



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 21 May 2001 (28.05)
(OR. fr)**

9018/01

LIMITE

PUBLIC 4

TRANSPARENCY

Subject : MONTHLY SUMMARY OF COUNCIL ACTS
APRIL 2001

This document contains:

- in **Annex I**, a summary of definitive legislative acts adopted by the Council in April 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 acts ¹ adopted by the Council in April 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.

APRIL 2001				
DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/EXPLANATIONS OF VOTE AND VOTING RULE	
2340th Council (Transport and Telecommunications) on 4 April 2001 Directive of the European Parliament And of the Council amending Council Directive 95/50/EC on uniform procedures for checks on the transport of dangerous goods by road Council Regulation amending Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms	PE-CONS 3611/1/01 REV 1 5887/01 + COR 1(fr) + COR 2(de) + COR 3(it,es,fin) + COR 4(da) + COR 5(sv) + COR 6(it)		Qualified majority	
2342nd Council (General Affairs) on 9 April 2001 Directive 2001/29/EC of the European Parliament And of the Council on the harmonisation of certain aspects of copyright and related rights in the information society Approval of amendments to the Council's common position at the European Parliament's 2nd reading	PE-CONS 3622/01		Qualified majority	

APRIL 2001			
DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/EXPLANATIONS OF VOTE AND VOTING RULE
2343rd Council (Agriculture) on 24 April 2001			
Council Regulation amending Regulation (EEC) No 738/93 amending the transitional measures governing the common organisation of the market in cereals and rice in Portugal as provided for by Regulation (EEC) No 3653/90	7779/01		Unanimity
Council Regulation opening a Community tariff quota for barley for malting falling within CN code 1003 00	7701/01		Qualified majority EN, F against
Decision of the European Parliament and of the Council amending Decision No 1692/96/EC as regards seaports, inland ports and intermodal terminals as well as project No 8 in Annex III	PE-CONS 3609/01 + COR 1 + COR 2	29/01	Qualified majority
Council Regulation reserving to the Council implementing powers with regard to certain detailed provisions and practical procedures for carrying out border checks and surveillance	6611/01 + COR 1	30/01, 31/01	Unanimity
Council Regulation reserving to the Council implementing powers with regard to certain detailed provisions and practical procedures for examining visa applications	6470/01 + COR 1 + COR 2(fr,it,nl,el,fin,sv) + COR 3	32/01, 33/01	Unanimity

APRIL 2001				
DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES/EXPLANATIONS OF VOTE AND VOTING RULE	
Council Decision updating part VI and Annexes 3, 6 and 13 of the Common Consular Instructions and Annexes 5(a), 6(a) and 8 to the Common Manual	6986/01 + COR 2		Unanimity	

STATEMENT 29/01

Commission statement

"The Commission intends at the next revision of Decision 1692/96/EC to include in its proposal the Elbe-Lübeck Kanal and the Twente-Mittellandkanal as part of the inland waterway network."

STATEMENT 30/01

Statement by the Commission

"The Commission considers that the reservation to the Council of implementing powers has not been adequately or appropriately substantiated as required under Article 202 of the EC Treaty and Decision 1999/468/EC, as interpreted by the case-law of the Court of Justice.

The Commission therefore reserves all its rights under the Treaty."

STATEMENT 31/01

Statement by the Netherlands delegation

"The Netherlands can agree to the adoption of the Regulations. In doing so, the Netherlands calls attention to the statement which it made on the adoption of the Eurodac Regulation, to the effect that the fact of the Council's reserving to itself certain implementing powers may not constitute a precedent for future decisions taken under Part Three, Title IV, of the EC Treaty.

Should the Commission take legal measures against the Council on the basis of the Regulations in question, the Netherlands reserves the right to intervene in such proceedings in support of the Commission."

STATEMENT 32/01

Statement by the Commission

"The Commission considers that the reservation to the Council of implementing powers has not been adequately or appropriately substantiated as required under Article 202 of the EC Treaty and Decision 1999/468/EC, as interpreted by the case-law of the Court of Justice.

The Commission therefore reserves all its rights under the Treaty."

STATEMENT 33/01

Statement by the Netherlands delegation

"The Netherlands can agree to the adoption of the Regulations. In doing so, the Netherlands calls attention to the statement which it made on the adoption of the Eurodac Regulation, to the effect that the fact of the Council's reserving to itself certain implementing powers may not constitute a precedent for future decisions taken under Part Three, Title IV, of the EC Treaty.

Should the Commission take legal measures against the Council on the basis of the Regulations in question, the Netherlands reserves the right to intervene in such proceedings in support of the Commission."

APRIL 2001	
OTHER ACTS	VOTES MADE PUBLIC
2340th Council (Transport and Telecommunications) on 4 April 2001 Council Decision on the approval, on behalf of the European Community, of the Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on Heavy Metals 5498/01 Council Regulation on the conclusion of the Protocol setting out, for the period 1 July 2000 to 30 June 2003, the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Republic of Côte d'Ivoire on fishing off the coast of Côte d'Ivoire 5137/01 + COR 1 Council Regulation on the conclusion of the Protocol establishing for the period 1 July 2000 to 30 June 2001 the fishing rights and financial compensation provided for in the Agreement between the Economic Community and the Government of the Republic of Equatorial Guinea on fishing off the coast of Equatorial Guinea 6653/01 Council Decision concerning the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Republic of Chile adding a Protocol on mutual administrative assistance in customs matters to the Framework Cooperation Agreement between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part 6418/01 + COR 1(fin) Council Decision on the conclusion of a Protocol to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part, on Conformity Assessment and Acceptance of Industrial Products (PECA) 7013/01 + COR 1(sv) and 5949/1/01 REV 1	

APRIL 2001	
OTHER ACTS	VOTES MADE PUBLIC
Council Decision on the conclusion of a Protocol to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part, on Conformity Assessment and Acceptance of Industrial Products (PECA) 7014/01 + COR 1(sv) and 5950/1/01 REV 1 + COR 1(it) 2340th Council (Transport and Telecommunications) on 5 April 2001 Council Resolution on GALILEO 7918/01 The Montreal Convention • Council Decision on the conclusion by the European Communities of the Convention for the unification of certain rules for international carriage by air 6859/01 + COR 1(en,da,sv) • Convention for the unification of certain rules for international carriage by air 7152/01 2342nd Council (General Affairs) on 9 April 2001 Council Decision concerning the conclusion of the Agreement between the European Union and the Federal Republic of Yugoslavia (FRY) on the activities of the European Union Monitoring Mission (EUMM) in the FRY 6596/01 Council Decision concerning the appointment of the Head of Mission of the European Union Monitoring Mission (EUMM) 6541/01 Council Common Position concerning the extension of Common Position 96/635/CFSP on Burma/Myanmar 7666/01	

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OTHER ACTS	VOTES MADE PUBLIC
Council Decision implementing Common Position 1999/533/CFSP relating to the European Union's contribution to the promotion of the early entry into force of the Comprehensive Nuclear Test-Ban Treaty (CTBT) 6995/01 Council Regulation providing for the management of Community tariff quotas and of reference quantities for products eligible for preferences by virtue of agreements with certain Mediterranean countries and repealing Regulations (EC) Nos 1981/94 and 934/95 6387/01 Council Decision concluding consultations with the Republic of the Fiji Islands under Article 96 of the ACP-EC Partnership Agreement 7610/01 + COR 1(en) Council Decision on the conclusion of the Interim Agreement on trade and trade-related matters between the European Community, of the one part, and the former Yugoslav Republic of Macedonia, of the other part 7420/01 and 7404/01 + ADD 1 + ADD 2 Council Regulation (EC, ECSC, Euratom) amending the Financial Regulation of 21 December 1977 applicable to the General Budget of the European Communities as regards separating the internal audit function from the ex ante financial control function 7397/01 Council Decision on making certain categories of Council documents available to the public 7275/01 + COR 1(da) + REV 1(sv) Council Decision laying down the new guidelines applicable to actions and measures to be taken under the multiannual programme to promote international cooperation in the energy sector (1998-2002) under the multiannual framework programme for actions in the energy sector and connected measures 6761/01 + COR 1(fr,de) + COR 2(fin)	

APRIL 2001	
OTHER ACTS	VOTES MADE PUBLIC
2343rd Council (Agriculture) on 24 April 2001 Council Decision authorising the Portuguese Republic to extend until 9 April 2002 the Agreement on mutual fishery relations with the Republic of South Africa 6657/01 Council Decision authorising the Kingdom of Spain to extend until 7 March 2002 the Agreement on mutual fishery relations with the Republic of South Africa 6658/01 Council Decision supplementing Decision 98/627/CFSP concerning a specific action of the Union in the field of assistance for mine clearance 7927/01	
