



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 28 March 2003 (07.04)
(OR. fr)**

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NOTE

Subject: MONTHLY SUMMARY OF COUNCIL ACTS
FEBRUARY 2003

This document contains:

- in **Annex I**, a summary of definitive legislative acts adopted by the Council in February 2003. 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 vote, and the voting rule applicable;
- in **Annex III**, a list of the other acts ¹ adopted by the Council in February 2003, with a reference, where appropriate, to voting results, explanations of vote and statements which the Council 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").

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.

FEBRUARY 2003			
DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/EXPLANATIONS OF VOTES AND VOTING RULE
Written procedure completed on 1 February 2003			
Adoption of three Council Decisions concerning the expiry of the ECSC Treaty and the entry into force of the Nice Treaty: financial activities after 2002.		18/03, 19/03, 20/03, 21/03	
• Council Decision establishing the measures necessary for the implementation of the Protocol, annexed to the Treaty establishing the European Community, on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel	5325/03		Unanimity
• Council Decision laying down multiannual financial guidelines for managing the assets of the ECSC in liquidation and, on completion of the liquidation, the assets of the Research Fund for Coal and Steel	5411/03		Unanimity
• Council Decision laying down the multiannual technical guidelines for the research programme of the Research Fund for Coal and Steel	5412/03		Unanimity

FEBRUARY 2003			
DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/EXPLANATIONS OF VOTES AND VOTING RULE
2484th Council meeting (Education, Youth and Culture) on 6 February 2003 Directive of the European Parliament and of the Council amending Directive 98/70/EC relating to the quality of petrol and diesel fuels	PE-CONS 3677/02 + COR 1 (el) + REV 1 (pt) + REV 1 COR 1 (pt)		Qualified majority
2485th Council meeting (Economic and Financial Affairs) on 18 February 2003 Council Regulation establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national	15408/02 + COR 1 (fr) + COR 2 (de) + COR 3 (de,it,en,da,el,es,sv) + COR 4 (pt) + COR 5 (de) + COR 6 (da) + REV 1 (sv) + REV 1 COR 1 (sv)	22/03, 23/03, 24/03	Unanimity
Directive 2003/18/EC of the European Parliament and of the Council amending Council Directive 83/477/EEC on the protection of workers from the risks related to exposure to asbestos at work	PE-CONS 3612/03		Qualified majority

FEBRUARY 2003			
DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/EXPLANATIONS OF VOTES AND VOTING RULE
2486th Council meeting (Agriculture and Fisheries) on 20 February 2003			
Council Regulation on the authorisation of the additive avilamycin in feedingstuffs	6120/03	25/03	D, A, DK, FIN, S against Qualified majority
2489th Council meeting (Justice and Home Affairs) on 27 and 28 February 2003			
Council Decision on the common use of liaison officers posted abroad by the law enforcement agencies of the Member States	15525/02		Unanimity
Council Regulation on the issue of visas at the border, including the issue of such visas to seamen in transit	5477/03		Unanimity
Council Regulation concerning Community monitoring of imports of hard coal originating in third countries	5544/03 + COR 1 (da)		Simple majority

STATEMENT 18/03

STATEMENT BY THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES MEETING WITHIN THE COUNCIL ON THE CONTRIBUTIONS TO THE COAL AND STEEL RESEARCH FUND BY NEWLY ACCEDING COUNTRIES:

"During accession negotiations, necessary contributions to the Assets of the Research Fund for Coal and Steel, and, where appropriate, the ECSC in liquidation, shall be defined with due regard to past similar situations."

STATEMENT 19/03

STATEMENT BY THE COMMISSION ON ARTICLE 1(2) OF THE COUNCIL DECISION ESTABLISHING THE MEASURES NECESSARY FOR THE IMPLEMENTATION OF THE PROTOCOL, ANNEXED TO THE TREATY OF NICE, ON THE FINANCIAL CONSEQUENCES OF THE EXPIRY OF THE ECSC TREATY AND ON THE RESEARCH FUND FOR COAL AND STEEL:

"The Commission will provide a vademecum listing the procedures in force on 23.07.2002 which will be applied to the liquidation of the ECSC."

STATEMENT 20/03

STATEMENT BY THE COMMISSION ON POINT 7 OF THE ANNEX OF THE COUNCIL DECISION LAYING DOWN MULTIANNUAL FINANCIAL GUIDELINES FOR MANAGING THE ASSETS OF THE "ECSC IN LIQUIDATION" AND, ON COMPLETION OF THE LIQUIDATION, THE "ASSETS OF THE COAL AND STEEL RESEARCH FUND":

"The Commission will prepare a report each quarter, which will provide a synthesis of the management operations carried out during the quarter, and cumulatively the year in question, with reference to the market conditions encountered during such period and anticipated for the next period. Such reports will be transmitted to the Member States within three months of the end of such period."

STATEMENT 21/03

STATEMENT BY THE COMMISSION ON APPENDIX A OF THE COUNCIL DECISION LAYING DOWN THE MULTIANNUAL TECHNICAL GUIDELINES FOR THE RESEARCH PROGRAMME OF THE COAL AND STEEL RESEARCH FUND:

"The Commission confirms that at the next revision of the multiannual technical guidelines for the research programme of the Research Fund for Coal and Steel, the question raised by Portugal on the revision of the definition of steel in Appendix A, will be re-examined."

STATEMENT 22/03

Re the entire Regulation

"THE COUNCIL OF THE EUROPEAN UNION,

CONSIDERING that the Dublin II Regulation introduces more effective procedures for determining the Member State responsible for examining an application for asylum,

WELCOMING the imminent practical implementation of the EURODAC system for the exchange of fingerprints of asylum seekers, which in turn will facilitate an effective application of the Dublin II Regulation,

TAKING INTO ACCOUNT the concerns of certain Member States, whose geographical position exposes them to illegal immigration, that an effective application of the Dublin II Regulation, in particular Article 10 of the Regulation, may lead to an overburdening of their asylum systems,

UNDERLINING the strong commitment of the European Council in Seville to combat illegal migration and ensure effective control of the external border of the Member States

HAS ADOPTED THE FOLLOWING DECLARATION:

In addition to the adoption of the Dublin II Regulation and in order to concretely demonstrate its solidarity with Member States particularly exposed to irregular crossing of the external borders, the Council is committed to supplement an effective implementation of the Dublin II Regulation by the following measures:

Before the end of 2002:

- Continuing enhanced cooperation on effective control at the external borders of Member States following the conclusions of the European Council in Seville and the plan for the management of the external borders of the Member States of the European Union as outlined in particular in already initiated common projects aiming at combating and deterring illegal migration such as
 - airport control project to include uniform control procedures, common training courses, exchange of personnel, increase detection of false documents – led by Italy;
 - project on the control of the sea borders to provide joint operational action to combat illegal migration in the Mediterranean Sea – led by Greece, Italy, Spain and UK;
 - the land borders centre which is organising joint operations and exchange measures at the land borders of the EU aiming at enhancing control and surveillance activities, increasing uniform control procedures and implementing real joint action on the spot – led by Germany;
 - project on the control of Eastern external land borders, introducing a mechanism for verification of immigration pressure at Eastern external land border – led by Greece;
 - visa control project in Schengen international airports to reveal false and forged visas through enhanced cooperation between airport control authorities and consular services – led by Denmark;

Before June 20:

Implementing the already initiated project on establishing a common core curriculum for border guard training – led by Austria and Sweden;

- Implementing the already initiated project on coordinated criminal investigation related to cross-border crime to dismantle international illegal immigration networks – led by France;
- Upon receiving the study by the Commission concerning burden-sharing between Member States and the Union for the management of external borders, considering financial support for administrative operational and other measures required for the effective implementation of the Regulation;
- Continuing the ongoing project on establishing a common risk analysis model, in order to achieve common integrated risk assessment with regard to illegal immigration – led by Finland;
- Considering financial support for enforcement measures e.g. with regard to travel costs for returnees and escorts, as set out in the Commission Green Paper on a Community return policy on illegal residents;

In the short and medium term:

- Establishing cooperation with third countries from where or through which illegal migratory flows into the Community originate or transit;
- Providing assistance by the European Union to third countries of transit to counter illegal migratory flows, including assistance to carry out returns/expulsions of illegal migrants to their countries of origin."

STATEMENT 23/03

Statement by the Council

Re Article 23

"The Council states that, in accordance with the procedures referred to in Article 28 (2) and within six months of the entry into force of the present Regulation, secure electronic channels between the authorities responsible for fulfilling the obligations under this Regulation will be established for transmitting requests and ensuring that senders automatically receive an electronic proof of delivery."

STATEMENT 24/03

Statement by the Commission

Re Article 29

"The Commission, taking into account the close connection and interdependence between the present Regulation and the efficient performance of the Eurodac system established by Council Regulation (EC) N° 2725/2000 of 11 December 2000, undertakes to coordinate its presentation of the first report mentioned in Article 29 of the present Regulation with that of the first of the Eurodac evaluation reports mentioned in Article 24(5) of the abovementioned Eurodac Regulation. These reports will review the operation of both instruments with a view to identifying possible improvements."

STATEMENT 25/03

Statement by the German, Danish, Austrian and Finnish delegations

"Germany, Denmark, Austria and Finland endorse the earliest possible cessation of the use of antibiotic growth promoters and cannot, therefore, agree to a ten-year authorisation of an antibiotic growth promoter.

The German, Danish, Austrian and Finnish delegations consider that the health concerns that prompted the ban on "old" authorisations as of 1 January 2006, adopted by the Council in the political agreement in December, apply already. No new authorisations or applications for extension for antibiotic growth promoters should therefore be agreed to as a matter of principle. The German, Danish, Austrian and Finnish delegations accordingly assume that the ban on antibiotic growth promoters effective as of 1 January 2006 – without prejudice to the second reading of the European Parliament – also applies to the substance that has now been authorised."

FEBRUARY 2003	
OTHER ACTS	Votes made public
Written procedures completed on 3 February 2003	
Common Position adopted by the Council with a view to the adoption of a Regulation of the European Parliament and of the Council on conditions for access to the network for cross-border exchanges in electricity 15527/02 + COR 1 (nl) + REV 1 (da) + ADD 1	
Common Position adopted by the Council with a view to the adoption of a Directive of the European Parliament and of the Council concerning common rules for the internal market in electricity and repealing Directive 96/92/EC 15528/02 + COR 1 (sv) + COR 2 (el) + REV 1 (nl,da) + ADD 1	
Common Position adopted by the Council with a view to the adoption of a Directive of the European Parliament and of the Council concerning common rules for the internal market in natural gas and repealing Directive 98/30/EC 15531/02 + COR 1 (fi) + COR 2 (el) + REV 1 (nl,da) + ADD 1	
Common position adopted by the Council with a view to the adoption of a Decision of the European Parliament and of the Council adopting a multiannual programme for action in the field of energy: "Intelligent Energy for Europe" (2003-2006) 15547/02 + COR 1 (fr,de,it,nl,en,da,el,es,sv) + COR 2 (fi) + COR 3 (fr) + REV 1 (pt) + REV 1 COR 1 (pt) + ADD 1	
2484th Council meeting (Education, Youth and Culture) on 6 February 2003	
Council Resolution on "eAccessibility" – improving the access of people with disabilities to the Knowledge Based Society 5165/03 + COR 1 (pt)	
Council Resolution on Social Inclusion – through Social Dialogue and Partnership 5168/03	

FEBRUARY 2003	
OTHER ACTS	Votes made public
• Council Decision concerning the conclusion of the Agreement for scientific and technological cooperation between the European Community and Ukraine 5275/03 • Agreement on cooperation in science and technology between the European Community and Ukraine 9317/02 + COR 1 (da) Council Resolution on Corporate Social Responsibility 5049/03 Council Decision concerning the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and Malta adding a Protocol on mutual administrative assistance in customs matters to the Agreement establishing an association between the European Economic Community and Malta 14977/02 Council Regulation adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Poland 5598/03 Common position adopted by the Council with a view to the adoption of a Decision of the European Parliament and of the Council laying down a series of guidelines for trans-European energy networks and repealing Decision No 1254/96/EC 15767/02 + COR 1 (en) + COR 2 (sv) + COR 3 (fr,de,it,nl,da,el,es,fi,sv) + REV 1 (fi) + ADD 1 + ADD 1 COR 1 (fi) Written procedure completed on 11 February 2003 Council Regulation amending Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds 6168/03	

FEBRUARY 2003	
OTHER ACTS	Votes made public
2485th Council meeting (Economic and Financial Affairs) on 18 February 2003 Council Decision concerning the external auditors of the European Central Bank and Suomen Pankki 5278/03 + COR 1 (fi) Council Regulation amending Regulation (EC) No 772/1999 imposing definitive anti-dumping and countervailing duties on imports of farmed Atlantic salmon originating in Norway 5554/03 Council Regulation terminating the review of the anti-dumping measures applicable to imports of threaded malleable cast-iron tube or pipe fittings originating in Brazil, the Czech Republic, Japan, the People's Republic of China, the Republic of Korea and Thailand 5285/03 Council Regulation implementing for the Community the tariff provisions laid down in the Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part 5499/03 Council Decision extending the period of application of the measures in Decision 2002/148/EC concluding consultations with Zimbabwe under Article 96 of the ACP-EC Partnership Agreement 6086/03 Zimbabwe • Council Common Position amending and extending Common Position 2002/145/CFSP concerning restrictive measures against Zimbabwe 5222/03 • Council Regulation extending Regulation (EC) No 310/2002 concerning certain restrictive measures in respect of Zimbabwe 6256/03 + REV 1 (fi)	

FEBRUARY 2003	
OTHER ACTS	Votes made public
Steel products, Russia • Council Decision on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Russian Federation establishing a double-checking system without quantitative limits in respect of the export of certain steel products from the Russian Federation to the European Community 5354/1/02 REV 1 + COR 1 (da,it,fi,sv) + COR 2 (de) + COR 3 (el) + COR 4 (en,pt) + COR 5 (fr) • Council Regulation on administering the double-checking system without quantitative limits in respect of the export of certain steel products from the Russian Federation to the European Community 5355/1/02 REV 1 Council Resolution on the implementation of the eEurope 2005 Action Plan 5197/03 + COR 1 (da) + COR 2 (en) + REV 1 (sv) Council Resolution on a European approach towards a culture of network and information security 15723/02 + COR 1 (sv) + COR 2 (da) + COR 3 (en) Council Decision on the conclusion of an Agreement in the form of an exchange of letters between the United Kingdom of Great Britain and Northern Ireland on behalf of the Isle of Man and the European Community extending to the Isle of Man the legal protection of databases as provided for in Chapter III of Directive 96/9/EC 14930/02 Council Recommendation concerning the improvement of the protection of the health and safety at work of self-employed workers 5052/03 + COR 1 (fi) + COR 2 (sv) + COR 3 (es) Common position adopted by the Council with a view to the adoption of a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 2223/96 with respect to the time limit for transmission of the main aggregates of national accounts, to the derogations concerning the transmission of the main aggregates of national accounts and to the transmission of employment data in hours worked 15091/02 + ADD 1	

FEBRUARY 2003	
OTHER ACTS	Votes made public
Council Opinions on Belgium, Denmark, Spain, Ireland and the United Kingdom 6437/03, 6438/03, 6439/03, 6440/03, 6441/03 Council Decision concerning the establishment of the Financial Services Committee 6264/1/03 REV 1 + REV 1 COR 1 (fr) 2486th Council meeting (Agriculture and Fisheries) on 20 February 2003 Common Position adopted by the Council with a view to the adoption of a Directive of the European Parliament and of the Council amending Council Directive 96/22/EC concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of beta-agonists 14502/02 + COR 1 + ADD 1 Zoonotic agents - Common position adopted by the Council with a view to the adoption of a Directive of the European Parliament and of the Council on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC 14856/02 + COR 1 (it) + ADD 1 - Common Position adopted by the Council with a view to the adoption of a Regulation of the European Parliament and of the Council on the control of salmonella and other specified food-borne zoonotic agents 14857/02 + COR 1 (it) + ADD 1 Common position adopted by the Council with a view to the adoption of a Directive of the European Parliament and of the Council amending Council Directive 96/82/EC of on the control of major-accident hazards involving dangerous substances 14054/02 + COR 1 (fi) + COR 2 (fi) + ADD 1 + ADD 1 COR 1 (da,de,en,el,es,it,nl,pt,fi) Common position adopted by the Council with a view to the adoption of a Directive of the European Parliament and of the Council amending Directive 2000/13/EC as regards indication of the ingredients present in foodstuffs 15514/02 + REV 1 (nl) + COR 1 (fi) + ADD 1 + ADD 2	UK abstention D, EL abstentions A against

FEBRUARY 2003	
OTHER ACTS	Votes made public
2487th Council (General Affairs and External Relations) on 24 February 2003 Council Decision concerning the conclusion of the Agreement between the European Union and the North Atlantic Treaty Organisation on the Security of Information 5652/03 + COR 1 + REV 1 (fi) Council Decision on the signing, on behalf of the Community, and provisional application of an Agreement in the form of an Exchange of Letters between the European Community and the former Yugoslav Republic of Macedonia concerning the system of ecopoints to be applied to transit traffic of the former Yugoslav Republic of Macedonia through Austria 11919/1/02 REV 1 Council Decision concerning the conclusion of the Agreement between the European Union and the Republic of Albania on the activities of the European Union Monitoring Mission (EUMM) in the Republic of Albania 6181/03 2489th Council (Justice and Home Affairs) on 27 and 28 February 2003 Council Decision amending Decision 2000/265/EC on the establishment of a financial regulation governing the budgetary aspects of the management by the Deputy Secretary-General of the Council, of contracts concluded in his name, on behalf of certain Member States, relating to the installation and the functioning of the communication infrastructure for the Schengen environment, "Sisnet" 5194/03 Council Decision determining which provisions of the 1995 Convention on simplified extradition procedure between the Member States of the European Union and of the 1996 Convention relating to extradition between the Member States of the European Union constitute developments of the Schengen acquis in accordance with the Agreement concerning the Republic of Iceland's and the Kingdom of Norway's association with the implementation, application and development of the Schengen acquis 5853/02	

FEBRUARY 2003	
OTHER ACTS	Votes made public
Council Joint Action amending Joint Action 2002/210/CFSP on the European Union Police Mission 6444/03 + COR 1 + REV 1 (fr,en) + REV 1 COR 1 (fr,en) Relations with the Republic of Moldova • Council conclusions 6470/03 • Council Common Position concerning restrictive measures against the leadership of the Transnistrian region of the Moldovan Republic 6509/03 Council common position concerning exceptions to the restrictive measures imposed by common position 2002/402/CFSP 6382/03	
