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Bruxelles, den 6. juni 2001

Med venlig hilsen

Morten Knudsen

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PRESS RELEASE

Subject :

2346th Council meeting

- **GENERAL AFFAIRS** -

Brussels, 14/15 May 2001

President : **Ms Anna LINDH**

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For further information call 02 285 64 23 - 02 285 87 04 - 02 285 63 49

PARTICIPANTS

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

Belgium :

Mr Louis MICHEL	Deputy Prime Minister and Minister for Foreign Affairs
Mr André FLAHAUT	Minister for Defence
Ms Annemie NEYTS	State Secretary, attached to the Minister for Foreign Affairs

Denmark

Mr Mogens LYKKETOFT	Minister for Foreign Affairs
Mr Jan TRØJBORG	Minister for Defence
Mr Friis Arne PETERSEN	State Secretary for Foreign Affairs

Germany :

Mr Joschka FISCHER	Federal Minister for Foreign Affairs and Deputy Federal Chancellor
Mr Rudolf SCHARPING	Federal Minister for Defence
Mr Christoph ZÖPEL	Minister of State, Foreign Affairs
Mr Walther STÜTZLE	State Secretary, Federal Ministry of Defence

Greece :

Mr George PAPANDREOU	Minister for Foreign Affairs
Mr Apostolos TSOCHATZOPOULOS	Minister for Defence
Ms Elissavet PAPAZOÏ	Deputy Minister for Foreign Affairs

Spain :

Mr Josep PIQUÉ I CAMPS	Minister for Foreign Affairs
Mr Federico TRILLO-FIGUEROA Y MARTINEZ CONDE	Minister for Defence
Mr Ramón DE MIGUEL Y EGEA	State Secretary for European Affairs

France :

Mr Hubert VEDRINE	Minister for Foreign Affairs
Mr Alain RICHARD	Minister for Defence

Mr Pierre MOSCOVICI	Minister attached to the Minister for Foreign Affairs, with responsibility for European Affairs
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Ireland :

Mr Brian COWEN	Minister for Foreign Affairs
Mr Noel DAVERN	Minister of State

<u>Italy :</u>	
Mr Roberto NIGIDO	Permanent Representative
<u>Luxembourg :</u>	
Ms Lydie POLFER	Minister for Foreign Affairs and Foreign Trade
Mr Charles GOERENS	Minister for Co-operation, Humanitarian Intervention and Defence, Minister for the Environment
<u>Netherlands :</u>	
Mr Jozias VAN AARTSEN	Minister for Foreign Affairs
Mr Franck de GRAVE	Minister for Defence
Mr Dick BENSCHOP	State Secretary for Foreign Affairs
<u>Austria :</u>	
Ms Benita FERRERO-WALDNER	Federal Minister for Foreign Affairs
Mr Herbert SCHEIBNER	Federal Minister for Defence
<u>Portugal :</u>	
Mr Jaime GAMA	Minister for Foreign Affairs
Mr Julio CASTRO CALDAS	Minister for Defence
Ms Teresa MOURA	State Secretary for European Affairs
<u>Finland :</u>	
Mr Erkki TUOMIOJA	Minister for Foreign Affairs
Mr Jan-Erik ENESTAM	Minister for Defence
Mr Kimmo SASI	Minister for Foreign Trade and European Affairs
<u>Sweden :</u>	
Ms Anna LINDH	Minister for Foreign Affairs of the Kingdom of Sweden
Mr Björn VON SYDOW	Minister for Defence
Mr Hans DAHLGREN	State Secretary at the Ministry of Foreign Affairs
<u>United-Kingdom :</u>	
Mr Robin COOK	Secretary of State for Foreign and Commonwealth Affairs
Mr Geoff HOON	Secretary of State for Defence
	* * *
<u>Commission :</u>	
Mr Pascal LAMY	Member
Mr Chris PATTEN	Member
Mr Günter VERHEUGEN	Member
	* * *
<u>General Secretariat of the Council :</u>	
Mr Javier SOLANA	Secretary General / High Representative for the CFSP
	* * *

(*) Ministers of Defence attended discussions on ESDP.

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WESTERN BALKANS - Council Conclusions

The Council welcomed the agreement on a broad coalition government in the **former Yugoslav Republic of Macedonia**, and expressed the hope that the new government will achieve concrete and substantial results as soon as possible. The only way forward is peaceful dialogue on internal reforms, in line with the commitments made by FYROM

in Luxembourg on 9 April 2001. The EU will continue to fully support this process, through the visit of the EU Ministerial Troika to Skopje on 16 May as well as the continued personal involvement of HR Javier Solana.

The new acts of terrorist violence in the northern region of FYROM are utterly unacceptable. The purpose of these attacks is to provoke the government of FYROM into a full-scale war. The Council called on the government to exercise maximum restraint and to do everything to avoid civilian casualties. It also condemned the vicious circle of interethnic violence. The Council urged leaders of the ethnic Albanian community in Kosovo to condemn unambiguously these terrorist acts and political leaders in Albania to continue to use their influence to re-establish peace and stability. The Council welcomed the forthcoming ministerial SEECF meeting on 16 May 2001 in Tirana as another opportunity to work for regional cooperation and stability.

The Council welcomed the orderly manner in which the elections were held in **Montenegro**. It called for the immediate resumption of dialogue between Belgrade and Podgorica with a view to the redefinition of the constitutional arrangements of their relations in a renewed federal framework, according to democratic principles and under conditions promoting regional stability. The successful outcome of this dialogue, which should exclude any unilateral actions, would enable the EU to continue with its political, economic and financial support to Montenegro.

The Council expressed its concern about the ongoing serious violations of the ceasefire and the lack of sufficient progress in the dialogue between the Serb authorities and ethnic Albanian representatives in **Southern Serbia**. It urged both sides to work constructively towards the early implementation of confidence building measures, including demilitarisation, establishment of multi-ethnic policing, return of displaced persons and integration of the ethnic Albanian population into local structures. It strongly condemned all attacks on life and property in the area. The EU will continue to follow closely developments on the ground, including through the presence of the EUMM. It will also continue close consultations with concerned international actors, including Nato, OSCE, Council of Europe and UNHCR, in order to contribute to the stability of the region.

The Council welcomed the progress made under the authority of UNSGSR Hans Haekkerup towards the finalisation of the legal framework for provisional self government in **Kosovo** and appreciated his continuing efforts.

The Council condemned all forms of separatism and nationalist violence in **Bosnia and Herzegovina**, and fully supported recent measures taken by HR Wolfgang Petritsch in response to developments. The only way forward for the country is reconciliation, peace implementation and European integration. The Council called on all political leaders in Bosnia and Herzegovina, as well as in other countries of the region, to clearly express their condemnation of recent events in Mostar, Banja Luka and Trebinje.

The Council welcomed the completion of negotiations and the initialling of the Stabilisation and Association Agreement with **Croatia** in the margins of today's meeting. The Council looked forward to the early signature of the Agreement. The initialling and the forthcoming signature are historic events, which confirm EU's readiness to promote the integration of Croatia into the political and economic mainstream of Europe. The Council recalled that the path of Croatia towards Europe will go hand in hand with the successful implementation of the SAA.

MIDDLE EAST- Council Conclusions

The Council discussed the worrying situation in the Middle East. It called on the parties to take all necessary measures to stop the tragic escalation and urged them to work for a cease-fire. The Council welcomed and gave its support to the report and to the proposals of the Sharm el Sheikh Fact Finding Committee ("Mitchell Committee") in which the High Representative, Javier Solana, participated, as well as to the Jordanian-Egyptian initiative. It mandated the High Representative in this context to explore in concertation with all the other participants in the Sharm el Sheikh summit of October 2000 ways of ensuring political follow-up to the conclusions in the Fact Finding Committee's report.

EU-UN COOPERATION

In preparation for a meeting with United Nations Secretary-General Kofi ANNAN later that day, Ministers discussed over lunch possible areas for strengthened cooperation with the UN in crisis management and conflict prevention. Ministers underlined that European Security and Defence Policy, through the enhancement of EU crisis management capacities, would also contribute to strengthen UN peace-keeping capabilities. During the meeting with the UN Secretary-General, the situation in the Middle East was also to be discussed.

AFRICA - Council Conclusions

1. Conflict prevention, management and resolution in Africa

- The Council adopted a new Common Position on conflict prevention, management and resolution in Africa.
- The Council underlined that the Common Position forms an integral part of the EU's efforts to develop a comprehensive policy in the field of conflict prevention.
- The Council recalled that the main features of the Common Position are: strengthening African capacities for conflict prevention; elaborating of regular surveys to identify potential violent conflict in Africa and presenting policy options, thus enhancing the EU's capacity for early action; improving support for African capabilities in the field of peacekeeping; emphasising strategic role of development co-operation in conflict, as well as the importance of following up on post co situations.
- The Council invited the incoming Presidency to further pursue and develop EU policy in the Great Lakes region as a concrete example of the application of the Common Position, and to report back to the Council at an early opportunity.
- The Council welcomed the proposal of the Presidency to draft an outline for the first yearly survey on potential conflicts in Africa.
- The Council welcomed the close cooperation and coordination between the EU and the UN in respect of crises in Africa, in particular in Ethiopia/Eritrea, in the Great Lakes Region, in Guinea, Sierra Leone and Liberia and in Somalia. The Council stressed its intention to further deepen such cooperation and coordination.

2. Great Lakes Region/ Democratic Republic of Congo

- The Council reviewed developments in the DRC and the implementation of the Lusaka Ceasefire Agreement, which constitutes the consensual basis for peace in the DRC, and for which the Council reaffirmed its full support. While taking note of the many problems facing the process, the Council recognised that progress has been made in key areas. The Council underlined the importance of sustained advances on all the aspects of the Lusaka Ceasefire Agreement. The Council urged all parties to comply fully with relevant UNSC resolutions and to cooperate fully with the MONUC. The Council underlined the importance it attaches to the restoration of the sovereignty and territorial integrity of the DRC and to democratic reform in the country.
- The Council expressed its satisfaction at the advanced state of deployment of the MONUC in accordance with UNSC resolution 1341. It reiterated its full support for the mission. It further welcomed the UN Secretary General's intention to start planning for a third phase of the MONUC and welcomes the imminent UNSC visit to the region.
- The Council took note of the current state of troop disengagement. It expressed its concern over obstructions that have occurred, in particular by the FLC. It noted commitments on 4 May by the FLC to disengage unconditionally, in compliance with UNSC resolution 1341, and urged the FLC to act accordingly. It further urged all parties to finalise their disengagement and to respect their new defensive positions. It called on all parties to fully respect international humanitarian law, also in areas from which troops have been disengaged.
- The Council took note of the plan, elaborated by the parties, for the orderly withdrawal of all foreign forces from the DRC, and called on all the parties to confirm unconditionally their commitment to this goal.
- The Council reiterated the vital importance of the disarmament, demobilisation, reintegration and repatriation of armed groups operating in or from the territory of the DRC. It underlined that for disarmament of such groups to be effective, it should primarily be based on voluntary reintegration and repatriation. The role of the international community is to support such a voluntary process. It underscored the primary responsibility of the parties themselves for the implementation of a DDRR plan. In particular, the Council called on the governments of Zimbabwe and the DRC to cease all support to such armed groups and on Rwanda to continue to honour its commitments with a view to repatriation and reintegration. The Council recognised the need to differentiate between different categories of members of these armed groups and the need to urgently tackle the question of groups of Rwandese origin. The Council pointed to the demobilisation of child soldiers as a top priority. The Council agreed that a well coordinated international response to a DDRR plan devised by the parties is of the utmost importance. It confirmed the EU's willingness to contribute actively in such an effort and asked its Special Representative to pursue his work on this basis.
- The Council welcomed the results of the meeting in Lusaka on 3-4 May, where the Congolese signatories to the Lusaka Agreement agreed on guiding principles for the intercongolese national dialogue. It called for early progress of the

dialogue, stressing that while inclusive, it should be rapid and result-oriented, leading to democratic reform and elections.

- The Council expressed its continued concern over the human rights situation in the DRC. It welcomed the consensual adoption of the resolution of the Human Rights Commission on the situation in the DRC. It further welcomed the DRC vote in favour of the UN Commission on Human Rights resolution on the question of the death penalty, and urged the government of the DRC to work on internal legislation in the spirit of this resolution.

- The Council expressed its continued concern over the humanitarian situation in the DRC and in the region, as reflected in the latest report by the UN Secretary General. The Council urged all parties to guarantee secure, rapid and unimpeded access for humanitarian assistance. In this context it strongly condemned the recent murder of six ICRC workers. The Council welcomed the decision by the Commission to provide 35 million euro in humanitarian assistance, and expressed the EU willingness to further contribute to the easing of the humanitarian situation, when conditions permit. It encouraged the donor community to provide additional humanitarian assistance.

- The Council welcomed a gradual resumption of development co-operation with the DRC, which started already with the Commission notification of the 8th EDF amount.

- The Council took note of the report of the UN panel on illegal exploitation of natural resources in the DRC, and its recommendations. It expressed its concern at the general findings in the report, and welcomed the extension of the mandate of the panel.

- The Council recognised that, beyond the immediate implementation of the Lusaka Ceasefire Agreement, there is a need to address root causes of the conflicts in the regions of the Great Lakes and Central Africa. The Council also underlined the potentially destabilising effect of arms flows in the region. It reaffirmed the EU's readiness to support an initiative, when the conditions are right, to prepare an international conference under the aegis of the UN and the OAU, for peace, development and development in the region.

3. Burundi

- The Council expressed its profound concern over the stalemate in the Burundi peace process, the continued violence and the humanitarian situation in the country. It called on the armed groups FDD and FNL to immediately and unconditionally cease hostilities, to join the peace process without further delay and to accept to negotiate a ceasefire agreement.

- The Council called on all signatories of the Arusha agreement to cooperate in a spirit of compromise and national unity towards a peaceful resolution of the armed conflict, and towards reconstruction and development.

- The Council reiterated the European Union's call on all governments in the region to immediately cease all forms of direct and indirect assistance and cooperation with the armed groups and to put pressure on them to join the peace process.

- The Council condemned the attempted coup d'Etat in Bujumbura on 18 April.

4. Mano River countries (Guinea, Sierra Leone, Liberia)

- The Council expressed its deep concern over the deterioration of the political and humanitarian situation in the region and underlined the importance of the high level EU mission to the area, planned to take place in May 2001.

- The Council expressed support for the imposition of sanctions on Liberia.

5. Zimbabwe

- The Council expressed its deep concern over recent developments in Zimbabwe, in particular the increased occurrence of unacceptable acts of political violence and intimidation. It recalled its commitment to pursue a constructive dialogue with the government and expressed its firm wish for this dialogue to yield rapid and tangible results. It agreed that it would review developments in June, with a view to considering appropriate measures if progress has been insufficient.

6. Ethiopia/Eritrea

- The Council welcomed the recent progress in the implementation of the peace agreement between Ethiopia and Eritrea, and called on them to quickly settle outstanding issues. It expressed recognition and support for the UN/UNMEE efforts to advance the peace process. In this respect the Council called on the parties to continue their cooperation with the UNMEE. It encouraged both countries to work towards full normalisation of their relations in the interests of regional stability and development. The Council expressed the EU's continued commitment to assist the efforts made by the parties in this respect within the broader framework of the EU support to peacebuilding in the Horn of Africa.

- The Council appealed to Ethiopia and Eritrea, should the UN arms embargo not be renewed, voluntarily to limit their arms imports and agree on related verifiable confidence building measures.

- EU Member States will show utmost restraint in arms transactions with the region in compliance with the EU code of conduct on arms transfers. The EU will take initiatives in the UN to encourage all UN Member States to show similar restraint.

- The Council acknowledges the need for the two parties to restructure their armed forces in accordance with the peace conditions.

7. Nigeria

- The Council adopted a Common Position on Nigeria, highlighting the commitment of the EU to maintain and develop a positive, constructive and consistent policy, based on dialogue, to support Nigeria in its efforts to consolidate democracy and advance socio-economic development.

(See also page XII)

INDONESIA - Council Conclusions

1. The Council underlined the strategic importance of a strong, democratic, united and prosperous Indonesia. It firmly supported the territorial integrity of the country. It reaffirmed its wish and commitment to build a closer relationship with Indonesia, as set out in the Council's conclusions of March 2000. It looked forward to developing this relationship at the Ministerial meeting in Beijing on 24 May.

2. The Council expressed concern at developments in Indonesia. It noted some positive changes since March 2000, which included the consolidation of the freedom of expression, association and religion, the strengthening of the legal and institutional framework of human rights protection, the continued growth of an active civil society and improved relations with East Timor. However, the Council also underlined the slow progress in addressing the many other challenges to which the Government of Indonesia has attached priority, not least judicial, legal and economic reforms. The Council expressed its commitment to support further reforms in these areas by the Government of Indonesia.

To achieve these goals the Council:

(i) Encouraged the Indonesian Government to continue governance reform and further strengthen democracy and human rights. In the Council's view, legal reform, the rule of law, civilian control and democratic accountability of the police and armed forces, a vibrant civil society, decentralisation and the strengthening of local administration remain crucial for Indonesia's stability and prosperity.

(ii) Also encouraged the Government to make further urgent efforts to address and resolve peacefully Indonesia's internal conflicts, whether separatist or sectarian in character, such as those in Aceh, Irian Jaya, the Moluccas and Central Kalimantan. The Council underlined that the only viable way to guarantee the territorial integrity of Indonesia is for the Government to engage in a genuine dialogue with the provinces in order to tackle the root causes of separatism. It emphasised the importance of inter-ethnic and inter-regional dialogue and of successful decentralisation. It also underlined the responsibility of the Indonesian Government to meet the needs of internally displaced persons and others affected by internal conflict and to protect any populations at risk.

(iii) Further encouraged the efforts of the Indonesian Government to continue to improve relations with East Timor, with a view to establishing a close and good neighbourly relationship, thereby contributing to the stability of South East Asia. However, it recalled the responsibility of the Government to prosecute those who have violated human rights and international humanitarian law. It expressed concern that recent legal judgements did not seem to meet the international standards of justice and fairness called for in the Chairman's statement at the UN Commission on Human Rights. It also called upon the Government to disarm and disband the militias in East Nusa Tenggara, as well as to enable the refugees to choose freely whether to return to East Timor, in time to vote in the Constitutional Assembly elections, or to resettle in Indonesia.

(iv) Welcomed efforts to increase poverty reduction focus in government planning and encouraged early implementation of the Poverty Reduction Strategy presented by the Indonesian Government in October 2000; it also encouraged further measures by the Government to address the country's many environmental problems, including the alarming pace of deforestation.

(v) Underlined the need for the Union to maintain its efforts to strengthen its long-term relationship with Indonesia, including through the pursuit of the political dialogue with Indonesia. It invited parliamentarians from the EU to intensify their contacts with their Indonesian colleagues.

(vi) Reaffirmed the importance of enhanced economic co-operation, including investment and two-way trade, as set out in its conclusions of March 2000.

(vii) Called for closer co-ordination among Member States and the Commission in the delivery of assistance to meet the challenges set out above so as to promote a more coherent, effective and visible role for the Union as a whole. It recalled the joint Council and Commission statement on EC Development Policy and its conclusions on a framework for Country Strategy Papers. It invited the Commission, in consultation with Member States and the Indonesian Government, to prepare a Country Strategy Paper setting out priorities for assistance. Recalling the guidelines on strengthening operational co-ordination, which it adopted on 22 January 2001, it also invited its competent bodies to seek to consider ways to strengthen EU co-ordination in Jakarta, including in the delivery of assistance.

(viii) Encouraged closer co-operation and sharing of information between the Union and other donors, the UN and the International Financial Institutions.

(ix) Invited its competent bodies to keep the situation in Indonesia under close review.

EUROPEAN SECURITY AND DEFENCE POLICY

The Council took note of an oral report from the Presidency (Minister LINDH and Minister VON SYDOW), complemented by SG/HR SOLANA, on progress in the field of European Security and Defence Policy (ESDP). Particular emphasis was placed on the following elements :

- *Permanent structures*, which will have been completed by the end of the Swedish Presidency;

- *Military capabilities*, where work is well advanced on catalogues for capability requirements, Member States contributions and on capability shortfalls;

- *Civilian capabilities*, and in particular on progress towards reaching the Feira police target;

- *EU operational capability*

, where work toward achieving its objective has focused on the EU's exercise policy, exercise programme and crisis management procedures;

- *EU-NATO relations*

;

- *Cooperation with the UN and the OSCE.*

The Council approved the European Union's exercise programme and a document on exercise policy, which together constitute important elements towards making the EU operational in the field of crisis management, in accordance with the mandate given by the European Council at Nice.

PREPARATION OF THE EUROPEAN COUNCIL IN GÖTEBORG, 15/16 JUNE 2001

The Council was briefed by its President on the main issues likely to be discussed at Göteborg and on the Chair's intentions for the proceedings. The main issues for the discussion are likely to be :

- Enlargement;

The debate on the future of Europe;

- Sustainable development;

- European Security and Defence Policy;
- External relations with a particular focus on the transatlantic relations.

The President-in-office of the European Council, Prime Minister PERSSON, will begin a tour of capitals at the end of this month. The Council will finalise preparation of the Göteborg meeting at its session of 11 June.

ENLARGEMENT

The Council had a positive and constructive discussion on enlargement, and more specifically on the Presidency compromise proposal concerning the free movement of labour resulting from the preparatory work in the Council bodies during the previous weeks on the basis of the Commission proposal.

At the end of the debate, the President concluded that while the issue had not been completely solved at the present session, there was broad support for the Presidency proposal. She further noted that there was agreement that no link existed between the file of free movement of labour and other issues. Furthermore, the debate showed that the chapter concerning services should not be reopened in order to solve possible problems in Germany and Austria with cross border provision of certain services (in order to prevent the circumvention of national restrictive rules on movement of workers) but should be dealt with in the context of free movement of workers.

The President asked Coreper to tackle in the coming week the problems still open, including the technical questions, in order to reach agreement as soon as possible.

Over lunch, Ministers also discussed the questions raised by the Spanish Memorandum on Regional Policy and Enlargement and agreed to continue the examination of this issue in due course.

MEXICO - Declaration by the European Union concerning recent developments

The EU has been following the process in Chiapas closely and will continue to do so, in particular regarding the recent developments in Mexico concerning the passing of the constitutional amendment bill on indigenous rights. The EU regrets the EZLN's (Ejército Zapatista de Liberación Nacional) decision to suspend its contacts with the Mexican Government and urges it to respond to the constructive offer by President Fox to find political ways to make progress on those elements which have not been included in the new law.

The EU is convinced that a dialogue between the Mexican Government and the EZLN is of vital importance in order to reach a final settlement of the situation in Chiapas.

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MEETINGS IN THE MARGINS OF THE COUNCIL

On Tuesday 15 May, Foreign Ministers met with their counterparts from the non-EU European NATO members and countries that are candidates for the EU accession (Norway, Iceland, Turkey, Poland, the Czech Republic, Hungary, Estonia, Latvia, Lithuania, Slovakia, Slovenia, Bulgaria, Romania, Cyprus and Malta). At this meeting, which continued over lunch, Ministers discussed the state of play of European Security and Defence Policy as well as crisis management in the Western Balkans (and in particular the situation in the former Yugoslav Republic of Macedonia and in Southern Serbia). Before lunch, there was also a separate meeting in EU+6 format (with Norway, Iceland, Turkey, Poland, the Czech Republic and Hungary) on relations between the EU and NATO, in particular in the perspective of the first official GAC/North Atlantic Council meeting on 29/30 May in Budapest.

That same day, Ministers of Defence met informally (first in EU+15, subsequently in EU+6 format) with their counterparts from the non-EU European NATO members and countries that are candidates for the EU accession (Norway, Iceland, Turkey, Poland, the Czech Republic, Hungary, Estonia, Latvia, Lithuania, Slovakia, Slovenia, Bulgaria, Romania, Cyprus and Malta). At these meetings, which also continued over lunch, Ministers discussed military capabilities and the follow-up to the Capabilities Commitment Conference held in November 2000.

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ITEMS APPROVED WITHOUT DEBATE

EUROPEAN ECONOMIC AREA

The Council approved 8 draft decisions of the E.E.A. Joint Committee amending the following aspects to the E.E.A. Agreement :

- Annex I (Veterinary and Phytosanitary Matters)
- Annex VII (Mutual Recognition of Professional Qualifications)
- Annex XXI (Statistics)
- Protocol 31 on cooperation in specific fields outside the four freedoms (notably as regards the promotion of linguistic diversity, MEDIA programmes, gender equality and the environment).

EXTERNAL RELATIONS

Iran - Council Conclusions

The Council welcomes the Commission's Communication on the EU relations with the Islamic Republic of Iran. The Council agrees with the recommendations presented by the Commission in its Communication and notes that it is in agreement with the Commission concerning the further gradual strengthening of the relations between the EU and Iran. The Council recalls its conclusions of 20 November 2000 that the decision to launch the negotiations will be taken after evaluating all aspects of E U-Iran relations, and reiterates its invitation to the Commission to submit to it as soon as possible a proposal for negotiating directives with a view to a trade and cooperation agreement between the EU and Iran.

EU-US Relations - Council Conclusions

- The Council, in welcoming the Commission's Communication on *Reinforcing the Transatlantic Relationship: Focusing on Strategy and Delivering Results*, restates the unique and ever-increasing importance of the relationship between the European Union and the United States.
- *Over the last decade, we have developed and expanded our cooperation with the United States, reflecting our shared responsibility in facing the growing number of global economic and political challenges.*
The *Transatlantic Declaration* of December 1990, the *New Transatlantic Agenda* in December 1995 and the *Transatlantic Economic Partnership* of December 1998, reaffirmed the strong and enduring ties between the EU and the US, which are based on our shared values. We must continue to strengthen and adapt our partnership to reflect the evolving realities. A strong transatlantic dialogue, under which the EU and the US work together to address both bilateral concerns and issues of common interest in different parts of the world, continues to be essential. *Acting together, the EU and US can have a decisive impact on the rest of the world and bring genuine benefits to all.*
- The Council highlights the need to ensure continuity and cooperation between succeeding Presidencies. The Council agrees with the Commission that the dialogue between the EU and the US should address a rolling programme of priority issues for which clear targets should be set in order to deliver more tangible and timely results. These priority issues should be based within a framework of strategic themes, to be drawn from the indicative list in the Commission

communication, but to which environment should be added. No discussion with the US on any priority issue should pre-empt the outcome of any internal EU discussion.

- There should, however, always be room for discussion between the EU and the US of the key issues of the day and emerging concerns. The Council confirms the importance in this context of ensuring that the full range of trade and investment issues, both bilateral as well as multilateral, are given full attention at all levels, not least, where necessary, in the highest fora.
- The Council shares the Commission's concern that the structure of the dialogue reflect the need to deal effectively and rapidly with a growing number of economic and political issues. This will require constant guidance and encouragement from leaders. *To this end, consultations should continue to take place regularly and frequently at all levels, including between the President of the European Council, assisted by the Secretary General/High Representative, and the President Commission, on the one hand, and the President of the United States, on the other hand.*
- These consultations should be carefully prepared, in a transparent manner, within the Council. The Council invites Coreper to consider how the coordination and steering role of the Council could be enhanced and to report to it.
- Effectiveness in promoting EU - US cooperation and in resolving differences must remain the fundamental priority. Leaders and Ministers should at all times focus on those issues, which are of sufficient importance to merit their attention and which have reached a state of development where dialogue at that level is timely.
- *The Council emphasises the importance of contacts with all branches of the United States Government in order to promote better understanding of the EU's interests. In this regard, it encourages efforts to intensify the Transatlantic Legislators Dialogue and welcomes the actions taken by the European Parliament and the Congress of the United States in order to develop the dialogue between them and thereby bring closer together the peoples on both sides of the Atlantic. Th*
- *The Council requests the Presidency, assisted by the Secretary General/High Representative, and the Commission to consult the United States on how, in the light of the above, the transatlantic dialogue can be made more productive and effective and to report back to its next meeting.*

Relations with Lebanon

The Council agreed an addition to the negotiating directives for the conclusion of a new EU-Lebanon Association Agreement.

Relations with Russia - Preparation of the EU-Russia Summit (Moscow, 17 May 2001)

The Council took note of information from the Presidency and High Representative on the state of play of preparations for the EU-Russia Summit (Moscow 17 May 2001). The Summit will be hosted by President PUTIN and the EU will be represented by Prime Minister PERSSON as President of the European Council, SG/HR for CFSP SOLANA and the President of the European Commission, Mr PRODI.

The agenda will focus on the following 3 items :

- Developments in Russia and in the EU;
 - EU-Russia cooperation;
 - Current international issues.

Relations with Moldova - Third Cooperation Council

The Council established the EU position for the third Cooperation Council to be held on 15 May 2001 (see Press Release 8539/01 Presse 182).

Lithuania and Romania - Participation in the Community's Socrates and Youth programmes

The Council adopted two Decisions concerning the financial contribution of Lithuania and Romania for participation in the Socrates and Youth programmes in the years 2001 to 2006.

During 2000 the Association Councils with the various associated CCEE adopted decisions enabling those countries to participate in the second phase of the Socrates programme (and of the Leonardo da Vinci programme) and in the new Youth programme. In the case of Socrates and Youth, however, the decisions established the financial contribution of the countries in question for 2000 only, and provided that the contribution for the remaining years (2001-2006) would be detailed in subsequent decisions. That is the purpose of the current Decisions, which will be agreed by the respective Association Councils.

Slovak Republic - Extension for State aid

The Council agreed that the EU-Slovakia Association Council should adopt a decision regarding the extension of the five-year period referred to in Article 64(4)(a) of the Europe Agreement.

That provision states that, for the purpose of assessing public aid granted by Slovakia, that country will, for the first five years after the entry into force of the Agreement, be regarded as an area identical to those areas of the Community covered by Article 92 (now Article 87)(3)(a) of the EC Treaty (i.e. areas where the standard of living is abnormally low or where there is serious under-employment). The Europe Agreement also provides for that period to be renewed every five years by decision of the Association Council.

As the first period has expired, Slovakia requested a five-year extension. The Commission considered that that country fulfils the criteria used to determine eligibility of a region for the aid referred to in Article 87(3)(a) TEC (including per capita GDP less than 75% of the average GDP of the Community). It therefore proposed that the Association Council grant the requested extension.

Cyprus - Association Council (Brussels, 15 May 2001)

The Council established the EU position for the Association Council to be held on 15 May 2001

(see Press Release CE-CY/705/01 - Presse 187).

ANTI-DUMPING

Aluminium foil originating in the People's Republic of China and Russia

The Council decided to impose a definitive anti-dumping duty on imports of aluminium foil of a thickness of not less than 0,009 mm and not more than 0,018 mm, not backed, not further worked than rolled, in reels of a width not exceeding 650 mm, falling under CN code ex 7607 11 10 (TARIC code 7607 11 10 10) and originating in the People's Republic of China (PRC) and Russia.

The rate of definitive anti-dumping duty applicable to the net, free-at-Community-frontier price before duty, will be as follows for the products manufactured by:

Country	Company	Rate of the AD duty %	TARIC additional code
The PRC	All exporting producers	15,0%	--
Russia	Joint Stock Company "United Company "Siberian Aluminium" , Studencheskaya Street, 33/4, Moscow, Russia	14,9%	A255
		14,9%	A999

Imports declared for release into free circulation under TARIC additional code A256 will be exempted from these anti-dumping duties if they are produced and shipped by Siberian Aluminium (Sayan Foil, Sayanagorsk), and invoiced directly by Rual Trade Limited, Suites 7B & 8B, 50 Town Range, Gibraltar to Sibirsky Aluminium GmbH, Graf-Adolf-Platz 1-2, D-40213, Düsseldorf, and provided that such imports are accompanied by a commercial invoice.

Television camera systems originating in Japan

The Council decided to replace the Annex to Regulation 2042/2000 ("List of professional camera systems not qualified as television camera systems which are exempted from the measures") by adding the following camera models:

- camera head DXC-D35PH
- camera head DXC-D35PL
- camera head DXC-D35PK
- camera head DXC-D35WSPL
- camera head DSR-135PL
- viewfinder DXF-801CE
- camera control unit CCU-M5AP.

It is recalled that Regulation 2042/2000 confirmed the definitive anti-dumping duties imposed by Regulation 1015/94. This Regulation specifically excluded from the scope of the anti-dumping duty professional camera systems listed in an Annex to that Regulation, representing high-end professional cameras systems technically falling within the product definition of that Regulation, but which cannot be regarded as television camera systems.

RELATIONS WITH THE ACP

HIPC debt alleviation mechanisms - settlement of ACP HIPC LDC's special loans

The Council adopted a decision concerning the position of the Community to be taken within the ACP-EC Council of Ministers regarding the settlement of all ACP HIPC LDC's special loans remaining after full application of HIPC debt alleviation mechanisms.

In substance, the Community position foresees that each least developed ACP country, reaching its decision point under HIPC, will benefit from a Community interim debt relief covering at least the whole debt service on special loans. After completion point, the Community will settle all special loans to each least developed ACP countries qualified within the HIPC initiative which will remain after full implementation of existing enhanced HIPC mechanisms.

The additional relief to be given to the ACP states concerned under this heading will consist in the release, in one tranche, of EUR 60 million from resources of the 8th or previous EDF's or, after its entry into force, from the 9th EDF to the European Investment Bank (EIB) Trust Fund dedicated to finance the Community contribution to the HIPC initiative as a creditor. It will be exclusively devoted to ACP LDC additional special loan settlements, and thus treated specifically within the EIB Trust Fund.

DEVELOPMENT

Council Resolution - programme for action: accelerated action on hiv/aids, malaria and tuberculosis in the context of poverty reduction

I. Introduction

- The Council recalls its joint declaration with the Commission of 10 November 2000(1), which stated that the principal aim of EC development policy is to reduce poverty with a view to its eventual eradication. The declaration recognised the complexity of poverty and, noting in particular the global dimension and impact on poverty of communicable diseases, called for accelerated action by the Community and the Member States.

2. The Council also recalls its Regulation of 24 March 1997(2) on HIV/AIDS-related operations in developing countries, as well as its Regulation of 22 July 1997(3) on aid for population policies and programmes in developing countries. It further recalls the Commission communication of 1998(4) on increased solidarity to confront AIDS and the Commission communication of September 2000(5) on accelerated action targeted at major communicable diseases in the context of poverty reduction followed by the Council resolution of 10 November 2000 on communicable diseases and poverty (6) and the conclusions by the European Council in Nice(7).

3. The Council stresses the need for continued EC and EU commitments in view of the urgency of the fight against communicable diseases and in the context of upcoming international events such as the World Health Assembly, the Conference on the Least Developed Countries, the Special Session of the United Nations General Assembly on HIV/AIDS, the EU-US Summit, the G8 Summit, the Conference in Dakar on access to treatment for people affected by HIV/AIDS and others, and calls for strong cooperation with governments and international organisations.

II. Framework for accelerated action

- The Council warmly welcomes the Commission communication on a Programme for Action on accelerated action on HIV/AIDS, malaria and tuberculosis in the context of poverty reduction(8) aimed at increasing the impact of existing interventions to prevent and treat communicable disease; at improving the affordability of key pharmaceuticals; and at supporting research and development of specific global public goods to confront these diseases in developing countries. It believes that the Programme for Action represents an ambitious, timely and appropriate framework for priority action by the Community and Member States over the next five years.

5. The Council welcomes the Commission's comprehensive multisectoral approach to tackling HIV/AIDS, tuberculosis and malaria and emphasises that the different elements - impact, affordability and research - are interdependent essential parts of a coherent programme covering development co-operation, health, trade and research. It agrees that national, regional and global actions are essential to combat communicable diseases and emphasises that the Community must work closely with Member States and third partners, including international organisations, in the implementation and further elaboration of the Programme for Action.

III. The Programme for Action

Improving impact

6. The Council stresses that Community support should be provided within the framework of partner countries' strategies, such as Poverty Reduction Strategy Papers (PRSPs) and by applying the Country Strategy Framework. It also emphasises the need to strengthen national health systems and to provide financial and other support through such systems in order to ensure that developing countries own and lead the process of tackling HIV/AIDS, malaria and tuberculosis. The Council recalls the intention to provide support in the social sectors increasingly through sectoral programmes. The Council, therefore, welcomes the basic principles for Health, AIDS and Population (HAP) presented in the Communication.

7. Recognising the close link between prevention and treatment, the Council further stresses that prevention is a key priority for the Community, as is support for the development of sustainable equitable health systems.

8. The Council stresses the need for capacity building of both public and private entities in partner countries. Such support would, *inter alia*, be directed towards the elaboration of appropriate laws and regulations, the establishment of appropriate institutional structures and for the development of human resources.

9. The Council welcomes the Commission's intention to support the strengthening of pharmaceutical policies and practises in partner countries. It emphasises the willingness of the EC to support the efforts of partner countries to develop high-quality local production capacities.

10. The Council encourages increased and more efficient resource transfer to comprehensive health and development efforts in partner countries.

11. The Council emphasises the role to be played by health education and stresses the necessity of addressing gender and child specific needs.

12. The Council also emphasises the need to work closely with multilateral and bilateral partners to address the above issues.

Affordability of pharmaceuticals

13. The Council recognises that lack of affordable pharmaceuticals is a serious problem in many developing countries and especially for the poorest people. Effective solutions require international co-operation and the participation of both public and private sectors in developed and developing countries. The Council, therefore, calls for the full participation of all stakeholders, including both the R&D based and generic pharmaceutical industry, in taking the necessary measures to grant affordable access to medicine.

14. The Council agrees on the Commission's calls for a much broader application of effective global tiered pricing for the benefit of affected developing countries. This requires close cooperation with all interested parties, including the pharmaceutical industry and developing countries, international organisations as well as with the US, Japan and other developed countries and the setting up of mechanisms to make such a system operational. The Council underlines the need to reinforce safeguards against the diversion of low-priced pharmaceuticals destined for specific markets and price erosion in the markets of developed countries.

15. The Council stresses the importance of further addressing other factors, such as tariffs and taxes, which reduce access to medicines in developing countries. When possible, such costs and fees should be abolished or decreased.

16. The Council stresses the importance of global rules on intellectual property rights in promoting investments in new medicines. The Council also recalls the right of the members of the World Trade Organisation (WTO) to invoke the relevant provisions of the Agreement on Trade-Related Intellectual Property Rights (TRIPS) to address national health policy concerns. The Council recalls the possibility under the TRIPS Agreement to address health concerns, by *inter alia*, applying discretion to issue compulsory licenses in certain exceptional circumstances including the protection of public health, provided the conditions of Article 31 of the TRIPS Agreement are fulfilled. The Council welcomes the discussion that will take place at the WTO TRIPS Council meeting in June 2001 on intellectual property issues relevant to access to medicines and supports the intention by the Commission to engage in a consensus-building process on the links between public health protection and the TRIPS Agreement.

17. In order to ensure that developing countries are able to make full use of the opportunities provided for under the TRIPS Agreement, the Council stresses the need for technical assistance for capacity building. In addition international co-operation and partnerships with international organisations active in this field should be deepened.

18. The Council supports the Commission's intention to examine what initiatives need to be taken within organisations such as the WTO, the World Health Organisation (WHO) and the World Intellectual Property Organisation (WIPO) to ensure consistency between the TRIPS Agreement and legitimate public health concerns, and to report its findings to the Council.

Research and Development

19. The Council welcomes the commitment to strengthen and increase financial support for research and development. It agrees on the need both to strengthen capacity in developing countries and to provide incentives for the development of specific global public goods, such as new treatments and vaccines. The Council emphasises the need for increased dialogue and coordination of Community and Member States' R&D efforts (including on clinical trials), as well as for increased co-operation with developing countries, international institutions and agencies. It also encourages strengthened co-operation with international R&D initiatives such as IAVI (International AIDS Vaccine Initiative), EMVI (European Malaria Vaccine Initiative), AMVTN (African Malaria Vaccine Trial Network) and GATB (Global Alliance for Tuberculosis drugs development).

20. The Council notes that in spite of the fact that most of the essential and key pharmaceuticals are off-patent, few developing countries have sufficient capacity to manufacture them. Interested parties, especially the pharmaceutical industry (both R&D based and generic), and developing country partners should be encouraged to promote viable and sustainable local production for national or regional markets, aiming at technology transfer.

21. The Council looks forward to the forthcoming Commission research and development strategy and its focus on global public goods to confront HIV/AIDS, malaria and tuberculosis.

Participation in global partnerships

22. With a view to intensifying the fight against HIV/AIDS, malaria and tuberculosis, the Council welcomes the intention by the Commission to reinforce co-operative arrangements with the Member States, WHO, UNAIDS, the World Bank, and other international actors both from public and private sectors (e.g., Global Alliance for Vaccines and Immunisation (GAVI)). These arrangements should also benefit initiatives taken at regional and national levels. It calls on the Commission to work jointly with all partners to develop credible and more responsive global financing mechanisms in the efforts to combat HIV/AIDS, malaria, tuberculosis and major childhood diseases. It encourages close cooperation in the framework of the New Transatlantic Agenda and in the context of the G8 discussions.

23. The Council welcomes the proposed action with regard to untying aid for the procurement of certain products and services.

IV. Follow-up

24. The Council recommends that the Commission, within the overall Programme of Action on the EC's Development Policy, include the principal elements of the Programme for Action for accelerated action on HIV/AIDS, malaria and tuberculosis in the context of poverty reduction. It calls on the Commission to monitor progress, using verifiable indicators, and to ensure transparency.

25. The Council calls on the Commission, as a matter of urgency, to finalise specific work-plans and to put in place the necessary operational arrangements and partnerships, with a view to clarifying the modalities and details of interventions, financial resources, timelines and expected outcomes including indicators.

26. The Council further calls on the Commission to ensure that adequate and appropriate human and financial resources are in place to enable the timely and effective implementation of this Programme for Action over the coming years.

27. Furthermore, the Council calls on the Commission to report on progress in its Annual Report on Community Development Policy, starting with a review of the start-up phase in the 2001 Report.

CSFP

Missile non-proliferation - Council Conclusions

The Council expresses its grave concern over the proliferation of ballistic missiles capable of carrying weapons of mass destruction.

The Council notes with concern that strategies of acquisition or development of ballistic missiles are often pursued as a response to regional tension, despite the adverse consequences for regional as well as global security and stability that such actions may provoke.

The Council reaffirms its commitment to rigorous export controls as well as support for regional peace initiatives, as important ways of addressing the problem of missile proliferation, while also noting that such efforts need to be complemented by global, multilateral approaches.

The Council sees an urgent need for the development of globally accepted norms in support of missile non-proliferation, analogous to the norms laid down in the international regimes designed to curtail horizontal and vertical proliferation of nuclear, biological and chemical weapons. The Council attaches a high priority to this issue, in particular as concerns ballistic missiles capable of carrying weapons of mass destruction.

In this context the Council notes with interest the Memorandum of Understanding on Notifications of Missile Launches between the United States of America and the Russian Federation, issued as United Nations General Assembly document A/55/807 of 27 February 2001 and the establishment of a US-Russian Joint Data Exchange Centre (JDEC), as well as the stated intention of those states to eventually invite other states to avail themselves of these mechanisms.

The Council welcomes the two consensus agreements at the Helsinki Plenary of the Missile Technology Control Regime: to adopt a draft international code-of-conduct (ICOC), to be opened to all states, and to engage in consultations with non-members with a view to the multilateralisation of the code.

The Council considers that the objective of the ICOC should be to create universally applicable norms addressing the urgent problem of how to contain and reverse the proliferation of ballistic missiles capable of carrying weapons of mass

destruction and, where possible, to reduce national holdings of such missiles, in the interest of global and regional peace and security.

The Council further notes that the ICOC is the most concrete and advanced initiative in this field, and that, as such, it poses the best chances to achieve results in the short term.

The Council recognises the particular importance of ensuring that the multilateralisation of the draft ICOC keep its momentum, by continued and broad-based consultation, and reaffirms its commitment to this process.

The Council is convinced that, in order to achieve its objective, the process of promoting the ICOC must remain transparent and inclusive, avoiding discrimination against any state wishing to engage in the development of, or subscribe to, the ICOC.

The Council urges all states to direct their national policies so as to prevent and reverse missile proliferation.

Nigeria - Council common position

The Council approved a Common position on Nigeria which aims to strengthen the mutually beneficial relations between the EU and Nigeria in all areas of common interest.

The EU will pursue a consistent and coherent approach towards Nigeria, covering policies within the political, economic, trade and development fields, with a view to supporting and encouraging Nigeria's own processes of:

- consolidating democracy and respect for human rights;
- reducing poverty and achieving sustainable institutional reform, social and economic development;
- enhancing its capacity to contribute to regional integration, peace, security and development.

The EU recognises that progress in these efforts is primarily the responsibility of the Federal Government of Nigeria.

Strengthened relations between the EU and Nigeria shall be based on equality, dialogue and shared values of respect for human rights, democratic principles, the rule of law and good governance.

This is to be achieved through a constructive political dialogue, mainly with the federal government but it could also involve civil society and state governments. An other tool will be efficient development cooperation for which the Commission may use in particular pertinent Community measures . This cooperation will be guided by Nigerian priorities, be poverty oriented and involve close Nigeria-led donor coordination, broad participation, accountability and transparency.

The EU considers the following as the key areas for future EU support :

- Development of a democratic culture;
- Institutional capacity-building;
- Poverty Reduction Strategy Paper (PRSP) process;
- Economic growth and development;
- Strengthening Nigerian capacity to contribute to regional integration, conflict prevention and resolution and crisis management in West Africa.

Togo

The Council adopted a Decision implementing Common Position 98/350/CFSP with a view to a European Union contribution to a mission to facilitate dialogue in Togo.

The aim of the Decision is to extend until 30 November 2001 the mission of the EU facilitators in Togo, which has been conducted since the agreement concluded by the Togolese parties on 24 December 1998.

The purpose of this mission is, by mediating between the Togolese parties, to encourage them to implement, in good faith and having respect for human rights, the provisions of the Lomé Framework Agreement concluded on 29 July 1999, so as to create political conditions for a dialogue permitting the proper conduct of the general elections and conciliation in Togolese political life.

PUBLIC ACCESS TO DOCUMENTS

Proposal for a Regulation - Political agreement

The Council approved all the amendments of the European Parliament to the draft Regulation on public access to documents and reached political agreement on the content of the Regulation, thus amended, with a view to its formal adoption by the Council before the end of May, after finalisation of the text by the legal linguistic experts.

It is recalled that on 3 May, the European Parliament adopted the Cashman Report and the accompanying Legislative Resolution on the Proposal. The text adopted by the European Parliament at First Reading corresponds to the compromise package previously agreed between the representatives of the European Parliament, the Council and the Commission.

The purpose of this Regulation is to give the fullest possible effect to the right of public access to documents of these three institutions and to lay down the general principles of and limits to such access in accordance with Article 255(2) of the Treaty.

The new Regulation constitutes an important step towards more openness of the institutions and better accessibility of their documents. Compared with the present legislation on public access to documents, the main points on which substantive progress has been achieved are the following :

- The new Regulation applies to all documents held by the institutions, that is to say, documents drawn up or received by them and in their possession (i.e. including documents originating from third parties), in all areas of activity of the European Union. It also applies to sensitive documents, which will receive special treatment.
- The institutions are obliged to provide public access to a register of their documents; as far as possible, documents are to be made directly accessible via the Internet, in particular documents relating to legislative activities.
- There are only a few mandatory exceptions to the right of public access, notably where disclosure of a document could undermine the public interest as regards public security, defence and military matters, international relations or the financial, monetary or economic policy or the privacy and integrity of individuals. Other exceptions - e.g. relating to the protection of commercial interests of natural or legal persons, court proceedings and legal advice, inspections, investigations and audits and the institution's decision-making process - apply only if there is no overriding public interest in disclosure.
- It is explicitly stated that if only parts of the requested document are covered by an exception, the remaining parts of the document are to be released.
- The time limit for replies by the institutions is shortened from one month to 15 working days.
- Each institution will be obliged to publish annual reports on the application of the new Regulation; in addition, the Commission will issue a report in 2004 on the implementation of the Regulation and submit, where appropriate, proposals for its revision.

APPOINTMENTS

Committee of the Regions

The Council adopted a decision appointing :

Mr Karl-Heinz LAMBERTZ as member of the Committee of the Regions in place of Mr Joseph MARAITE for the remainder of the latter's term of office, which runs until 25 January 2002.

Footnotes:

(1) Doc 13458/00

(2) OJ L85 p.1 of 27.3.1997

(3) OJ L202 p.1 of 30.7.1997

(4) Doc 10298/98

(5) Doc 11901/00

(6) Doc 13127/00, Annex II

(7) Doc 4820/00

(8) Doc 6802/01