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(Acts adopted pursuant to Title V of the Treaty on European Union)

**COUNCIL COMMON POSITION
of 15 November 1999
concerning restrictive measures against the Taliban**

(1999/727/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Whereas:

- (1) On 15 October 1999 the United Nations Security Council adopted Resolution 1267 (1999) setting out measures to be imposed against the Afghan faction known as the Taliban, which also calls itself the Islamic Emirate of Afghanistan, unless the Taliban turn over Usama bin Laden by 14 November 1999; these measures concern a ban on flights by carriers owned, leased or operated by the Taliban and a freeze of funds and other financial resources held abroad by the Taliban;
- (2) Action by the Community is needed in order to implement the measures cited below,

HAS ADOPTED THIS COMMON POSITION:

Article 1

Flights to and from the European Community carried out by aircraft owned, leased or operated by or on behalf of the Taliban under the conditions set out in UNSCR 1267 (1999) will be banned.

Article 2

Funds and other financial resources held abroad by the Taliban under the conditions set out in UNSCR 1267 (1999) will be frozen.

Article 3

This Common Position shall take effect on the date of its adoption.

Article 4

This Common Position shall be published in the Official Journal.

Done at Brussels, 15 November 1999.

For the Council
The President
T. HALONEN

COUNCIL COMMON POSITION
of 15 November 1999
concerning EU support for the implementation of the Lusaka ceasefire agreement and the peace
process in the Democratic Republic of Congo

(1999/728/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and in particular Article 15 thereof,

Whereas:

- (1) the European Council in Amsterdam on 16 and 17 June 1997 adopted conclusions regarding the process towards democracy in the Democratic Republic of Congo;
- (2) on 9 November 1998, the Council adopted conclusions on the situation in the Great Lakes Region;
- (3) the Council has adopted Common Position 97/356/CFSP concerning conflict prevention and resolution in Africa ⁽¹⁾ and Common Position 98/350/CFSP on human rights, democratic principles, the rule of law and good governance in Africa ⁽²⁾;
- (4) the signing of the Lusaka ceasefire agreement was completed on 31 August 1999 by all parties involved, i.e. the Democratic Republic of Congo, Angola, Namibia, Rwanda, Uganda, Zimbabwe, the 'Mouvement pour la Libération du Congo' and the 'Rassemblement Congolais pour la Démocratie';
- (5) in accordance with the declarations of the Presidency on behalf of the European Union of 9 and 16 July, 3 and 22 September and 11 October 1999, the Union pledged its support to the implementation of the Lusaka agreement provided that the parties respect and implement the agreement in accordance with the terms set out therein;
- (6) the United Nations Security Council has adopted Resolutions 1234(1999) and 1258(1999),

HAS ADOPTED THIS COMMON POSITION:

Article 1

The objective of the Common Position is to support through action by the European Union and its Member States the implementation of the Lusaka ceasefire agreement and the process towards peace in the Democratic Republic of Congo (DRC).

The European Union affirms that lasting peace in the DRC can be achieved only through a negotiated peace settlement which is fair to all parties, through respect for the territorial integrity

and national sovereignty of the DRC and for democratic principles and human rights in all States of the region, and by taking account of the security interest of the DRC and its neighbouring countries.

Once peace is restored the European Union is ready to consider long-term cooperation in support of national reconstruction.

Article 2

The European Union will support action taken by the United Nations and the Organisation for African Unity in support of the implementation of the Lusaka ceasefire agreement and the peace process, and cooperate closely with them and other relevant actors of the international community in the implementation of this Common Position.

Article 3

The European Union will support the Joint Military Commission to allow it to fulfil its tasks as specified in its Rules of Procedure.

Article 4

The European Union will further support a process of reconciliation and democratisation in the Democratic Republic of Congo, including support for the national dialogue, in accordance with the objectives and arrangements specified in the Lusaka ceasefire agreement.

Article 5

The Council notes that the Commission intends to direct its action towards achieving the objectives of this Common position, where appropriate, by pertinent Community measures, notably by restoring democratic institutions, in order to ensure respect for human rights, democracy, good governance and the rule of law. Consideration will also be given to supporting the reintegration of refugees and displaced people and the demobilisation and reintegration of ex-combatants.

Article 6

In its cooperation with the countries involved in the crisis in the Democratic Republic of Congo, the European Union will promote support for activities which contribute to political stability and the alleviation of economic and social problems which contribute to instability in the Great Lakes region.

⁽¹⁾ OJ L 153, 11.6.1997, p. 1. Common Position implemented by Council Decision 97/690/CFSP (OJ L 293, 27.10.1997, p. 3).

⁽²⁾ OJ L 158, 2.6.1998, p. 1.

Article 7

The European Union will consider support to the concept and possible preparations of a regional conference on security and cooperation in the Great Lakes region in order to enhance political stability, conflict management and resolution capacities, and economic integration in the region.

Article 8

The European Union and its Member States reserve the right to modify or cancel any activities in support of the implementation of the Lusaka ceasefire agreement, if the parties do not abide by the terms of the agreement.

Article 9

The implementation of this Common Position will be monitored regularly.

The Common Position will be reviewed before 8 November 2000.

Article 10

This Common Position shall take effect on the day of its adoption.

Article 11

This Common Position shall be published in the Official Journal.

Done at Brussels, 15 November 1999.

For the Council

The President

T. HALONEN

COUNCIL DECISION
of 15 November 1999
implementing Council Common Position 1999/728/CFSP concerning EU support for the imple-
mentation of the Lusaka ceasefire agreement and the peace process in the Democratic Republic of
Congo

(1999/729/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Common Position 1999/728/CFSP concerning EU support for the implementation of the Lusaka ceasefire agreement and the peace process in the Democratic Republic of Congo, and in particular Article 3, in conjunction with Article 23(2) of the Treaty on European Union.

Whereas:

- (1) In accordance with Article 3 of Common Position 1999/728/CFSP the Union intends to support the Joint Military Commission (JMC) set up in the Lusaka ceasefire agreement to allow it to fulfil its tasks as specified in its Rules of Procedure;
- (2) The European Union intends therefore to offer financial support and technical assistance to non-military aspects of the JMC activities,

HAS DECIDED AS FOLLOWS:

Article 1

1. The European Union shall contribute towards operational, non-military expenditure to enable the Joint Military Commission to deploy its observers in the Democratic Republic of Congo during a six month period and fulfil its tasks as specified in its Rules of Procedure.
2. The funds shall be channelled through the organisation for African Unity (OAU) and be covered by a separate agree-

ment with the OAU with appropriate provisions for disbursement, accounting and auditing.

Article 2

1. The financial reference amount for the purposes referred to in Article 1 shall be EUR 1 200 000.
2. The expenditure financed by the amount stipulated in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the general budget of the European Union.

Article 3

This Decision shall take effect on the date of its adoption.
It shall expire on 8 May 2000.

Article 4

This Decision shall be published in the Official Journal.

Done at Brussels, 15 November 1999.

For the Council
The President
T. HALONEN

**COUNCIL DECISION
of 15 November 1999**

**implementing Joint Action 1999/34/CFSP with a view to a European Union contribution to
combating the destabilising accumulation and spread of small arms and light weapons in Cambodia**

(1999/730/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Joint Action 1999/34/CFSP of 17 December 1998 on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons ⁽¹⁾, and in particular Article 6, in conjunction with Article 23(2) of the Treaty on European Union,

Whereas:

- (1) The excessive and uncontrolled accumulation and spread of small arms and light weapons poses a threat to peace and security and reduces the prospects for sustainable development; whereas this is acutely the case in Cambodia;
- (2) In pursuing the objectives set out in Article 1 of Joint Action 1999/34/CFSP, the European Union envisages operating within the relevant international forums to promote confidence-building measures and incentives to encourage the voluntary surrender of surplus or illegally-held small arms, the demobilisation of combatants and their subsequent rehabilitation and reintegration; whereas this Decision is intended to implement Joint Action 1999/34/CFSP;
- (3) The European Union considers that a financial contribution and technical assistance would pursue the aims of influencing public opinion in favour of civilian disarmament, consolidating and developing civil society involvement in the process of weapons collection and disposal of arms collected and/or rendered surplus through demobilisation;
- (4) The European Union intends therefore to offer financial support and technical assistance in accordance with Title II of Joint Action 1999/34/CFSP,

HAS DECIDED AS FOLLOWS:

Article 1

1. The European Union shall contribute to promoting the control, collection and destruction of weapons in Cambodia.

⁽¹⁾ OJ L 9, 15.1.1999, p. 1.

2. For this purpose, the European Union shall:

- (a) assist the government of Cambodia in the development of appropriate laws and regulations on the ownership, possession, use, sale and transfer of arms and ammunition,
- (b) assist the government of Cambodia and the police and security forces to develop guidelines for improved record-keeping and security for weapons held by them,
- (c) assist the government of Cambodia and the police and security forces in developing procedures for voluntary surrender of small arms and for identifying and destroying surplus small arms, particularly in connection with planned demobilisation and restructuring of armed forces,
- (d) support civil society programmes to raise public awareness on problems related to small arms and light weapons and further to develop civil society cooperation with the weapons collection and destruction process, in particular by supporting activities by NGOs.

Article 2

1. In order to carry out the objectives specified in Article 1, the Presidency will appoint a Project Manager based in Phnom Penh.
2. The Project Manager will perform his tasks under the responsibility of the Presidency in accordance with the terms of reference set out in the Annex.
3. The Project Manager shall report regularly to the Council or its designated bodies through the Presidency assisted by the Secretary General/High Representative for the CFSP.
4. In carrying out his activities, the Project Manager will cooperate, as appropriate, with local missions of Member States and the Commission.

Article 3

1. The financial reference amount for the purposes referred to in Article 1 shall be EUR 500 000.
2. The Council notes that the Commission will direct its action towards achieving the objectives and priorities of this Decision by proposing or implementing appropriate Community measures.

Article 4

This Decision shall take effect on the date of its adoption.
It shall expire on 15 November 2000.

Article 5

This Decision shall be reviewed six months after the date of its adoption.

Article 6

This Decision shall be published in the Official Journal.
Done at Brussels, 15 November 1999.

For the Council
The President
T. HALONEN

ANNEX**TERMS OF REFERENCE FOR THE PROJECT MANAGER**

1. For the purposes of Article 1(2)(a), the Project Manager with the support of relevant experts will work closely with relevant government officials from the Council of Ministers, the Ministry of the Interior and other appropriate Ministries, in the development of appropriate laws and regulations. For these purposes, the Project Manager may organize training and fact-finding visits for relevant government officials.
 2. For the purposes of Article 1(2)(b), workshops or consultations involving relevant Cambodian authorities will be organised locally under the supervision of the Project Manager to raise awareness of requirements and international 'best practices' related to record-keeping and management and security of weapons stocks and to developing policies, guidelines and practices in this area.
 3. For the purposes of Article 1(2)(c), the Project Manager will, with the support of relevant experts, assist the Government of Cambodia, the police and security forces and the National Council for Demobilisation in developing policies and procedures for identifying surplus arms and for the collection and destruction of them, in particular, in the context of the initial demobilisation and re-integration programmes planned in two provinces in the year 2000, and monitor progress on these issues during the demobilisation process.
 4. For the purposes of Article 1(2)(d), financial aid will be allocated by the Project Manager to support activities by non-governmental organisations in Cambodia, including the coalition 'Working Group for Weapons Reduction in Cambodia', such as awareness raising, information sharing and education and training programmes. These activities may take place in selected regions in Cambodia, as agreed between the Project Manager and the relevant organisations.
 5. The Project Manager shall ensure that appropriate procedures are established for effective monitoring and evaluation of activities. To this end he shall seek full cooperation from the government of Cambodia and the police and security forces.
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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 2421/1999
of 15 November 1999
amending Regulation (EC) No 2111/1999 prohibiting the sale and supply of petroleum and certain
petroleum products to certain parts of the Federal Republic of Yugoslavia (FRY)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 301 thereof,

Having regard to Council Common Position 1999/691/CFSP of 22 October 1999 in support of democratic forces in the Federal Republic of Yugoslavia (FRY) ⁽¹⁾,

Having regard to the proposal from the Commission,

Whereas:

- (1) Within the framework of the 'Energy for Democracy' initiative certain municipalities and other destinations within the Republic of Serbia should be supplied with products falling under the scope of Regulation (EC) No 2111/1999 ⁽²⁾ and, therefore, the said Regulation should be amended to allow such supplies;
- (2) To guarantee the fulfilment of the objectives and modalities agreed upon by the European Union in respect of the said initiative and in order to avoid the programme to affect negatively the provisions of the said Regulation, an authorisation system should be established,

HAS ADOPTED THIS REGULATION:

Article 1

The following Articles shall be inserted into Regulation (EC) No 2111/1999:

'Article 2a

1. Notwithstanding Article 1, sales, supplies or exports of the products listed in Annex I and related activities may be authorised on a case-by-case basis by the competent authorities of the Member States in accordance with the model set out in Annex II on the condition that:

— they take place within the framework of the Energy for Democracy initiative referred to in Council Common Position 1999/691/CFSP; and

— conclusive evidence has been presented to these authorities in accordance with paragraph 2 that the end-users or final destinations of the products are the municipalities listed in Annex V.

2. The Commission shall establish procedures and mechanisms to enable the competent authorities of the Member States to obtain conclusive evidence in respect of the end-users or final destinations referred to in paragraph 1. These procedures and mechanisms shall be applicable as from the date of their notification to the said competent authorities or their publication in the *Official Journal of the European Communities* whichever is earlier.

For as long as the Commission has not established, notified or published these procedures and mechanisms, the said competent authorities shall grant authorisations only if they have received conclusive evidence in accordance with the model set out in Annex IV.

3. The competent authorities of the Member States shall notify each other of any authorisations granted under this Article and of the conclusive evidence obtained.

Article 2b

The Commission shall amend the list of municipalities or final destinations in the Republic of Serbia listed in Annex V in accordance with the decisions of the Council adopted in the framework of Council Common Position 1999/691/CFSP.

Article 2

Annex V contained in the Annex to this Regulation shall be added to Regulation (EC) No 2111/1999.

Article 3

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ L 273, 23.10.1999, p. 1.

⁽²⁾ OJ L 258, 5.10.1999, p. 12.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 November 1999.

For the Council

The President

T. HALONEN

ANNEX

‘ANNEX V

List of municipalities or final destinations in the Republic of Serbia referred to in Article 2a(1)

1. The city of Nis
2. The city of Pirot’

COMMISSION REGULATION (EC) No 2422/1999
of 15 November 1999
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4 (1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto;

- (2) in compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 November 1999.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 November 1999.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 15 November 1999 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	101,8
	204	36,0
	999	68,9
0707 00 05	052	116,8
	628	134,8
	999	125,8
0709 90 70	052	68,4
	999	68,4
0805 20 10	204	71,4
	999	71,4
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	58,1
	999	58,1
0805 30 10	052	48,4
	388	55,9
	528	60,3
	600	74,4
	999	59,8
0806 10 10	052	162,1
	400	306,7
	999	234,4
0808 10 20, 0808 10 50, 0808 10 90	060	33,4
	400	72,6
	404	66,3
	999	57,4
0808 20 50	052	100,5
	064	65,9
	400	89,3
	999	85,2

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2645/98 (OJ L 335, 10.12.1998, p. 22). Code '999' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 2423/1999
of 15 November 1999**

introducing safeguard measures in respect of sugar falling within CN code 1701 and mixtures of sugar and cocoa falling within CN codes 1806 10 30 and 1806 10 90 originating in the overseas countries and territories

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, as last amended by Decision 97/803/EC⁽²⁾, hereinafter referred to as the 'OCT Decision', and in particular Article 109 thereof,

Following consultation with the Committee set up under Article 1(2) of Annex IV to that Decision,

Whereas:

(1) In recent months difficulties have arisen which may result in a serious deterioration of the Community's sugar sector. These difficulties have been caused by increasing quantities of sugar imported from 1997 onwards under the EC/OCT cumulation of origin procedure and in the form of mixtures of sugar and cocoa falling within CN codes 1806 10 30 and 1806 10 90 originating in the overseas countries and territories. These products are imported into the Community free of import duties in accordance with Article 101(1) of the OCT Decision.

(2) These imports may result in a serious deterioration in the operation of the common organisation of the market in the sugar sector and have highly detrimental effects on Community sugar operators.

(3) The operation of the market organisation may be profoundly destabilised: sugar consumption is constant on the Community market, and accordingly any import of sugar into the Community at prices below the intervention price throws onto the export market a corresponding quantity of Community sugar which it cannot absorb. Refunds paid on such sugar are charged to the Community budget (currently at around EUR 520/tonne). Such exports are limited in volume by the GATT agreements, and the imports thus reduce the scope for exporting sugar within quotas. To cope with this problem, consideration should be given to reducing Community production quotas.

(4) Community sugar operators also risk damage as a result of these higher imports. The features of the common market organisation in sugar are the principle of self-financing by the Community's sugar producers, disposal of surplus sugar produced in the Community (particularly through export refunds), and a minimum price which Community sugar manufacturers must pay for their raw material (beet). Such increased imports of sugar, either as such or in the form of products with a high sugar content, at prices below those at which Community producers can sell comparable products, have a profoundly destabilising impact on the activity of Community undertakings which, owing to the common agricultural policy's constraints in favour of farmers, cannot compete with the imported products.

(5) An increase in the volume of exports attracting refunds may also entail the risk of a rise in the unit costs of exporting sugar within quotas and consequently in the production levy on Community sugar producers.

(6) There is therefore an ongoing risk that a sector of Community activity will deteriorate. In view of this risk it is necessary, in accordance with Article 109 of the OCT Decision, to apply safeguard measures in respect of imports into the Community of sugar falling within CN code 1701 and mixtures of sugar and cocoa with a sugar content over 65 % falling within CN codes 1806 10 30 and 1806 10 90 originating in the overseas countries and territories.

(7) Under Article 100 of the OCT Decision, its object is to promote trade between the overseas countries and territories and the Community, taking account of their respective levels of development. In accordance with Article 109(2) of the OCT Decision, priority must be given to such measures as would least disturb the functioning of the association and the Community; these measures must not exceed the limits of what is strictly necessary to remedy the difficulties that have arisen.

(8) To this end, sugar falling within CN code 1701 should be released for free circulation in the Community free of import duties only if the import price cif, as shown by supporting documents, of unpacked sugar of the standard quality defined by Community rules delivered to European ports in the Community is not less than the intervention price of the products in question.

⁽¹⁾ OJ L 263, 19.9.1991, p. 1.

⁽²⁾ OJ L 329, 29.11.1997, p. 50.

This measure should ensure that imported sugar is not sold at prices below those on the Community market and avoid the destabilising effects of these imports while ensuring an adequate unit profit for the OCT operators concerned and compliance with the order of preferences introduced in favour of Community products and of products originating in the OCT by the EC Treaty.

- (9) In the case of mixtures of sugar and cocoa falling within CN codes 1806 10 30 and 1806 10 90, imports should be subject to Community surveillance. This will allow the Commission to monitor the development of such imports closely, as regards quantities and prices, without generating any additional administrative burden for operators.
- (10) The specific checks on the value of the imported goods covered by the measures laid down by this Regulation, and the checks applicable in trade with third countries established under the Community rules on release for free circulation and customs value laid down by Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽¹⁾, as last amended by Commission Regulation (EC) No 1662/1999⁽²⁾, should ensure compliance with the provisions introduced in this Regulation.
- (11) In view of the trend with respect to quantities already supplied during the 1998/1999 marketing year, these temporary measures should be applied until the end of the period of application of the OCT Decision,

HAS ADOPTED THIS REGULATION:

Article 1

1. Products with EC-OCT cumulation of origin falling within CN code 1701 shall be released for free circulation in the Community free of import duties only if the import price cif of unpacked goods of standard quality as laid down by Council

Regulation (EEC) No 793/72⁽³⁾ fixing the standard quality for white sugar, is not less than the intervention price of the products in question.

2. When carrying out the formalities of release for free circulation for the products referred to in paragraph 1, importers shall produce any document showing the sales price and the transport and insurance costs for the imported goods. To this end, the import price shall be the price of the unpacked goods.

3. The Member States shall communicate each week to the Commission, by any form of written telecommunication, the quantities of the products referred to in paragraph 1 for which import licences have been issued, indicating the date of issue and the exporting country.

This information must be sent separately from details of other applications for import licences in the sugar sector.

Article 2

Products originating in the overseas countries and territories falling within CN codes 1806 10 30 and 1806 10 90 shall be released for free circulation in the Community free of import duties subject to Community surveillance in accordance with the rules laid down in Article 308d of Commission Regulation (EEC) No 2454/93⁽⁴⁾ laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code.

Article 3

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply until 29 February 2000.

However, Article 1 shall not apply to imports for which import licences were issued before the entry into force of this Regulation.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 November 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.
⁽²⁾ OJ L 197, 29.7.1999, p. 25.

⁽³⁾ OJ L 94, 21.4.1972, p. 1.
⁽⁴⁾ OJ L 253, 11.10.1993, p. 1.

**COMMISSION REGULATION (EC) No 2424/1999
of 15 November 1999**

**laying down detailed rules of application for an import tariff quota of dried boneless beef provided
for in Council Regulation (EC) No 2249/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2249/1999 of 22 October 1999 opening a tariff quota for the import of meat of bovine animals, boneless, dried ⁽¹⁾, and in particular its Article 2,

Whereas:

- (1) Council Regulation (EC) No 2249/1999 provides for the opening of a pluri-annual import tariff quota of 700 tonnes of dried boneless beef; detailed rules of application of that quota should be laid down;
- (2) the quota concerned related to beef falling under CN code ex 0210 20 90; a precise definition of the eligible products should be provided; for reasons of control, imports under that quota should be subject to the presentation of a certificate of authenticity attesting that the meat corresponds exactly to the eligible definition; it is necessary to establish a model for those certificates and lay down detailed rules for their use;
- (3) the import arrangements should be managed using import licences; to this end rules should be set on submission of applications and the information to be given on applications and licences, in accordance with the provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance-fixing certificates for agricultural products ⁽²⁾, as last amended by Regulation (EC) No 1127/1999 ⁽³⁾, and of Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80 ⁽⁴⁾, as last amended by Regulation (EC) No 2648/98 ⁽⁵⁾;
- (4) in order to ensure proper management of the imports of the products concerned, provision should be made for import licences to be issued subject to verification, in particular of entries on certificates of authenticity;
- (5) the provisions of Council Regulation (EC) No 2249/1999 are applicable from 1 July 1999; consequently, it is appropriate within the annual quota to provide for a

repayment of customs duties on eligible imports between 1 July and the entry into force of the present Regulation; in view of the future management of the quota it is necessary to identify such imports as quickly as possible; applications for repayment must therefore be lodged no later than 1 December 1999;

- (6) the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

1. A Community tariff quota for dried boneless meat of bovine animals falling within CN code ex 0210 20 90 is hereby opened on a pluriannual basis for an annual volume of 700 tonnes for periods from 1 July to 30 June of the following year.

The serial number of the quota shall be 09.4201

2. The *ad valorem* duty shall be the only customs duty applicable under the quota referred to in paragraph 1.

3. Importation under the said quota shall be reserved for dried boneless meat meeting the following definition:

'Cuts of meat from haunches of bovine animals aged at least 18 months, with no visible intramuscular fat (3 to 7 %) and a pH between 5,4 and 5,6; salted, seasoned, pressed, dried only in fresh dry air and developing noble mould (bloom of microscopic fungi). The dry matter in the finished product is between 41 % and 51 %.'

Article 2

Imports of the quantities set out in Article 1 shall be subject to presentation, on release for free circulation, of an import licence issued in accordance with the following provisions:

- (a) the original of the certificate of authenticity drawn up in accordance with Articles 3 and 4 plus a copy thereof shall be presented to the competent authority together with the application for the first import licence relating to the certificate of authenticity.

The original of the certificate of authenticity shall be kept by the abovementioned authority;

⁽¹⁾ OJ L 275, 26.10.1999, p. 2.

⁽²⁾ OJ L 331, 2.12.1988, p. 1.

⁽³⁾ OJ L 135, 29.5.1999, p. 48.

⁽⁴⁾ OJ L 143, 27.6.1995, p. 35.

⁽⁵⁾ OJ L 335, 10.12.1998, p. 39.

- (b) a certificate of authenticity may be used for the issuing of more than one import licence for quantities not exceeding that shown on the certificate. Where more than one licence is issued in respect of a certificate, the competent authority shall endorse the certificate of authenticity to show the quantity attributed;
- (c) the competent authorities may issue import licences only after they are satisfied that all the information on the certificate of authenticity corresponds to that received each week from the Commission on the subject. The licences shall be issued immediately thereafter;
- (d) section 20 of the licence applications and of the licences themselves shall show one of the following endorsements:
- Carne de vacuno seca deshuesada — Reglamento (CE) n° 2424/1999
 - Tørret udbenet oksekød — forordning (EF) nr. 2424/1999
 - Entbeintes, getrocknetes Rindfleisch — Verordnung (EG) Nr. 2424/1999
 - Αποξηραμένο βόειο κρέας χωρίς κόκαλα — Κανονισμός (ΕΚ) αριθ. 2424/1999
 - Dried boneless beef — Regulation (EC) No 2424/1999
 - Viande bovine séchée désossée — règlement (CE) n° 2424/1999
 - Carni bovine disossate ed essiccate — regolamento (CE) n. 2424/1999
 - Gedroogd rundvlees zonder been — Verordening (EG) nr. 2424/1999
 - Carne de bovino seca desossada — Regulamento (CE) n.º 2424/1999
 - Kuivattua luutonta naudanlihaa — asetus (EY) N:o 2424/1999
 - Torkat benfritt nötkött — förordning (EG) nr 2424/1999

Article 3

1. The certificates of authenticity referred to in Article 2 shall be made out in one original and two copies, to be printed and completed in one of the official languages of the European Community, in accordance with the model in Annex I. It may also be printed and completed in the official language or one of the official languages of the exporting country.

The competent authorities of the Member State in which the import licence application is submitted may require a translation of the certificate to be provided.

2. The certificate forms shall measure 210 × 297 mm. The paper used shall weigh not less than 40 g/m². The original shall be white, the first copy pink and the second copy yellow.

3. The original and copies thereof may be typed or handwritten. In the latter case, they must be completed in black ink and in block capitals.

4. Each certificate shall have its own individual serial number followed by the name of the issuing country.

The copies shall bear the same serial number and the same name as the original.

5. The definition referred to in Article 1(3) shall be clearly laid down in the certificate.

6. Certificates shall be valid only if they are duly endorsed by an issuing authority listed in Annex II.

7. Certificates shall be deemed to have been duly endorsed if they state the date and place of issue and if they bear the stamp of the issuing authority and the signature of the person or persons empowered to sign them.

Article 4

1. The issuing authority listed in Annex II must:

- (a) be recognised as such by the exporting country concerned;
- (b) undertake to verify entries on the certificates;
- (c) undertake to forward to the Commission at least once per week any information enabling the entries on the certificates of authenticity, in particular the number of the certificate, the exporter, the consignee, the country of destination, the product, the net weight and the date of signature, to be verified.

2. The list in Annex II may be revised by the Commission where the requirement referred to in paragraph 1(a) is no longer met or where the issuing authority fails to fulfil any of the obligations incumbent on it.

Article 5

Certificates of authenticity and import licences shall be valid for three months from their respective dates of issue. However, their term of validity shall expire on 30 June following the date of issue.

Article 6

The provisions of Regulations (EEC) No 3719/88 and (EC) No 1445/95 shall apply subject to the provisions of this Regulation.

Article 7

The authorities of the exporting countries shall communicate to the Commission of the European Communities specimens of the stamp imprints used by their issuing authorities and the names and signatures of the persons empowered to sign certificates of authenticity. The Commission shall communicate this information to the competent authorities of the Member States.

Article 8

1. For imports made on the basis of import licences issued from 1 July 1999 to the entry into force of this Regulation and within the limits of the annual quota referred to in Article 1, the difference between the customs duties paid and the duty referred to in Article 1(2) shall be refunded at the request of the operator.

No later than 1 December 1999, the application for repayment shall be made in accordance with Articles 878 to 898 of Commission Regulation (EEC) No 2454/93 ⁽¹⁾ and shall be accompanied by a copy of the certificate referred to in the Notice to importers relating to the import of dried meat of bovine animals ⁽²⁾.

2. Copy of the application for repayment shall be forwarded by the competent authority concerned to the Commission ⁽³⁾ no later than 1 December 1999.

3. Notwithstanding the provisions of Regulation (EEC) No 2454/93 the Commission shall decide as soon as possible after 1 December 1999 to what extent applications for repayment can be met. Where the quantities covered by applications exceed the annual quota referred to in Article 1(1), the Commission shall fix a single percentage reduction to be applied to those quantities.

Article 9

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 July 1999.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 November 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 253, 11.10.1993, p. 1.

⁽²⁾ OJ C 266, 21.9.1999, p. 5.

⁽³⁾ Agriculture DG, fax No (32-2) 295 36 13.

ANNEX I

1. Consignor (full name and address)	CERTIFICATE N° 0000 ORIGINAL EXPORTING COUNTRY:		
2. Consignee (full name and address)	CERTIFICATE OF AUTHENTICITY for exports to the EC of dried boneless meat of bovine animals (application of Regulation (EC) No 2424/1999)		
<i>Notes</i> A. This certificate shall be prepared in one original and two copies B. The original and its two copies shall be typewritten or completed by hand; in the latter case, they must be completed in block letters in ink.			
3. Marks, numbers, number and nature of packages, description of goods	4. Combined Nomenclature subheading	5. Gross weight (kg)	6. Net weight (kg)
7. Net weight (kg) (in words)			
8. I, the undersigned, acting on behalf of the authorised issuing body (box No 9) certify that the goods described above, correspond exactly to the definition contained in Article 1(3) of Commission Regulation (EC) No 2424/1999 laying down detailed rules of application for an import tariff quota of dried boneless meat beef provided for in Council Regulation (EC) No 2249/1999			
9. Authorised issuing body	Place Date (Stamp of issuing body) (Signature)		

ANNEX II

List of authorities in exporting countries empowered to issue certificate of authenticity

SWITZERLAND:

- Office vétérinaire fédéral
 - Bundesamt für Veterinärwesen
 - Ufficio federale di veterinaria
-

**COMMISSION REGULATION (EC) No 2425/1999
of 15 November 1999**

opening a tariff quota for the import of certain goods originating in Iceland resulting from the processing of agricultural products covered by the Annex to Council Regulation (EC) No 3448/93

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, as last amended by Commission Regulation (EC) No 2491/98 ⁽²⁾, in particular Article 7(2) thereof,

Having regard to Council Decision 1999/492/EC of 21 June 1999 on the conclusion of an Agreement in the form of an exchange of letters between the European Community, of the one part, and the Republic of Iceland, of the other part, concerning Protocol No 2 to the Agreement between the European Economic Community and the Republic of Iceland ⁽³⁾, in particular Article 2 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽⁴⁾, as last amended by Regulation (EC) No 1662/1999 ⁽⁵⁾, consolidated the arrangements for managing the tariff quotas to be used in chronological order of the dates of acceptance of the declarations for release of free circulation.
- (2) It is necessary to open, for 2000, the quota provided for in paragraph 3 of point III of the Agreement in the form of an Exchange of Letters between the European Community, of the one part, and the Republic of

Iceland, of the other part, concerning Protocol No 2 to the Agreement between the European Economic Community and the the Republic of Iceland.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for horizontal questions concerning trade in processed products not listed in Annex I,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 2000, the goods from Iceland which are listed in the Annex to this Regulation shall be subject to the duties recorded in that Annex within the limits of the annual quota indicated therein.

Article 2

The Community tariff quota referred to in Article 1 shall be managed by the Commission in accordance with the provisions of Article 308a to 308c of Regulation (EEC) No 2454/93.

Article 3

This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Communities*.

It shall be applicable from 1 January 2000.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 November 1999.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 318, 20.12.1993, p. 18.

⁽²⁾ OJ L 309, 19.11.1998, p. 28.

⁽³⁾ OJ L 192, 24.7.1999, p. 47.

⁽⁴⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁵⁾ OJ L 197, 29.7.1999, p. 25.

ANNEX

Order No	CN code	Description	Quota	Rate of duty applicable
09.0799	1704 90 10	Sugar confectionery (including white chocolate), not containing cocoa, falling within CN code 1704 90	400 tonnes	50 % of the rate of duty for third countries (!) with a maximum of EUR 35,15/100 kg
	1704 90 30			
	1704 90 51			
	1704 90 55			
	1704 90 61			
	1704 90 65			
	1704 90 71			
	1704 90 75			
	1704 90 81			
	1704 90 99			
	1806 32 10	Chocolate and other food preparations containing cocoa falling within CN codes 1806 32 and 1806 90		
	1806 32 90			
	1806 90 11			
	1806 90 19			
	1806 90 31			
	1806 90 39			
	1806 90 50			
	1806 90 60			
	1806 90 70			
	1806 90 90			
	1905 30 11	Sweet biscuits, waffles and wafers		
	1905 30 19			
	1905 30 30			
	1905 30 51			
	1905 30 59			
	1905 30 91			
	1905 30 99			

⁽¹⁾ Rate of duty for third countries: Rate consisting of the *ad valorem* duty plus, where appropriate, the agricultural element, limited to the maximum rate where provided for in the Common Customs Tariff.

**COMMISSION REGULATION (EC) No 2426/1999
of 15 November 1999**

**opening a tariff quota for the import of certain goods originating in Norway resulting from the
processing of agricultural products covered by the Annex to Council Regulation (EC) No 3448/93**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, as last amended by Commission Regulation (EC) No 2491/98 ⁽²⁾, in particular Article 7(2) thereof,

Having regard to Council Decision 96/753/EC of 6 December 1996 on the conclusion of the Agreement in the form of an exchange of letters between the European Community and the Kingdom of Norway concerning Protocol No 2 to the Agreement between the European Economic Community and the Kingdom of Norway ⁽³⁾, in particular Article 2 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Common Customs Code ⁽⁴⁾, as last amended by Regulation (EC) No 1662/1999 ⁽⁵⁾, brought together in a single regulation the provisions governing the administration of tariff quota to be used in the chronological order of the dates of acceptance of the declaration relating to the release for free circulation.
- (2) It is necessary to open, for 2000, the quota provided for in paragraph 2 of point IV of the Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Norway concerning the

adaptation to Protocol No 2 to the Agreement between the European Economic Community and the Kingdom of Norway.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for horizontal questions concerning trade in processed agricultural products not listed in Annex I,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 2000, the goods from Norway which are listed in the Annex to this Regulation shall be subject to the duties recorded in that Annex within the limits of the annual quota indicated therein.

Article 2

The Community tariff quota referred to in Article 1 shall be managed by the Commission in accordance with the provisions of Articles 308a to 308c of Regulation (EEC) No 2454/93.

Article 3

This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Communities*.

It shall be applicable from 1 January 2000.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 November 1999.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 318, 20.12.1993, p. 18.

⁽²⁾ OJ L 309, 19.11.1998, p. 28.

⁽³⁾ OJ L 345, 31.12.1996, p. 78.

⁽⁴⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁵⁾ OJ L 197, 29.7.1999, p. 25.

ANNEX

Order No	CN code	Description	Quota	Rate of duty applicable
09.0764	ex 1806 1806 20 1806 31 1806 32 1806 90	Chocolate and other food preparations containing cocoa except for cocoa powder with added sugar or other sweeteners falling within CN code 1806 10	5 500 tonnes	EUR 35,15/100 kg

COMMISSION REGULATION (EC) No 2427/1999
of 15 November 1999
opening a Community tariff quota for certain goods originating from Turkey (2000)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, as last amended by Commission Regulation (EC) No 2491/98 ⁽²⁾, in particular Article 7(2) thereof,

Having regard to Decision No 1/97 of the EC-Turkey Association Council of 29 April 1997 on the arrangements applicable to certain processed agricultural products ⁽³⁾, and in particular Article 1 thereof,

Whereas:

- (1) Decision No 1/97 of the EC-Turkey Association Council establishes, in order to encourage the development of trade in accordance with the objectives of the customs union, annual quotas in terms of value in respect of certain pasta products for the Community and certain processed agricultural products covered by Chapter 19 of the Combined Nomenclature for Turkey;
- (2) Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Common Customs Code ⁽⁴⁾, as last amended by Regulation (EC) No 1662/1999 ⁽⁵⁾, consolidated the arrangements for managing the tariff quotas to be used in chronological order of the dates of acceptance of the declarations for release of free circulation;

- (3) the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for horizontal questions concerning trade in processed agricultural products listed in Annex I,

HAS ADOPTED THIS REGULATION:

Article 1

The Community tariff quota specified in the Annex to this Regulation shall be open from 1 January to 31 December 2000.

Admission to the benefit of this tariff quota shall be subject to the presentation of an A.TR. certificate in accordance with Decision No 1/96 of the EC-Turkey Customs Cooperation Committee of 20 May 1996 laying down detailed rules for the application of Decision No 1/95 of the EC-Turkey Association Council ⁽⁶⁾.

Article 2

The Community tariff quota referred to in Article 1 shall be managed by the Commission in accordance with the provisions of Article 308a to c of Regulation (EEC) No 2454/93.

Article 3

This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Communities*.

It shall be applicable from 1 January 2000.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 November 1999.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 318, 20.12.1993, p. 18.

⁽²⁾ OJ L 309, 19.11.1998, p. 28.

⁽³⁾ OJ L 126, 17.5.1997, p. 26.

⁽⁴⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁵⁾ OJ L 197, 29.7.1999, p. 25.

⁽⁶⁾ OJ L 200, 9.8.1996, p. 14.

ANNEX

Order No	CN code	Description of goods	Quota volume	Rate of duty applicable
09.0205	1902 11 00 1902 19	Pasta, whether or not cooked or otherwise prepared, excluding stuffed pasta	EUR 2,5 million	EUR 10,67/100 kg net

COMMISSION REGULATION (EC) No 2428/1999
of 15 November 1999
fixing the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1253/1999 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽³⁾, as last amended by Regulation (EC) No 2519/98 ⁽⁴⁾, and in particular Article 2 (1) thereof,

- (1) Whereas Article 10 of Regulation (EEC) No 1766/92 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question; however, that duty may not exceed the rate of duty in the Common Customs Tariff;
- (2) Whereas, pursuant to Article 10 (3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market;

- (3) Whereas Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector;
- (4) Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available for the reference exchange referred to in Annex II to Regulation (EC) No 1249/96 during the two weeks preceding the next periodical fixing;
- (5) Whereas, in order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties;
- (6) Whereas application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10 (2) of Regulation (EEC) No 1766/92 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 16 November 1999.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 November 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 315, 25.11.1998, p. 7.

ANNEX I

Import duties for the products covered by Article 10(2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	26,64	16,64
	medium quality ⁽¹⁾	36,64	26,64
1001 90 91	Common wheat seed	37,17	27,17
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	37,17	27,17
	medium quality	75,89	65,89
	low quality	87,32	77,32
1002 00 00	Rye	74,74	64,74
1003 00 10	Barley, seed	74,74	64,74
1003 00 90	Barley, other ⁽³⁾	74,74	64,74
1005 10 90	Maize seed other than hybrid	98,25	88,25
1005 90 00	Maize other than seed ⁽³⁾	98,25	88,25
1007 00 90	Grain sorghum other than hybrids for sowing	74,74	64,74

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements for durum wheat of medium quality, referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

⁽²⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— EUR 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— EUR 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

⁽³⁾ The importer may benefit from a flat-rate reduction of EUR 14 or 8 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 1 November to 12 November 1999)

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Kansas-City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	114,45	97,43	89,13	74,99	142,60 (**)	132,60 (**)	94,50 (**)
Gulf premium (EUR/t)	—	8,37	5,23	8,45	—	—	—
Great Lakes premium (EUR/t)	17,61	—	—	—	—	—	—

(*) A discount of EUR 10/t (Article 4(1) of Regulation (EC) No 1249/96).

(**) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: 14,60 EUR/t; Great Lakes — Rotterdam: 27,05 EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: EUR 0,00/t (HRW2)
EUR 0,00/t (SRW2).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 8 November 1999

providing supplementary macro-financial assistance to Bulgaria

(1999/731/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

Having regard to the proposal of the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas:

- (1) The Commission has consulted the Economic and Financial Committee before submitting its proposal;
- (2) Bulgaria is undertaking fundamental economic reforms and is making substantial efforts to establish a well-functioning market economy with a view to increasing employment and living standards;
- (3) Bulgaria and the European Union have signed a Europe Agreement establishing a relationship of association ⁽³⁾;
- (4) The European Council at its meeting in Luxembourg in December 1997 decided to launch an accession process comprising Bulgaria along with the other Central and East European applicant countries and Cyprus;
- (5) Bulgaria reached an agreement with the International Monetary Fund (IMF) in September 1998 on an arrangement under the Extended Fund Facility (EFF) in support of the authorities' adjustment and reform programme;
- (6) The World Bank adopted a three-year Country Assistance Strategy for Bulgaria in April 1998, which envisages substantial adjustment and investment

financing in support of Bulgaria's reform efforts in priority areas;

- (7) The authorities of Bulgaria have requested financial assistance from the international financial institutions, the Community and other bilateral donors; over and above the estimated financing which could be provided by the IMF and the World Bank, an important residual financing gap remains to be covered during the programme period in order to strengthen the country's reserve position and support the policy objectives attached to the government's reform programme;
- (8) A Community long-term loan to Bulgaria is an appropriate measure to help ease the country's external financial constraints, supporting the balance of payments and strengthening the reserve position and comforting the implementation of the necessary structural reforms;
- (9) The Community loan should be managed by the Commission in accordance with the principles of sound financial management;
- (10) The Treaty does not provide, for the adoption of this Decision, powers other than those of Article 308,

HAS DECIDED AS FOLLOWS:

Article 1

1. The Community shall make available to Bulgaria a long-term loan facility of a maximum principal amount of EUR 100 million with a maximum maturity of 10 years, with a view to ensuring a sustainable balance of payments situation.

⁽¹⁾ OJ C 307 E, 26.10.1999, p. 46.

⁽²⁾ Opinion delivered on 6 October 1999 (not yet published in the Official Journal).

⁽³⁾ OJ L 358, 31.12.1994, p. 3.

2. To this end, the Commission is empowered to borrow, on behalf of the European Community, the necessary resources that will be placed at the disposal of Bulgaria in the form of a loan.

3. This loan will be managed by the Commission in close consultation with the Economic and Financial Committee and in a manner consistent with any agreement reached between the IMF and Bulgaria.

Article 2

1. The Commission is empowered to agree with the authorities of Bulgaria, after consultation with the Economic and Financial Committee, the economic policy conditions attached to the loan. These conditions shall be consistent with the agreements referred to in Article 1(3).

2. The Commission shall verify at regular intervals, in collaboration with the Economic and Financial Committee and in coordination with the IMF, that the economic policy in Bulgaria is in accordance with the objectives of this loan and that its conditions are being fulfilled.

Article 3

1. The loan shall be made available to Bulgaria in two instalments. Subject to Article 2, the first instalment is to be released on the basis of a satisfactory track record of Bulgaria's macro-economic programme in the context of the present EFF arrangement agreed with the IMF.

2. Subject to Article 2, the second instalment shall be released on the basis of a satisfactory continuation of Bulgaria's adjustment and reform programme and not before three months after the release of the first instalment.

3. The fund shall be paid to the Bulgarian National Bank.

Article 4

1. The borrowing and lending operations referred to in Article 1 shall be carried out using the same value date and must not involve the Community in the transformation of

maturities, in any exchange or interest rate risk, or in any other commercial risk.

2. The Commission shall take the necessary steps, if Bulgaria so requests, to ensure that an early repayment clause is included in the loan terms and conditions and that it may be exercised.

3. At the request of Bulgaria, and where circumstances permit an improvement in the interest rate on the loans, the Commission may refinance all or part of its initial borrowings or restructure the corresponding financial conditions. Refinancing or restructuring operations shall be carried out in accordance with the conditions set out in paragraph 1 and shall not have the effect of extending the average maturity of the borrowing concerned or increasing the amount, expressed at the current exchange rate, of capital outstanding at the date of the refinancing or restructuring.

4. All related costs incurred by the Community in concluding and carrying out the operation under this Decision shall be borne by Bulgaria.

5. The Economic and Financial Committee shall be kept informed of developments in the operations referred to in paragraphs 2 and 3 at least once a year.

Article 5

At least once a year, as a rule by 15 September, the Commission shall address to the European Parliament and to the Council a report, which will include an evaluation of the implementation of this Decision.

Done at Brussels, 8 November 1999.

For the Council

The President

S. NIINISTÖ

COUNCIL DECISION
of 8 November 1999
providing supplementary macro-financial assistance to Romania

(1999/732/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

Having regard to the proposal of the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas:

- (1) The Commission has consulted the Economic and Financial Committee before submitting its proposal;
- (2) Romania is undertaking fundamental economic reforms and is making substantial efforts to establish a well-functioning market economy with a view to increasing employment and living standards;
- (3) Romania and the European Union have signed a Europe Agreement establishing a relationship of association ⁽³⁾;
- (4) The European Council at its meeting in Luxembourg in December 1997 decided to launch an accession process comprising Romania along with the other Central and East European applicant countries and Cyprus;
- (5) Romania reached an agreement with the International Monetary Fund (IMF) on a stand-by arrangement (SBA) in support of the authorities' adjustment and reform programme;
- (6) The World Bank has approved a new Private Sector Adjustment Loan, which envisages substantial adjustment and investment financing in support of Romania's reform efforts in the enterprise and financial sectors;
- (7) The authorities of Romania have requested financial assistance from the international financial institutions, the Community and other bilateral donors; over and above the estimated financing which could be provided by the IMF and the World Bank, an important residual financing gap remains to be covered during the programme period in order to strengthen the country's reserve position and support the policy objectives attached to the government's reform programme;
- (8) A Community long-term loan to Romania is an appropriate measure to help ease the country's external financial constraints, supporting the balance of payments and

strengthening the reserve positions and comforting the implementation of the necessary structural reforms;

- (9) The Community loan should be managed by the Commission in accordance with the principles of sound financial management;
- (10) The Treaty does not provide, for the adoption of this Decision, powers other than those of Article 308,

HAS DECIDED AS FOLLOWS:

Article 1

1. The Community shall make available to Romania a long-term loan facility of a maximum principal amount of EUR 200 million with a maximum maturity of 10 years, with a view to ensuring a sustainable balance of payments situation.
2. To this end, the Commission is empowered to borrow, on behalf of the European Community, the necessary resources that will be placed at the disposal of Romania in the form of a loan.
3. This loan referred to in paragraph 2 shall be managed by the Commission in close consultation with the Economic and Financial Committee and in a manner consistent with any agreement reached between the IMF and Romania.

Article 2

1. The Commission is empowered to agree with the authorities of Romania, after consultation with the Economic and Financial Committee, the economic policy conditions attached to the loan. These conditions shall be consistent with the agreements referred to in Article 1(3).
2. The Commission shall verify at regular intervals, in collaboration with the Economic and Financial Committee and in coordination with the IMF, that the economic policy in Romania is in accordance with the objectives of this loan and that its conditions are being fulfilled.

Article 3

1. The loan shall be made available to Romania in two instalments. Subject to Article 2, the first instalment is to be released on the basis of a satisfactory track record of Romania's macroeconomic programme in the context of the SBA agreed with the IMF.

⁽¹⁾ OJ C 307 E, 26.10.1999, p. 40.

⁽²⁾ Opinion delivered on 6 October 1999 (not yet published in the Official Journal).

⁽³⁾ OJ L 357, 31.12.1994, p. 2.

2. Subject to Article 2, the second instalment shall be released on the basis of a satisfactory continuation of Romania's adjustment and reform programme and not before three months after the release of the first instalment.

3. The fund shall be paid to the National Bank of Romania.

Article 4

1. The borrowing and lending operations referred to in Article 1 shall be carried out using the same value date and must not involve the Community in the transformation of maturities, in any exchange or interest rate risk, or in any other commercial risk.

2. The Commission shall take the necessary steps, if Romania so requests, to ensure that an early repayment clause is included in the loan terms and conditions and that it may be exercised.

3. At the request of Romania, and where circumstances permit an improvement in the interest rate on the loan, the Commission may refinance all or part of its initial borrowings or restructure the corresponding financial conditions. Refinancing or restructuring operations shall be carried out in accordance with the conditions set out in paragraph 1 and shall not have the effect of extending the average maturity of

the borrowing concerned or increasing the amount, expressed at the current exchange rate, of capital outstanding at the date of the refinancing or restructuring.

4. All related costs incurred by the Community in concluding and carrying out the operation under this Decision shall be borne by Romania.

5. The Economic and Financial Committee shall be kept informed of developments in the operations referred to in paragraphs 2 and 3 at least once a year.

Article 5

At least once a year, as a rule by 15 September, the Commission shall address to the European Parliament and to the Council a report, which will include an evaluation of the implementation of this Decision.

Done at Brussels, 8 November 1999.

For the Council

The President

S. NIINISTÖ

COUNCIL DECISION
of 8 November 1999
providing supplementary macro-financial assistance to the former Yugoslav Republic of Macedonia

(1999/733/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

Having regard to the proposal of the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas:

- (1) The Commission consulted the Economic and Financial Committee before submitting its proposal;
- (2) The former Yugoslav Republic of Macedonia is undertaking fundamental economic reforms and is making substantial efforts to establish a well-functioning market economy with a view to increasing employment and living standards;
- (3) The former Yugoslav Republic of Macedonia has suffered very large economic costs as a direct consequence of the conflict in Kosovo and has made, despite severe social and economic strains, exceptional efforts to host a high number of refugees;
- (4) The former Yugoslav Republic of Macedonia and the European Community have signed a Cooperation Agreement ⁽³⁾ which entered into force on 1 January 1998;
- (5) The Council, on 26 April 1999, has welcomed the prospect of a feasibility study towards upgrading the contractual relations between the European Community and the former Yugoslav Republic of Macedonia;
- (6) The former Yugoslav Republic of Macedonia has reached a preliminary agreement with the International Monetary Fund (IMF) on an arrangement under the Compensatory and Contingency Financing Facility and discussions are well advanced between the two parties on a stand-by arrangement (SBA) in support of the authorities' adjustment and reform programme;
- (7) The World Bank is preparing a new Financial and Enterprise Structural Adjustment Loan, which envisages substantial adjustment and investment financing in support of the former Yugoslav Republic of Macedonia's reform efforts in the enterprise and financial sectors;
- (8) The authorities of the former Yugoslav Republic of Macedonia have requested financial assistance from the international financial institutions, the Community and other bilateral donors; over and above the estimated financing which could be provided by the IMF and the

World Bank, an important residual financing gap remains to be covered in 1999 and 2000 in order to strengthen the country's reserve position and support the policy objectives attached to the government's reform programme;

- (9) Financial assistance from the Community in the form of a combination of a long-term loan and a straight grant to the former Yugoslav Republic of Macedonia is an appropriate measure to support the balance of payments and help ease the country's external financial constraints in the current exceptionally difficult circumstances, comforting the implementation of structural reforms and helping to alleviate the social consequences of the economic disruptions caused by the conflict in Kosovo;
- (10) The inclusion of a grant component in this assistance is without prejudice to the powers of the budgetary authority;
- (11) This assistance should be managed by the Commission in accordance with the principles of sound financial management;
- (12) The Treaty does not provide, for the adoption of this Decision, powers other than those of Article 308,

HAS DECIDED AS FOLLOWS:

Article 1

1. The Community shall make available to the former Yugoslav Republic of Macedonia financial assistance in the form of a long-term loan facility and straight grants, with a view to ensuring a sustainable balance of payments situation.
2. The loan component of this assistance shall amount to a maximum principal of EUR 50 million, with a grace period of 10 years and a maximum maturity of 15 years. To this end, the Commission is empowered to borrow, on behalf of the European Community, the necessary resources that will be placed at the disposal of the former Yugoslav Republic of Macedonia in the form of a loan.
3. The grant component of this assistance shall amount to a maximum of EUR 30 million for the 1999 to 2000 period.
4. The Community financial assistance shall be managed by the Commission in close consultation with the Economic and Financial Committee and in a manner consistent with any agreement reached between the IMF and the former Yugoslav Republic of Macedonia.

⁽¹⁾ OJ C 307E, 26.10.1999, p. 43.

⁽²⁾ Opinion delivered on 6 October 1999 (not yet published in the Official Journal).

⁽³⁾ OJ L 348, 18.12.1997, p. 2.

Article 2

1. The Commission is empowered to agree with the authorities of the former Yugoslav Republic of Macedonia, after consultation of the Economic and Financial Committee, the economic policy conditions attached to this assistance. These conditions shall be consistent with the agreements referred to in Article 1(4).

2. The Commission shall verify at regular intervals, in collaboration with the Economic and Financial Committee and in coordination with the IMF, that the economic policy in the former Yugoslav Republic of Macedonia is in accordance with the objectives of this assistance and that its conditions are being fulfilled.

Article 3

1. The loan and grant components of this assistance shall be made available to the former Yugoslav Republic of Macedonia in at least two instalments. Subject to the provisions of Article 2, the first instalment is to be released on the basis of an agreement between the former Yugoslav Republic of Macedonia and the IMF on a macroeconomic programme that is supported by an upper credit tranche arrangement.

2. Subject to the provisions of Article 2, the second and any further instalments shall be released on the basis of a satisfactory track record in the former Yugoslav Republic of Macedonia's adjustment and reform programme and not before three months after the release of the first instalment.

3. The funds shall be paid to the National Bank of the former Yugoslav Republic of Macedonia.

Article 4

1. The borrowing and lending operations referred to in Article 1 shall be carried out using the same value date and must not involve the Community in the transformation of

maturities, in any exchange or interest rate risk, or in any other commercial risk.

2. The Commission shall take the necessary steps, if the former Yugoslav Republic of Macedonia so requests, to ensure that an early repayment clause is included in the loan terms and conditions and that it may be exercised.

3. At the request of the former Yugoslav Republic of Macedonia, and where circumstances permit an improvement in the interest rate of the loan, the Commission may refinance all or part of its initial borrowings or restructure the corresponding financial conditions. Refinancing or restructuring operations shall be carried out in accordance with the conditions set out in paragraph 1 and shall not have the effect of extending the average maturity of the borrowing concerned or increasing the amount, expressed at the current exchange rate, of capital outstanding at the date of the refinancing or restructuring.

4. All related costs incurred by the Community in concluding and carrying out the operation under this Decision shall be borne by the former Yugoslav Republic of Macedonia.

5. The Economic and Financial Committee shall be kept informed of developments in the operations referred to in paragraphs 2 and 3 at least once a year.

Article 5

At least once a year, as a rule by 15 September, the Commission shall address to the European Parliament and to the Council a report, which will include an evaluation of the implementation of this Decision.

Done at Brussels, 8 November 1999.

For the Council

The President

S. NIINISTÖ
