



**COUNCIL OF  
THE EUROPEAN UNION**



8219/05 (Presse 92)

## **PRESS RELEASE**

2657th Council meeting

### **Agriculture and Fisheries**

Brussels, 26 April 2005

President

**Mr Fernand BODEN**

Minister for Agriculture, Viticulture and Rural Development,  
Minister for Small and Medium-sized Businesses, the Liberal  
Professions and the Self-Employed, Tourism and Housing,  
of Luxembourg

# **P R E S S**

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8219/05 (Presse 92)

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## **Main Results of the Council**

The Council held a policy debate on less-favoured areas in the context of the proposal for a Regulation setting up a European Agricultural Fund for Rural Development.

Under the "A" items, the Council adopted a joint action strengthening the mandate of the EU's Special Representative for the South Caucasus, Heikki Talvitie.

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<sup>1</sup>

- 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:

Ms Sabine LARUELLE

Minister for Small and Medium-sized Businesses, the Liberal Professions and the Self-Employed and Agriculture

Mr Yves LETERME

Minister-President of the Flemish Government and Flemish Minister for Institutional Reform, Agriculture, Sea Fisheries and Rural Policy

### Czech Republic:

Mr Ludek STAVINOHA

Deputy Permanent Representative

### Denmark:

Mr Hans Christian SCHMIDT

Minister for Food, Agriculture and Fisheries

### Germany:

Mr Alexander MÜLLER

State Secretary, Federal Ministry for Consumer Protection, Food and Agriculture

### Estonia:

Ms Ester TUIKSOO

Minister for Agriculture

### Greece:

Mr Evangelos BASIAKOS

Minister for Rural Development and Food

### Spain:

Ms Elena ESPINOSA MANGANA

Minister for Agriculture, Fisheries and Food

### France:

Mr Nicolas FORISSIER

State Secretary for Agriculture, Food, Fisheries and Rural Affairs, attached to the Minister for Agriculture, Food, Fisheries and Rural Affairs

### Ireland:

Ms Mary COUGHLAN

Minister for Agriculture and Food

### Italy:

Mr Alessandro PIGNATTI

Deputy Permanent Representative

### Cyprus:

Mr Timmy EFTHYMIU

Minister for Agriculture, Natural Resources and Environment

### Latvia:

Mr Mārtiņš ROZE

Minister for Agriculture

### Lithuania:

Ms Kazimira PRUNSKIENE

Minister for Agriculture

### Luxembourg:

Mr Fernand BODEN

Minister for Agriculture, Viticulture and Rural Development, Minister for Small and Medium-sized Businesses, the Liberal Professions and the Self-Employed, Tourism and Housing  
State Secretary for Relations with Parliament, State Secretary for Agriculture, Viticulture and Rural Development, State Secretary for Culture, Higher Education and Research

Ms Octavie MODERT

### Hungary:

Mr Imre NÉMETH

Minister for Agriculture and Regional Development

### Malta:

Mr Francis AGIUS

Parliamentary Secretary for Agriculture and Fisheries, Ministry of Rural Affairs and the Environment

**Netherlands:**

Mr Cornelis Pieter VEERMAN

Minister for Agriculture, Nature and Food Quality

**Austria:**

Mr Josef PRÖLL

Federal Minister for Agriculture, Forestry, the Environment and Water Management

**Poland:**

Mr Wieslaw ZAPÊDOWSKI

State Under-Secretary, Ministry for Agriculture and Rural Development

**Portugal:**

Mr Jaime SILVA

Minister for Agriculture, Rural Development and Fisheries

**Slovenia:**

Mr Franci BUT

State Secretary, Ministry of Agriculture, Forestry and Food

**Slovakia:**

Mr Zsolt SIMON

Minister for Agriculture

**Finland:**

Mr Juha KORKEAOJA

Minister for Agriculture and Forestry

**Sweden:**

Ms Ann-Christin NYKVIST

Minister for Agriculture, with responsibility for Food and Consumer Affairs

**United Kingdom:**

Lord WHITTY

Parliamentary Under-Secretary of State (Farming, Food and Sustainable Energy)

**Bulgaria:**

Mr Nihat KABIL

Minister for Agriculture and Forestry

**Romania:**

Mr Mugur CRACIUN

State Secretary, Ministry for Agriculture, Forestry and Rural Development

**Commission:**

Ms Mariann FISCHER BOEL

Member

Mr Markos KYPRIANOU

Member

**ITEMS DEBATED****BT10**

The Council noted with satisfaction the urgent measures adopted by the Commission to eliminate any risk of further accidental imports of BT10 into the Union. It hoped the Commission would continue to consider carefully how further cases of the dissemination of unauthorised GMOs could be avoided in future.

A decision adopted by the Commission on 18 April 2005 and notified to the Member States on 19 April lays down that in future all imports to Europe from the United States of maize gluten (and brewers' grains) for animal feed <sup>1</sup> will have to be accompanied by an analysis report from an accredited laboratory, demonstrating on the basis of a duly validated method of detection that the product does not contain BT 10. The decision takes effect immediately; it will be reviewed in six months' time.

On 22 March 2005 the United States authorities sent information to the European Commission about the inadvertent dissemination of BT 10 genetically modified maize in maize products (mainly gluten for animal feed), the marketing of which is forbidden in the Community. BT 10 maize developed by the Swiss company Syngenta is similar to another authorised maize (BT 11), but it contains a gene resistant to an antibiotic. In the meantime, Syngenta has supplied the Joint Research Centre (JRC) with check samples and products for testing BT 10, which should be made available to the Member States.

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<sup>1</sup> Foodstuffs are not affected by these measures as, according to the information obtained by the Commission, products for human consumption are not contaminated by BT 10.

## **RURAL DEVELOPMENT**

The Council held a policy debate on the proposal for a Regulation (11495/04) submitted in July 2004 on setting up a European Agricultural Fund for Rural Development (EAFRD), targeted on the redefinition of less-favoured areas on the basis of a questionnaire drafted by the Presidency. The Council unanimously recognised the importance of less-favoured regions for the European agricultural model. The Presidency will draw the necessary conclusions and will incorporate them in the proposal for an overall compromise on measures to support rural development which the Council will examine in May 2005.

In Article 47 of the proposal, the Commission proposes a redefinition of less-favoured areas. The criteria defining mountain areas and eligible specific areas stay the same, but those defining intermediate areas, whose eligibility for aid is currently based on socio-economic criteria as well, would be changed.

Following criticism from the Court of Auditors and the European Parliament, the Commission proposes that socio-economic criteria should no longer be taken into account for intermediate less-favoured areas; the only criteria applied would relate to soil and climate conditions, based on five parameters (6991/05) which would be defined at the level of the individual municipality (NUTS V nomenclature).



**OTHER BUSINESS*****– EU/Russia Memorandum on plant health***

On this item the Council took note of written information from the Commission (8294/05) concerning the outcome of the negotiations with the Russian Federation on plant health. The Memorandum on common phytosanitary certificates for exports of plant products, signed on 15 March 2005 by the European Union and the Russian Federation, provides for a transitional phase from 1 April 2005 to 1 July 2005 during which Member States can continue to use old certificates.

Commissioner Kyprianou said that it was important that Member States start using the common export certificates before 1 July, so as to avoid potential trade disputes as far as possible.

***– Support for exports of bovine animals for slaughter***

The Council took note of a request from the Danish delegation (7993/05), supported by the German, United Kingdom, Netherlands, Austrian, Swedish and Luxembourg delegations, on the conditions for the payment of export refunds for transporting bovine animals for slaughter and the amounts paid. The Danish delegation feels that only meat, not livestock, should be exported; the Union should stop paying support for exports of bovine animals for slaughter in view of the rules (Regulation (EC) No 639/2003) on the welfare of animals during transport.

The Netherlands delegation wanted export refunds for transporting bovine animals for breeding to be abolished as well.

The Spanish, Hungarian, Irish, French, Czech and Polish delegations argued that export refunds for transporting bovine animals for slaughter should not be abolished. In their view, existing Community rules provided an appropriate and adequate framework for guaranteeing that operators complied with animal welfare standards during transport. They also argued that the abolition of this mechanism would lead to exporting Member States losing market share to third countries, without reducing or eliminating animal welfare problems posed by the transport of live animals.

Commissioner Fischer-Boel recalled the Commission's insistence that the Community should maintain stringent requirements for animal welfare during transport. Export refunds were granted only if those welfare requirements were complied with, and the Commission was currently working on tightening the rules. She also pointed out that the legislation of the destination country applied once the transported animals were unloaded in the importing country. Bearing in mind the current talks in the World Trade Organisation (WTO) on the general issue of gradually abolishing export subsidies, she warned delegations of the risk that the Community might be penalised twice if it initially decided to abolish such refunds unilaterally, before agreeing to their abolition in a multilateral context later. Finally, she pointed out that if the Community lost substantial market shares in imports to countries such as Egypt or Lebanon, this would benefit third-country exporters; their legislation on animal transport and the distance between them and the importing countries offered no guarantee at all of any improvement in the welfare of bovine animals for slaughter during transport.

– *Market situation in the eggs sector*

The Belgian delegation wished to draw the attention of the Council and the Commission to the alarming situation in the eggs sector, following the significant fall in producer prices in the EU 15 (-19%), particularly in Belgium (-32%) in 2004 (see 8104/05). It hoped the Commission would remedy this situation by means of appropriate instruments.

Commissioner Fischer-Boel said that the eggs market was currently in a state of over-production, and prices had recently reached their lowest level with an average price of EUR 75 to 85 per 100 kilos. The rise in egg prices in 2003 (EUR 140 per 100 kilos) had been largely due to the reduction in stocks following the epidemic of avian influenza in spring 2003, mainly in the Netherlands and Belgium, and the slaughter of several million laying hens. As the only direct support instrument provided for in Council Regulation (EEC) No 2771/75 of 29 October 1975 (as amended) on the common organisation of the market in eggs was the payment of export refunds, it had been decided following a Management Committee meeting on this issue to raise the refund rate by more than 40%. As exports were at such a high level, close to the ceilings set by the GATT, no further increase was possible; however, the short and medium-term prospects for trends in stocks were more optimistic than in the past. Finally, she said that the Commission would keep a close eye on the sector in the coming weeks so as to gauge trends in the market.

– *Measures in the apiculture sector*

The Hungarian and French delegations, supported by the Czech, Maltese, Spanish, Luxembourg, Greek, Slovak, Austrian, Polish, Latvian, German, Finnish, Cypriot, Slovenian and Italian delegations, wished to draw the attention of the Council and the Commission to the current difficulties in European apiculture (8268/05).

These delegations believed that the current situation regarding honey quality favoured trade in and imports of mediocre honey to the detriment of European production. Furthermore, should this situation unfavourable to European apiculture continue, negative consequences could ensue for arable crops as a result of poor pollination by bees. The delegations emphasised the need for amendments to Council Directive 2001/110/EC<sup>1</sup> and to labelling rules in order to establish a situation of equal treatment for European and imported honey, to provide clear and precise information on origins and to prevent the marketing of fraudulent products as "honey". Delegations noted that the measures envisaged would have no budgetary impact and that their aim would be to protect consumers' interests and ensure good competitive conditions.

Commissioner Fischer Boel, acknowledging the vital role of the honey sector and of apiculture in the Community, and recalling inter alia that a three-year programme had been adopted for the sector with a budget of EUR 23 million per year, nevertheless stressed that it was up to Member States to verify whether honey imported into their countries met the requirements imposed by Community legislation (Directive 2001/110/EC and the Regulation on food labelling). She also stated that the fall in honey prices in Hungary was mainly connected with the withdrawal from 2004 of restrictions on honey imports from the People's Republic of China.

– *Market situation in the cereals sector*

The Austrian, Hungarian and Slovakian delegations, supported by the Czech, French, Portuguese, Polish and German delegations, wanted to draw the attention of the Council and the Commission to the grave situation currently facing several Member States in the cereals sector (8267/05). These delegations, whose States did not all have access to the sea, had very large stocks of cereals, and they considered that the measures so far taken by the Commission had been too slow in coming. They therefore asked that the Commission organise stronger action, including for maize, through tender procedures and intervention. Some of these delegations also stressed the burden on the Community budget of intervention for large quantities of cereals, and expressed their preference for exporting cereal stocks on the market through a tendering process.

Commissioner Fischer Boel believed that the Commission had taken all measures necessary to deal with a record cereals crop in 2004 – with almost 15 million tonnes having been placed in public storage – in particular by organising tenders for oats, rye, barley and wheat, by allowing derogations on EAGGF repayments to landlocked Member States and also the option of their using ports in Croatia and Romania to dispose of their stocks. However, she stated that the Commission would closely examine the market outlook for the following marketing year, to avoid further surpluses.

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<sup>1</sup> Council Directive 2001/110/EC of 20 December 2001 relating to honey (OJ L 10, 12 January 2002, p. 47).

– *WTO negotiations*

The French delegation wished to draw the attention of the Council and the Commission to the negotiations in progress at the World Trade Organisation (8353/05) on the conversion of specific duties into ad valorem equivalents (AVEs) and in that context wanted a Commission briefing on the subject. The delegation was supported by the United Kingdom, Belgian, Austrian, Italian Hungarian, Irish and Polish delegations, particularly as regards the need to improve communication between the Council and the Commission throughout WTO negotiations.

The United Kingdom and Swedish delegations hoped that agreement could be reached at the WTO ministerial meeting in Hong Kong in December 2005.

Commissioner Fischer Boel recalled the Commission's commitment to reaching agreement at the WTO, while complying with the limits of the mandate entrusted to it by the Council. She stressed that the failure of technical negotiations on AVEs had not been in any respect caused by the Commission and acknowledged that it had been broadly connected to a difference of interpretation between the participants regarding the bases of calculation for the tariff formulas. She noted that the Commission would continue to brief the Council regularly in the appropriate fora, and agreed that the outcome of negotiations within the groups of the WTO agriculture committee should in future be more routinely committed to paper.

**OTHER ITEMS APPROVED****AGRICULTURE****Fifth session of the United Nations Forum on Forests (UNFF) – Council conclusions**

The Council adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN UNION,

1. Recalling its earlier conclusions of May 1997, April 2000 and May 2001;
2. Acknowledging that sustainable forest management (SFM) is an integral part of sustainable development as reflected in the Rio Declaration and Agenda 21 of 1992 and as confirmed by the World Summit on Sustainable Development in Johannesburg (WSSD) in 2002;
3. Recognising that, since 1992, the international forest policy dialogue has been facilitated by the Intergovernmental Panel on Forests (IPF), the Intergovernmental Forum on Forests (IFF) and, since the creation of the International Arrangement on Forests (IAF) in 2000, by the United Nations Forum on Forests (UNFF), which have made valuable contributions towards building consensus on a large number of elements of forest policy and SFM in particular, most notably through the IPF/IFF Proposals for Action and the inception of the Collaborative Partnership on Forests (CPF); also noting the contribution made to international forest policy by other forest related processes and agreements;
4. Noting with great concern that, despite these achievements, deforestation and forest degradation in the world continues at a high rate;
5. Reiterating its call for a strong international instrument for the management, conservation and sustainable development of all types of forests worldwide;
6. Recalling that the UNFF is mandated to review, at its fifth session in May 2005 (UNFF 5), the effectiveness of the current IAF and to consider, with a view to recommending to the Economic and Social Council and through it to the General Assembly of the United Nations, the parameters of a mandate for developing a legal framework for all types of forests;

7. Emphasising that the EU has strongly supported over the past five years the goals and objectives of the IAF laid down in ECOSOC Resolution 2000/35, namely to promote the management, conservation and sustainable development of all types of forests and to strengthen long term political commitment to this end;
8. Considers that the IAF has not been able to foster in a decisive way the achievement of the goals and objectives laid down in ECOSOC Resolution 2000/35 and that therefore continuation of the IAF in its existing form is not acceptable;
9. Affirms that the IAF should only be continued if there is significant strengthening and improvement of its functions and mechanisms, in order to make them more action- and implementation-oriented;
10. Considers that significant strengthening and improvement of the IAF implies the setting of overarching objectives and specific targets, taking full account of member states' sovereign rights and responsibilities, the establishment of clear links with regional and thematic processes and significant improvement of implementation mechanisms, including the allocation of financial resources and the promotion of technology transfer, as well as adequate monitoring, reporting and compliance procedures, effective participation of stakeholders and a strengthened role of and clear guidance for the CPF;
11. Considers that overarching objectives for a future IAF should be clear and focussed and should aim to:
  - achieve sustainable management of all types of forests;
  - enhance the contribution of forests to the achievement of overall development goals, including the Millennium Development Goals (MDGs);
  - maintain global forest resources and forest quality for the long term economic, social and environmental well-being of all, and in particular those that depend directly on forests, including local and indigenous communities;
12. Is of the opinion that these objectives can best be realised through the setting of a limited number of clear quantitative targets at national and global level which should be related to overall targets for sustainable development, as agreed at the WSSD, and the achievement of the Millennium Development Goals;
13. Considers that such targets could be:

- to double the area of forests under sustainable management by 2015;
  - to reduce by half the proportion of people in extreme poverty among those whose livelihoods depend on forests by 2015;
  - to reduce by half the global rate of deforestation and degradation of forests by 2015;
14. Affirms that the abovementioned overarching objectives and specific targets can best be achieved through a legally binding instrument; any alternatives should offer equivalent guarantees for success and should significantly strengthen the IAF, contributing in a decisive way to enhancing political commitment and allocation of financial resources for SFM at national and international level;
15. Recognises the urgent need to strengthen financial support for the achievement of sustainable forest management from public as well as private resources at the national and international level, including the need for better use of existing resources;
16. Notes in this respect that financing arrangements for achievement of sustainable forest management require strengthening and access to financial resources at the international level. Existing mechanisms at global level, e.g. the GEF, and other mechanisms at regional and national level should be further strengthened and supported by current bilateral and multilateral programmes. Financing strategies for sustainable forest management should be developed through country-led processes such as Poverty Reduction Strategy Plans (PRSPs) in order to strengthen and enhance mobilisation of resources. In this respect, the innovative work carried out by the NFP facility, hosted by FAO, and PROFOR, hosted by the World Bank, should be built upon."

#### **Financing of interventions by the European Agricultural Guidance and Guarantee Fund\***

The Council adopted a Regulation providing for derogations from the general rules for the financing of interventions by the European Agricultural Guidance and Guarantee Fund (EAGGF), Guarantee Section (7026/05, 8119/05 and 8119/05 ADD1). The Regulation was adopted by a qualified majority, with the Italian and Swedish delegations voting against and the United Kingdom delegation abstaining.

The Regulation provides for the reimbursement, to any Member State which has paid an interest rate more than double the uniform interest rate, of the difference between double the uniform interest rate and the real interest rate borne by that Member State during the 2005 and 2006 financial years, instead of the 2005-2007 period provided for in the initial proposal.

This corrective mechanism was established because it may appear that, in a Member State, the buying into public intervention of agricultural products can be financed only at interest rates which are substantially higher than the uniform interest rate.

The new method will apply to expenditure incurred from the beginning of the current financial year (1 October 2004).

This Regulation amends Regulation (EEC) No 1883/78 laying down general rules for the financing of interventions by the EAGGF, Guarantee Section<sup>1</sup>.

## **FISHERIES**

### **Regulatory environment of the Common Fisheries Policy – *Council conclusions***

The Council adopted the following conclusions:

"The Council

1. Welcomes the Commission's Communication on Perspectives for Simplifying and Improving the Regulatory Environment of the Common Fisheries Policy (CFP).
2. Recalls the Interinstitutional Agreement on better law-making concluded in December 2003.
3. Underlines the importance of simplification in making Community legislation better understood and respected, and of its contribution to the Commission's initiative on Better Regulation.
4. Agrees to the improvement of the Community's legal framework and to the three main objectives of simplification of the CFP as identified in the Communication and recognises the importance of initiatives already under way towards the goal of a simplified CFP.
5. Takes note of the analysis of the current state of play and agrees with the areas for progress identified by the Commission.
6. Agrees to the need for a multi-annual action plan with short-term and long-term actions and endorses the idea of a mid-term review.

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<sup>1</sup> OJ L 216, 5.8.1978, p. 1. Regulation as last amended by Regulation (EC) No 1259/96 (OJ L 163, 2.7.1996, p. 10).



7. Stresses the crucial importance of a timetable for implementation as part of the Action Plan.
8. Recognises the need for contributions from Member States and stakeholders, in particular the RACs, for the development of an effective Action Plan and urges the Commission to undertake the necessary consultations as soon as possible.
9. Stresses the importance of assessing the benefits, potential obstacles and risks of the proposed initiatives as well as the human resources needed to obtain positive results.
10. Acknowledges that improving access to Community texts by electronic means, developing information booklets for specific target areas, reducing the work load of and restrictions on fishers and others engaged in the fisheries sector and decreasing the administrative burden for national administrations may be considered alongside other options for short-term action and invites the Commission to develop initiatives in these fields.
11. Encourages the Commission's initiative to achieve sustainable progress on simplification and the improvement of the regulatory framework of the Common Fisheries Policy, including removal of mutually incompatible legislative provisions.
12. Urges the Commission to initiate, where possible, actions for the long term, in particular those that may lead to the restructuring of Community legislation.
13. Invites the Commission to consider in the Action Plan how progress on simplification will be monitored, such as by regular reporting."

### **EU Fisheries Control Agency\***

The Council adopted a Regulation establishing a Community Fisheries Control Agency (*7298/05 and 5281/05 ADD 1*).

The objective of the agency, whose headquarters will be in Vigo (Spain), is to organise coordination of fisheries control and inspection activities by the Member States and to assist them to cooperate so as to comply with the rules of the Common Fisheries Policy.

The agency's annual budget is estimated at EUR 5 million.

The agency is due to commence its activities in a year.

This Regulation amends Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy.

(For further details, please consult Press Release 6974/05 of 14 March 2005, page 7.)

## **COMMON FOREIGN AND SECURITY POLICY**

### **Special Representative of the EU for the South Caucasus**

The Council adopted a Joint Action strengthening the mandate of the Special Representative of the EU for the South Caucasus, Heikki Talvitie (8164/05).

Following the closure of the OSCE border monitoring mission in Georgia, the Special Representative of the EU will be responsible for providing the European Union, through a support team in Tbilisi, with reporting and a continued assessment of the border situation and for facilitating confidence-building between Georgia and the Russian Federation.

This Joint Action amends Joint Action 2003/872/CFSP.

## **EXTERNAL BORDERS**

### **European External Borders Agency**

The Council adopted a Decision setting the seat of the European Agency for the Management of Operational Cooperation at the External Borders in Warsaw (Poland) (8151/05).

## **INTERNAL MARKET**

### **Transit procedure**

The Council adopted a Community position with a view to adopting a Decision of the EC/EFTA Joint Committee on Common Transit amending the Convention of 20 May 1987 on a common transit procedure (7441/05).

The purpose of the amendment is to ensure that the package codes used in transit declarations correspond to the latest version of the Recommendation of the United Nations Economic Commission for Europe relating to codes for types of cargo, packages and packaging materials.

The amendment also aims to ensure that the country codes used in transit declarations correspond to the latest ISO 3166 list.

### **APPOINTMENTS**

#### **Committee of the Regions**

The Council adopted the Decision appointing certain members of the Committee of the Regions for the remainder of the term of office, which runs until 25 January 2006.

– Mr Andris ELKSNĪTIS

[Dobele rajona Padomes priekšsēdētājs]

(Chairman of Dobele District Council);

– Mr Edmunds KRASTIŅŠ

[Rīgas pilsētas Domes loceklis]

(Member of Riga City Council);

– Mr Tālis PUĶĪTIS

[Rīgas rajona Attīstības padomes priekšsēdētājs]

(Chairman of the Riga Regional Development Council).

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