



**COUNCIL OF  
THE EUROPEAN UNION**



5534/05 (Presse 14)

(OR. fr)

## **PRESS RELEASE**

2636th Council Meeting

### **General Affairs and External Relations**

### **General Affairs**

Brussels, 31 January 2005

President

**Mr Jean ASSELBORN**

Deputy Prime Minister, Minister for Foreign Affairs and  
Immigration of Luxembourg

\* The 2637th meeting on External Relations is the subject of a separate press release (5535/05).

# **P R E S S**

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5534/05 (Presse 14)

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**EN**

## Main Results of the Council

*The Council continued its discussions on the **Financial Framework** of the Union for the period 2007-2013 with a debate on the "cohesion" section.*

*The Council agreed to suspend temporarily the restrictions it imposed in June 2003 with regard to **Cuba** and to take stock of the situation again between now and next July in the light of developments regarding democracy and human rights in that country.*

*It suspended the retaliatory measures imposed in the form of customs duties in December 2003 in response to the unlawful subsidies granted by the **United States** in application of their rules on "Foreign Sales Corporations", pending a new decision by the WTO on the legality of the new American legislation in this matter.*

*It also gave the green light to the signing of a Scientific Cooperation Agreement under the Association Agreement with **Egypt**.*

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- 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 abovementioned Council Internet site or may be obtained from the Press Office.

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## **PARTICIPANTS**

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

### **Belgium:**

Mr Karel DE GUCHT  
Mr Didier DONFUT

Minister for Foreign Affairs  
State Secretary for European Affairs, attached to the  
Ministry of Foreign Affairs

### **Czech Republic:**

Mr Cyril SVOBODA

Minister for Foreign Affairs

### **Denmark:**

Mr Per Stig MØLLER  
Mr Friis PETERSEN

Minister for Foreign Affairs  
State Secretary, Ministry of Foreign Affairs

### **Germany:**

Mr Joschka FISCHER

Federal Minister for Foreign Affairs and Deputy Federal  
Chancellor

### **Estonia:**

Ms Kristiina OJULAND

Minister for Foreign Affairs

### **Greece:**

Mr Petros MOLYVIATIS  
Mr Yoannis VALINAKIS

Minister for Foreign Affairs  
State Secretary for Foreign Affairs

### **Spain:**

Mr Miguel Angel MORATINOS CUYAUBÉ

Minister for Foreign Affairs and Cooperation

### **France:**

Mr Michel BARNIER

Minister for Foreign Affairs

### **Ireland:**

Mr Dermot AHERN T.D.

Minister for Foreign Affairs

### **Italy:**

Mr Gianfranco FINI  
Mr Roberto ANTONIONE

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

### **Cyprus:**

Mr George IACOVOU

Minister for Foreign Affairs

### **Latvia:**

Mr Artis PABRIKS

Minister for Foreign Affairs

### **Lithuania:**

Mr Antanas VALIONIS

Minister for Foreign Affairs

### **Luxembourg:**

Mr Jean ASSELBORN

Deputy Prime Minister, Minister for Foreign Affairs and  
Immigration  
Minister for Cooperation and Humanitarian Action,  
Minister with responsibility for Communications  
Minister with responsibility for Foreign Affairs and  
Immigration

Mr Jean-Louis SCHILTZ

Mr Nicolas SCHMIT

### **Hungary:**

Mr Ferenc SOMOGYI  
Mr Etele BARÁTH

Minister for Foreign Affairs  
Minister without portfolio responsible for European  
Affairs

### **Malta:**

Mr Michael FRENDU

Minister for Foreign Affairs

**Netherlands:**

Mr Bernard BOT  
Mr Atzo NICOLAÏ

Minister for Foreign Affairs  
Minister for European Affairs

**Austria:**

Ms Ursula PLASSNIK

Federal Minister for Foreign Affairs

**Poland:**

Mr Jan TRUSZCZYŃSKI

Deputy State Secretary, Ministry of Foreign Affairs

**Portugal:**

Mr António MONTEIRO

Minister for Foreign Affairs and Portuguese Communities  
Abroad  
State Secretary for European Affairs

Mr Mário DAVID

**Slovenia:**

Mr Dimitrij RUPEL

Minister for Foreign Affairs

**Slovakia:**

Mr Jozsef BERENYI

Minister for Foreign Affairs

**Finland:**

Mr Erkki TUOMIOJA

Minister for Foreign Affairs

**Sweden:**

Ms Laila FREIVALDS

Minister for Foreign Affairs

**United Kingdom:**

Mr Denis MacSHANE

Minister of State for Europe

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**Commission:**

Mr José Manuel BARROSO  
Mr Louis MICHEL  
Ms Benita FERRERO-WALDNER  
Ms Margot WALLSTRÖM  
Ms Dalia GRYBAUSKAITE  
Ms Danuta HÜBNER  
Mr Olli REHN

President  
Member  
Member  
Member  
Member  
Member  
Member

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**General Secretariat of the Council:**

Mr Javier SOLANA

Secretary-General of the European Union/High  
Representative for the Common Foreign and Security  
Policy

**ITEMS DEBATED****WORK PROGRAMME**

The Council held a brief public debate on the Council's operational programme for 2005 drawn up by the Luxembourg and United Kingdom Presidencies.

The debate focused on the priorities which had been identified, namely:

- negotiations on the Financial Framework for the EU budget in the period 2007-2013;
- mid-term review of the Lisbon economic reform strategy;
- implementation of the Hague Programme on freedom, security and justice;
- starting preparatory work for the implementation, after its ratification, of the Treaty establishing a Constitution for Europe.

The drawing up of an action plan to strengthen the capability of the EU and its Member States to better cope with natural disaster situations is also a priority.

The Council also took note of the work programme drawn up by the new Commission and presented by its President. It welcomed the concordance between their respective priorities, which is the outcome of close cooperation between the Presidency, the Commission and the European Parliament, in line with the "better lawmaking" agreement between the three Institutions.

**FINANCIAL FRAMEWORK 2007 - 2013**

The Council held an exchange of views on the cohesion policy to be determined under Heading 1b of the Financial Framework being drawn up for the EU budget for the period 2007-2013.

The debate covered five areas:

- policy content;
- financial envelope;
- allocation method;
- capping rule;
- transitional arrangements.

The Council will hold a further exchange of views on the Financial Framework at its meeting on 21 and 22 February, this time on budget category 1a (competitiveness for growth and employment). The Presidency will draw on the outcome of the two discussions in preparing a "negotiating framework" for the search for political agreement at the European Council on 16 and 17 June 2005.

The aim of the Luxembourg Presidency - in accordance with the timetable established by the Council's Multi-Annual Strategic Programme - is to enable the European Council to arrive at a political agreement on the new Financial Framework in June.

To do so, the Council, in its "General Affairs" configuration, will be responsible for organising work on this dossier; any discussion in other Council configurations will be without prejudice to the outcome of negotiations, although the specific interest of the Economic and Financial Affairs Council will be recognised. The Permanent Representatives Committee will be responsible for preparing the Council's discussions and will be assisted in this by a "Friends of the Presidency" group.

Preparations for the European Council in June will start in March. Applying a method used successfully in the negotiation of previous Financial Frameworks, the Presidency intends to fill out the "negotiating framework" as it goes along, reflecting the outcome of discussions.



**OTHER ITEMS ADOPTED****EXTERNAL RELATIONS*****Cuba – Council Conclusions***

The Council adopted the following conclusions:

"The Council reaffirmed the Common Position of 1996 which, in the context of the European Union's relations with Cuba, set out the following objectives: encouraging a process of transition to pluralist democracy, respect for human rights and fundamental freedoms and a sustainable recovery and improvement in the living standards of the Cuban people.

The Council took note of the release in June 2004 and in November 2004 of a number of the 75 political prisoners imprisoned in March 2003, but noted that the prisoners have not been released unconditionally. The Council reiterated its urgent request to Cuba unconditionally to release all political prisoners of the group of 75 and urged the Cuban authorities to release all other political prisoners still being detained.

The Council reiterated its continued willingness to maintain a constructive dialogue with the Cuban authorities aiming at tangible results in the political, economic, human rights and cooperation sphere.

The Council decided that the EU would develop more intense relations with the peaceful political opposition and broader layers of civil society in Cuba, through enhanced and more regular dialogue.

All the measures taken on 5 June 2003 would be temporarily suspended. The Council decided, therefore, that the EU would suspend the limitation of high-level visits. During those visits the human rights situation and the position of the dissidents would be raised with the Cuban government and civil society. Meetings with the peaceful opposition might be part of high-level visits. Partners would inform one another of each visit. The Council decided that the EU and its Member States would also suspend the reduction of the level of participation in cultural events.

The Council decided that the abovementioned measures would be reviewed before July 2005, in the light of the evolution towards democratic pluralism and the respect of human rights in Cuba."

### **Former Yugoslav Republic of Macedonia – Restrictive measures**

The Council adopted a Common Position extending for a period of twelve months restrictive measures against persons considered as extremists in the former Yugoslav Republic of Macedonia and expanding the list of these persons (5401/05).

These measures aim to prevent admission on the EU territory of certain individuals who actively promote or take part in violent extremist activities challenging the Ohrid Framework Agreement's basic principles of stability, territorial integrity and the multi-ethnic character of the former Yugoslav Republic of Macedonia and/or who deliberately undermine and obstruct the implementation of the Framework Agreement by actions outside the democratic process.

This Common Position expands from 12 (in the list established on 10 February 2004 in Common Position 2004/113/CFSP) to 21 the number of persons affected by the visa ban.

### **Support for the International Criminal Tribunal for the former Yugoslavia – Restrictive measures**

The Council adopted a decision expanding the list of persons subject to measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY).

The measures, first adopted in April 2003<sup>1</sup> and renewed in June 2004, aim to prevent the entry into, or transit through, EU territory of individuals who are engaged in activities which help persons at large continue to evade justice for crimes for which the ICTY has indicted them or are otherwise acting in a manner which could obstruct the Tribunal's effective implementation of its mandate.

The list established by Decision 2004/528/CFSP<sup>2</sup> is expanded to include the 9 persons who were the subject of measures taken by High Representative/EU Special Representative Paddy Ashdown on 16 December 2004. It now contains a total of 36 persons subject to the EU travel ban.

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<sup>1</sup> Common position 2003/280/CFSP (Official Journal L 101, 23.4.2003, p. 22).

<sup>2</sup> Official Journal L 233, 2.7.2004, p. 15.

### **Bosnia and Herzegovina – Extension of the mandate of the Head of Mission**

The Council adopted a Decision extending the mandate of the Head of Mission/Police Commissioner of the European Union Police Mission in Bosnia and Herzegovina, Mr Bartholomew Kevin Carty, until 31 December 2005 (5476/05).

### **Côte d'Ivoire – Arms embargo**

The Council adopted a Regulation imposing restrictions on the supply of assistance related to military activities to Côte d'Ivoire (15521/04).

The Regulation provides for measures prohibiting technical or financial assistance related to military activities and the supply of equipment which might be used for internal repression.

These measures are in accordance with UN Security Council Resolution 1572 (2004) deploring the resumption of hostilities and the repeated violations of the ceasefire agreement of 3 May 2003. The Regulation aims to supplement and implement the Common Position adopted by the Council on 13 December 2004 (*see press release 15460/04*).

### **Sudan – Arms embargo**

The Council noted the annual examination of Common Position 2004/31/CFSP (published in Official Journal L 6 of 10 January 2004) concerning the imposition of an embargo on arms, ammunition and military equipment on Sudan.

### **Angola, Democratic Republic of the Congo, Nigeria and Rwanda – General EU policy**

The Council adopted a Common Position repealing its Common Positions on Angola (2002/495/CFSP), Nigeria (2002/401/CFSP), Rwanda (2002/830/CFSP) and the peace process in the Democratic Republic of the Congo (2003/319/CFSP) in order to harmonise the instruments reflecting the EU policy towards those countries with general practice (15598/04).

The Council adopted conclusions concerning the EU policy towards Nigeria on 17 May 2003, towards Angola on 13 October 2003, towards Rwanda on 8 December 2003 and towards the African Great Lakes Region on 14 June 2004. These conclusions set out the broader EU policy with regard to these countries and that region. They replace the Common Positions previously adopted by the Council with regard to these countries and that region, which did not contain legally binding provisions.

### **Israel – Association Agreement – Enlargement**

The Council adopted a Decision authorising the signing of a Protocol to the Euro-Mediterranean Association Agreement with Israel to take account of the accession of ten new Member States to the EU (5326/05 and 5327/05).

### **Mexico – Partnership Agreement – Enlargement**

The Council adopted a Decision on the conclusion of an Additional Protocol to the Economic Partnership, Political Coordination and Cooperation Agreement with Mexico to take account of the accession of ten new Member States to the EU (5400/05).

## **EUROPEAN SECURITY AND DEFENCE POLICY**

### **Operation ALTHEA in Bosnia and Herzegovina – Agreement with Albania**

The Council adopted a Decision on the conclusion of an Agreement with Albania on the participation of that country in the European Union military crisis management operation in Bosnia and Herzegovina (Operation ALTHEA) (5438/05).

## **TRADE POLICY**

### **United States – "Foreign sales corporations" – Suspension of duties \***

The Council adopted a Regulation suspending additional customs duties on imports of certain products originating in the United States of America which it had imposed in December 2003, through Regulation No 2193/03, in response to illicit subsidies granted by the USA pursuant to its legislation concerning foreign sales corporations ("Foreign Sales Corporation (FSC) Act") (15894/04 and 15893/04).

The new Regulation provides for the suspension of duties until 1 January 2006 or 60 days after the Dispute Settlement Body of the WTO confirms the incompatibility of certain aspects of the "American Jobs Creation Act" – the legislation adopted in order to replace that on FSCs – with WTO law. It aims to encourage the USA to conform fully with WTO law by eliminating the distortion of competition caused by the maintenance of the system of subsidies implemented since the adoption of the FSC Act.

The European Union considers that the American Jobs Creation Act, adopted last year, contains transitional provisions and safeguard clauses which could be incompatible with WTO law. The Dispute Settlement Body is to rule this year on the compatibility of these aspects of the "Jobs" Act.

In May 2003, the EU was authorised by the Dispute Settlement Body to impose countermeasures up to a level of USD 4 billion in the form of additional 100% *ad valorem* duties on certain products originating in the United States of America. It considered that the FSC legislation had been responsible for the granting of more than USD 4 billion per annum in illicit export subsidies in favour of US undertakings.

### **Mexico – Tariff quotas**

The Council approved a Decision on a Community position within the EU-Mexico Joint Council concerning a corrigendum to Decision No 3/2004 of the EU-Mexico Joint Council on the entry into force of two tariff quotas (5105/05).

## **GENERAL AFFAIRS**

### **Council activities**

The Council noted a report on proceedings in the Council's other configurations (5623/05).

## **RESEARCH**

### **Egypt – Scientific Cooperation Agreement**

The Council adopted a Decision on the signing of an Agreement for scientific and technological cooperation between the European Community and Egypt (16373/04). This Agreement is similar to those already concluded with Tunisia and Morocco. Once the Agreement is signed, its conclusion will be the subject of a new Council Decision after receiving the opinion of the European Parliament.

The EU-Egypt Association Agreement of June 2001 provided for the establishment of permanent links between the two parties' scientific communities. In that connection, the present Agreement establishes a framework for cooperation in scientific and technological research with a view to extending and intensifying cooperative efforts in the fields of common interest and encouraging the use of the results of this cooperation considering the parties' mutual economic and social interests.

The Agreement enables the legal entities of either party to participate in Egypt's research programmes and projects and in actions of the Community's Framework Programme on a reciprocal basis, subject to the terms and conditions agreed in connection with this Agreement.

### **INTERNAL MARKET**

#### **Approval of vehicles – United Nations Economic Commission for Europe**

The Council adopted Decisions on the position of the European Community in relation to two draft Regulations of the United Nations Economic Commission for Europe (UN/ECE) establishing uniform technical provisions in order to reduce technical barriers to the trade of motor vehicles.

One of those draft Regulations concerns the location and identification of hand controls, tell-tales and indicators (15633/04); the other concerns the type-approval of a heating system (15634/04).

The European Community has been part of the UN/ECE since 1998.

### **TRANSPARENCY**

#### **Council deliberations open to the public**

The Council approved the following list of deliberations open to the public on acts adopted in accordance with the codecision procedure (5304/05):

- Seventh Research and Development Framework Programme, at the Competitiveness Council on 18 April 2005,
- Maritime safety package, at the Transport, Telecommunications and Energy Council on 27 and 28 June 2005.

**APPOINTMENTS****Committee of the Regions**

The Council adopted a Decision appointing:

- Mr Lars ENGBERG, Overborgmester Københavns Kommune, as a member of the Committee of the Regions, to replace Mr Jens KRAMER MIKKELSEN for the remainder of his term of office, ending on 25 January 2006 (5101/05);
- Mr Gábor BIHARY, Member of the General Assembly of the Capital, President of the European Integration and Foreign Affairs Committee of the General Assembly of the Capital, as a member of the Committee of the Regions, to replace Mr Gábor DEMSZKY for the remainder of his term of office, ending on 25 January 2006 (5146/05);
- Mr Béla CSÉCSEI, Mayor of district VIII of Budapest, as an alternate member of the Committee of the Regions, to replace Mr Gábor BIHARY for the remainder of his term of office, ending on 25 January 2006 (5146/05);
- Mr Nándor LITTER, Mayor of Nagykanizsa, as an alternate member of the Committee of the Regions, to replace Mr János LAZÁR for the remainder of his term of office, ending on 25 January 2006 (5146/05);
- Mr Zoltán NAGY, Member of local government, City Government of Komárom, as an alternate member of the Committee of the Regions, to replace Ms Klára KOVÁCSNÉ HORVÁTH for the remainder of her term of office, ending on 25 January 2006 (5146/05);
- Mr Tomás VILLANUEVA RODRÍGUEZ, Consejero de Economía y Empleo, Comunidad Autónoma de Castilla y León, as an alternate member of the Committee of the Regions, to replace Mr Carlos Javier FERNÁNDEZ CARRIEDO for the remainder of his term of office, ending on 25 January 2006 (5541/05);
- Mr Hans-Josef VOGEL, Bürgermeister der Stadt Arnsberg, as an alternate member of the Committee of the Regions, to replace Ms Maria Theresia OPLADEN for the remainder of her term of office, ending on 25 January 2006 (5555/05);

- Mr Manuel do Nascimento MARTINS, Presidente da Câmara Municipal de Vila Real, as a member of the Committee of the Regions, to replace Mr Pedro SANTANA LOPES for the remainder of his term of office, ending on 25 January 2006 (5585/05);
  - Mr Vasco Ilídio ALVES CORDEIRO, Secretário regional da Presidência da Região Autónoma dos Açores, as an alternate member of the Committee of the Regions, to replace Mr Roberto AMARAL for the remainder of his term of office, ending on 25 January 2006 (5585/05);
  - Mr Manuel Joaquim BARATA FREXES, Presidente da Câmara Municipal do Fundão Praça do Município, as an alternate member of the Committee of the Regions, to replace Mr Manuel do Nascimento MARTINS for the remainder of his term of office, ending on 25 January 2006 (5585/05).
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