



**COUNCIL OF
THE EUROPEAN UNION**

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TRANSPARENCY

Subject: MONTHLY SUMMARY OF COUNCIL ACTS
MARCH 2002

This document contains:

- in **Annex I**, a summary of definitive legislative acts adopted by the Council in March 2002. 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 March 2002, 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 "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.

MARCH 2002			
DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/EXPLANATIONS OF VOTE AND VOTING RULE
Legislative acts adopted after 2nd reading by the European Parliament in the framework of the codecision procedure			
Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 2027/97 on air carrier liability in the event of accidents (12.3.2002)	7082/02		Qualified majority
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 (13.3.2002)	7078/02		Qualified majority
2419th Council meeting (Agriculture) on 18 March 2002			
Regulations of the European Parliament and of the Council			
• amending Council Regulation (EEC) No 3528/86 on the protection of the Community's forests against atmospheric pollution	PE-CONS 3601/02		Qualified majority
• amending Council Regulation (EEC) No 2158/92 on the protection of the Community's forests against fire	PE-CONS 3604/02		Qualified majority

MARCH 2002			
DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/EXPLANATIONS OF VOTE AND VOTING RULE
Council Regulation extending the financing of quality and marketing improvement plans for certain nuts and locust beans approved under Title IIa of Regulation (EEC) No 1035/72 and providing for a specific aid for hazelnuts	6972/1/02 REV 1	43/02, 44/02	S abstention Qualified majority
2420th Council meeting (Transport/Telecommunications) on 25 March 2002			
Regulation of the European Parliament and of the Council on the implementation of the .eu Top Level Domain	PE-CONS 3613/02 + COR 1 (pt)		Qualified majority
Council Decisions authorising			
the Netherlands to apply a differentiated rate of excise duty to low-sulphur petrol in accordance with Article 8(4) of Directive 92/81/EEC	5820/02		Unanimity
Denmark to apply a differentiated rate of excise duty to heavy fuel oil and heating oil used by certain firms, in accordance with Article 8(4) of Directive 92/81/EEC	5821/02		Unanimity
Italy to apply a differentiated rate of excise duty to fuels containing biodiesel in accordance with Article 8(4) of Directive 92/81/EEC	5822/1/02 REV 1		Unanimity
France to apply a differentiated rate of excise duty to biofuels in accordance with Article 8(4) of Directive 92/81/EEC	5823/1/02 REV 1		Unanimity
			DK/S against

MARCH 2002			
DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/EXPLANATIONS OF VOTE AND VOTING RULE
Council Regulation fixing the premiums and guarantee thresholds for leaf tobacco by variety group and Member State for the 2002, 2003 and 2004 harvests and amending Regulation (EEC) No 2075/92	7099/02	45/02	UK abstention DK/S against UK abstention Qualified majority
26 March 2002 Directive of the European Parliament and of the Council on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Community airports	PE-CONS 3614/01 + COR 1 (fr,en,el,es,fi,sv) + COR 2 (en) + COR 3 (pt)	46/02, 47/02, 48/02	B abstention Explanation of Belgium's vote ¹ Qualified majority

STATEMENT 43/02

Statement by the Council and the Commission

"The Council and the Commission state that the one year extension of improvement plans for certain nuts and locust beans and the re-introduction for one year of the specific aid for hazelnuts adopted by the Agriculture Council on 18 March 2002 upon proposal by the Commission, are the last support measures to be taken under the current regime in place for the nut sector."

STATEMENT 44/02

Statement by the Portuguese delegation

Portugal considers that the Commission proposal on the nut sector, in particular as regards **future support** for the sector through rural development represents a positive approach – since the sector has a significant role in terms of the environment, biodiversity and combating desertification – which can and should be applied to other sectors that play the same role in other EU regions.

This is the case for the particular situation of the grain sector in Portugal, which must merit similar treatment from the Commission and the Council in the near future.

STATEMENT 45/02

Statement by the Commission, supported by the Danish, German, Netherlands and United Kingdom delegations

"The Commission gives a reminder that within the framework of its communication "A sustainable Europe for a better world: A European Union strategy for sustainable development ¹" it proposes, among other things, that the raw tobacco regime be adapted at the end of its review in 2002, so as to allow for the phasing out of tobacco subsidies while putting in place measures to develop alternative sources of income and economic activity for tobacco growers and workers, and that an early date be decided on accordingly."

¹ COM(2001) 264 final.

STATEMENT 46/02

Statement by the Member States

"In view of the date of repeal of Regulation (EC) No 925/1999 as provided for in Article 15, Member States agree that they will endeavour to implement this Directive as soon as possible into their national laws, if possible even before the date resulting from Article 16."

STATEMENT 47/02

Statement by the Commission

"The Commission notes that the annual number of "civil subsonic jet aeroplane movements" at the airport of Gibraltar is well below the 50 000 figure established in Article 2(a) as the threshold for the application of this Directive."

STATEMENT 48/02

Joint statement by the United Kingdom and Spanish delegations

"The United Kingdom and Spain state that, in view of the Commission statement, given that the content of this Directive will not apply to the airport of Gibraltar, it does not prejudice their respective legal positions on the sovereignty dispute about the territory where Gibraltar's airport is situated, and therefore the issue of the clauses does not arise."

Explanation of Belgium's vote

"Considering that the objective of the Directive on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Community airports to "limit or reduce the number of people significantly affected by the harmful effects of noise" is not sufficiently met by the compromise reached between the Council and the European Parliament, Belgium cannot agree to the proposed text.

Belgium takes note that the Directive does not include a minimum standard for the protection of citizens living near airports against the harmful effects of aircraft noise, nor any obligation to act in specific situations of noise nuisance in the framework of the balanced approach. Therefore, it does not guarantee any real progress in the protection of affected people, principally for competition reasons between airports.

In this view, Belgium encourages the Commission to adopt in the near future a new proposal. This should be aimed at reducing significantly the number of people suffering from the harmful effects of civil aircraft noise, in particular by setting common and mandatory minimum standards regarding the exposure to noise. This text should encourage airports particularly affected by the noisiest aircraft to conduct the necessary assessments and take the appropriate measures in the framework of the balanced approach.

In addition, Belgium invites the Commission to assess the benefits of such an approach as part of the report required by the Directive, and to examine how to strengthen the Directive, in particular by reviewing the margin of compliance of the noisiest aircraft."

MARCH 2002	
OTHER ACTS	Votes made public
2412th Council Meeting (Internal Market, Consumer Protection and Tourism) on 1 March 2002 Council Decision on the conclusion of the Agreement in the form of an Exchange of Letters concerning the provisional application of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Gabonese Republic on fishing off the coast of Gabon for the period 3 December 2001 to 2 December 2005 5212/02 Council Resolution on the protection of consumers, in particular young people, through the labelling of certain video games and computer games according to age group 6450/02 + COR 1 (it) Standardisation in Europe: follow-up to the Commission report on the implementation of the Council Resolution of 28 October 1999 – Council conclusions 6222/02 + COR 1 + COR 2 (sv) 2413rd Council meeting (Environment) on 4 March 2002 Council Decision concerning the conclusion of the Fourth Amendment to the Montreal Protocol on substances that deplete the ozone layer 6389/02 2414th Council meeting (Economic and Financial Questions) on 5 March 2002 Common position adopted by the Council with a view to the adoption of the Directive of the European Parliament and of the Council on financial collateral arrangements 5530/02 + COR 1 (nl) + ADD 1 + REV 1 (sv) + REV 1 COR 1 (sv) + REV 2 (da,pt)	

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OTHER ACTS	Votes made public
Relations with the ACP States and the OCT - Discharge to be given to the Commission in respect of the implementation of the operations of the Sixth, Seventh and Eighth European Development Funds for the financial year 2000 5787/02, 5788/02, 5789/02 2415th Council meeting (Employment and Social Policy) on 7 March 2002 Common position adopted by the Council with a view to the adoption of a Regulation of the European Parliament and of the Council establishing a European Maritime Safety Agency 15121/01 + COR 1 (de) + ADD 1 + ADD 1 COR 1 (en,da,nl,sv) + ADD 1 COR 2 (fi) 2416th Council meeting (General Affairs) on 11 March 2002 Council Common Position concerning European Union support for the implementation of the Lusaka cease-fire agreement and the peace process in the Democratic Republic of Congo and repealing Common Position 2001/83/CFSP 6481/02 Western Balkans - Council Joint Action on the appointment of the EU Special Representative in Bosnia and Herzegovina 6824/1/02 REV 1 - Council Decision concerning the appointment of the Head of Mission/Police Commissioner of the European Union Police Mission (EUPM) 6825/02 - Council Joint Action on the European Union Police Mission 6823/02 2419th Council (Agriculture) on 18 March 2002 Common Position adopted by the Council with a view to the adoption of a Directive of the European Parliament and of the Council on insurance mediation 5462/02 + COR 1 (sv) + COR 2 (fi) + COR 3 (es) + ADD 1	

MARCH 2002	
OTHER ACTS	Votes made public
Council Regulation amending the Conditions of Employment of Other Servants of the European Communities as regards the length of contracts of auxiliary staff 10632/01 Council Regulation amending Regulation (EC) No 2604/2000 imposing a definitive anti-dumping duty on imports of certain polyethylene terephthalate originating, amongst other countries, in India 6691/02 Council Regulation repealing Regulation (EC) No 904/98 with respect to the imposition of a definitive anti-dumping duty on imports into the Community of personal fax machines originating in the People's Republic of China, Japan, the Republic of Korea, Malaysia, Singapore, Taiwan and Thailand 6752/02 + COR 1 2420th Council meeting (Transport/Telecommunications) on 25 March 2002 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 (EEC) No 95/93 on common rules for the allocation of slots at Community airports 6661/02 + 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 Directive 97/68/EC on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery 5198/02 + COR 1 (fi) + COR 2 (da) + ADD 1 + ADD 1 COR 1 (fr,it,nl,en,da,el,pt,fi,sv) Council Regulation on the conclusion of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Gabonese Republic on fishing off the coast of Gabon for the period 3 December 2001 to 2 December 2005 5214/02	

MARCH 2002	
OTHER ACTS	Votes made public
Council and Commission Decision on the conclusion of the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part 6100/02 + COR 1, 11119/97 + COR 1 (es,pt) + COR 2 (fr), + COR 3 REV 1 (fi) + ADD 1 + ADD 1 COR 1 (fi) + ADD 1 COR 2 (it) + ADD 2 Council Decision concluding consultations with Liberia under Articles 96 and 97 of the ACP-EC Partnership Agreement 6885/02 Council Regulation amending Regulation (EC) No 1587/98 introducing a scheme to compensate for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French departments of Guiana and Réunion as a result of those regions' remoteness 13303/01 + COR 1 Council Regulation temporarily suspending autonomous Common Customs Tariff duties on imports of certain industrial products and opening and providing for the administration of autonomous Community tariff quotas on imports of certain fishery products into the Canary Islands 6756/02 Council Resolution on the eEurope Action Plan 2002: accessibility of public web sites and their content 7087/02	
