

5636/02 (Presse 16)

2406th Council meeting

**- GENERAL AFFAIRS -**

Brussels, 28 January 2002

President : **Mr Josep PIQUE I CAMPS**

Minister for Foreign Affairs of the Kingdom of  
Spain

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*For further information call 02-285.61.94, 02-285.62.19 or 02-285.68.08*

## **PARTICIPANTS**

The Governments of the Member States and the European Commission were represented as follows:

### **Belgium :**

Mr Louis MICHEL  
Ms Annemie NEYTS

Deputy Prime Minister and Minister for Foreign Affairs  
State Secretary, attached to the Minister for Foreign Affairs

### **Denmark :**

Mr Per Stig MØLLER  
Mr Bertel HAARDER

Minister for Foreign Affairs  
Minister for Refugees, Immigration and Integration and Minister without Portfolio with responsibility for European Affairs

### **Germany :**

Mr Joschka FISCHER  
  
Mr Christoph ZÖPEL

Federal Minister for Foreign Affairs and Deputy Federal Chancellor  
Minister of State, Foreign Affairs

### **Greece :**

Mr George PAPANDREOU

Minister for Foreign Affairs

### **Spain :**

Mr Josep PIQUE I CAMPS  
Mr Ramón DE MIGUEL Y EGEA

Minister for Foreign Affairs  
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### **France :**

Mr Hubert VEDRINE

Minister for Foreign Affairs

### **Ireland :**

Mr Brian COWEN

Minister for Foreign Affairs

### **Italy :**

Mr Silvio BERLUSCONI  
Mr Roberto ANTONIONE

Prime Minister and Acting Minister for Foreign Affairs  
State Secretary for Foreign Affairs

### **Luxembourg :**

Ms Lydie POLFER

Deputy Prime Minister, Minister for Foreign Affairs and Foreign Trade, Minister for the Civil Service and Administrative Reform

### **Netherlands :**

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Mr Dick BENSCHOP

Minister for Foreign Affairs  
State Secretary for Foreign Affairs

### **Austria :**

Ms Benita FERRERO-WALDNER

Federal Minister for Foreign Affairs

### **Portugal :**

Mr Jaime GAMA  
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Minister for Foreign Affairs  
State Secretary for European Affairs

### **Finland :**

Mr Jari VILEN

Minister of Foreign Trade

### **Sweden :**

Ms Anna LINDH

Minister for Foreign Affairs

### **United Kingdom :**

Mr Jack STRAW  
Mr Peter HAIN

Secretary of State for Foreign and Commonwealth Affairs  
Minister of State for Europe

\* \* \*

**Commission :**

Mr Pascal LAMY  
Mr Christopher PATTEN  
Mr Günter VERHEUGEN

Member  
Member  
Member

\* \* \*

**General Secretariat of the Council :**

Mr Javier SOLANA

Secretary-General/High Representative for the CFSP

**SPANISH PRESIDENCY PROGRAMME**

The Council held a public debate, transmitted live by TV to the press and wider public, on the Spanish Presidency programme for the first half of 2002.

The Presidency programme "More Europe" is aimed at raising the Union's profile and developing European co-operation in a number of areas. It sets six priorities for the next six months:

- Combating terrorism in an area of freedom, security and justice;
- Ensuring the successful introduction of the Euro;
- Lending impetus to the Lisbon process at the Barcelona Council with a view to creating a prosperous, dynamic Europe at the service of the citizens;
- The enlargement of the European Union;
- Increasing the presence of Europe in the world;
- The debate on the future of Europe.

Broad support emerged in this debate for the Presidency programme. Ministers in their interventions stressed in particular the following points:

As far as external relations are concerned, Afghanistan, the Middle East, Euro-Mediterranean co-operation, the Balkans, Russia and Latin America were seen as the areas that should receive greatest attention in the short and medium term. Concerning Afghanistan, the need to consolidate peace was seen as particularly important. On the Middle East, several Ministers called for the European Union to be present and to continue its efforts in bringing about peace. Broad support was also voiced for reinvigorating the Barcelona process with the countries from the Mediterranean region.

In relation to enlargement, Ministers emphasised that the aim was to stick to the road map and that particular attention should to be given to Bulgaria and Romania. The dialogue recently established between the two communities in Cyprus was also deemed very encouraging. Furthermore, promoting stability and prosperity beyond the circle of candidate countries was seen as a necessity, as well as a long-term objective of European integration.

Several Ministers also stressed the importance of developing and strengthening the European Security and Defence Policy (ESDP).

As far as combating terrorism is concerned, Ministers emphasised that it should be constantly recalled that this was also about spreading the values of democracy and human rights that the Union stands for.

Several Ministers also highlighted the importance of living up to the Lisbon Strategy in preparing the Barcelona European Council in March, in particular as far as the completion of the internal market was concerned.

The forthcoming launch of the Convention on the future of the Union was also highlighted as was the successful introduction of the Euro.



**STOCK-TAKING OF WORK IN OTHER COUNCIL FORMATIONS**

On the basis of a Presidency note, the Council took stock of the state of play of work underway in other Council formations as part of its task of co-ordinating the Council's activities and fostering coherence between those activities.

The Council noted that a number of issues are of particular importance in the run-up to the Spring European Council in Barcelona on 15/16 March, in particular the Research Framework Programme, the financial services action plan, the Community patent and the follow-up to the report on future objectives of education and training systems.

*(Doc. 5572/1/02 REV 1)*

## **ENLARGEMENT: PRESIDENCY'S WORK PROGRAMME**

The Council took note of a presentation by the Presidency of its work programme on enlargement (see *document 5567/02*) and of an oral report by Commissioner Verheugen of his institution's intended timetable of work. The Presidency's programme, which is aimed at ensuring that negotiations with candidate countries which are ready can be concluded by the end of the second half of 2002, emphasises in particular that:

- the principle of differentiation will continue to be applied in the negotiations and all candidate countries will be judged according to their own merits;
- every effort will be made to meet the targets of the “road map” and reach a common position of the Union on all the chapters assigned by the “road map” for the first semester of 2002. These include agriculture, regional policy, financial and budgetary provisions and institutions, which are among the most complex and sensitive chapters to be addressed;
- negotiations will be conducted on the basis of the principles laid down at the Laeken European Council, that is to say, the existing *acquis* and the financial framework established at Berlin;
- candidate countries must continue the extraordinary progress they have already made and pursue their efforts to fulfil the conditions for membership unabatedly in order to ensure that all negotiations can be pursued as scheduled.

A first general assessment of the effective implementation of the *acquis* by the candidate countries will be carried out by the European Council at Seville on the basis of the Action Plan to be drawn up by the Commission.

The Council noted that the drafting committee for the Act of Accession should start working in March.

The Presidency also intends to address all the pending chapters with Bulgaria over the next six months, and will strive to do the same in respect of Romania as long as and when the necessary information and data are made available. Support will also be given to efforts being made as part of the on-going United Nations-sponsored drive to work out a political settlement for the Cyprus issue. Moreover, encouragement will be given to Turkey's pre-accession strategy in line with the Laeken European Council conclusions.

Two Accession Conferences at Deputy level will be organised on 21 and 22 March and on 19 and 22 of April. The Accession Conferences at Ministerial level will take place on 10 and 11 June 2002. Heads of State or Government, Ministers of Foreign Affairs and Ministers of Economy from candidate countries will be invited to take part in the first day of the Barcelona European Council on Friday 15 March.

**CONFLICT PREVENTION - Council conclusions**

"As part of the implementation of the EU programme for the prevention of violent conflicts endorsed by the European Council in Göteborg, the Council reviewed potential conflicts in order to set clear political priorities for preventive actions on specific issues.

The Council emphasised its determination to focus on emerging crises and to take early measures before a situation deteriorates into violence. The Council insisted on a pro-active implementation of the EU programme. The Council underlined the importance of a coherent approach of conflict prevention and welcomed the action undertaken by the Commission in this field. The Council also recalled the role of the EU development co-operation policy in this regard.

The Council underlined the need to continue identifying priority areas and regions where crises can emerge as well as possible preventive actions. The Council asked the Political and Security Committee to develop and monitor conflict prevention actions within the CFSP including ESDP and to make operational recommendations. This work should build upon information from relevant working groups and more detailed thematic, regional and sub-regional analyses by the Commission and the Council Secretariat, including the Policy Unit. The ongoing work on potential conflicts in Africa was noted as an example of a more systematic approach by relevant working groups.

EU Heads of Mission will be closely associated with this work and EU's political dialogue will be used in a more systematic and targeted way to address potential conflicts and promote conflict prevention. Development of EU preventive policies will take into account the importance of co-operation with other international, regional and local actors, including non-governmental organisations.

The Presidency will report on the progress made in the implementation of the EU programme for the prevention of violent conflict to the European Council in Seville."

**ANNUAL REVIEW OF THE EFFECTIVENESS OF COMMON STRATEGIES**

The Council endorsed the findings and recommendations contained in a joint report by the Secretary General/High Representative and the Commission. The report takes note of improvements in the implementation of the existing strategies (Russia, Ukraine and the Mediterranean region) - including greater consistency and continuity through enhanced co-ordination of the work plans drawn up by successive presidencies - while pointing out that many shortcomings identified last year remain as the basis (i.e. the existing strategies) has not changed.

Preparatory work on a fundamental review of the best way to use common strategies in the light of experience should start under the Danish Presidency so that the Council can make appropriate recommendations to the European Council in good time before the first of the present common strategies expires (Russia, June 2003). This review will be based on the SG/HR's report of 21 December 2000, on the General Affairs Council conclusions of 26 January 2001, the present Joint Report by SG/HR and the Commission, and today's discussion. Meanwhile, the implementation of the existing strategies will be improved in accordance with the joint report.

**MIDDLE EAST - Council conclusions**

"The situation in the Middle East is at a critical moment. The current spiral of violence must immediately cease and the suffering of both peoples brought to an end. The Council firmly condemns the most recent terrorist attacks in Jerusalem against innocent civilians.

The European Union reiterates the declaration of the European Council of Laeken, and issues a firm call to the parties to adopt all necessary measures to immediately and unconditionally implement the Tenet cease-fire Plan and the Mitchell Committee recommendations. The objective of peace building requires that security and political measures must be implemented in parallel in a mutually reinforcing way.

Israel needs the Palestinian Authority and its elected President, Yasser Arafat, as a partner to negotiate with, both in order to eradicate terrorism and to work towards peace. Their capacity to fight terrorism must not be weakened.

The Palestinian Authority and its elected President, Yasser Arafat, must do everything to put an end to terrorism and the armed Intifada, dismantle all the terrorist networks and arrest and prosecute the perpetrators of terrorist acts. The European Union urges the speedy completion of the work of the investigative commission established by the Palestinian Authority to clarify the circumstances of the Karine A affair. The European Union would also welcome international involvement in the work of the investigative commission.

The Israeli Government must withdraw its military forces and stop the extra-judicial executions, lift the closures and all the restrictions imposed on the Palestinian people and its leadership, and freeze the settlements.

The European Union is seriously concerned at the destruction of Palestinian infrastructure and other facilities which help Palestinians in their economic, social and humanitarian development and which are financed by the European Union and other donors. The European Union urges the Government of Israel to put an end to this practice and reserves the right to claim reparation in the appropriate fora.

Resolute and concerted action by the European Union, the United Nations, the United States, the Russian Federation and the Arab countries most concerned is essential and urgent to help re-open the way to political negotiations."

**ZIMBABWE - Council conclusions**

"The Council expressed its serious concern about the situation in Zimbabwe, in particular the recent escalation of violence and intimidation of political opponents and the harassment of the independent press. It noted that the Government of Zimbabwe has not taken effective measures to improve the situation as called for by the European Council in Laeken last December.

The Council deplored the statement by the Chief of the armed forces of Zimbabwe, General Vitalis Zvinavashe, on 9 January 2002, as a threat to overturn the democratic process if military commanders did not agree with the result of the Presidential elections.

The Council expressed serious concern about recent legislation in Zimbabwe which, if enforced, would seriously infringe on the right to freedom of speech, assembly and association, mainly the Public Order and Security Act and the General Laws Amendment Act (both of which violate the norms and standards for free and fair elections as agreed by SADC Parliamentarians in March 2001, a summary of which is attached) and the proposed legislation to regulate the media.

The Council took note of the assurances given by Zimbabwe at the consultations on 11 January under Article 96 of the Cotonou Agreement and confirmed in the letter from FM Mudenge of 18 January 2002 that the Government of Zimbabwe will i. a. do its utmost to stop violence, that the elections will be free and fair, that international election observers including those of EU Member States will be invited, that national and international Journalists will be allowed to cover the elections, that the Government of Zimbabwe upholds the independence of the judiciary and that there will be no more occupation of farms or properties. The Council however remains concerned that serious violations of human rights continue to occur and that little progress has been made in allowing access for international election observers and for media. The Council underlined that the Government of Zimbabwe is judged by its actions on the ground.

The Council will continue to co-ordinate with international partners, especially the SADC partner countries of Zimbabwe.



The EU concludes that the essential elements defined in Article 9 of the Cotonou Agreement are not being respected. It regrets that despite all efforts so far, the Article 96 consultations have not remedied this situation. Therefore the EU has decided it will close the Article 96 consultations and implement targeted sanctions if:

- the Government of Zimbabwe prevents the deployment of an EU observation mission starting by 3 February 2002, or if it later prevents the mission from operating effectively. Likewise, if the Government of Zimbabwe prevents the international media from having free access to cover the election; or
- there is a serious deterioration in the situation on the ground, in terms of a worsening of the human rights' situation or attacks on the opposition; or
- the election is assessed as not being free and fair.

#### **Annex to the Council conclusions on Zimbabwe**

##### **Summary of norms and standards agreed by SADC's Parliamentary Forum in March 2001**

- Voters should be free to choose whom they will support, without intimidation or fear of recrimination;
- Political parties should be free to form, and seek support through campaigning, without restriction or intimidation;
- Independent media should be free to gather and impart information about candidates, and reporting in state-controlled media should contain a fair balance of parties' views;
- There should be open and impartial election administration, including voter registration, vote counting and tallying, access to voter lists, and early accreditation of independent monitors and observers;
- There should be adequate equipment and ballots, secret balloting, and impartial administration of balloting;
- There should be prompt transfer of power to any winners, with adequate and impartial opportunity for dispute resolution."

**WESTERN BALKANS****– *WESTERN BALKANS - Council conclusions*****"FRY - Serbia/Montenegro**

The Council welcomed, and fully supported, efforts undertaken by HR Solana in order to facilitate dialogue between Belgrade and Podgorica on the constitutional future of the Federal Republic of Yugoslavia. Referring to its 10 December 2001 conclusions, it reminded Belgrade and Podgorica that staying together in a functioning federal state is the best and fastest way for them to participate in European integration. The Council strongly cautioned against any unilateral move, particularly one which might hinder the ongoing process of dialogue.

**FRY - Kosovo**

The Council expressed its concern at the continuing failure of the Assembly to elect a President, and the consequent delay in the establishment of the provisional institutions of self-government and in the transfer of authority from UNMIK to those institutions, as provided for by UN Security Council Resolution 1244. The Council calls on the elected representatives to demonstrate responsibility and leadership so that the provisional institutions of self-government, for the benefit of the entire population, can fully assure the functions set up by the constitutional framework. The Council condemns the assassination of an elected representative of the Kosovo Assembly and expresses the wish that the perpetrators will be arrested and brought to justice.

The Council welcomed the appointment by the UN Secretary General, as his Special Representative for Kosovo, of Mr Michael Steiner who will enjoy full support by the EU in the discharge of his duties. The Council warmly expressed its high appreciation for the efforts and the accomplishments of former UNSGSR, Mr Hans Haekkerup, notably in the establishment of the constitutional framework for provisional self-government and the preparations for elections.

**Albania**

The Council stressed the Union's willingness to start as soon as possible negotiations for a Stabilisation and Association Agreement with Albania. In this spirit, it recognised the efforts undertaken by the Albanian government to move forward in this direction. The Council nonetheless noted that attention has been diverted from vital reforms, which are essential for Stabilisation and Association Agreement negotiations. It encouraged all political forces in Albania to unify their efforts in order to accelerate the implementation of such reforms.

**Former Yugoslav Republic of Macedonia (FYROM)**

The Council welcomed the adoption of the Local Self-Government Law as a critical step in the process of implementation of the Framework Agreement. This opens the way to the holding, on 12 March 2002, of the Donor's meeting which will be co-hosted by the Commission and the World Bank.

The Council further underlined the need for full commitment by all political parties to the thorough and rapid implementation of the Framework Agreement. It urged all communities in FYROM to continue to work for peace and abstain from any provocation which might endanger the stability of the country. It also urged for the early adoption of the law on amnesty. It expressed its growing concern over recent intimidation of independent media and human rights defenders.

The Council, commending the work already undertaken by Mr A Le Roy under the authority of SG/HR, considered that an extension of the mandate of the Special Representative would be necessary and asked the competent bodies to prepare the relevant legal instruments to the effect.

**Relations Belgrade-Zagreb Sarajevo**

The Council welcomed signs of steady improvement in relations between Belgrade and Zagreb, marked by the signing of several bilateral agreements. The EU strongly encourages the two countries to continue this rapprochement. The Council also noted the improvement of relations between the Federal Republic of Yugoslavia and Bosnia and Herzegovina at the State level. It recalled the importance of further progress and emphasised that this is the most appropriate level of interaction for both States. Relations between FRY and Republika Srpska should take account of this in full respect of the Dayton agreement. In that context, the Council urged Belgrade, Zagreb and Sarajevo to work with increased resolve on all matters related to the return of refugees and displaced persons.

**Croatia**

Following assent by the European Parliament, the Council took the decision to conclude the Interim Agreement with Croatia, which represents an important step for this country in the Stabilisation and Association Process."

– *INTERNATIONAL POLICE TASK FORCE (IPTF) FOLLOW-ON - Council conclusions*

"Recalling its conclusions of 10 December 2001 and the European Council Declaration on the operational capability of the European Security and Defence Policy (ESDP), the Council noted the progress made in considering an EU follow-on mission to the United Nations International Police Task Force in Bosnia and Herzegovina (IPTF), whose mission is expected to be completed by 31 December 2002.

An EU police mission would contribute to the overall peace implementation in Bosnia and Herzegovina, which is under the authority of the High Representative in Bosnia and Herzegovina and the Peace Implementation Council, and would also help the achievement of the objectives of EU's overall policy in the region, notably the Stabilisation and Association Process.

Its aim would be to consolidate the achievements of the IPTF and the international community's work to establish sustainable policing arrangements under Bosnian ownership in accordance with best European and international practice. This would be achieved in particular through monitoring, mentoring and inspecting at the appropriate level, as well as through training and technical support. These efforts must be part of a broader rule of law approach and ongoing work on streamlining the international community's presence in Bosnia and Herzegovina. The Council stressed the importance of Community support to rule of law activities as part of the effort and welcomed the readiness of the Commission to contribute to the success of the proposed mission, including through work under the CARDS programme.

A stable and secure situation in Bosnia-and Herzegovina, underpinned by a continued presence of SFOR, is an essential element for the success of such a mission. Therefore close consultation at an early stage between the EU and NATO/SFOR is imperative.

The structure of an EU police follow-on mission would have to include a unified EU chain of command, as a crisis management operation, with a Police Commissioner under the Secretary-General/High Representative, and with the Political and Security Committee providing the political control and strategic direction. The mandate of the High Representative in Bosnia and Herzegovina, including his co-ordinating role with regard to the activities of all civilian organisations and agencies as set out in the Dayton Peace Agreement and subsequent Peace Implementation Council decisions, would be fully respected. Close contacts between the Secretary-General/High Representative and the Commission would be maintained throughout the process in order to ensure close co-ordination of all EU activities in Bosnia and Herzegovina.

Taking into account the valuable contributions other States have made to IPTF, the Council stated its readiness to consider positively the contribution of third States in accordance with the conclusions of the Nice and Göteborg European Councils. Furthermore, the EU will consult and co-ordinate with international organisations with related activities in this field. The Council noted the Ministerial Troika meeting between the EU and the OSCE on 29 January 2002, which will also consider the issue of the follow-on mission to the IPTF.

The planning of an EU follow-on mission should continue to be done in close co-ordination with the UN in order to ensure a smooth transition from the IPTF to its successor.

The Council invited its competent bodies to continue the examination of outstanding issues, in particular financing arrangements, in order to allow it to take a decision at its 18 February 2002 meeting."

**AFGHANISTAN**

The Council discussed the situation in Afghanistan and in particular the satisfactory outcome of the International Donors Conference in Tokyo on 21/22 January 2002. It reiterated the Union's commitment, as demonstrated by contributing in Tokyo as the single largest donor, to playing a significant role in the reconstruction of Afghanistan and in supporting the political process agreed in Bonn.

**RELATIONS WITH RUSSIA: KALININGRAD**

The Council was informed briefly by its President about his meeting with Foreign Minister Ivanov last week.

With regard to the specific situation of Kaliningrad, the Council noted progress in work underway in its preparatory bodies on issues relating to the movement of persons, goods, energy, telecommunications and fisheries, as well as on the rule of law and the health sector. It agreed to discuss relations with Russia and the situation of Kaliningrad further at the March meeting of the General Affairs Council ahead the EU-Russia Co-operation Council on 15/16 April, the EU-Russia Ministerial meeting in the field of Justice and Home Affairs on 25/26 April and the EU-Russia Summit in Moscow on 28 May. It noted that a meeting of the EU-Russia Co-operation Committee specifically on Kaliningrad issues would also be convened.

It instructed the Permanent Representatives Committee and the Political and Security Committee to ensure that the relevant preparatory bodies follow a comprehensive and co-ordinated approach on all of these issues bearing in mind the Commission's communication of January 2001 and the Laeken European Council conclusions.

**CHILE - Council conclusions**

"The Council took note of the progress in the association negotiations between the EU and Chile and expressed its support to the continuation of the Commission's work with a view to concluding negotiations between the EU and Chile by the second summit between the EU and Latin America and the Caribbean in Madrid on 17 May 2002. The Council reiterated the importance it attaches to a substantive outcome of the negotiating process."

**MERCOSUR - Council conclusions**

"In the context of the current crisis in Argentina, the Council welcomes the will expressed by the Mercosur Foreign Affairs Ministers in their Joint Declaration, made in Buenos Aires on 11 January 2002, to strengthen the integration process amongst their countries.

The Council believes that a strengthened Mercosur will be the key to the development of the region.

Finally, the Council reiterates the importance it attaches to the establishment of an Association Agreement between the EU and Mercosur. It welcomes the progress achieved so far in these negotiations and reiterates the EU commitment to continue to make further progress."

**INDIA / PAKISTAN**

The Council discussed the recent escalation of tension between India and Pakistan. It underlined the need for restraint on both sides and urged India and Pakistan to work for a rapid de-escalation and a political solution to the contentious issues.



## **OTHER BUSINESS**

### **– – *South Africa: fight against crime***

The Council noted a communication from the Portuguese delegation urging the development of the Union's role in the fight against crime and in police co-operation with South Africa in the light of growing concern within the international community over insecurity and crime in that country. The Council also noted the Commission statement on the programmes in this area with South Africa which the Commission is currently running and which it intends to develop in the future. The Council asked its competent bodies to examine possible follow-up action in respect of the ideas put forward by the Portuguese delegation.

## **LUNCH ITEMS**

### **– *European Convention***

Ministers endorsed the approach put forward regarding the arrangements for financing the Convention which include an operating budget for 2002 to be covered by contributions from the Council, the Commission and the European Parliament. Ministers also noted that each Head of State or Government would appoint a representative to the Convention.

### **– *Intercongolese Dialogue***

Foreign Minister Michel informed his colleagues about the meeting of Congolese unarmed opposition and civil society which took place in Brussels on 15-17 January.

### **– *Argentina***

Ministers noted the approach to be taken during the visit to Europe by the Argentinean Foreign Minister.

## **ITEMS APPROVED WITHOUT DEBATE**

The documents whose references are given are available on the Council's Internet site <http://ue.eu.int>. Acts adopted that include statements in the minutes which may be released to the public are indicated by an asterisk; these statements may be obtained by following the procedure indicated above or from the Press Office.

### **INSTITUTIONAL AFFAIRS**

#### **Order of Council Presidencies**

On the basis of a proposal submitted by Germany and Finland to reverse the order of their respective Council Presidencies, originally foreseen for the second six months of 2006 and the first six months of 2007, the Council unanimously adopted a Decision to that effect. (*Doc. 5575/02*)

The order of Council Presidencies is laid down in a Council Decision of 1 January 1995. This Decision allows the Council acting unanimously on a proposal from the Member State concerned, to decide that a Member State may hold the Presidency during a period other than that resulting from the order established.

### **EXTERNAL RELATIONS**

#### **Relations with Uzbekistan**

The Council endorsed the position of the European Union for the third meeting of the EU-Uzbekistan Co-operation Council that will take place in Brussels on 29 January 2002. The main points on the agenda will be: the regional situation and co-operation including the follow-up of the Afghan crisis, political aspects including democratisation, human rights, justice and home affairs, economic aspects including macro-economic, trade and investment issues as well as bilateral issues including nuclear aspects and assistance. (see also doc. 5734/02 Presse 19)

#### **Relations with Tunisia**

In preparation for the third meeting of the Association Council with Tunisia, taking place in Brussels on 29 January 2002, the Council finalised the common position of the European Union. The meeting will present the opportunity for a broad discussion on the state of political, economic, social and cultural relations under the Euro-Mediterranean Association Agreement.

## **Association with Hungary**

The Council adopted a decision on the position to be taken by the Community within the EU-Hungary Association Council. The Council signifies hereby its agreement for the Association Council to adopt, by means of the written procedure, a Decision repealing and replacing Decision No 2/96 of the Association Council adopting the rules necessary for the implementation of Article 62(1)(i), (1)(ii) and (2) of the Europe Agreement and the rules implementing Article 8 (1)(i), (1)(ii) and (2) of Protocol No 2 on ECSC products to that Europe Agreement. Article 62 (and Protocol No 2 to that Agreement as regards ECSC products) establishes the general principle that practices which may distort competition between undertakings are incompatible with the proper functioning of the Agreement and must be assessed on the basis of criteria deriving from Articles 85 and 86 of the EC Treaty.

## **Relations with Russia**

The Council took note of the Presidency's work plan on the implementation of the EU Common Strategy on Russia. The work plan places emphasis on the following objectives:

- promoting the consolidation of democracy, the rule of law and public institutions in Russia;
- supporting economic and social reform by striving towards a common European economic space;
- exploring the avenues for anti-terrorist co-operation and developing co-operation on justice and home affairs;
- stepping up political dialogue and co-operation on security, conflict prevention and crisis management;
- developing co-operation on non-proliferation and disarmament;
- taking forward the discussion on Kaliningrad and possible consequences of EU enlargement for this region;
- promoting dialogue and co-operation on environment, energy and nuclear safety issues;
- continuing co-ordination of measures carried out by the Union and Member States to ensure the consistency and effectiveness of EU action regarding Russia.

## **Relations with Ukraine**

The Council took note of the Presidency's work plan on the implementation of the EU Common Strategy on Ukraine. The work plan places emphasis on the following objectives:

- helping to consolidate a full, stable and pluralist democracy governed by the rule of law and respect for human rights;
- supporting the process of economic and social reform in Ukraine and helping in the creation of the conditions for an efficient market economy that will enable the country to be integrated into the world economy;

- promoting co-operation in the field of justice and home affairs;
- promoting rapprochement between the Union and Ukraine, including continuing efforts to secure gradual approximation of EU and Ukrainian legislation;
- continuing co-operation and dialogue in the field of the Union's common foreign and security policy;
- strengthening co-operation on non-proliferation and disarmament and in the fields of environment, energy and nuclear safety.

### **Relations with the Mediterranean region**

The Council took note of the Presidency's work plan on the implementation of the EU Common Strategy on the Mediterranean region. The work plan places emphasis on the following objectives:

- strengthening political and security dialogue;
- achieving a dynamic and mutually beneficial financial and economic partnership;
- making progress towards a social, cultural and human partnership, bringing the peoples of the two shores of the Mediterranean closer together;
- paying special attention to the Middle East Peace Process, and in particular using the mechanisms based on the Barcelona process to offer a framework for dialogue within which the opposing parties can pave the way for normal co-operation in the future.

### **Croatia - Interim Agreement**

The Council adopted a decision on the conclusion of the Interim Agreement on trade and trade-related matters between the European Community and the Republic of Croatia. The Interim Agreement, which enables the trade provisions of the Stabilisation and Association Agreement to be applied pending the latter's entry into force, was signed on 29 October 2001.

*(doc. 11941/01)*

### **Africa - conflict prevention**

The Council approved a yearly survey of the Common Position concerning conflict prevention, management and resolution in Africa (2001/374/CFSP)<sup>1</sup>. The survey is part of the Union's efforts to develop a proactive, comprehensive and integrated approach which will also serve as a common framework for actions of individual Member States.

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<sup>1</sup> OJ L 132, 15.5.2001, p.3.

## **International Criminal Court**

Under the common position adopted by the Council on the International Criminal Court on 11 June 2001, the Council is required to review that common position every 6 months. The objective of the common position is to pursue and support an early entry into force of the Statute of the Court. The Statute has been signed by 139 states. 60 ratifications are necessary for it to enter into force. As of 8 January 2002, the Statute has been ratified by 48 states, heightening the prospect that it will enter into force in 2002.

The Council has concluded that no review of its common position is necessary at this stage.

## **ENLARGEMENT**

### **Decisions on the principles, priorities, intermediate objectives and conditions contained in the accession partnerships**

Following political agreement reached in December 2001, the Council adopted updated decisions on the principles, priorities, intermediate objectives and conditions for the Accession Partnerships with **Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia**. These decisions are based, for the countries of Central and Eastern Europe, on Council Regulation (EC) 622/98 on assistance to the applicant countries in the framework of the pre-accession strategy. For Cyprus and Malta, the decisions are based on Council Regulation (EC) No 555/2000 on the implementation of operations in the framework of the specific pre-accession strategies for these countries.

The Accession Partnerships are a key feature of the pre-accession strategies, mobilising all forms of assistance to the candidate countries within a single framework. Through them, the EU actively supports candidate countries' preparation for membership by helping them identify specific priorities for alignment with and implementation of the *acquis* and by targeting effectively the EU's financial assistance to address these needs. An accession-driven approach, backed by effective use of the EU's financial assistance, will have a catalytic effect in unlocking other financial resources and in softening the terms and/or guaranteeing repayments. The Accession Partnerships draw fully on the considerable efforts the candidate countries are making to meet the accession criteria. The decisions now adopted set out the priorities to be followed by the candidate states during the time remaining to prepare for membership, which is especially important for those candidates in the final phase of accession negotiations.

For the countries of Central and Eastern Europe, this is the second time that the Partnerships have been updated taking into account developments in the respective countries and drawing on the analyses contained in the Commission's Regular Reports. For Cyprus and Malta, the priorities and intermediate objectives in the Accession Partnerships have been revised for the first time taking into account the progress made by these countries towards accession. Objectives cover areas such as further strengthening democracy and the rule of law, protection of minorities, reinforcement of institutional, administrative and judicial capacity, economic reform, preparation for full participation in the internal market, justice and home affairs, agriculture, environment, energy, transport, employment and social affairs, and more.

**ANTI-DUMPING****Imports of glyphosate from Malaysia or Taiwan**

The Council adopted by simple majority, with the Swedish delegation voting against, a regulation which extends the definitive anti-dumping duty imposed by regulation (EC) No 368/98 on imports of glyphosate originating in the People's Republic of China, to imports of glyphosate consigned from Malaysia or Taiwan, whether declared as originating in Malaysia or Taiwan or not, and terminating the investigation in respect of imports from one Malaysian and one Taiwanese exporting producer.

**Imports of cotton-type bed-linen from Egypt and Pakistan**

The Council adopted by simple majority, with the Belgian, Spanish, French, Italian and Portuguese delegations voting against, a regulation suspending the application of anti-dumping duties as specified in Article 1 of regulation (EC) No 2398/97 with regard to imports of cotton-type bed linen from Egypt. The definitive anti-dumping duty expires on 28 February 2002, unless a notice has been published in the Official Journal before that date, indicating that a request for a review has been received by the Commission. If such a request is published, the anti-dumping duty remains suspended but expires on 15 April 2002 unless a review has been initiated before that date. During such a review, the application of the anti-dumping duty remains suspended.

The regulation also terminates the anti-dumping proceeding concerning imports of cotton-type bed linen originating in Pakistan.

**Imports of stainless steel wire from India**

The Council adopted a regulation amending regulation (EC) No 1599/1999 imposing a definitive countervailing duty on imports of stainless steel wire with a diameter of 1mm or more originating from India.

**Imports of ferro molybdenum from China**

The Council adopted, by simple majority, the Swedish delegation voting against and the German, Finnish, Irish, Netherlands and UK delegations abstaining, a regulation imposing definitive anti-dumping duties on imports of ferro molybdenum originating in the People's Republic of China. The rate of the definitive anti-dumping duty applicable to the net, free-at-Community frontier price before duty is fixed at 22,5%.

**ECSC****Turkey - steel products: Council assent on the position to be taken by the European Coal and Steel Community within the ECSC/Turkey Joint Committee**

The Council has given its assent under Article 95 of the ECSC Treaty to a draft Commission Decision on the position to be taken by the European Coal and Steel Community within the ECSC/Turkey Joint Committee which is designed to meet with the requirements of Article 7(5) of the ECSC/Turkey Free Trade Agreement concluded in 1996. The draft Decision covers competition policy in the fields of rules for undertakings and state aid control.

**JUSTICE AND HOME AFFAIRS****Strategic document on terrorism in Europe**

The Council approved a strategic document on terrorism in Europe which calls in particular for better co-ordination and focus of the Council's practices in this area and for the strengthening of measures aimed at the prevention of theft and misappropriation of explosives and of components and precursors.

**CIVIL PROTECTION****Co-operation in the field of civil protection training - Council Resolution**

"THE COUNCIL OF THE EUROPEAN UNION,

RECALLING the Resolution of the Council and the representatives of the Governments of the Member States, meeting within the Council of 31 October 1994 on strengthening Community co-operation on civil protection, and in particular the desire expressed therein that co-operation may be developed between schools and national training centres that are active in the field of civil protection;<sup>1</sup>

RECALLING the Resolution of the Council and of the representatives of the Governments of the Member States, meeting within the Council of 26 February 2001 on strengthening the capabilities of the European Union in the field of civil protection<sup>2</sup> which reiterated that co-operation between schools and national training centres that are active in the field of civil protection should progress at a faster pace;

EMPHASISING that while intergovernmental initiatives putting such co-operation in place have already enabled the requirements and content of that co-operation to be identified, more concrete results are now required;

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<sup>1</sup> OJ C 313, 10.11.1994, p. 1.

<sup>2</sup> OJ C 82, 13.3.2001, p. 1.

CONVINCED of the growing importance of training at every level to ensure that citizens are better protected against natural and technological hazards;

RECALLING the repeated wish of the candidate countries to be able to initiate co-operation on civil protection training with the Member States and with the Commission;

WHEREAS, in the interests of efficiency, greater synergy should be introduced between programmes and courses of training for personnel called upon to carry out emergency service interventions with a view to arriving at the establishment of common programmes;

WHEREAS the creation at Community level of a network of schools and training centres active in the field of civil protection in the Member States, laying the foundations for the subsequent creation of, for instance, a European Civil Protection College involving these training institutions, would speed up the introduction of the desired co-operation;

WHEREAS the recent Council decisions on civil protection, notably Council Decision 2001/792/CE, Euratom of 23 October 2001<sup>1</sup> establishing a Community mechanism to facilitate reinforced co-operation in Civil Protection assistance interventions, provide a framework which would facilitate the creation of a network of schools and training centres active in the field of civil protection in the Member States, in particular through the creation of a pilot project entrusted with the task of establishing the said network;

WHEREAS this network of schools and training centres could also encompass a major project aiming at creating a European virtual academy for Civil Protection as well as a system of exchanges of experts, developed within the framework of the Community Action Programmes on civil protection;

INVITES THE COMMISSION:

- (1) to look at any initiative supporting the creation of a network of schools and training centres active in the field of civil protection in the Member States over an initial three-year pilot phase, drawing particularly on experience with the relevant initiatives developed in the framework of the Community action programmes on civil protection,
- (2) to consider the possibility of a financial support to this initiative on the basis of the financial interventions provided for educational activities by Council Decision of 9 December 1999 establishing a Community action programme in the field of civil protection<sup>2</sup> for the period 1 January 2000 to 31 December 2004 or by the said Council Decision establishing a Community mechanism to facilitate reinforced co-operation in Civil Protection assistance interventions,
- (3) to involve the candidate countries in its work,
- (4) to consider, on expiry of this pilot phase and in the light of the results obtained, any initiative introducing long-term co-operation on civil protection training, for instance through the creation of a European Civil Protection College which would institutionalise the aforementioned network."

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<sup>1</sup> OJ L 297, 15.11.2001, p. 7.

<sup>2</sup> OJ L 327, 21.12.1999, p. 53.



## **ENVIRONMENT**

### **Public access to environmental information \***

Following political agreement reached at the Environment Council on 7 June 2001, the Council formally adopted its common position on the proposed Directive on public access to environmental information. The draft Directive will eventually replace Directive 90/313/EEC. Under the Directive, the public will enjoy extensive rights to environmental information held by public authorities. It also aims at transposing the first pillar of the UN-ECE Convention on access to information, public participation in decision-making and access to justice in environmental matters, concluded in Aarhus on 25 June 1998.

*(Doc. 11878/01)*

## **TRANSPORT**

### **Security in the field of civil aviation**

The Council, on the basis of the political agreement reached by the Transport/Telecommunications Council on 6/7 December 2001, adopted a common position on the draft regulation establishing common rules in the field of civil aviation security.

The regulation is aimed at ensuring the protection of citizens by preventing acts of unlawful interference in civil aviation. It is part of the action plan against terrorism approved by the Council and the European Council following the events on 11 September.

The common position will be forwarded to the European Parliament for a second reading under the codecision procedure.

## **TELECOMMUNICATIONS**

### **Network and Information Society**

The Council formally adopted the Resolution on a common approach and specific actions in the area of network and information security, the text of which was agreed in principle by the Transport / Telecommunications Council on 6/7 December 2001 (see also press release 14660/01 Presse 448).

*(Doc. 15440/01)*

### **Personal data and privacy in the electronic communications sector \***

The Council, on the basis of the political agreement reached by the Transport / Telecommunications Council on 6/7 December 2001, adopted by qualified majority, with the Luxembourg delegation voting against, a common position on the draft directive concerning the processing of personal data and the protection of privacy in the electronic communications sector.

*(Docs 15396/01 and 5328/02 ADD1 + COR 1)*

## **RESEARCH**

### **6<sup>th</sup> EC Framework Programme (2002-2006)**

The Council, on the basis of the political agreement reached by the Research Council on 10 December 2001, adopted a common position on the draft 6th EC Research Framework Programme, covering the 2002-2006 period.

The common position relates specifically to the draft decision concerning the 6th Framework Programme of the European Community for research, technological development and demonstration activities, contributing to the creation of the European Research Area and to innovation (2002-2006). The budget allocated to the EC programme amounts to EUR 16 270 million; a further EUR 1 230 million is foreseen for 6th Framework Programme of the European Atomic Energy Community (EURATOM), which was also the subject of political agreement at the December Research Council.

The common position on the EC programme will be presented to the European Parliament, at its plenary session starting on 4 February, for the second reading under the co-decision procedure. The EURATOM programme will be formally adopted at a later stage, together with the EC Programme.

## **AGRICULTURE**

### **EAGGF Guarantee – Report from the Court of Auditors: implementation of the Integrated Administration and Control System (IACS) \***

The Council took note of Special report No 4/2001 of the Court of Auditors and adopted its conclusions and recommendations regarding the implementation of the Integrated Administration and Control System (IACS) introduced to cope with the risks of irregularity and fraud which ensue from the increase in the number of beneficiaries of direct aid resulting from the 1992 CAP reform.

The Council noted that the absence of a uniform interpretation of the IACS rules in the Member States could lead to unequal treatment between farmers in the European Union. It recommended that the Commission clarify and simplify the IACS rules so as to end interpretation problems and facilitate the imposition of sanctions, and that it plan to conduct cost/benefit assessments of the ICAS on the basis of sound financial information on sanctions. It advocated the adoption of more appropriate control measures in order to guarantee that aids are not paid twice unduly.

*(Doc. 13188/1/01 REV 1)*

**FISHERIES****Restructuring the Community fisheries sector for the period from 1 January 1997 to 31 December 2001 \***

The Council adopted a Decision amending Decision 97/413/EC concerning the objectives and detailed rules for restructuring the Community fisheries sector with a view to achieving a balance on a sustainable basis between resources and their exploitation. This Decision extends Decision 97/413/EC until 31 December 2002 by reducing the fishing effort of the Community fleet this year across the board with the new pilot reduction rates (36% and 24%). The Member States need not, however, apply these reduction targets to fishing vessels of less than twelve metres overall, other than trawlers, in the framework of programmes for improving safety, navigation at sea, hygiene, product quality and working conditions.<sup>1</sup>

*(Doc. 15265/01)*

**Detailed rules and arrangements regarding Community structural assistance in the fisheries sector \***

The Council adopted a Regulation amending Regulation (EC) No 2792/1999 laying down the detailed rules and arrangements regarding Community structural assistance in the fisheries sector. This Regulation provides, for the period from 1 January to 30 June 2002, for reinforcement of the condition for withdrawal connected with the introduction of new capacities in those segments in which the annual objectives have not yet been respected.

It also reinforces international action to prevent and eliminate illegal, unreported and unregulated fishing by ruling out public aid for the permanent transfer of fishing vessels to certain third countries which have been identified by the relevant regional fisheries organisations as countries that permit fishing in a manner which jeopardises the effectiveness of international conservation measures.

*(Docs 15272/01 and 5329/02 ADD 1)*

**APPOINTMENTS****Economic and Social Committee**

The Council adopted a Decision appointing Mr Peter Johan Magnus BOLDT as a member of the Economic and Social Committee in place of Ms Tuulikki KANNISTO for the remainder of the latter's term of office, which runs until 20 September 2002.

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<sup>1</sup> This information corrects that given in Press Release No 15383/01 Presse 477 of 17 December 2001 (p. 6).