

GENERAL AFFAIRS AND EXTERNAL RELATIONS *

2522nd Council meeting

- EXTERNAL RELATIONS -

Brussels, 21 July 2003

President : **Mr Franco FRATTINI**
Minister for Foreign Affairs of the Italian
Republic

- * The 2523rd meeting on General Affairs is the subject of a separate press release
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CONTENTS¹

PARTICIPANTS.....	5
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ITEMS DEBATED

MIDDLE EAST - <i>Council conclusions</i>	7
IRAN - <i>Council conclusions</i>	9
IRAQ - <i>Council conclusions</i>	10
WESTERN BALKANS - <i>Council conclusions</i>	11
USE OF THE DEATH PENALTY	11
EUROPEAN SECURITY AND DEFENCE POLICY	12
– Operation CONCORDIA in FYROM - Council conclusions	12
– Development of the EU/UN Cooperation in Crisis Management - Council conclusions	12
AFRICA	14
– EU-AFRICA RELATIONS - Council conclusions	14
– DEMOCRATIC REPUBLIC OF THE CONGO AND THE GREAT LAKES REGION – Council conclusions	16
WTO TRADE NEGOTIATIONS - PREPARATION OF THE V th MINISTERIAL CONFERENCE IN CANCUN - <i>Council conclusions</i>	19
OTHER BUSINESS	22
– SÃO TOMÉ AND PRÍNCIPE	22
– COMPREHENSIVE NUCLEAR TEST-BAN TREATY	22
– MERCOSUR	22
– LIBERIA	22

¹ ▪ Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
 ▪ The documents whose references are given in the text are available on the Council's Internet site <http://ue.eu.int>.
 ▪ Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the above mentioned Council Internet site or may be obtained from the Press Office.

ITEMS APPROVED WITHOUT DEBATE

EXTERNAL RELATIONS

– Re-evaluation of the EU Common Position on Cuba - Council conclusions	I
– International Criminal Court - Council conclusions.....	II
– Relations with the Mediterranean Region	III
– Relations with Russia – EU Common Strategy.....	III
– Relations with Ukraine – EU Common Strategy.....	III
– EU Special Representative for the Middle East peace process.....	III
– Relations with Kazakhstan - Preparation of the 5th Cooperation Council	III
– Relations with the Kyrgyz Republic - Preparation of the 5th Cooperation Council.....	III
– Relations with Jordan	III
– Relations with Poland – Aid to the steel industry.....	IV
– Democratic Republic of Congo	IV
– Relations with Switzerland - Agricultural products	IV
– Relations with Norway - Agricultural products.....	IV
– Comprehensive Nuclear Test-Ban Treaty	V
– Small arms in Latin America and the Caribbean.....	V
– United Nations General Assembly	V

EUROPEAN SECURITY AND DEFENCE POLICY

– Cooperation between the EU and the United Nations on crisis management: protection of civilians in EU-led crisis management operations - Council conclusions.....	VI
– Operation ARTEMIS – Democratic Republic of Congo.....	VII
– EU Police Mission in Bosnia and Herzegovina – Participation of Russia.....	VII

TRADE POLICY

– Commission Communication on Promoting Core Labour Standards - Council conclusions	VII
---	-----

RESEARCH

– Scientific and technological cooperation with Chile	XI
---	----

TRANSPARENCY

–	Public deliberations	XI
–	Opening to the public of historical archives	XII
–	Public access to Council documents.....	XII

PARTICIPANTS

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

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Denmark :

Mr Friis Arne PETERSEN

State Secretary for Foreign Affairs

Germany :

Mr Joschka FISCHER

Federal Minister for Foreign Affairs and Deputy Federal Chancellor

Greece :

Mr Anastasios GIANNITSIS

Deputy Minister for Foreign Affairs

Spain :

Ms Ana PALACIO VALLELERSUNDI

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Mr Ramón DE MIGUEL Y EGEA

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* * *

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Member

* * *

General Secretariat of the Council :

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The Governments of the Acceding States were represented as follows:

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Cyprus :

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Latvia :

Ms Sandra KALNIETE

Minister for Foreign Affairs

Lithuania :

Mr Antanas VALIONIS

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Hungary :

Mr Endre JUHAŚZ

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Minister for Foreign Affairs

Minister for European Affairs

Slovakia :

Mr Eduard KUKAN

Minister for Foreign Affairs

Slovenia :

Mr Dimitrij RUPEL

Minister for Foreign Affairs

ITEMS DEBATED

NOTE : The Acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Slovak Republic and Slovenia align themselves on the conclusions on the Middle East, Iran, Iraq, Western Balkans, the European Security and Defence Policy, EU-Africa relations, the Democratic Republic of Congo and the great lakes region, Cuba, the International Criminal Court and Cooperation between the EU and the United Nations on crisis management.

MIDDLE EAST - Council conclusions

The Council held successive meetings with the Foreign Ministers of Israel, Silvan Shalom, and the Palestinian Authority, Nabil Shaath, and adopted the following conclusions:

- "1. Israeli and Palestinian Foreign Ministers, Mr Silvan Shalom and Mr Nabil Shaath were invited to address the Council. For the first time since 2001 both sides attended a Council meeting on the same day. This underlines the close relations of both with the EU. Israeli and Palestinian Ministers confirmed their commitment to the Quartet roadmap and hoped that quick progress in the implementation would be made.
2. In line with the conclusions of the European Council in Thessaloniki, the Council stressed that there is no alternative to a swift and full implementation, in good faith by the two sides, of the roadmap. The Council will oppose vigorously any attempt to deviate from this path and welcomed progress accomplished by the two sides especially in the fight against terrorism and in the reduction of violence. It recalled in this context the Thessaloniki conclusions regarding Hamas. The Council expressed a particular desire to see further progress made on settlements, including a reversal of settlement policy and activity, on a freeze on construction of the separation fence, on release of prisoners and on confronting those engaged in terrorism, including dismantling terrorist capabilities and infrastructure.
3. The Council urged all parties to strictly adhere to the cease-fire agreement, to refrain from any provocation and incitement to violence and to proceed with the implementation of confidence building measures. It welcomed the efforts of regional partners, namely Egypt and Jordan, who have been playing an active part in this context. The Council agreed to continue to work closely and consistently with the US and with other Quartet partners on all issues linked to the successful implementation of the roadmap by the parties and also in view of establishing an efficient third party monitoring mechanism to which the EU is ready to contribute in a substantial way.

4. The Council underlined that the Palestinian Authority and its Government deserve support by everybody. This entails remaining in contact with all interlocutors within the Palestinian Authority. The Council stressed the need for coherence in the field of security.
5. The EU strongly supports PM Mahmoud Abbas in his efforts. This includes continued support for Palestinian reforms and economy. The Council noted with satisfaction the work of the Commission to accelerate and possibly intensify assistance programs in support of these goals. In this context, they welcomed the intention of the US government to join this effort by providing direct assistance to the Palestinian Authority. The Council underlined the importance of removing obstacles and impediments to the development of the Palestinian economy and reiterated the EU's commitment to regional economic reconstruction.
6. The Council congratulated Ambassador Marc Otte on the appointment as new EU Special Representative for the Middle East Peace Process and underlined its full support for his work."

IRAN - Council conclusions

- "1. The Council reconfirmed that progress in economic and political relations with Iran should be evaluated in parallel. More intense economic relations can be achieved only if progress is reached in the four areas of concern, namely human rights, terrorism, non-proliferation and the Middle East Peace Process.
2. The Council expressed increasing concern over the development of the Iranian Nuclear programme and over the proliferation risks implied, in particular as regards closing the nuclear fuel cycle. The Council reiterated its expectation that Iran show full transparency and co-operate fully with IAEA and meet its requests, in particular those referred to in the last Board of Governors meeting. An urgent and unconditional acceptance, signature and implementation of an IAEA Additional Protocol on safeguards is of the utmost importance as it would be considered by the international community as a sign of the Iranian commitment in the field of non-proliferation.
3. The Council decided to review future steps of the co-operation between EU and Iran in September in view of further developments particularly with regard to the second report of IAEA Director General, El Baradei, the IAEA evaluations and the possible conclusions of the Board of Governors of this Agency.
4. The Council expressed deep shock at the violent death of photojournalist Zahra Kazemi. It welcomed the decision by President Khatami to order four cabinet ministers to investigate the case. The Council recalled Iran's obligations under international law to promptly investigate and prosecute those responsible for the crime.
5. The Council expressed deep concern over the human rights situation in Iran also in the light of the recent arrests of students, journalists and others during recent student demonstrations. The Council called for rapid progress in this field and stressed the importance of close cooperation by Iran with UN human rights mechanisms. It also called for the rapid release of persons detained for having exercised their right to freedom of expression. The Council reaffirmed the need for concrete results in the framework of the current EU-Iran human rights dialogue."

IRAQ - Council conclusions

- "1. The Council welcomed the setting up of the Iraqi Governing Council as an important first step towards the formation of an internationally recognized representative government established by the people of Iraq.
2. The Council recalled that UNSCR 1483 supported the formation of an Iraqi interim administration, and expressed its confidence that the United Nations, in particular through the activity of the UNSG's Special Representative Sergio Vieira de Mello, will continue to make an important contribution to post-conflict nation building in Iraq. It reiterated the Union's readiness to support the UN Special Representative in the fulfillment of this task.
3. The Council reiterated, as previously stated in the conclusions of the Thessaloniki European Council, the EU's readiness to participate in the reconstruction of Iraq within the framework of UNSC Resolution 1483.
4. The Council expressed its appreciation for the results of the Donors' Consultative Meeting hosted by UNDP last 24 June. It is important that the EU will play an important role in all multilateral efforts with a view to the Donors' Conference scheduled to take place next fall.
5. The Council welcomed the constructive suggestions made by the Commission, including those aiming to ensure the establishment of an adequate multilateral umbrella for contributions by the international community to the reconstruction effort.
6. The Council warmly encouraged the Commission, in liaison with the High Representative, to play a full role in this multilateral planning process. It also urged close cooperation between the UNSG's Special Representative and the Commission, as well as coordination with other donors, and relevant institutions on the ground, in order to maximise the impact of the EU resources involved in the reconstruction process.
7. The Council looks forward to receiving from the Commission updated reports on all relevant aspects related to the preparation of the Conference."

WESTERN BALKANS - Council conclusions

"- Serbia and Montenegro

The Council welcomed the finalisation of the Internal Market and Trade Action Plan by Serbia and Montenegro and urged its endorsement by the State Union Assembly. Once that has happened the Commission will start a feasibility study on the opening of negotiations for a Stabilisation and Association Agreement. It called upon Serbia and Montenegro to rapidly address the full range of issues identified by the Commission with the aim of ensuring that a feasibility study could reach a positive conclusion within the shortest possible time.

- Serbia and Montenegro/Kosovo

The Council reiterated its full support to an early start of direct talks between Belgrade and Pristina on practical issues of mutual concern and called upon the parties involved to act upon the commitment undertaken during the Thessaloniki Summit in this regard. The EU will continue to facilitate this process.

The Council welcomed the appeal for the return of displaced persons signed by the Kosovan leaders. Recalling that creating the conditions for sustainable returns is an essential step for a multi-ethnic and democratic Kosovo to further advance towards the EU within the Stabilisation and Association Process in full compliance with UNSC resolution 1244, it called upon all Kosovan leaders to translate their commitment into concrete actions.

- European Union Monitoring Mission (EUMM)

Following a proposal of SG/HR Solana, the Council endorsed Mrs Maryse DAVIET as the new EUMM Head of Mission."

USE OF THE DEATH PENALTY

Ministers, over lunch, held an exchange of views on the approach to be followed in view of work within the United Nations on use of the death penalty. The Presidency indicated that it would take account of the views expressed.

EUROPEAN SECURITY AND DEFENCE POLICY

– *Operation CONCORDIA in FYROM - Council conclusions*

"The Council welcomes the timely conclusion of the Review of Operation CONCORDIA. In reply to the request of the President of the former Yugoslav Republic of Macedonia, and in the light of NATO's agreement to the continued availability of NATO's assets and capabilities for Operation CONCORDIA, the Council agreed to extend the Operation under the previous terms for a brief additional period until 15 December 2003 in order to further contribute to the stability of the former Yugoslav Republic of Macedonia.

The Council expressed its appreciation for France's performance so far as Framework Nation at the Force Headquarter level. It welcomed the offer from EUFOR to take over from France the Framework responsibilities at the Force Headquarter level. It invited the competent bodies to take the necessary steps to implement the decision to extend the operation.

The Council notes President Trajkovski's interest in an EU police mission and will consider this carefully, in close consultation with the authorities of the former Yugoslav Republic of Macedonia as well as with the OSCE."

– *Development of the EU/UN Cooperation in Crisis Management - Council conclusions*

"1. The Council recalled existing arrangements on the EU/UN cooperation modalities endorsed by the European Council at Göteborg, and reasserted the commitment of the EU, as well as of its Member States, to contribute to the objectives of the UN in conflict prevention and crisis management. Noting the positive effects of the EU-led operations in Bosnia-Herzegovina (EUPM) and in the Democratic Republic of Congo (Artemis) in triggering a fruitful cooperation that includes staff-to-staff meetings, the Council recalled the importance of developing EU civilian and military crisis management capabilities in such a way that UN action may effectively benefit from EU contribution in the same field. To this end, contact has been made with the UN in order to identify areas for possible EU/UN cooperation, the importance of which calls for a proper framework for closer dialogue and consultation.

2. The Council looks forward to the establishment of more regular contacts at military experts level, making use of the existing contacts with the UN and, in particular, the EU Liaison Office in New York. Lessons learned and best practices should be exchanged on a mutually agreed basis as future operations and circumstances dictate. Further cooperation in future EU crisis management exercises and training activities should be envisaged.

The Council requested that the Secretary General/High Representative, in association with the Presidency, pursue discussions with the UN aimed at progressively establishing a practical framework of regular contact and consultation at all appropriate staff levels between the two organisations as outlined in paragraph 2.

3. In the civilian domain, the Council stressed that maximum use should be made of the existing contacts between the EU and the UN in particular through regular staff to staff relations both in Brussels and New York. Contacts should be intensified to improve co-operation further, in particular in training, EU exercises and, as appropriate, the exchange of best practices and lessons learned.

The Council recalls that the European Council in Göteborg set out options that allow the EU to co-operate with international organisations, including the UN, in the conduct of civilian crisis management operations. These options are as follows:

- a) National contributions to an operation led by international organisations, without any EU co-ordination;
- b) National contribution to such an operation, but following EU consultations aimed at e.g. identifying opportunities to pool resources;
- c) A co-ordinated EU contribution;
- d) A whole EU component in an operation under the overall lead of an international organisation;
- e) A EU-led operation with some components provided by international organisations;
- f) An autonomous EU operation (which could also precede or follow a UN operation, as in the case of EUPM).

The Council asked the Presidency, assisted by the Council Secretariat and in full association with the Commission, to take forward the necessary preparatory work to develop modalities for practical co-operation with respect to the relevant options listed above, in close consultation with the UN and in view of a possible agreement between the EU and the UN on crisis management within the ESPD.

4. The Council agreed that the Presidency will convey the content of these Council conclusions in a letter to the UN Secretary-General."

AFRICA

The Council adopted conclusions on EU-Africa relations, heard a report by SG/HR Javier Solana on his visit to the African Great Lakes Region and adopted conclusions on the Democratic Republic of the Congo and the Great Lakes Region.

– *EU-AFRICA RELATIONS - Council conclusions*

"The Council reviewed the relations between the EU and Africa following the Ouagadougou Ministerial Conference in November 2002 (Conference Communiqué of 28/11/2002) and the postponement of the EU-Africa Summit, originally scheduled to take place in April 2003 in Lisbon.

The Council

- reaffirms that Africa remains a privileged partner of the European Union and underlines the joint commitment for the continuation and enhancement of the dialogue, confirmed at the EU-AU Director's Troika meeting in Pretoria (17 June 2003). This commitment was reiterated in the meeting between the EU and AU Ministerial Troikas held in Maputo on 11 July in the margins of the AU Summit. Both sides emphasised that peace and security should be a top priority in the political dialogue between the EU and Africa. The recent visit of the SG/HR Solana in the region underlines this commitment;
- is confident that the transition from the Organisation of African Unity (OAU) to the African Union (AU) will enhance dialogue at institutional level;
- reiterates its full support for the basic principles and political priorities enshrined in the Constitutive Act of the AU and taken up by NEPAD as the operational programme of the AU. They coincide with the values and objectives of the EU external relations' policy. The sectoral and thematic priorities of NEPAD are in substance the same as defined in the Cairo Action Plan adopted in 2000;
- welcomes important decisions taken at the AU Summit in Maputo, in particular the establishment of the AU Commission and the progress made in the ratification of the AU Protocol on Peace and Security. The EU is willing to support and assist the AU's endeavours to develop a comprehensive security architecture in Africa as appropriate in coordination with the UN and highlights the need to further promote coordination and operational ties between the EU and African subregional organisations. The EU has already contributed € 12 million to the new Peace and Security agenda of the AU with the prime objective to fund operational activities of AU peace- and institution-building efforts. The Council encourages the Commission to continue to consider also ad-hoc assistance to ongoing African peace support operations (Ivory Coast, Liberia, Burundi, DRC, etc.) to be mobilised in the short term;

- recalls the efforts of the EU in favour of prevention, management and resolution of conflicts in Africa according to the Common Position of 14 May 2001 and confirms the will of the EU and Member States to contribute to the strengthening of African capacities in peace-keeping;
- takes note of the decision of the AU Heads of State requesting the EU to examine the possibility of setting up a peace support operation facility. The Council invites the Commission to present proposals on this subject to the Council in order to ensure an appropriate follow-up. It also recalls the contribution of the EU military operation Artemis to stabilise the situation in Bunia in support of the UN actions in the DRC and the Great Lakes Region;
- calls on the AU Member States and the AU Commission to continue their efforts to implement the African Peace and Security Agenda, in particular ensuring a swift ratification of the Protocol on the establishment of the African Peace and Security Council and an effective operationalisation of the African Stand-by Force;
- acknowledges the considerable efforts which Africa is making to deal with armed conflicts, the potentially important role that inter alia the subregional organisations can play or are playing in this respect and notes with satisfaction the increasing capacity of Africa to fully assume its responsibilities in the area of peace-keeping on the basis of the principle of ownership and appreciates commitments made by several African countries to participate in operations in various conflicts (DRC, Burundi, Ivory Coast, Liberia, etc.) in coordination with the UN;
- reaffirms the need for EU assistance to support African countries' own development priorities, in particular Poverty Reduction Strategies, including through resolving and reducing conflicts;
- confirms the mutual wish to pursue the dialogue at Ministerial level with a Troika meeting to be well prepared in advance on substance and procedures to be followed. The Council takes note of the comprehensive Commission Communication on the EU - Africa dialogue and agrees to further examine its content with a view to drawing more substantial conclusions at a later stage, where appropriate;
- agrees to examine on a regular basis the progress achieved in the framework of the Cairo process with a view to holding the Lisbon Summit at the earliest possible date. In this context the EU recalls that the situation in Zimbabwe remains an obstacle to full participation on both sides in the Summit and that this issue will have to be addressed in future dialogue meetings as appropriate."

– **DEMOCRATIC REPUBLIC OF THE CONGO AND THE GREAT LAKES REGION -**

Council conclusions

"The Council is pleased at the smooth conduct of operation Artemis, which has made it possible to stabilise the situation in Bunia and to carry out the mission set by Security Council Resolution 1484. The orderly return of families who had been driven out of Bunia and the improved working conditions of the humanitarian players show that security conditions have visibly improved. In his oral report to the Security Council, the Secretary-General/High Representative described the conduct of the mission and its positive outcome.

This military operation by the European Union represents further tangible evidence of the development of the European security and defence policy and of the European Union's contribution to the international community's efforts to promote stability and security in Africa.

As stipulated in United Nations Security Council Resolution 1484, the European Union mission will come to an end on 1 September 2003 to enable the reinforced MONUC to take over. Between now and 1 September the European force will have contributed to the deployment of the reinforced MONUC. The Council welcomes the excellent cooperation between the European Union and the United Nations in managing this crisis.

The Council emphasises that the European Union's commitment will continue in other forms. It is prepared to support the proposals made by the UN Secretary-General in his report of 27 May 2003, notably in connection with the reinforcement of the MONUC.

With this in view, the European Union intends to take action in the following areas, in particular on the basis of the preparatory work undertaken by the Commission:

- technical and financial support for the Ituri Interim Administration;
- support for the Ituri Pacification Commission;
- support for the disarmament, demobilisation and reintegration process;
- preparation of a socio-economic rehabilitation programme for Ituri,
- launch of a local reconciliation process.

The Council welcomes the recent advances in the peace process in the Democratic Republic of the Congo, and in particular the setting up of the transitional government of national unity. It encourages that government to take the necessary steps to achieve the aims set out in the Pretoria Agreements in compliance with the principles of territorial integrity and national sovereignty. With reference to its conclusions of 27 January 2003, it underlines the European Union's determination to deploy all its instruments in support of the political process under way.

It accordingly asks the Secretary-General/High Representative and the Commission to consider the following measures:

- support for setting up an integrated police unit to guarantee the security of the provisional institutions in Kinshasa and, possibly, other measures in the police sector;
- increased support for the work of the International Committee for Support to the Transition (CIAT);
- a substantial contribution to the funding of aid, rehabilitation and development efforts in the DCR. In this context the Council welcomes the adoption on 9 July 2003 of a programme of strategic support for the DRC totalling EUR 205 million and invites the Commission to consider the possibility of other initiatives;
- support for the electoral process, leading to elections within the time limits set by the Pretoria Agreements.

The Council renews its condemnation of the repeated infringements of the cease-fire in the eastern part of the Congo, the systematic violence against civilians and the illegal exploitation of natural resources in the DRC. It would issue a reminder that the perpetrators of war crimes, crimes against humanity and genocide cannot go unpunished. It urges all the parties concerned to refrain from any act contrary to the cease-fire agreements and in particular to cease all support for the armed groups operating in the eastern part of the Congo. It expresses satisfaction at the diplomatic action which the Secretary-General/High Representative, assisted by the Special Representative, has taken to this end in the region. It backs the proposed embargo on arms destined for the Kivus and for Ituri.

The Council would lastly emphasise the importance of adopting a Security Council Resolution to enable the recommendations made by the UN Secretary-General on 27 May 2003 to be implemented. With this in mind, the Council asks the Secretary-General/High Representative and the Commission to submit to it proposals to:

- support the strengthening of the rule of law and the establishment of efficient judicial institutions;
- back UN action to bring to a halt the illegal exploitation of natural resources in the DRC;
- put a stop to trafficking in arms destined for the eastern part of the DRC;
- foster initiatives to ensure that those responsible for war crimes, crimes against humanity and acts of genocide committed in the DRC do not go unpunished.

The Council welcomes the fact that the United Nations and the African Union have produced a strategic plan for the region. It underlines the need for close coordination between action by the Member States of the European Union and action by the international community.

The Council also points to the need for the Member States to coordinate their political activities vis-à-vis the region, including within the Bretton Woods institutions, to ensure compliance with the Union's global objectives in the region.

The Council reiterates its support for the idea of an international conference on peace, security, democracy and development in the Great Lakes region under the auspices of the United Nations and the African Union and expresses satisfaction at the preparations which have been put in hand. It emphasises that one of the aims of such a conference should be to devise lasting solutions to the problems of the region, which are at the root of the present conflict. It also points out that the success of the conference depends on substantial progress being made in the context of the peace process in Burundi.

The Council expresses its determination to remain fully committed to the Great Lakes issue and asks the Secretary-General/High Representative to keep it informed of all activities undertaken by the Member States and the Union in the region."

**WTO TRADE NEGOTIATIONS - PREPARATION OF THE Vth MINISTERIAL
CONFERENCE IN CANCUN - *Council conclusions***

- "1. Ahead of the WTO Ministerial Conference to be held in Cancún from 10 to 14 September 2003, the Council reaffirmed the EU's fundamental commitment to:
- the multilateral trading system, which, through its combination of market access provisions and rules and disciplines, is a powerful engine to contribute to economic growth, job creation, development opportunities, poverty reduction, predictability, sustainable development and the management of the challenges of globalisation;
 - a successful conclusion of the Doha Development Agenda by the end of 2004, the DDA being a single undertaking aiming at achieving an ambitious, comprehensive and balanced package of agreements, both on market access and rules, and better integrating developing countries, especially the least developed countries, into the multilateral trading system, in accordance with all the objectives set out at Doha;
2. The Council underlined the importance of the forthcoming Cancún Conference, which should move the work programme launched at Doha into its determining phase. The Council reiterated the EU's determination that the Cancún conference should succeed and considered in this regard that all participants should intensify their efforts in the coming weeks in Geneva with a view to presenting a manageable document to Ministers in Cancún on the key issues.
3. The Council confirmed that its conclusions adopted in October 1999, in November 2001 at Doha and the conclusions of the Agriculture Council of 26 June 2003, as well as the Singapore and Doha Ministerial Declarations and related texts adopted at Doha, constitute the basis for the European Union's action in the DDA negotiations and in preparation for Cancún. The Council also noted that it had separately adopted conclusions following the Commission Communication on promoting core labour standards.
4. The Council recalled that the DDA negotiations are based on a comprehensive agenda and must proceed at a similar pace in all areas. With regard to specific issues for Cancún, the Council stressed the following:

First, modalities for the negotiations on agriculture have to be established. The Council welcomed the political agreement reached by the Agriculture Council on 25/26 June 2003 on the reform of the Common Agricultural Policy, which stressed that the decisions taken on that occasion constituted an important European contribution to the DDA negotiations on agriculture and the limits of the Commission's negotiating brief in the WTO Round. The Council also recalled that the Agriculture Council had also stressed that the margin of manoeuvre offered by this CAP reform could only be used in the DDA on condition of equivalent agricultural concessions from the EU's WTO partners. The Community is now in a position to lead the way towards an ambitious outcome of the negotiations on agriculture, including the EU's offensive interests, and other objectives such as non-trade concerns.

Second, the Council stressed that the Cancun ministerial has to establish modalities for the next phase of negotiations on non agricultural market access, recalling that this accounted for three quarters of world trade. Only an ambitious outcome, meeting all the objectives set out in the Doha Ministerial Declaration, would therefore serve as a catalyst for further economic growth worldwide. Modalities for tariff reductions should be based on a simple, single formula, without excluding additional sectoral elements, and attain all relevant objectives of the Doha mandate, in respect of both tariff and non-tariff barriers, whose potential to impede trade remains very high.

Third, the Council agreed on the importance of establishing a precise timetable for the negotiations on services, stressing that further market opening in this sector is of significant importance to the European economy and to many other WTO Members. The Council stressed the need for more offers from other WTO members, and for improvements in existing offers, so as to ensure a substantive and mutually satisfactory outcome.

Fourth, the Council emphasised the great importance of the WTO reaching a definitive decision on Trips and Access to Medicines, based squarely on the 16 December 2002 text, before Cancun, and called upon the US to join all other WTO Members in support of that text.

Fifth, the Council reiterated its desire to see real progress at Cancun on several other issues of importance to developing countries. It noted that all the EU's written contributions to the WTO had incorporated substantive and concrete proposals regarding developing countries. The Council in particular stressed the Community's support for a meaningful package of decisions on special and differential treatment and, following up from the Doha mandate, on implementation of the WTO Agreements, as well as a further work programme on the remaining issues. The Council also underlined the desirability of deciding at Cancun specific measures to assist the least developed countries, as a concrete response to the proposals made by the least developed countries at their Ministerial meeting in Dhaka in June 2003, including the elimination of all tariffs and quantitative restrictions by all developed countries on all products from the least developed countries.

Sixth, the Council noted that Cancun also needed to establish the modalities for the Singapore issues, thus ensuring the prompt formal launch of the negotiations agreed at Doha. The Council stressed that the launch of negotiations on all four of the Singapore issues at Cancun was necessary in order to preserve the principle of the single undertaking. In this regard the Council confirmed the objective of negotiating new WTO rules and disciplines in all four areas, and rejected suggestions that any one of the four Singapore issues might be removed from the scope of the single undertaking.

Seventh, the Council reconfirmed that Cancun should conclude the negotiations on the establishment of a multilateral system of notification and registration of geographical indications for wines and spirits and move forward the negotiations on the extension of additional protection to other products.

Eighth, the Council called for confirmation of the decisions on issues concerning the relationship between trade and environment, pursuant to paragraphs 31 and 32 of the Doha Declaration, notably on MEA observership. Decisions on these matters would be an important component of the WTO's contribution to sustainable development. More generally, the Council reaffirmed the EU's commitment to achieve a successful result on other issues on the DDA trade and environment agenda.

Ninth, the Council stressed that negotiations under way on the Dispute Settlement Understanding remained of considerable importance for the WTO system and that a mandate for continuing those negotiations should also be confirmed as soon as possible.

Tenth, the Council noted that Cancun should provide the impetus for further progress on several other issues in the Doha work programme apart from those requiring formal decisions. In this respect, the Council attached particular importance to the negotiations on anti-dumping and subsidies, and expressed support for an ambitious outcome in these areas within the single undertaking.

Eleventh, the Council recalled the importance of careful preparation with the European Parliament of the EU's position at Cancun, and the need to stay in close touch with the representatives of the Parliament during the Cancun conference itself.

Twelfth, the Council recalled the importance of a substantive dialogue with representatives of civil society before and at Cancun.

Finally, the Council noted with satisfaction that the Commission would remain in close contact with Member States' delegations, largely through the Article 133 Committee, during the final preparatory process in Geneva in the coming weeks. The Council confirmed that it would meet in special session as necessary throughout the conference to take stock of developments in the final stage of the negotiations, and to provide the Commission with any further necessary guidance as the Conference progressed."

OTHER BUSINESS

– *SÃO TOMÉ AND PRÍNCIPE*

The Council heard a report by the Portuguese Minister on the recent military rebellion in São Tomé and Príncipe. It recalled the Declaration by the Presidency on behalf of the EU on 18 July (11634/03) and expressed its condemnation of the event.

– *COMPREHENSIVE NUCLEAR TEST-BAN TREATY*

The Council took note of an intervention by the Finnish Minister calling for full participation in the meeting on the Comprehensive Nuclear Test-Ban Treaty (CTBT), which he will be chairing in Vienna on 3-5 September 2003.

– *MERCOSUR*

The Council took note of an intervention by the Spanish delegation expressing its concerns regarding the state of negotiations for an EU-MERCOSUR Association Agreement.

– *LIBERIA*

The Council heard a report by the Swedish Minister on the situation in Liberia and took note of a Declaration by the Presidency on behalf of the EU on 21 July 2003 (11676/03).

ITEMS APPROVED WITHOUT DEBATE

EXTERNAL RELATIONS

Re-evaluation of the EU Common Position on Cuba - Council conclusions

"The recent increase in violations of human rights in Cuba has compelled the EU to evaluate the Union's Common Position on Cuba, six months in advance of the date previously set, as announced by the EU declaration of June, 5th 2003.

The Council reiterates that the objectives of the European Union policy towards Cuba remain respect for human rights and fundamental freedoms, encouragement of a process of transition to pluralist democracy and a lasting economic recovery aiming at improving the living standards of the Cuban population.

The Council notes that since the previous evaluation of last December, not only have there been no positive steps by the Cuban government, leading to the accomplishment of the aims of the Common Position, but the human rights situation in Cuba has severely deteriorated.

In March the Cuban authorities violated international human rights standards by large-scale arrests of dissidents, followed by summary and arbitrary judicial processes and severe sentences of a large number of dissidents for exercising their right to freedom of speech and participation in public affairs.

In April, summary trial and rapid execution of 3 hijackers were carried out in breach of international minimum standards for the implementation of the death penalty.

The EU is profoundly concerned that the Cuban authorities have returned to apply that penalty. It expects Cuban authorities to resume the de-facto moratorium on the death penalty, calls once again on the Cuban authorities to release all political prisoners immediately, and appeals to them that, in the meantime, the prisoners do not suffer unduly and are not exposed to inhumane treatment.

Since the beginning of 2003, the Cuban authorities have used a campaign against drug trafficking and related crimes to clamp down on private, small businesses and other unauthorised activity. The Cuban State media themselves have reported that access to the internet has been further curtailed, satellite televisions impounded, and foreign newspapers and radios confiscated. Freedom of movement remains heavily restricted both internally and internationally.

In June, the Cuban authorities mounted official mass demonstrations, headed by President Castro, against two Member States' Embassies in Havana. At the same time the Cuban State media conducted an unacceptable campaign of personal vilification against certain Member States' Heads of Government.

The EU regrets the lack of economic reforms and the absence of economic freedom which make daily lives of Cuban citizens harder, and continues to support economic opening and the presence of the European private sector in Cuba.

In the light of the above, the EU expects a new attitude from the Cuban authorities and major reform efforts in all these fields.

The Council recalls the conclusions of the European Council on 19 and 20 June deploring and totally rejecting the behaviour of the Cuban authorities towards Member States and Accession States.

The Council reaffirms that the Common Position is still valid and constructive engagement remains the basis of the European Union's policy towards Cuba. In order to promote a more efficient pursuit of the aims of the Common Position the Council considers that the political dialogue should be continued in order to help that tangible results be produced, particularly in the political, economic and civil rights spheres.

Following the latter, the Council would be willing to encourage the strengthening of EU development co-operation in Cuba in areas that promote the transition to pluralist democracy and respect for human rights as well as in areas that improve the living standards of the Cuban population and promote sustainable economic growth.

Funding should be channelled through governmental institutions only if a direct benefit for the population or meaningful contribution towards economic opening and reform in Cuba is ensured."

International Criminal Court - Council conclusions

- "1. The Council recalled the Conclusions of the Thessaloniki European Council on the International Criminal Court, its revised Common Position of 16 June 2003 and its own Conclusions of 30th September 2002 containing a set of principles that serve as guidelines when considering the necessity and scope of possible agreements or arrangements regarding the conditions for surrender to the ICC, with a view to preserving the integrity of the Rome Statute and ensuring respect for the obligations of States Parties under the Statute.
2. The Union and its Member States will continue, as appropriate, to draw the attention of third States to the above principles and express their appreciation to those countries that so far have been guided by them.
3. The Council expresses its readiness to continue the dialogue with all interested countries on the development of effective and impartial international criminal justice and the role of the International Criminal Court in that respect."

Relations with the Mediterranean Region

The Council took note of the Presidency's priorities for implementing the EU's Common Strategy for the Mediterranean Region.

Relations with Russia – EU Common Strategy

The Council took note of the Presidency's work plan for implementation of the European Union's Common Strategy on Russia.

Relations with Ukraine – EU Common Strategy

The Council took note of the Presidency's work plan for implementation of the European Union's Common Strategy on Ukraine.

EU Special Representative for the Middle East peace process

The Council adopted a Joint Action confirming the appointment of Marc Otte as European Union Special Representative for the Middle East peace process, as decided on 14 June (*see Press Release 11435/03 Presse 207*) and amending Joint Action 2002/965/CFSP (*11365/03*).

Relations with Kazakhstan - Preparation of the 5th Cooperation Council

The Council approved the EU's position for the 5th Cooperation Council with Kazakhstan to be held on 22 July 2003 (*see Press Release, 11440/03 Presse 210*).

Relations with the Kyrgyz Republic - Preparation of the 5th Cooperation Council

The Council approved the EU's position for the 5th Cooperation Council with the Kyrgyz Republic to be held on 22 July 2003 (*see Press Release, 11441/03 Presse 211*).

Relations with Jordan

The Council approved the position to be adopted by the Community in the EC–Jordan Association Council on the establishment of a working group on social affairs and eight sub–committees under the EU–Jordan Association Committee (*11250/03*).

Relations with Poland – Aid to the steel industry

The Council adopted a Decision confirming that the restructuring programme and business plans submitted by Poland respect the conditions laid down in the EU-Poland Association Agreement and justify an extension of the period during which Poland may grant public aid to its steel industry. The grace period, which expired at the end of 1996, is extended for a further eight years or until the date of Poland's accession to the European Union.

Democratic Republic of Congo

The Council adopted a Decision providing for an additional allocation of 105 million euros for the implementation of operations in the Democratic Republic of Congo aimed at ensuring the transition to free and transparent elections, strengthening State structures, reconstruction and the setting-up of a demobilisation programme (11232/03).

The additional allocation will be financed by means of reallocating debt service payments that are due to be made by the DRC to the European Investment Bank.

Relations with Switzerland - Agricultural products

The Council adopted a Decision authorising the Commission to start negotiations with Switzerland aimed at achieving greater liberalisation of trade in agricultural products under the EC-Switzerland Agreement on trade in agricultural products.

The Council also approved the position to be adopted by the Community within the EC-Switzerland Joint Committee on Agriculture regarding:

- the establishment and terms of reference of 10 working groups to be set up under the EC-Switzerland Agreement on trade in agricultural products, and;
- the Joint Committee's rules of procedure.
(8773/03).

Signed in June 1999, the EC-Switzerland Agreement on trade in agricultural products entered into force on 1 June 2002.

Relations with Norway - Agricultural products

The Council adopted a Regulation amending Regulation 992/95 so as to provide for the introduction of quotas for imports from Norway at reduced tariffs of certain agricultural products.
(11347/03)

Comprehensive Nuclear Test-Ban Treaty

The Council adopted a Decision aimed at accelerating the process of ratification of the Comprehensive Nuclear Test-Ban Treaty (CTBT), in view of a CTBT conference that will meet in Vienna on 3 to 5 September.

The Decision, which implements Common Position 1999/533/CFSP, provides that the European Union will encourage those States that have not yet done so to sign and ratify the CTBT. It will encourage, as a first priority, those States on the list of 44 whose contribution is necessary for the treaty's entry into force, and those who have either not signed or not ratified, in particular those that will host stations of the CTBT's International Monitoring System (11342/03).

Small arms in Latin America and the Caribbean

The Council adopted a Decision on implementation of Joint Action 2002/589/CFSP as regards the European Union's contribution to combating the accumulation and spread of small arms and light weapons in Latin America and the Caribbean (11173/03).

The Decision provides for financial support for projects aimed at training law enforcement instructors, improving the control of the legal firearms trade, combating illicit trafficking, facilitating the destruction of surplus weapons and improvements of stockpile management, and supporting moves to improve legislation in this field.

The Commission will be entrusted with implementation, and to that end will conclude a financing agreement with the United Nations Department for Disarmament Affairs. A total allocation of 700 000 euros is provided for by the Decision.

United Nations General Assembly

The Council adopted the EU Priorities Paper for the 58th session of the United Nations General Assembly.

EUROPEAN SECURITY AND DEFENCE POLICY**Cooperation between the EU and the United Nations on crisis management: protection of civilians in EU-led crisis management operations - Council conclusions**

- "1. The Council recalls that one of the essential objectives of the European Union is to preserve peace and strengthen international security in accordance with the principles of the United Nations Charter, as well as to develop and strengthen respect for human rights and fundamental freedoms. It further recalls the EU's determination to enhance its capabilities in crisis management and conflict prevention, as well as to pursue cooperation with the UN in these areas.
2. The Council expresses its deep concern over the harmful and widespread impact of armed conflict on civilians, including women, children, refugees and internally displaced persons, and the long-term consequences this has for lasting peace, security and development. The Council underlines the EU's commitment to the promotion and protection of the rights of the child, and recalls in this regard its conclusions of 16 June 2003.
3. The Council emphasises the importance of full compliance with the provisions of the United Nations Charter and relevant UN Security Council resolutions, as well as with applicable obligations under international humanitarian law, international human rights law and refugee law in EU-led crisis management operations.
4. The Council notes the UN's increasing focus in recent years on the conditions of civilians affected by armed conflict and commends the efforts to address this issue by the UN Security Council, the UN Secretary-General as well as other relevant offices and agencies of the United Nations. Note is also taken of the work of the relevant Special Representatives of the UN Secretary General in this field.
5. The Council also commends the role of the International Committee of the Red Cross (ICRC) in ensuring the protection of victims of armed conflict and internal violence as guardian of international humanitarian law. The Council reaffirms the importance it attaches to dialogue with the ICRC on these matters.
6. In the Council's endeavours to ensure that special protection, rights and assistance needs of civilians are fully addressed in all EU-led crisis management operations, the mandates, roles and principles governing the provision of protection and assistance to civilians by international and non-governmental organisations, as well as such organisations' obligations arising from applicable international law, shall be fully respected. The Council will furthermore ensure the appropriate co-ordination with such organisations.

- 7 The EU has been careful to ensure that due consideration has been given to the adherence to all applicable international norms and standards in the area of the protection of civilians in each of its current ESDP operations. Furthermore, the Council sees benefit in drawing up overarching guidelines to assist in ensuring that the EU has a coherent and consistent policy in this area. The Council therefore invites the competent bodies, drawing on the expertise of all relevant organisations, to develop a set of guidelines for a comprehensive and action-oriented approach to the protection of civilians in the conduct of EU-led crisis management operations. In this context, the Council stresses the importance of aspects such as adequate training, disciplinary and accountability mechanisms for personnel deployed in EU-led crisis management operations, the mainstreaming of a strong child rights perspective and gender issues, and the needs of internally displaced persons and refugees."

Operation ARTEMIS – Democratic Republic of Congo

The Council adopted a Decision on the financing of the common costs relating to ARTEMIS, the European Union's military operation in the Democratic Republic of Congo.

The Council also authorised the Presidency, assisted where necessary by the Secretary-General/High Representative, to open negotiations with Brazil, Canada, Hungary and South Africa Agreements on their participation in the European Union Force in the DRC, on the basis of a draft model agreement.

In addition, the Council took note of an opinion from its Political and Security Committee regarding operation Artemis.

EU Police Mission in Bosnia and Herzegovina – Participation of Russia

The Council adopted a Decision approving an Agreement negotiated by the Presidency with the Russian Federation on its participation in the European Union Police Mission (EUPM) in Bosnia and Herzegovina (8770/03).

TRADE POLICY

Commission Communication on Promoting Core Labour Standards - Council conclusions

"The COUNCIL,

- Recalls that the promotion of economic growth and employment is a strategic aim of both the internal and external policies of the EU.
- Recalls its constant rejection of protectionism and of a sanction-based approach to the promotion of core labour standards as well as its strong support for an incentive based approach to this issue, as expressed by the Council on numerous occasions, including in its Conclusions of October 1999 and November 2001,

- Recalls the Commission's communication on the promotion of core labour standards and the improvement of social governance in the context of globalisation.
- Recalling the outcome of the World Summit on Sustainable Development, reaffirms its commitment to a sustainable development approach in both the bilateral and multilateral sphere, and the need to take full account of developing countries' challenges and needs to become more fully integrated into the world trading system.
- Recalls paragraph 8 of the Doha Ministerial Declaration.
- Underlines the growing public perception that an equitable global economic system should also promote social development and fundamental human rights. This is a reflex of the widespread view, among public opinion, that existing international economic and social rules and structures are unbalanced and, at the global level, market governance has developed more rapidly than social governance. Recognises therefore that more efforts are needed at the international level to promote social development.
- Welcomes the establishment by the ILO of the World Commission on the Social Dimension of Globalisation, notes the contribution given by the European Commission and Member States to its work, notably via the seminar on the "European Model of Society" held on 3 and 4 February 2003, and notes the need to discuss further the Community's stance on trade and labour issues once the World Commission has finalised its work, in the light of the continuing need, as identified by the Council in October 1999, for a forum for international debate on the relationship between trade and social issues.
- Welcomes the renewed cooperation between the Commission and the ILO, through the signature of a new exchange of letters on 14 May 2001 and the annual high level follow-up meeting between the two institutions. In this context it welcomes the adherence by the ILO as a specialised UN agency to the Financial and Administrative Framework Agreement between the European Community and the United Nations signed on 29 April 2003 that will facilitate cooperation.
- Recalls its resolution on Corporate Social Responsibility of 3 December 2002, in which it acknowledged the positive impact of CSR on business and societies in Europe and abroad, in particular in developing countries. The respect and promotion of core labour standards by the private sector is a key element of the European approach to CSR. CSR practices and tools should, inter alia, build on the fundamental ILO Conventions, ILO Tripartite Declarations and on the OECD Guidelines for Multinational Enterprises, as minimum common standards of reference.
- Recalls that the current system of generalised preferences (GSP) allows the granting of further tariff preferences to the countries that effectively apply all standards referred to in the ILO Declaration on Fundamental Principles and Rights at Work.

- Continues to support the conclusions of the Commission's communication, takes note of the progress made in carrying them through, and suggests focussing the EU strategy on the following points:
 - (1) The EU should aim at ever improving co-ordination on matters related to social governance in the context of globalisation, and assure coherence on the matter in all relevant international organisations, including in the WTO and in the ILO.
 - (2) To this end, the EU looks forward to concrete suggestions on this matter as a result of the work of the World Commission on the Social Dimension of Globalisation established by the ILO.
 - (3) The EU should promote a more effective dialogue between the WTO and the ILO. This should include in particular the possibility for both organisations to attend the respective relevant sessions on a regular basis and to undertake joint studies and initiatives towards continued and improved understanding of the relation between trade and labour. Ultimately, the aim should be observer status for the ILO in the WTO.
 - (4) The EU should encourage discussions, on an autonomous and voluntary basis, on the respect of core labour standards during the review of a country's trade policy in the WTO, and should autonomously contribute to this, by setting an example in this respect on the occasion of the next examination of the EC policy. In so doing the EU should stress the positive role of CLS for economic growth and development.
 - (5) The EU should promote, within the ILO, the reinforcement of the effectiveness of ILO supervision, including better publicity, more effective follow-up and more widespread use of the findings of the ILO supervisory mechanism throughout the international system. The EU itself should take the findings of the supervisory mechanism into account more systematically in its international relations.
 - (6) The EU should promote, inter alia within the ILO, the existing implementation and incentive mechanisms and look for ways to strengthen these mechanisms, promoting respect for core labour standards and social policy at the country level.
 - (7) The EU should support relevant technical assistance activities on social development, decent work, social dialogue and core labour standards carried out by other international organisations, in particular the ILO.
 - (8) The EU should promote effective and time-bound programmes to eliminate the worst forms of child labour through prevention, protection and rehabilitation and should support the work of the ILO in this context.
 - (9) The possibility to use GSP incentives to promote core labour standards has proven to be an important feature of the EU's GSP scheme and should be considered as part of the review of the EU's GSP scheme for the period 2005-2014.

- (10) The EU should seek to maximise the impact of special incentives globally by encouraging other industrialised countries to adopt social incentive schemes, similar to that of the EC, based on ILO standards.
- (11) The EU should assure the coherence between the GSP scheme and development programmes and technical cooperation to help countries make better use of the incentive schemes for the promotion of core labour standards based on ILO standards and mechanisms.
- (12) The EU should pursue and develop Sustainability Impact Assessments (SIA), which include findings concerning social issues, as a contribution to policy-making on important trade negotiations.
- (13) The EU should better integrate core labour standards and social governance in its development policy, in particular in the drafting of the Country Strategy Papers, in line with its overall objective of poverty reduction, including by strengthening capacity in developing countries for the implementation of core labour standards. The EU should promote core labour standards in the discussion with governments on the Poverty Reduction Strategy Papers (PRSPs).
- (14) The EU should extend the Cotonou approach to other agreements by seeking to include specific provisions on core labour standards and to ensure that their implementation is supported whenever necessary, by development and cooperation programmes.
- (15) The EU should encourage the examination in the appropriate international fora of the application of core labour standards in the Export Processing Zones.
- (16) The EU should continue to support the work of the ILO and other relevant organisations with regard to private voluntary initiatives, increase public awareness and promote discussion on international instruments or standards for the certification and verification of private and voluntary schemes and achieving effective quality control.
- (17) The EU should help developing countries benefit from the further export opportunities offered by social labelling schemes, including through capacity building and by supporting efforts to improve the transparency, availability and non-discrimination of schemes.
- (18) The EU should stimulate compliance with the OECD Guidelines for Multinational Enterprises in order to enhance the positive role of multinational companies, in support of the implementation of core labour standards world-wide, thus improving their sustainable competitiveness and contributing to Sustainable Development."

RESEARCH**Scientific and technological cooperation with Chile**

The Council adopted a Decision concerning the conclusion of the Agreement for scientific and technological cooperation between the European Community and the Republic of Chile. This agreement forms part of the global cooperation between the two Parties. In particular, it creates a legal framework for the promotion of Research and Technology Development cooperation between them in the fields of common interest.

TRANSPARENCY**Public deliberations**

The Council adopted a list of the main legislative acts scheduled for public deliberations under the Italian Presidency. These texts, all subject to the co-decision procedure with the European Parliament, are due to be submitted by the Commission during the second half of 2003 (11616/03).

COUNCIL	DATE *	SUBJECT
Competitiveness (Internal Market, Industry and Research)	22-23 September 2003	<ul style="list-style-type: none"> — Proposal for a framework Directive of the European Parliament and of the Council on unfair commercial practices — Proposal for a Directive on cross-border mergers — Framework legislation on chemical substances
Transport, Telecoms and Energy	9-10 October 2003	<ul style="list-style-type: none"> — Proposal for a Directive on charging of certain vehicles for the use of road infrastructure (Eurovignette) — Proposal for a Decision replacing Decision 1692/96 on TEN-guidelines for transport
Agriculture and Fisheries	13-14 October 2003	Proposal for a Regulation on official food and feed controls
Employment, Social Policy, Health and Consumers	20 October 2003	<ul style="list-style-type: none"> — Proposal for a Regulation setting up a European Centre for the monitoring and control of communicable diseases — Proposal for a Directive of the European Parliament and of the Council on food and health claims
Environment	27 October 2003	<ul style="list-style-type: none"> — Legislation on flexible Kyoto instruments; joint application and clean development mechanism — Proposal for a Regulation of the European Parliament and of the Council on the Aarhus principle in the Community
General Affairs and External Relations Council (GAEC)	to be determined	Revision of Council Regulation No 2836/98 on integrating gender issues in development cooperation (legal basis)
Justice and Home Affairs (JHA)	to be determined	Proposal for a Regulation on access to the Schengen Information System in order to ensure the proper registration of vehicles
Justice and Home Affairs (JHA)	to be determined	Proposal for a Regulation introducing a European payment order

* The dates are indicative.

Opening to the public of historical archives

The Council reached a political agreement on a draft Regulation, amending Regulation 354/83, on the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (*8861/03*).

The Regulation will be adopted at a forthcoming meeting, after finalisation of the text.

Public access to Council documents

The Council adopted a reply to the confirmatory application made by MEP Katalijne BUITENWEG (1/03), the Danish and Swedish delegations voting against (*10652/1/03 REV 1*).
