

Conclusions  
of the Representatives of the Member States,  
meeting at Head of State or Government level  
in Brussels on 13 December 2003

The Representatives of the Member States, meeting at Head of State or Government level, have decided by common accord on the seat of certain offices and agencies of the European Union. This decision, the text of which is attached, complements the Decision taken in Edinburgh on 12 December 1992 and the Decision taken in Brussels on 29 October 1993.

The establishment of these offices and agencies— whether they have already been set up or are about to be set up - will allow the Union's action to develop in several important sectors, such as Food Safety, Aviation Security, Network and Information Security, Chemicals, Railway, Disease Prevention and Control, Judicial and Police Cooperation, as well as Maritime Safety.

In the same context, the Representatives of the Member States meeting within the European Council, stressing the importance of human rights data collection and analysis with a view to defining Union policy in this field, agreed to build upon the existing European Monitoring Centre on Racism and Xenophobia and to extend its mandate to become a Human Rights Agency to that effect. The Commission also agreed and indicated its intention to submit a proposal to amend Council Regulation 1035/97 of 2 June 1997 in that respect.

Representatives of Member States also welcomed the Commission's intention to submit, before the end of March 2004, a proposal on the establishment of a Community Fisheries Control Agency: they agreed on the urgency to establish such Agency and that such Agency shall have its seat in Spain.

Finally, Representatives of the Member States, meeting at Head of State or Government level, agreed to give priority to Acceding States, once they have joined the Union, in the distribution of the seats of other offices or agencies to be set up in the future, without prejudice to the fact that, if a European Public Prosecutor's Office is established, its seat will be in Luxembourg in accordance with the provisions of the Decision of 8 April 1965.

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**DECISION TAKEN BY COMMON AGREEMENT BETWEEN THE  
REPRESENTATIVES OF THE MEMBER STATES, MEETING AT HEAD OF  
STATE OR GOVERNMENT LEVEL, ON THE LOCATION OF THE SEATS  
OF CERTAIN OFFICES AND AGENCIES OF THE EUROPEAN UNION**

THE REPRESENTATIVES OF THE MEMBER STATES, MEETING  
AT HEAD OF STATE OR GOVERNMENT LEVEL,

Having regard to Article 289 of the Treaty establishing the European Community and  
Article 189 of the Treaty establishing the European Atomic Energy Community,

Whereas:

- (1) Council Decision of 22 December 2000 (2000/820/JHA) established a European Police College (CEPOL).<sup>1</sup>
- (2) Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 established the European Food Safety Authority.<sup>2</sup>
- (3) Council Decision of 28 February 2002 (2002/187/JHA) set up Eurojust.<sup>3</sup>
- (4) Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 established a European Maritime Safety Agency.<sup>4</sup>
- (5) Regulation (EC) No 1592/2002 of the European Parliament and of the Council of 15 July 2002 established a European Aviation Safety Agency.<sup>5</sup>
- (6) The establishment of a European Railway Agency is envisaged on the basis of the proposal submitted by the Commission on 24 January 2002.<sup>6</sup>

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<sup>1</sup> OJ L 336 of 30.12.2000, p. 1.

<sup>2</sup> OJ L 31 of 1.2.2002, p. 1.

<sup>3</sup> OJ L 63 of 6.3.2002, p. 1.

<sup>4</sup> OJ L 208 of 5.8.2002, p. 1.

<sup>5</sup> OJ L 240 of 7.9.2002, p. 1.

- (7) The establishment of a European Network and Information Security Agency is envisaged on the basis of the proposal submitted by the Commission on 11 February 2003.
- (8) The establishment of a European Center for Disease Prevention and Control is envisaged on the basis of the proposal submitted by the Commission on 8 August 2003.
- (9) The establishment of a European Chemicals Agency is envisaged on the basis of the proposal submitted by the Commission on 29 October 2003.
- (10) The location of the seats of these different offices and agencies should be determined.

HAVE DECIDED AS FOLLOWS:

*Article 1*

- a) The European Police College (CEPOL) shall have its seat in London.
- b) The European Food Safety Authority shall have its seat in Parma.
- c) Eurojust shall have its seat in the Hague.
- d) The European Maritime Safety Agency shall have its seat in Lisbon.
- e) The European Aviation Safety Agency shall have its seat in Köln.
- f) The European Railway Agency shall have its seat in Lille/Valenciennes.
- g) The European Network and Information Security Agency shall have its seat in a town in Greece to be determined by the Greek Government.
- h) The European Center for Disease Prevention and Control shall have its seat in a town in Sweden to be determined by the Swedish Government.

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<sup>6</sup> OJ C 126 E of 28.5.2002, p. 323.

i) The European Chemicals Agency shall have its seat in Helsinki.

*Article 2*

This Decision, which will be published in the Official Journal of the European Union, shall enter into force on this day.

Done at Brussels on 13 December 2003.

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Guy VERHOFSTADT  
Anders Fogh RASMUSSEN  
Matti VANHANEN  
Jacques CHIRAC  
Gerhard SCHROEDER  
Costas SIMITIS  
Berthie AHERN  
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Jan Peter BALKENENDE  
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