



**COUNCIL OF
THE EUROPEAN UNION**

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LIMITE

PUBLIC 3

TRANSPARENCY

Subject : MONTHLY SUMMARY OF COUNCIL ACTS
MARCH 2001

This document contains:

- in **Annex I**, a summary of definitive legislative acts adopted by the Council in March 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.

It should be noted that only the minutes concerning the definitive adoption of legislative acts are authentic. Extracts from the minutes in question, and the information contained in Annexes I and II hereto, are available to the public on the Internet at the "Eudor" website (<http://www.eudor.com> – see "Transparency of the Council's legislative activities").

- in **Annex III**, a list of the other acts¹ adopted by the Council in March 2001, with a reference, where appropriate, to voting results, explanations of voting and statements which the Council has decided to make public.

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.

MARCH 2001				
DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/EXPLANATIONS OF VOTE AND VOTING RULE	
2334th Council (Environment) on 8 March 2001 Council Decision supplementing Directive 90/219/EEC as regards the criteria for establishing the safety, for human health and the environment, of types of genetically modified micro-organisms	5220/01 + REV 1 (fi) + REV 1 COR 1 (fi)		Qualified majority	
2335th Council (Economic and Financial Questions) on 12 March 2001 Council Decision concerning reduced rates of excise duty and exemptions from such duty on certain mineral oils when used for specific purposes	6205/01 + COR 1 (pt)	23/01	Unanimity	
Council Decision authorising the Federal Republic of Germany to apply a differentiated rate of excise duty to certain mineral oils, when used for specific purposes, in accordance with the procedure provided for in Article 8(4) of Directive 92/81/EEC	13727/00		Unanimity	
Council Decision authorising the Italian Republic to apply a reduced rate of excise duty to certain mineral oils, when used for specific purposes, in accordance with the procedure provided for in Article 8(4) of Directive 92/81/EEC	13728/00		Unanimity	

MARCH 2001			
DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/EXPLANATIONS OF VOTE AND VOTING RULE
Council Decision authorising the French Republic to apply a differentiated rate of excise duty to certain mineral oils, when used for specific purposes, in accordance with the procedure provided for in Article 8(4) of Directive 92/81/EEC	13729/00 + COR 1		Unanimity
Council Decision authorising the Netherlands, in accordance with Article 8(4) of Directive 92/81/EEC, to apply a differentiated rate of excise duty to diesel consumed by taxis in 2000	14801/00		Unanimity
Council Decision authorising the Netherlands, in accordance with Article 8(4) of Directive 92/81/EEC, to apply a differentiated rate of excise duty to low-sulphur diesel	14802/00		Unanimity
Directive of the European Parliament and of the Council on the reorganisation and winding up of credit institutions	PE-CONS 3616/01	24/01, 25/01, 26/01	F against Qualified majority
Council Directive on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses	6001/01 + COR 1 (da) + COR 2 (es)		Unanimity
Directive of the European Parliament and of the Council on the minimum level of training of seafarers	PE-CONS 3610/01		Qualified majority

MARCH 2001				
DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/EXPLANATIONS OF VOTE AND VOTING RULE	
Adoption of legislative acts following the European Parliament's second reading under the codecision procedure Regulation of the European Parliament and of the Council regarding the closure and liquidation of projects adopted by the Commission under Regulation (EC)213/96 on the implementation of the European Communities Investment Partners Financial Instrument for the countries of Latin America, Asia, the Mediterranean region and South Africa (14.03.2001)	7189/01 PE-CONS 3618/01		Qualified majority	
2337th Council (Justice, Home Affairs and Civil Protection) on 15 March 2001 Council Regulation listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement	6337/01 + COR 1 + COR 2 (fr,it,el,fi,sv) + COR 3 (fi) + COR 4 (en)	27/01	E abstention Unanimity	

MARCH 2001				
DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/EXPLANATIONS OF VOTE AND VOTING RULE	
2338th Council (General Affairs) on 19 March 2001				
Council Decision authorising the Republic of Austria to apply a measure derogating from Article 11 of the Sixth Council Directive (77/388/EEC) on the harmonisation of the laws of the Member States relating to turnover taxes	5813/01		Unanimity	
Council Decision amending Article 1 of Decision 1999/81/EC authorising the Kingdom of Spain to apply a measure derogating from Articles 2 and 28a(1) of the Sixth Directive (77/388/EEC) on the harmonisation of the laws of the Member States relating to turnover taxes	5814/01 + COR 1 (sv) + COR 2 + COR 3 (el)		Unanimity	
Council Decision amending Article 1 of Decision 1999/80/EC authorising the Italian Republic to apply a measure derogating from Articles 2 and 10 of the Sixth Directive (77/388/EEC) on the harmonisation of the laws of the Member States relating to turnover taxes	5815/01 + COR 1		Unanimity	

MARCH 2001				
DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/EXPLANATIONS OF VOTE AND VOTING RULE	
2339th Council (Agriculture) on 19 March 2001				
Council Regulation extending for a period of up to one year the financing of certain quality and marketing improvement plans approved under Title IIa of Regulation (EEC) No 1035/72	6190/01	28/01	Qualified majority	
Regulation of the European Parliament and of the Council concerning the distribution of authorisations among Member States received through the Agreements establishing certain conditions for the carriage of goods by road and the promotion of combined transport between the European Community and the Republic of Bulgaria and between the European Community and the Republic of Hungary	PE-CONS 3615/01		Qualified majority	

STATEMENT 23/01

Concerning the general Decision

"The Council and the Commission note that the excise rebate scheme for disabled drivers in Ireland is designed to target the needs of a particular vulnerable sector and that this aspect will be taken fully into account when it comes to a renewal of the derogations in the Decision in due course."

STATEMENT 24/01

Re Article 16 (2):

"The Council and the Commission agree that claims lodged by creditors of an equivalent nature must be regarded as equivalent claims."

STATEMENT 25/01

"The Council and the Commission state that the provisions of this Directive concerning jurisdiction and civil proceedings were approved in the light of (a) the fact that it was necessary to supplement the corresponding provisions of the Council Regulation on Insolvency Proceedings and to ensure consistency with those provisions whilst taking account of the specific nature of credit institutions, and (b) the role played by this Directive insofar as it completes the framework for supervision and control exercised by the home Member State over credit institutions established in the Community, which was introduced under the First and Second Banking Directives (77/780/EEC and 89/646/EEC) and under the Directive on deposit-guarantee schemes (94/19/EEC). The present Directive does not therefore establish any general competence enabling the Community to dictate rules on jurisdiction and civil proceedings."

STATEMENT 26/01

Re Article 18:

"The Council and the Commission state that Member States may provide that creditors shall also be entitled to express an opinion on the serious decisions to be taken by liquidators in the course of winding-up proceedings and especially on the question of whether to continue current proceedings or open fresh proceedings."

STATEMENT 27/01

Statement by the Belgian delegation

"Belgium notes the Commission's report on Bulgaria, which states that Bulgaria has made substantial efforts in recent years both with regard to the visa system and in the wider context of preparing for its accession to the European Union, and has undertaken to continue those efforts."

STATEMENT 28/01

Statement by the Spanish Delegation

"The Spanish delegation considers the adoption of this Regulation on nuts to be of great political, economic and social interest to Spain and of strategic importance for the European Union, since the disappearance of the crop in the European Union would imply a monopoly on the Community market for the United States of America as regards almonds and for Turkey as regards hazelnuts.

Approval of this Regulation means that the plans which came to an end in the year 2000 will receive the current aid for a further year, without which continued growing of the crop would not be viable.

Nevertheless, the general mechanisms envisaged in the common organisation of the market in fruit and vegetables, in particular the operational funds, have proved inadequate to regulate the nuts sector in the absence of adequate external protection.

The Spanish delegation therefore considers that the report from the Commission to the Council on the application of Regulation (EC) No 2200/96 on the common organisation of the market in fruit and vegetables should examine in greater depth the problem of the nuts sector and put forward the necessary proposals to ensure its continued existence. These proposals should envisage permanent aid for the sector, to replace the current improvement plans, and should apply to the areas included both in the Plans that came to an end in 2000, which are now being extended, and in those which will come to an end as from 2001."

MARCH 2001	
OTHER ACTS	Votes made public
2333rd Council (Employment and Social Policy) on 6 March 2001	
Council Regulation amending Regulation (EC) No 1334/2000 with regard to the list of controlled dual-use items and technology when exported 5978/01	
Council Regulation imposing a definitive anti-dumping duty on imports of certain electronic weighing scales originating in Japan 6028/01	
Council Regulation imposing a definitive anti-dumping duty on imports of certain electronic weighing scales originating in Singapore 6031/01	
Council Regulation adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Poland 5673/01	
Council Regulation prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan, and repealing Regulation (EC) No 337/2000 6019/01 + COR 1 (en)	
2334th Council (Environment) on 8 March 2001	
Common position adopted by the Council with a view to the adoption of a Directive of the European Parliament and of the Council relating to ozone in ambient air 13114/00 + COR 1 (it) + COR 2	
Council Decision approving the conclusion, by the Commission, of the Agreement for cooperation between the European Atomic Energy Community represented by the Commission and the Department of Energy of the United States of America in the field of fusion energy research and development 5572/01	

MARCH 2001	
OTHER ACTS	Votes made public
Council Decision on the principles, priorities, intermediate objectives and conditions contained in the Accession Partnership with the Republic of Turkey 5117/01 2335th Council (Economic and Financial Questions) on 12 March 2001 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 Latin America and the Caribbean 6692/01 Council Recommendations • concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1984) (Sixth EDF) for the financial year 1999 6536/01 • concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1989) (Seventh EDF) for the financial year 1999 6537/01 • concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1995) (Eighth EDF) for the financial year 1999 6538/01 Council Decision concerning the participation of the Community in the International Lead and Zinc Study Group 14312/1/00 REV 1 Amendment to the Rules of Procedure of the Court of Justice 6363/01 Council Opinion on the updated stability programme of Belgium, 2001-2005 6987/01 Council Opinion on the updated stability programme of Spain, 2000-2004 6988/01	

MARCH 2001	
OTHER ACTS	Votes made public
Council Opinion on the updated stability programme of Luxembourg, 1999-2003 6989/01 Council Opinion on the updated stability programme of Portugal, 2001-2004 6990/01 2336th Council (Internal Market/Consumer Affairs/Tourism) on 12 March 2001 Common position adopted by the Council with a view to the adoption of a Directive of the European Parliament and of the Council amending, for the twenty-first time, Council Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations (substances classified as carcinogens, mutagens or substances toxic to reproduction) 14534/00 + COR 1 (en) + COR 2 (dk) + COR 3 REV 1 (el) 2337th Council (Justice, Home Affairs and Civil Protection) on 15 March 2001 Initiative of the Portuguese Republic with a view to the adoption of a Council Framework Decision on the standing of victims in criminal proceedings 6335/01 + COR 1 (nl) + COR 2 (de) + REV 1 (da,el,fi,it) + REV 1 COR 1 (da)	

MARCH 2001	
OTHER ACTS	Votes made public
Council Decision concerning the conclusion of an Agreement between the European Community and the Republic of Iceland and the Kingdom of Norway concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or Iceland or Norway 5786/01 + COR 1 (fr,fi) <u><i>Statement by the Danish delegation which has been made public</i></u> <i>"In accordance with the Protocol on the position of Denmark, annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark is not taking part in the adoption by the Council of the Decision concerning the conclusion of an Agreement between the European Community and the Republic of Iceland and the Kingdom of Norway concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or Iceland or Norway, as that Agreement is being concluded pursuant to Title IV of the Treaty establishing the European Community, in particular Article 63(1).</i> <i>Under Article 12 of the Agreement, Denmark may request to participate in the Agreement.</i> <i>Denmark hereby states that it does wish to participate in the Agreement. Notice has been given of this in a letter of 16 February 2001 to the President of the Council from the Danish Permanent Representative to the European Union."</i> 2338th Council (General Affairs) on 19 March 2001 Council Regulation renewing for 2001 the measures laid down in Regulation (EC) No 1416/95 establishing certain concessions in the form of Community tariff quotas in 1995 for certain processed agricultural products, with respect to products originating in Norway 5305/01 Council Decision concerning the conclusion of the Framework Agreement for Trade and Cooperation between the European Community and its Member States, on the one hand, and the Republic of Korea, on the other hand 5582/01 + COR 1, 5987/96 + COR 1 (sv)	

MARCH 2001	
OTHER ACTS	Votes made public
Common Position extending Common Position 1999/206/CFSP as regards the embargo on arms for Ethiopia and Eritrea 7007/01 + COR 1 (fr) + COR 2 (fi) Council Decision adopting the Council's security regulations 5775/01 + COR 1 (it) + COR 2 Council Decision amending the Council Rules of Procedure 5785/01 2339th Council (Agriculture) on 19 March 2001 Council Decision concerning the conclusion of the Agreement between the European Community and the Republic of Bulgaria establishing certain conditions for the carriage of goods by road and the promotion of combined transport 5947/00 + COR 1, 5750/00 + COR 1 (fr,it,nl,en,da,el,es,pt,sv) + REV 1 (fi) Council Decision concerning the conclusion of the Agreement between the European Community and the Republic of Hungary establishing certain conditions for the carriage of goods by road and the promotion of combined transport 5948/1/00 REV 1+ COR 1, 5749/00 + REV 1 (fi) Written procedures completed on 23 March 2001 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 89/655/EEC concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) 5766/01 + COR 1 (en,es) + COR 2 (da) + COR 3 (fi) + COR 4 (es) + COR 5 (sv) + REV 1 (el) + REV 1 COR 1 (el)	

MARCH 2001	
OTHER ACTS	Votes made public
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 organisation of working time for mobile workers performing road transport activities 5919/01 + COR 1 (en,fi) Common position adopted by the Council with a view to the adoption of Directive of the European Parliament and of the Council on the promotion of electricity produced from renewable energy sources in the internal electricity market 5583/01 + COR 1 (fr,it,da,el) + COR 2 (fi)	IRL and P against UK abstention

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