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Contents

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

2001/682/CFSP:

- ★ **Council Decision of 30 August 2001 concerning the conclusion of the Agreement between the European Union and the Former Yugoslav Republic of Macedonia (FYROM) on the activities of the European Union Monitoring Mission (EUMM) in FYROM** 1
- Agreement between the European Union and the Former Yugoslav Republic of Macedonia on the activities of the European Union Monitoring Mission (EUMM) in the Former Yugoslav Republic of Macedonia** 2

I Acts whose publication is obligatory

- Commission Regulation (EC) No 1782/2001 of 10 September 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables 5
- ★ **Commission Regulation (EC) No 1783/2001 of 10 August 2001 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff** 7
- Commission Regulation (EC) No 1784/2001 of 10 September 2001 determining the world market price for unginned cotton 9

II Acts whose publication is not obligatory

Commission

2001/683/ECSC:

- ★ **Commission Decision of 8 May 2001 authorising the United Kingdom to grant aid to the coal industry for 2001** ⁽¹⁾ (notified under document number C(2001) 1404) 10

1

⁽¹⁾ Text with EEA relevance

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

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

COUNCIL DECISION
of 30 August 2001
concerning the conclusion of the Agreement between the European Union and the Former
Yugoslav Republic of Macedonia (FYROM) on the activities of the European Union Monitoring
Mission (EUMM) in FYROM

(2001/682/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and in particular Article 24 thereof,

Having regard to the recommendation from the Presidency,

Whereas:

- (1) On 22 December 2000, the Council adopted Joint Action 2000/811/CFSP on the European Union Monitoring Mission ⁽¹⁾.
- (2) Article 6 of that Joint Action provides that the detailed rules governing the EUMM operations in the areas of its responsibilities are to be laid down in arrangements to be concluded in accordance with the procedure laid down in Article 24 of the Treaty.
- (3) Following the Council Decision of 28 June 2001 authorising the Presidency to open negotiations, the Presidency negotiated an Agreement with FYROM on the activities of the EUMM.
- (4) That Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Union and the Former Yugoslav Republic of Macedonia on the activities of the European Union Monitoring Mission (EUMM) in the Former Yugo-

slav Republic of Macedonia is hereby approved on behalf of the European Union.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person empowered to sign the Agreement in order to bind the European Union.

Article 3

This Decision shall take effect on the day of its adoption.

Article 4

This Decision shall be published in the Official Journal.

Done at Brussels, 30 August 2001.

For the Council

The President

L. MICHEL

⁽¹⁾ OJ L 328, 31.12.2000, p. 53.

AGREEMENT

between the European Union and the Former Yugoslav Republic of Macedonia on the activities of the European Union Monitoring Mission (EUMM) in the Former Yugoslav Republic of Macedonia

THE EUROPEAN UNION,

on the one hand,

and

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA,

hereinafter called the

'Host Party', on the other hand,

Together hereinafter called the 'Participating Parties',

Taking into account

- the offer of the European Community and its Member States to organise a European Community Monitor Mission (ECMM) in the Former Yugoslav Republic of Macedonia and the acceptance on a provisional basis of the Host Party of that offer on 24 March 1998,
- the presence of European Community/European Union monitors in the Former Yugoslav Republic of Macedonia since 1998,
- the adoption by the Council of the European Union on 22 December 2000 of Joint Action 2000/811/CFSP on the European Union Monitoring Mission, transforming ECMM into EUMM, as an instrument of the European Union's Common Foreign and Security Policy (CFSP), building on previous initiatives, to contribute to the effective formulation of European Union policy towards the Western Balkans,
- the conclusion on 9 April 2001 in Luxembourg of a Stabilisation and Association Agreement between the Former Yugoslav Republic of Macedonia and the European Communities and their Member States,
- the recognition of the independence, sovereignty and territorial integrity of the Former Yugoslav Republic of Macedonia and of the strong wish of the European Union to contribute to the further strengthening of peace and stability in the region,

HAVE REACHED THE FOLLOWING UNDERSTANDINGS:

Article I

Mandate

1. The European Union Monitoring Mission, hereinafter referred to as 'EUMM', formerly established in the region as the European Community Monitor Mission (ECMM), with its Headquarters at present in Sarajevo, shall establish a Mission Office in Skopje and elsewhere as may be decided by the Head of Mission, in consultation and agreement with the Host Party, in order to contribute to the effective formulation of the European Union's policy towards the Western Balkans.

- (c) provide analytical reports on the basis of tasking received;
- (d) contribute to the early warning of the Council and to confidence building, in the context of the policy of stabilisation conducted by the European Union in the region;
- (e) regularly inform the Host Party on the activities of EUMM including, if its tasking so foresees, on humanitarian issues.

2. The Host Party shall provide the EUMM with all information and shall extend full cooperation as necessary for the accomplishment of the EUMM's objectives. The Host Party may appoint a liaison officer from the relevant ministries to the EUMM.

The EUMM shall in particular:

Article II

Status

- (a) monitor political and security developments in the area of responsibility;
- (b) give particular attention to border monitoring, inter-ethnic issues and refugee return;

1. The Host Party shall take all necessary measures for the protection, safety and security of the EUMM and its members. Any specific provisions, proposed by the Host Party, shall be agreed with the Head of Mission before implementation.

2. For the purpose of conducting its activities, the EUMM and its personnel shall enjoy, together with its means of transport and equipment, freedom of movement, necessary for carrying out the mandate of the Mission.

3. When conducting its activities, the personnel of the EUMM may be accompanied by an interpreter and, at the request of the EUMM, by an escort officer appointed by the Host Party.

4. The EUMM may display the flag of the European Union on its Mission Office in Skopje, and otherwise as decided by the Head of Mission.

5. Vehicles, and other means of transport of the EUMM shall carry a distinctive Mission identification, which shall be notified to the relevant authorities.

Article III

Composition

1. The Head of Mission of the EUMM has been appointed by the Council of the European Union. Any future Head of Mission shall also be so appointed.

2. Other EUMM personnel shall be seconded by the Member States of the European Union. They shall be assigned to specific appointments by the Head of Mission under the authority of the Secretary General/High Representative. Norway and Slovakia, which participate in EUMM at the time of this Agreement, may also appoint personnel to the EUMM, and thereby be, together with the European Union and its Member States, Sending Parties.

3. Foreign personnel of the EUMM shall be called Monitors.

4. The Governments of the Sending Parties shall appoint Monitors to the EUMM.

5. The Head of Mission shall determine the number of Monitors under this Agreement, in consultation and agreement with the Host Party.

6. Monitors shall not undertake any action or activity incompatible with the impartial nature of their duties and shall respect the laws of the Host Party, without prejudice to the provisions referred to in Article VIII.

7. The EUMM may avail itself of the assistance of administrative and technical staff from the Sending Parties. The members of the EUMM's administrative and technical staff shall enjoy a status equivalent to that enjoyed, in accordance with the Vienna Convention on Diplomatic Relations, by adminis-

trative and technical staff from Sending Parties employed in embassies.

8. The EUMM may recruit locally such auxiliary personnel, as it requires. Upon request of the Head of Mission, the Host Party shall facilitate the recruitment of qualified local staff by the EUMM. The EUMM's auxiliary personnel shall enjoy a status equivalent to that enjoyed, in accordance with the Vienna Convention on Diplomatic Relations, by locally employed staff in embassies.

Article IV

Arms and dress

1. Monitors may not carry arms.

2. Monitors shall wear white civilian dress, with distinctive EUMM identification.

Article V

Chain of responsibilities

1. The EUMM in the Former Yugoslav Republic of Macedonia shall operate under the responsibility of the Head of Mission.

2. The Head of Mission shall report regularly through the Secretary General/High Representative to the Council of the European Union on the activities and findings of the EUMM.

3. In the framework of the mandate as referred to in Article I(1), the tasks of the EUMM shall be defined by the Secretary General/High Representative in close cooperation with the Presidency, in accordance with the policy adopted by the Council regarding the Western Balkans.

4. The Head of Mission shall inform the Host Party regularly on the activities of the EUMM.

Article VI

Travel and transport

1. Vehicles and other means of transport of the EUMM shall not be subject to compulsory registration or licensing, and all vehicles shall carry third party insurance.

2. The EUMM may use roads, airfields and other facilities without the payment of dues, tolls or other charges.

3. The Host Party shall facilitate the EUMM in operating its own vehicles and other means of transport.

*Article VII***Communications**

1. The personnel of the EUMM shall have access, at normal prevailing rates, to appropriate telecommunications equipment of the Host Party for the purpose of its activities, including for communicating with diplomatic and consular representatives of the Sending Parties.
2. The EUMM shall enjoy the right to unrestricted communication by its own radios (including satellite, mobile and hand-held radios), telephones, telegraphs, facsimiles or any other means. The Host Party shall provide, after signature of this Agreement, the frequencies on which radios can operate.

*Article VIII***Privileges and immunities**

1. The EUMM shall be granted the status of a diplomatic mission.
2. Monitors shall be granted, during their mission, the privileges and immunities of Diplomatic Agents, in accordance with the Vienna Convention on Diplomatic Relations.
3. The Mission Office in Skopje, other Offices, and all means of transport of the EUMM shall be inviolable.
4. The privileges and immunities provided for in this Article shall be granted to Monitors during their mission, and thereafter, with respect to acts previously performed during their mission.
5. The Host Party shall facilitate all movements of the Head of Mission and personnel of the EUMM. The EUMM shall provide the Host Party with a list of members of the EUMM and inform the Host Party in advance of the arrival and departure of personnel belonging to the EUMM. Personnel belonging

to the EUMM shall carry their national passport, as well as an EUMM identity card.

6. The Host Party recognises the right of the Sending Parties and of the EUMM to import, free of duty or other restrictions, equipment, provisions, supplies and other goods required for the exclusive and official use of the EUMM. The Host Party also recognises their right to purchase such items on the territory of the Host Party as well as to export or otherwise dispose of such equipment, provisions, supplies and other goods so purchased or imported. The Host Party also recognises the right of the Monitors to purchase and/or import free of duty or other restrictions items required for their own personal use, and to export such items.

*Article IX***Accommodation and practical arrangements**

The Government of the Former Yugoslav Republic of Macedonia agrees, if requested, to assist the EUMM in finding suitable offices and accommodation. The Participating Parties will decide on other provisions concerning privileges and immunities as well as on practical arrangements, including urgent medical assistance and emergency evacuation, as well as travel documentation requirements.

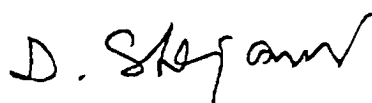
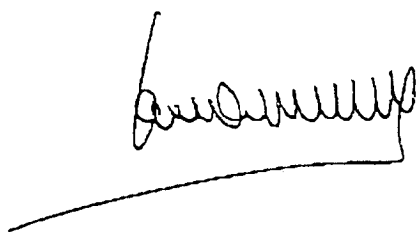
*Article X***Entry into force**

This Agreement shall enter into force upon signature. Its provisions shall be applied by the Host Party to the EUMM provisionally from the date of its initialling until it enters into force upon signature. It shall remain in force until such time as one of the Participating Parties notifies the other, two months in advance, that it intends to request an end to the activities mentioned herein.

Done at Skopje, on 31 August 2001, in the English language in four copies.

For the European Union

For the Former Yugoslav Republic of Macedonia



I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1782/2001
of 10 September 2001
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 11 September 2001.

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

Done at Brussels, 10 September 2001.

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 10 September 2001 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	73,7
	999	73,7
0709 90 70	052	78,4
	999	78,4
0805 30 10	388	68,1
	524	72,9
	528	68,7
	999	69,9
0806 10 10	052	64,5
	999	64,5
0808 10 20, 0808 10 50, 0808 10 90	388	80,0
	400	89,0
	512	69,6
	528	63,2
	804	105,2
	999	81,4
	052	102,1
0808 20 50	999	102,1
	052	112,1
0809 30 10, 0809 30 90	999	112,1
	052	64,8
0809 40 05	060	55,9
	064	56,7
	066	64,8
	068	52,9
	094	49,0
	999	57,4

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1783/2001

of 10 August 2001

amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, as last amended by Commission Regulation (EC) No 1230/2001 ⁽²⁾, and in particular Article 9 thereof,

Whereas:

- (1) In order to ensure the uniform application of the Combined Nomenclature, heading No 6111, subheadings 6116 10 20 and 6116 10 80 and heading Nos 6209 and 6216 of the Combined Nomenclature must be annotated with regard to gloves, mittens and mitts, impregnated, coated or covered with (cellular) plastics or (cellular) rubber.
- (2) An Additional Note 3 should therefore be added to Chapter 61 and an Additional Note 2 to Chapter 62 of the Combined Nomenclature.
- (3) Annex I to Regulation (EEC) No 2658/87 should be amended accordingly.
- (4) The provisions of this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The following Additional Note is inserted in Chapter 61 of Annex I to Regulation (EEC) No 2658/87:

'3. Heading No 6111 and subheadings 6116 10 20 and 6116 10 80 cover gloves, mittens and mitts, impregnated, coated or covered with plastics or rubber, even if they are:

- made up from knitted or crocheted textile fabrics impregnated, coated or covered with plastics or rubber of heading Nos 5903 or 5906,

- or made up from unimpregnated, uncoated or uncovered knitted or crocheted textile fabrics and subsequently impregnated, coated or covered with plastics or rubber.

Where knitted or crocheted textile fabrics serve only as reinforcement, gloves, mittens or mitts impregnated, coated or covered with cellular plastics or cellular rubber belong in Chapters 39 or 40, even if they are made up from unimpregnated, uncoated or uncovered knitted or crocheted textile fabrics and subsequently impregnated, coated or covered with cellular plastics or cellular rubber (Note 2(a)(5) and Note 4, last paragraph, to Chapter 59).'

Article 2

The following Additional Note is inserted in Chapter 62 of Annex I to Regulation (EEC) No 2658/87:

'2. Heading Nos 6209 and 6216 cover gloves, mittens and mitts, impregnated, coated or covered with plastics or rubber, even if they are:

- made up from textile fabrics (other than knitted or crocheted) impregnated, coated or covered with plastics or rubber of heading Nos 5903 or 5906,
- or made up from unimpregnated, uncoated or uncovered textile fabrics (other than knitted or crocheted) and subsequently impregnated, coated or covered with plastics or rubber.

Where textile fabrics (other than knitted or crocheted) serve only as reinforcement, gloves, mittens or mitts impregnated, coated or covered with cellular plastics or cellular rubber belong in Chapters 39 or 40, even if they are made up from unimpregnated, uncoated or uncovered textile fabrics (other than knitted or crocheted) and subsequently impregnated, coated or covered with cellular plastics or cellular rubber (Note 2(a)(5) and Note 4, last paragraph, to Chapter 59).'

Article 3

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 168, 23.6.2001, p. 6.

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

Done at Brussels, 10 August 2001.

For the Commission
Philippe BUSQUIN
Member of the Commission

**COMMISSION REGULATION (EC) No 1784/2001
of 10 September 2001
determining the world market price for ungin­
ned cotton**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Protocol 4 on cotton, annexed to the Act of Accession of Greece, as last amended by Council Regulation (EC) No 1050/2001 ⁽¹⁾,

Having regard to Council Regulation (EC) No 1051/2001 of 22 May 2001 on production aid for cotton ⁽²⁾, and in particular Article 4 thereof,

Whereas:

- (1) In accordance with Article 4 of Regulation (EC) No 1051/2001, a world market price for ungin­
ned cotton is to be determined periodically from the price for ginned
cotton recorded on the world market and by reference
to the historical relationship between the price recorded
for ginned cotton and that calculated for ungin­
ned cotton. That historical relationship has been established
in Article 2(2) of Commission Regulation (EC) No 1591/
2001 of 2 August 2001 ⁽³⁾. Where the world market
price cannot be determined in this way, it is to be based
on the most recent price determined.
- (2) In accordance with Article 5 of Regulation (EC) No
1051/2001, the world market price for ungin­
ned cotton is to be determined in respect of a product of specific
characteristics and by reference to the most favourable
offers and quotations on the world market among those

considered representative of the real market trend. To
that end, an average is to be calculated of offers and
quotations recorded on one or more European
exchanges for a product delivered cif to a port in the
Community and coming from the various supplier coun­
tries considered the most representative in terms of
international trade. However, there is provision for
adjusting the criteria for determining the world market
price for ginned cotton to reflect differences justified by
the quality of the product delivered and the offers and
quotations concerned. Those adjustments are specified in
Article 3(2) of Regulation (EC) No 1591/2001.

- (3) The application of the above criteria gives the world
market price for ungin­
ned cotton determined herein­
after,

HAS ADOPTED THIS REGULATION:

Article 1

The world price for ungin­
ned cotton as referred to in Article 4
of Regulation (EC) No 1051/2001 is hereby determined as
equalling EUR 21,130/100 kg.

Article 2

This Regulation shall enter into force on 11 September 2001.

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

Done at Brussels, 10 September 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 8 May 2001

authorising the United Kingdom to grant aid to the coal industry for 2001

(notified under document number C(2001) 1404)

(Only the English text is authentic)

(Text with EEA relevance)

(2001/683/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 3632/93/ECSC of 28 December 1993 establishing Community rules for State aid to the coal industry ⁽¹⁾, and in particular Article 9(4) thereof,

Whereas:

I

- (1) By letter of 16 March 2001, the United Kingdom notified the Commission, in accordance with Article 9(1) of Decision No 3632/93/ECSC, of the financial aid which it proposed to grant to the coal industry for 2001.
- (2) In the light of the information submitted by the United Kingdom, the Commission is required to take a decision on operating aid amounting to GBP 25 259 000 to cover operating losses, for the period from 1 January 2001 to 31 December 2001, in four production units.
- (3) The financial measures are covered by Article 1 of Decision No 3632/93/ECSC. The Commission must therefore take a decision on these measures pursuant to Article 9(4) of that Decision. Accordingly, the Commission's approval is subject to the general objectives and criteria laid down in Article 2 and the specific criteria set out in Article 3 of Decision No 3632/93/ECSC and must, more generally, be compatible with the proper functioning of the common market. In addition, in its

assessment the Commission is required to check, in accordance with Article 9(6) of that Decision, whether the measures notified are in conformity with the plan for the modernisation, rationalisation and restructuring of the United Kingdom coal industry approved by the Commission by Decision 2001/114/ECSC ⁽²⁾ and by Decision 2001/597/ECSC ⁽³⁾ ('the restructuring plan').

II

- (4) The sum of GBP 25 259 000 which the United Kingdom is proposing to grant to the coal industry under Article 3 of Decision No 3632/93/ECSC is intended to cover the difference between the production cost and the selling price of coal freely agreed between the contracting parties in the light of the prevailing conditions on the world market for coal of similar quality from third countries.
- (5) The aid is intended for the following units:
- (a) GBP 18 318 000 for the Longannet Mine production unit of Mining (Scotland) Ltd;
- (b) GBP 3 807 000 for the Hatfield Colliery production unit of Hatfield Coal Company Ltd;
- (c) GBP 1 168 000 for the Blenkinsopp Colliery production unit of Blenkinsopp Collieries Ltd;
- (d) GBP 1 966 000 for the Betws Colliery production unit of Betws Anthracite Ltd.

⁽¹⁾ OJ L 329, 30.12.1993, p. 12.

⁽²⁾ OJ L 43, 14.2.2001, p. 27.

⁽³⁾ OJ L 210, 3.8.2001, p. 32.

- (6) The Commission has already authorised the United Kingdom to grant operating aid pursuant to Article 3 of Decision No 3632/93/ECSC to the production units for the period from 17 April 2000 to 31 December 2000 amounting to GBP 17 462 000 for Longannet Mine ⁽¹⁾, GBP 3 932 000 and GBP 470 000 respectively for Hatfield Colliery and Blenkinsopp Colliery ⁽²⁾, and GBP 870 000 for Betws Colliery ⁽³⁾. In accordance with Article 3(2) of Decision No 3632/93/ECSC, the Commission considered that the aid which the United Kingdom proposed to grant for 2000 was intended to improve the economic viability of the production units concerned by reducing their production costs. The aid should, in accordance with the restructuring plan, help to make the production units viable, enabling them to continue their activities beyond 2002 without public subsidy.
- (7) The information transmitted by the United Kingdom in its letter of 16 March 2001 notifying the aid for 2001 confirms the conclusions reached by the Commission in the context of Decision No 3632/93/ECSC, with regard to aid for 2000. Production costs at the Hatfield Colliery, Blenkinsopp Colliery and Betws Colliery units must be reduced significantly and, in 2002, should not exceed the economic viability threshold of GBP 1,15/GJ set in the restructuring plan ⁽⁴⁾ at 1999 prices. In the case of Longannet Mine, the estimated production costs for 2002 are expected to be GBP [...] (*)/GJ. The higher quality of the coal produced by Longannet Mine, which in particular has a very low sulphur content, nevertheless enables this production unit to obtain a higher price for it than that generally charged by other United Kingdom producers. The prospects for reducing production costs and the level of debt should therefore enable Longannet Mine to continue its activities beyond 2002 without public subsidy. In addition, according to estimates made up to 2004, the above production units should continue to improve their economic viability by further reducing production costs.
- (8) In accordance with Article 3(2) of Decision No 3632/93/ECSC, the aid which the United Kingdom proposes to grant for 2001 is therefore intended to improve the economic viability of the production units concerned by reducing their production costs.
- (9) The modernisation, rationalisation and restructuring measures implemented by each production unit, and in particular the temporary nature of the financial support necessary to achieve these measures, will allow the aid to be degressive, in accordance with the first indent of Article 2(1) of Decision No 3632/93/ECSC.
- (10) At the request of the United Kingdom authorities, a technical report was drawn up by an independent expert to assess whether the modernisation, rationalisation and restructuring measures envisaged for the various production units would enable them to improve their economic viability after the expiry of the ECSC Treaty on 23 July 2002. In drawing up the report, the expert took account of the geological and technical conditions in which the units operate and the quality of the coal produced. The report concluded that the various measures envisaged are consistent and realistic to achieve a situation of economic viability.
- (11) In accordance with the first indent of Article 3(1) of Decision No 3632/93/ECSC, the aid per tonne as notified does not exceed, for each production unit, the difference between production costs and foreseeable revenue for 2001.
- (12) The Commission notes that, for each production unit, an auditor has certified that the financial data notified by the United Kingdom are an accurate reflection of the company's accounts. The auditor also stated that the forecasts had been drawn up using the same accounting standards as were in use before the period covered by the restructuring plan.
- (13) In the light of the above and on the basis of the information provided by the United Kingdom, the aid proposed for 2001 for the production units listed in recital 5 is compatible with Decision No 3632/93/ECSC, and in particular with Articles 2 and 3 thereof.
- (14) The United Kingdom is required to ensure that the aid does not cause any distortion of competition and does not discriminate between coal producers, buyers or consumers in the Community.
- (15) In accordance with the third indent of Article 3(1) of Decision No 3632/93/ECSC and with the provisions of Decision 2001/114/ECSC relating thereto, the United Kingdom will take all necessary measures to ensure that the amount of the aid granted to each production unit does not cause delivered prices for Community coal to be lower than those for coal of a similar quality from third countries.
- (16) Moreover, in accordance with Article 2(2) of Decision No 3632/93/ECSC, the aid must be entered in the United Kingdom's national, regional or local public budgets and must comply with strictly equivalent mechanisms.

III

⁽¹⁾ Commission Decision 2001/217/ECSC of 13 December 2000 (OJ L 81, 21.3.2001, p. 31).

⁽²⁾ Commission Decision 2001/340/ECSC of 13 February 2001 (OJ L 122, 3.5.2001, p. 23).

⁽³⁾ Commission Decision 2001/597/ECSC of 11 April 2001 (OJ L 210, 3.8.2001, p. 32).

⁽⁴⁾ 1 tonne coal equivalent (tec) = 29,302 Gigajoules (GJ).

(*) Confidential information.

- (17) In accordance with the second indent of Article 3(1) and with Article 9(2) and (3) of Decision No 3632/93/ECSC, the Commission has to check that the aid authorised is used only for the purposes stipulated in Article 3 of that Decision. At the latest by 30 September 2002, the United Kingdom shall send notification of the amount of aid actually paid during the course of 2001 and shall declare any changes made to the amounts originally notified. Any information required to ascertain that the criteria laid down in Article 3 of the Decision have been complied with shall be provided together with this annual breakdown.
- (18) The United Kingdom is required to justify any departures from the restructuring plan and from the economic and financial forecasts notified to the Commission on 16 March 2001. In particular, should it turn out that the conditions laid down in Article 3(2) of Decision No 3632/93/ECSC cannot be met, the United Kingdom must itself propose to the Commission the corrective measures required,

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom is authorised, subject to the conditions set out in Article 3 of Decision No 3632/93/ECSC, to grant operating aid of GBP 25 259 000 to the Longannet Mine, Hatfield

Colliery, Blenkinsopp Colliery and Betws Colliery production units for 2001.

Article 2

The United Kingdom shall ensure that the authorised aid is used only for the purposes which it has declared in its notification of 16 March 2001, and that any expenditure on items covered by this Decision which is cancelled, overestimated or misused is reimbursed.

Article 3

Without prejudice to its obligations under Article 9(1), (2) and (3) of Decision 3632/93/ECSC, the United Kingdom shall, at the latest by 30 September 2002, communicate the amounts of aid actually paid during the financial year 2001.

Article 4

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 8 May 2001.

For the Commission

Loyola DE PALACIO

Vice-President
