying this Directive that Member States should perform monitoring, proportionate to their production and use of feed materials and feedingstuffs. Furthermore, the Commission will take the necessary initiatives in the frame of the Standing Committee for Feedingstuffs to determine concrete guidelines for this monitoring. These guidelines should consist of, inter alia, the number of samples to be taken by each Member State of each main category of feed materials and feedingstuffs. The obtained data, representative for the whole European Community, will form the basis for the future revisions of the maximum levels, provided for by this Directive."

## **STATEMENT 144/01**

### **Statement by the delegation of the Federal Republic of Germany**

"Germany favours an early, sustainable reduction in the dioxin input into the food chain and particularly supports the Commission's source-related measures designed to achieve that end.

On preventive consumer health protection grounds, Germany considers that maximum dioxin and furan levels in feedingstuffs must be set lower.

Germany therefore welcomes the Council and Commission's agreement to conduct a dioxin survey, using a uniform concept, throughout the Member States in order to obtain a representative picture of background dioxin levels in the European Union. Maximum levels should be reviewed as soon as possible on the basis of the survey outcome, with the aim of reducing them."

## **STATEMENT 145/01**

### **Statement by the Commission**

"This Regulation, as integral part of a comprehensive strategy, will reduce the presence of dioxins in food in the whole European Community. One prerequisite is that the monitoring of foodstuffs is uniformly applied across the European Community. The Commission recommends therefore in the Recommendation accompanying this Directive that Member States should perform a monitoring, proportionate to their production and consumption of foodstuffs. Furthermore, the Commission will take the necessary initiatives in the frame of the Standing Committee for Foodstuffs to determine concrete guidelines for this monitoring. These guidelines should consist of, inter alia, the number of samples to be taken by each Member State of each main category of foodstuffs. The obtained data, representative for the whole European Community, will form the basis for the future revisions of the maximum levels, provided for by this Regulation."

## **STATEMENT 146/01**

### **Statement by the Finnish and Swedish delegations**

"As regards the derogation for Finland and Sweden laid down in Article 1a:

While recalling that the problem with high levels of dioxins is restricted to fatty species of fish such as Baltic herring and Baltic salmon, Finland and Sweden undertake to ensure that fish originating from the Baltic region with higher dioxin levels than those set in the now adopted regulation will not be marketed in other Member States.

Fatty species of fish such as Baltic herring and Baltic salmon will not be marketed in other Member States until monitoring and surveillance show that the limits in the regulation is not exceeded.

To this end, use will be made of the Commission regulation laying down detailed rules as regards informing consumers about fishery and aquaculture products (2065/2001). This regulation will come into force on 1 January 2002 and will require the area in which a species is caught to be specified.

Thus Regulation 2065/2001 will provide the basis to guarantee that fatty species such as Baltic herring and Baltic salmon, as well as products containing these species, will not be marketed to other Member States unless they comply with the requirements of Regulation 466/2001.

Finland and Sweden will inform the Commission and the Member States of the details concerning the measures, for example traceability, to be taken before the entering into force of the regulation amending Regulation 466/2001.

As regards third countries, Finland and Sweden will comply fully with the future requirements as drafted in the Common Position on the Regulation of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Authority and laying down procedures in matters of food safety."

## **STATEMENT 147/01**

### **Statement by the German delegation**

"Germany abstained in the vote taken in the Council because it maintains that:

- an early, sustainable reduction in the dioxin input into the food chain is necessary; it particularly supports the Commission's source-related measures designed to achieve that end;
- the 14pg WHO-TEQ/kg body weight per week proposed as the tolerable weekly human intake for dioxins by the Scientific Committee for Food (SCF) in its opinion of 30 May 2001 should in the medium term be further reduced to under 7pg WHO-TEQ/kg body weight per week;
- with the proposed maximum levels of dioxins and furans in various foods, it will not be possible to achieve that goal or the necessary improvement in consumer health;
- the European Commission should have submitted and adopted the target levels for dioxins in foods that it announced in March 2001 before maximum levels were adopted by the Council.

Germany welcomes the Commission's intention to carry out coordinated monitoring of dioxin levels in foodstuffs throughout the Member States at an early date and asks the Commission, in the light of the findings of that monitoring exercise, promptly to adapt established maximum dioxin levels so as to improve consumer protection."

## **STATEMENT 148/01**

### **Statement by the united Kingdom delegation**

"The UK supports the need for action to reduce consumer exposure from dioxins in feed and food in order to protect public health. Measures to reduce emissions of dioxins to the environment are an important factor in controlling dioxins entering the food chain. The UK therefore welcomes the Communication on a strategy on dioxins recently presented by the Commission to the Council.

The UK nevertheless maintains its concern that the proposed maximum limits in the Regulation may not be proportionate to the risk. No fiche d'impact from the Commission setting out a cost-benefit analysis has been presented, and there is concern that the measure will have an impact on food supplies without a significant effect on the exposure of most consumers to dioxins in food. In addition, the limits do not yet include dioxin-like PCBs that normally contribute at least 50% of the toxicity of samples.

An effective control scheme is required to implement this proposal. The key to the effective enforcement of the limits is agreed procedures for sampling and methods of analysis. We note that a Directive addressing this area is due to be in force by July 2002. Since the coming into force date of the Regulation has also been extended to 1 July 2002 the UK is prepared to vote in favour of the proposal."

## **STATEMENT 149/01**

### **Statement by the Danish delegation**

"Denmark can in principle support the Commission proposal (COM(2001) 495 of 28 August 2001) for the amendment of Commission Regulation (EC) No 466/2001 setting maximum levels for certain contaminants in foodstuffs.

Denmark must, however, reject the proposed exceptions to the maximum levels. Those exceptions give cause for concern as regards food safety and the operation of the internal market.

Moreover, differential treatment as between the various Baltic countries' fisheries should be avoided."

| NOVEMBER 2001                                                                                                                                                                                                                                                 |                   |
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| OTHER ACTS                                                                                                                                                                                                                                                    | Votes made public |
| <b>2381st Council meeting (Culture) on 5 November 2001</b>                                                                                                                                                                                                    |                   |
| Rules of Procedure of the Committee set up under the auspices of the European Investment Bank ("Investment Facility Committee")<br>12817/01                                                                                                                   |                   |
| Council Regulation (EC) No 1078/2001 of 31 May 2001 amending Regulation (EC) No 2160/96 imposing a definitive anti-dumping duty on imports of polyester textured filament yarn originating, inter alia, in Thailand<br>(OJ L 149, 2.6.2001, p. 5)<br>12724/01 |                   |
| Council Regulation opening and providing for the administration of a tariff quota for imports of soluble coffee covered by CN code 2101 11 11<br>11593/01 + COR 1 (fi)                                                                                        |                   |
| Council Common Position concerning restrictive measures against the Taliban and amending Common Positions 1996/746/CFSP, 2001/56/CFSP and 2001/154/CFSP<br>13253/01                                                                                           |                   |
| Council Regulation repealing Regulation (EC) No 926/98 concerning the reduction of certain economic relations with the Federal Republic of Yugoslavia<br>13259/01                                                                                             |                   |
| <b>2382nd Council meeting (Economic and Financial Questions) on 6 November 2001</b>                                                                                                                                                                           |                   |
| Council Decision granting a Community guarantee to the European Investment Bank against losses under a special lending action for selected environmental projects in the Baltic Sea basin of Russia under the Northern Dimension<br>12722/01                  |                   |

| NOVEMBER 2001                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |
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| OTHER ACTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Votes made public |
| <p>Council Decision amending Decision 2000/24/EC so as to extend the Community guarantee granted to the European Investment Bank to cover loans for projects in the Federal Republic of Yugoslavia<br/>12927/01</p> <p>Common position adopted by the Council with a view to the adoption of a Regulation of the European Parliament and of the Council on the implementation of the .eu Top Level Domain<br/>12171/01 + ADD 1 REV 1 + COR 1 (fr) + COR 2 + COR 3</p> <p><b>2383rd Council meeting (Development) on 8 November 2001</b></p> <p>Common position adopted by the Council with a view to the adoption of a Directive of the European Parliament and of the Council concerning the statistical surveys to be carried out by the Member States in order to determine the production potential of plantations of certain species of fruit trees<br/>12008/01 + ADD 1</p> <p><b>Written procedure completed on 13 November 2001</b></p> <p>Council Resolution on Global Monitoring for Environment and Security (GMES)<br/>13441/01 COR 1</p> <p><b>2384th Council meeting (Health) on 15 November 2001</b></p> <p>Council Regulation on the conclusion of two Agreements in the form of Exchanges of Letters concerning the extension of the Protocol establishing the fishing opportunities and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal for the periods 1 May 2001 to 31 July 2001 and 1 August 2001 to 31 December 2001<br/>12062/01</p> |                   |

| NOVEMBER 2001                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                   |
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| OTHER ACTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Votes made public |
| <p>Council Regulation on the detailed rules for applying Article 12(2) of the Agreement in the form of an Exchange of Letters between the European Economic Community and the Principality of Andorra<br/>10713/01</p> <p>Council Decision authorising the automatic renewal or continuation in force of provisions governing matters covered by the common commercial policy contained in the friendship, trade and navigation treaties and trade agreements concluded between Member States and third countries<br/>11275/01 + COR 1</p> <p>Council Regulation amending the autonomous common customs tariff duty for garlic falling within CN code 07032000<br/>12395/01</p> <p>Council Decision extending and amending Decision 1999/730/CFSP concerning a European Union contribution to combating the destabilising accumulation and spread of small arms and light weapons in Cambodia<br/>13317/01 + COR 1</p> <p>Council Recommendation on the prudent use of antimicrobial agents in human medicine<br/>14751/01</p> <p>Council Conclusions on combating stress and depression-related problems<br/>13501/01</p> <p><b>2385th Council meeting (Justice, Home Affairs and Civil Protection) on 16 November 2001</b></p> <p>Council Decision on a further contribution of the European Community to the European Bank for Reconstruction and Development for the Chernobyl Shelter Fund<br/>13368/01</p> |                   |

| NOVEMBER 2001                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                     |
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| OTHER ACTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Votes made public   |
| <p>Council Regulation amending Regulation (EC) No 47/1999 on the arrangements for imports of certain textile products originating in Taiwan<br/>12240/01</p> <p><b>2386th Council meeting (General Affairs) on 19 November 2001</b></p> <p>Council Joint Action extending the mandate of the European Union Special Representative for the Middle East peace process<br/>13614/01</p> <p>Council Common Position on Rwanda<br/>13759/01</p> <p>Council Joint Action regarding European Union support for the establishment of an interim multinational security presence in Burundi<br/>13861/01</p> <p>Council Regulation on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one side, and the Republic of Croatia, of the other side, and for applying the Interim Agreement between the European Community and the Republic of Croatia<br/>13633/01</p> <p><b>2387th Council meeting (Agriculture) on 20 November 2001</b></p> <p>Common positions adopted by the Council with a view to the adoption of</p> <ul style="list-style-type: none"> <li>the Regulation of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption<br/>10408/01 + ADD 1</li> <li>the Directive of the European Parliament and of the Council amending Council Directives 90/425/EEC and 92/118/EEC as regards health requirements for animal by-products<br/>10407/01 + ADD 1</li> </ul> | <p>D, A against</p> |

| NOVEMBER 2001                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |
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| OTHER ACTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Votes made public |
| <p>Council Decision on the conclusion of the Agreements in the form of an Exchange of Letters between the European Community and, of the one part, Barbados, Belize, the Republic of the Congo, Fiji, the Cooperative Republic of Guyana, the Republic of Côte d'Ivoire, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, the Republic of Mauritius, the Republic of Surinam, Saint Christopher and Nevis, the Kingdom of Swaziland, the United Republic of Tanzania, the Republic of Trinidad and Tobago, the Republic of Uganda, the Republic of Zambia and the Republic of Zimbabwe and, of the other part, the Republic of India on the guaranteed prices for cane sugar for the 2000/2001 delivery period<br/>13293/01</p> <p>Council Regulation amending and updating Regulation (EC) No 1334/2000 setting up a Community regime for the control of exports of dual-use items and technology<br/>12697/01</p> <p><b>2388th Council meeting (Budget) on 21 November 2001</b></p> <p>Council Regulation introducing certain temporary autonomous concessions in the form of Community tariff quotas applicable to imports into the Community of tomatoes originating in the Kingdom of Morocco<br/>13092/01</p> <p><b>2389th Council meeting (Internal Market/Consumers/Tourism) on 26 November 2001</b></p> <p>Council Resolution on consumer credit and indebtedness<br/>14199/01</p> |                   |

| NOVEMBER 2001                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   |
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| OTHER ACTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Votes made public |
| <p><b>2390th Council meeting (Fisheries) on 27 November 2001</b></p> <p>Association of overseas countries and territories with the European Community</p> <ul style="list-style-type: none"> <li>• Council Decision on the association of the overseas countries and territories with the European Community ("Overseas Association Decision")<br/>12715/1/01 REV 1 + REV 1 COR 1</li> <li>• Decision of the Representatives of the Governments of the Member States, meeting within the Council, concerning the taxation of savings in Caribbean dependent or associated territories<br/>14057/01 + COR 1 (nl) + COR 2 (sv) + COR 3 (es)</li> </ul> <p><b>2391st Council meeting (Education/Youth) on 29 November 2001</b></p> <p>Council Decision amending the Council's Rules of Procedure<br/>13465/01 + COR 1 (da) + COR 2 (fi) + REV 1 (sv)</p> <p>Council Decision implementing Joint Action 1999/34/CFSP with a view to a European Union contribution to combating the destabilising accumulation and spread of small arms and light weapons in Albania<br/>14361/01</p> <p>Council Joint Action extending the mandate of the European Union Monitoring Mission<br/>13864/01</p> <p>Council Decision extending the mandate of the Head of Mission of the European Union Monitoring Mission (EUMM)<br/>14466/01</p> |                   |