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

COUNCIL COMMON POSITION
of 21 October 2002
on the supply of certain equipment into the Democratic Republic of Congo
(2002/829/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) The Member States agreed on 7 April 1993 to impose an arms embargo on Zaire (now the Democratic Republic of Congo).
- (2) On 11 March 2002, the Council adopted Common Position 2002/203/CFSP concerning European Union support for the implementation of the Lusaka Ceasefire Agreement and the peace process in the Democratic Republic of Congo ⁽¹⁾. This Common Position provides, *inter alia*, for the European Union to strive for the rapid implementation of the process of disarmament pursuant to the Lusaka Agreement, as well as to lend its support to the reconstruction and development of the country.
- (3) Council Common Position 2001/374/CFSP of 14 May 2001 concerning conflict prevention, management and resolution in Africa ⁽²⁾, stipulates that the European Union enhances its support for disarmament in post-war situations there, with particular attention to the clearance of landmines.
- (4) The arms embargo should therefore be amended to allow for certain exemptions,

HAS ADOPTED THIS COMMON POSITION:

Article 1

1. The supply or sale of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned into the Democratic Republic of Congo by

⁽¹⁾ OJ L 68, 12.3.2002, p. 1.

⁽²⁾ OJ L 132, 15.5.2001, p. 3.

nationals of Member States or from the territories of Member States shall be prohibited whether originating or not in their territories.

2. Paragraph 1 shall not apply to:

- (a) supplies temporarily exported to the Democratic Republic of Congo for the personal use only of United Nations personnel;
- (b) supplies of non-lethal military equipment intended solely for humanitarian or protective use temporarily exported to the Democratic Republic of Congo for the personal use only of representatives of the media and humanitarian and development workers and associated personnel;
- (c) equipment to be used for the clearance and destruction of anti-personnel landmines.

3. Member States shall consider deliveries under paragraph 2 on a case-by-case basis, taking full account of the criteria set out in the European Union code of conduct on arms exports. Member States shall require adequate safeguards against misuse of authorisations granted under paragraph 2 and, where appropriate, make provisions for repatriation of the equipment.

Article 2

Member States shall immediately inform each other and the Commission of the measures taken under this Common Position and shall supply each other with any other relevant information at their disposal in connection with this Common Position.

Article 3

In order to maximise the impact of the above measures, the European Union shall deploy efforts to encourage other countries to adopt measures similar to those contained in this Common Position.

Article 4

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

It shall be kept under constant review.

Article 5

This Common Position shall be published in the Official Journal.

Done at Luxembourg, 21 October 2002.

For the Council

The President

P. S. MØLLER

COUNCIL COMMON POSITION
of 21 October 2002
on Rwanda and repealing Common Position 2001/799/CFSP
(2002/830/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) By Common Positions 2000/558/CFSP⁽¹⁾ and 2001/799/CFSP⁽²⁾, the Council defined the objectives and priorities of the European Union vis-à-vis Rwanda.
- (2) By Joint Action 96/250/CFSP⁽³⁾ the Council nominated a Special Envoy for the African Great Lakes Region.
- (3) Article 8 of the partnership agreement between the members of the African, Caribbean and Pacific group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000⁽⁴⁾, makes provision for the establishment of a political dialogue between the European Union and all States signatory to the Agreement with a view to achieving the goals of the Agreement, in particular with regard to peace, security and the promotion of a stable and democratic political environment.
- (4) In the light of developments in Rwanda since November 2001, a new Common Position on Rwanda should be adopted and Common Position 2001/799/CFSP should be repealed,

HAS ADOPTED THIS COMMON POSITION:

Article 1

The objectives and priorities of the European Union in its relations with Rwanda are to encourage, stimulate and support the process of:

- (a) recovery from genocide and the promotion of national reconciliation,
- (b) reconstruction, poverty reduction and development,
- (c) protection and promotion of human rights and fundamental freedoms,
- (d) transition to democracy.

Noting that regional instability may play a part in jeopardising the achievement of these goals, the European Union shall encourage the Government of Rwanda to work, in particular

through its foreign policy, towards the achievement of regional stability, as it does with all other parties to conflicts in the region.

Article 2

The European Union affirms that progress in the areas referred to in Article 1 is primarily the responsibility of the Government of Rwanda.

In order to support and encourage its efforts, the European Union shall pursue a constructive and critical political dialogue with the Government of Rwanda, including through the offices of its Special Envoy to the African Great Lakes Region, on the basis of the provisions in this Common Position.

Article 3

With regard to the Government of Rwanda's regional foreign and security policy, the European Union:

- (a) while welcoming the conclusion of the agreement between Rwanda and the Democratic Republic of the Congo (DRC) signed in Pretoria on 30 July 2002, shall encourage the Government of Rwanda to complete the withdrawal of Rwandan troops from the DRC and to continue to adhere to the Pretoria Agreement;
- (b) shall urge the Government of Rwanda to keep the commitments it made, *inter alia*, in Lusaka (July 1999), Kampala (April 2000) and Harare (December 2000) in favour of a negotiated, peaceful and rapid settlement of the crisis in the DRC, and to comply with the relevant UN Security Council resolutions, in particular Resolutions 1304 (2000), 1341 (2001), 1355 (2001), 1376 (2001), 1399 (2002) and 1417 (2002);
- (c) shall encourage the Government of Rwanda to use its influence to secure the respect of human rights and the security of civilians in the eastern part of the DRC;
- (d) shall invite the Government of Rwanda to promote dialogue and the systematic search for every peaceful solution with the competent authorities of the neighbouring states involved in the crises in the DRC and Burundi;
- (e) shall ask the Rwandan authorities, as it asks all parties to the conflict, to take due account of the recommendations and measures that the United Nations could adopt regarding the illegal exploitation of natural resources in the DRC.

⁽¹⁾ OJ L 236, 20.9.2000, p. 1.

⁽²⁾ OJ L 303, 20.11.2001, p. 1.

⁽³⁾ OJ L 87, 4.4.1996, p. 1; as amended by Joint Action 2000/347/CFSP (OJ L 122, 24.5.2000, p. 6).

⁽⁴⁾ OJ L 184, 13.7.2002, p. 24.

Article 4

With regard to the situation within Rwanda, the efforts of the European Union shall be based on the following principles:

- (a) concerning reconciliation and power-sharing, the European Union shall encourage and support reconciliation among all Rwandans within and outside Rwanda, through dialogue between all groups which reject violence and genocide. Such dialogue must be inclusive and seek improved power-sharing, the democratisation of the country, national reconstruction and the protection of minorities. While having regard to the Government's own responsibility in this matter, the European Union shall stress the importance it attaches to the independence and the representativeness of the National Unity and Reconciliation Commission, whose activities it supports;
- (b) concerning democratisation, the European Union:
 - (i) shall stress the importance of respecting the political balance laid down in Rwanda's basic law. It shall strongly encourage the Government of Rwanda and the Legal and Constitutional Commission to finalise, in close consultation with the population, the drafting of a new constitution, designed to create a new institutional framework for the country, to guarantee effective protection of the civil and political rights of Rwandans, including the free creation of political parties, preservation of social cohesion and the safeguarding of fundamental rights and freedoms;
 - (ii) shall stress the need for all inclusive participation in the elections and shall urge the Government of Rwanda to establish a voting mechanism that will ensure free and fair elections, guaranteeing rights for all Rwandans and for all sectors of society (including political parties) to express their views, freedom of expression, including safeguards for free media, and the participation of civil society in public debate and transparency with regard to the whole electoral process and electoral legislation;
 - (iii) shall welcome the announcement of the National Electoral Commission that parliamentary and presidential elections will take place in the second half of 2003 as well as the invitation issued to the international community to monitor the elections;
 - (iv) shall stress its attachment to the independence that that Commission should possess for the credibility of the electoral processes and asks the authorities to guarantee the real independence of the Electoral Commission;
 - (v) shall encourage the Government of Rwanda to continue to extend the responsibilities, powers and means of the elected local authorities so as to ensure the participation of the local population in the political and development process, and remains prepared to support this process by appropriate means as well as to continue to support the move towards decentralisation initiated by the Government in May 2000;
- (c) concerning the judicial system and the 'Gacaca' method of administering justice (participatory justice based on traditional courts), the European Union will express that it:
 - (i) welcomes the official launch of Gacaca tribunals and encourages the Government of Rwanda to monitor the forthcoming procedures in close cooperation with national and international non-governmental organisations;
 - (ii) acknowledges the constructive role that Gacaca may play in resolving the consequences of the 1994 genocide, in particular by speeding up the trial of persons still in prison on suspicion of having taken part in the genocide;
 - (iii) stresses the need to continue to implement the Gacaca system and to introduce community service, while taking into account the fundamental rights of all concerned;
 - (iv) in this respect encourages the Government of Rwanda and the Supreme Court to ensure that Gacaca justice is administered in line with international human rights standards;
 - (v) also encourages the Gacaca courts to establish clemency in general as a basic working principle and to safeguard rights guaranteed by law both to those accused, particularly as regards defence and appeals, and to civil parties;
 - (vi) further encourages the Government of Rwanda to make certain that all measures relating to the proper administration of Gacaca justice are implemented, in particular with regard to judicial procedure before such courts;
 - (vii) will continue, with other partners of the Government of Rwanda, to provide coordinated support to the Gacaca system as implemented in accordance with the aforementioned principles;
 - (viii) encourages the Rwandan authorities to continue raising awareness, among the population in general and genocide survivors in particular, of the need to accept these principles, in order to deal simultaneously with the problem of impunity and to reach a pragmatic solution to the alarming problem of a large prison population awaiting trial under precarious conditions of detention;
 - (ix) urges the Government of Rwanda to pursue its efforts to reduce the prison population (in particular vulnerable groups such as the elderly, the sick and infirm, those who are currently under age or who were so at the time of the act for which they have been arrested);
 - (x) in this connection, welcomes the fact that preliminary, examining Gacaca have taken place and led to the release of a number of prisoners against whom no case could be brought.

The European Union shall:

- (i) support the work of the International Criminal Tribunal for Rwanda (ICTR), located in Arusha, and in particular renew its efforts to ensure that all States surrender to the ICTR all those indicted by it for genocide and other serious violations of international humanitarian law. It shall seek continued improvement of the tribunal's administrative effectiveness;
- (ii) urge the Government of Rwanda to comply fully with its obligation to cooperate with the ICTR and to deliver all information asked by the ICTR regardless of the persons or institutions concerned. The European Union shall encourage the Government of Rwanda to comply with its obligations under the International Covenant on Civil and Political Rights and to observe other international safeguards concerning the death penalty and actively encourages it to envisage the abolition of the death penalty.

The European Union shall also encourage the Government of Rwanda to accede to the Statute of Rome of the International Criminal Court;

- (d) concerning villagisation policy, the European Union shall welcome the priority given to its poverty-reduction strategy by the Government of Rwanda and its consideration of voluntary villagisation in that framework;
- (e) concerning human rights, the European Union shall:
 - (i) encourage the Government of Rwanda to continue its cooperation with the office of the UN High Commissioner for Human Rights;
 - (ii) urge the Government of Rwanda to promote and take concrete steps to protect the human rights of all Rwandans, including through ensuring the independent and effective functioning of the National Human Rights Commission and by facilitating the activities of human rights organisations working in Rwanda;
 - (iii) encourage the National Human Rights Commission to continue working with the non-governmental organisations concerned, to step up its activities and to speed up the implementation of its programme of action, to which the Union is contributing;
- (f) concerning economic and social development and cooperation, the European Union shall stress the close links between proper implementation of the poverty-reduction strategy paper and continued efforts by the Government of Rwanda to contribute to the achievement of a return to peace and security in the region, especially in the DRC, and to consolidate the process of reconciliation and democratisation in Rwanda.

Welcoming the withdrawal of Rwandan troops from the DRC, the European Union shall reiterate that efforts with a view to a peaceful settlement of the conflict in the DRC

will, subject to detailed examination by the competent bodies, influence the cooperation links between the European Union and Rwanda;

- (g) concerning the reintegration into Rwandan society of genocide survivors, demobilised soldiers and all other displaced people, the European Union shall encourage and support efforts by the Government of Rwanda to facilitate this process, including through cooperation with relevant international organisations.

In particular, the European Union in cooperation with other international institutions like the World Bank shall continue to express its readiness to support the demobilisation of the Rwandan army and a disarmament, demobilisation, repatriation and reintegration plan for the negative forces (ex-FAR and Interahamwe).

The European Union is convinced that the question of disarming Rwandan armed groups in the DRC, like that of disarming other armed groups, cannot be settled by force but must be solved voluntarily and using incentives in within the framework of political undertakings by the countries concerned.

Accordingly it shall demand that all States in the region refrain from giving military support to these groups. It shall welcome the programmes devised by the Government of Rwanda for reintegrating returning refugees and shall urge the Government of Rwanda to continue to admit in complete security all ex-combatants and refugees who are not implicated in the genocide or in war crimes, in particular as part of the disarmament, demobilisation, repatriation and reintegration operations provided for in the Lusaka and Pretoria Agreements.

Article 5

The Council notes that the Commission intends to direct its action towards achieving the objectives and priorities of this Common Position, where appropriate by pertinent Community measures.

Article 6

In implementing this Common Position, the European Union shall cooperate closely with the United Nations, the African Union and other interested organisations.

Article 7

The implementation of this Common Position shall be monitored regularly. It shall be reviewed within 12 months.

Article 8

Common Position 2001/799/CFSP is hereby repealed.

Article 9

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

Article 10

This Common Position shall be published in the Official Journal.

Done at Luxembourg, 21 October 2002.

For the Council

The President

P. S. MØLLER

COUNCIL COMMON POSITION
of 21 October 2002
amending and extending Common Position 96/635/CFSP on Burma/Myanmar
(2002/831/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS COMMON POSITION:

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

Whereas:

- (1) Common Position 96/635/CFSP of 28 October 1996 on Burma/Myanmar ⁽¹⁾ expires on 29 October 2002.
- (2) There has been insufficient progress in the situation of human rights in Burma/Myanmar.
- (3) Common Position 96/635/CFSP should therefore be extended for a further six months.
- (4) Changes in the composition of the regime in Burma/Myanmar require an updating of the list of persons subject to restrictive measures contained in the Annex to Common Position 96/635/CFSP first introduced by Council Common Position 2000/346/CFSP of 26 April 2000 extending and amending Common Position 96/635/CFSP ⁽²⁾.
- (5) Action by the Community is needed in order to implement some of the measures cited below,

Article 1

The list of persons subject to a visa ban and a freezing of funds contained in the Annex to Common Position 96/635/CFSP is hereby replaced by the list in the Annex hereto.

Article 2

Common Position 96/635/CFSP is hereby extended until 29 April 2003.

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 Luxembourg, 21 October 2002.

For the Council

The President

P. S. MØLLER

⁽¹⁾ OJ L 287, 8.11.1996, p. 1. Common Position as last extended by Common Position 2002/310/CFSP (OJ L 107, 24.4.2002, p. 1).

⁽²⁾ OJ L 122, 24.5.2000, p. 1.

ANNEX

List of persons referred to in Article 11) *State Peace and Development Council (SPDC):*

Senior Gen Than Shwe	Chairman, also Prime Minister and Minister of Defence (2.2.1933, Kyaukse)
Vice Senior Gen Maung Aye	Vice-Chairman (25.12.1937, Kon Balu)
Gen Khin Nyunt	Secretary One and Political Advisor (11.10.1939, Kyauktan)
Lt-Gen Thura Shwe Mann	Chief of Staff and Coordinator of Special Operations
Lt-Gen Ye Myint	Special Operations 1
Lt-Gen Aung Htwe	Special Operations 2
Lt-Gen Khin Maung Than	Special Operations 3
Lt-Gen Maung Bo	Special Operations 4
Lt-Gen Soe Win	Chief of Air Defence
Lt-Gen Kyaw Win	Chief of Armed Forces Training
Lt-Gen Thein Sein	Adjutant General
Lt-Gen (Thiha Thura) Tin Aung Myint Oo	Quartermaster General
Lt-Gen Tin Aye	Chief of Military Procurement and Head of UMEH

2) *Former members of SLORC:*

Lt-Gen Phone Myint (5.1.1931)
 Lt-Gen Aung Ye Kyaw (12.12.1930)
 Lt-Gen Sein Aung (11.11.1931)
 Lt-Gen Chit Swe (18.1.1932)
 Lt-Gen Mya Thin (31.12.1931)
 Lt-Gen Kyaw Ba (7.6.1932)
 Lt-Gen Tun Kyi (1.5.1938)
 Lt-Gen Myo Nyunt (30.9.1930)
 Lt-Gen Maung Thint (25.8.1932)
 Lt-Gen Aye Thoung (13.3.1930)
 Lt-Gen Kyaw Min (22.6.1932, Hanzada)
 Lt-Gen Maung Hla
 Maj-Gen Soe Myint
 Lt-Gen Myint Aung

3) *Former Members of SPDC:*

Commodore Nyunt Thein	Former C-in-C Navy
Maj-Gen Kyaw Than	Former C-in-C Air Force (14.6.1941, Bago)

4) *Regional Commanders:*

Maj-Gen Myint Swe	Yangon Command
Brig-Gen Ye Myint	Central Command
Brig-Gen Maung Oo	Western Command
Brig-Gen Maung Maung Swe	Northern Command
Brig-Gen Khin Maung Myint	Eastern Command
Brig-Gen Khin Zaw	Triangle Command
Brig-Gen Thar Aye	Coastal Command
Brig-Gen Htay Oo	South Western Command
Brig-Gen Thura Myint Aung	South Eastern Command

Brig-Gen Myint Hlaing
Brig-Gen Soe Naing
Brig-Gen Aung Min

North Eastern Command
North Western Command
Southern Command

5) *Deputy regional commanders:*

Brig-Gen Nay Win
Brig-Gen Tin Latt
Col Myint Aung
Brig-Gen San Thein
Brig-Gen San Tun
Brig-Gen Soe Myint

Central Command
Coastal Command
Eastern Command
North Eastern Command
Northern Command
North Western Command, formerly Deputy Regional Commander of Northern Command
South Eastern Command
South Western Command
Western Command
Southern Command
Rangoon Command
Triangle Command

Brig-Gen Myo Hla
Brig-Gen Tint Swe
Brig-Gen Aung Thein
Brig-Gen Thura Maung Ni
Brig-Gen Hsan Hsint
Col Myint Aung

6) *Other state/divisional commanders:*

Col Thein Kyaing
Col Aung Thwin
Col Saw Khin Soe
Col Kyaw Win

Magwe Division
Chin State
Karen State
Kayah State

7) *Ministers:*

Maj-Gen Nyunt Tin
U Aung Thaung
Maj-Gen Saw Lwin
Maj-Gen Hla Myint Swe
U Win Aung
U Soe Tha

Minister for Agriculture and Irrigation
Minister for Industry I
Minister for Industry II (1939)
Minister for Transport
Minister for Foreign Affairs (28.2.1944, Dawei)
Minister of National Planning and Economic Development
Minister for Cooperatives
Minister in The Prime Minister's Office
Minister of Labour and former Ambassador to the United States of America
Minister of Rail Transportation
Minister of Energy
Minister for Education
Minister of Health
Minister of Commerce
Minister of Hotels and Tourism and also Minister of Telecommunications, Posts and Telegraphs
Minister of Finance and Revenue (11.11.1934, Mandalay)
Minister of Religious Affairs
Minister of Construction
Minister of Science and Technology
Minister of Culture
Minister of Immigration and Manpower also Minister of Social Welfare, Relief and Resettlement

Lt-Gen Tin Ngwe
U Than Shwe
U Tin Win

U Pan Aung
Brig-Gen Lun Thi
U Than Aung
Maj-Gen Ket Sein
Brig-Gen Pyi Sone
Maj-Gen Thein Zaw

U Khin Maung Thein
U Aung Khin
Maj-Gen Saw Tun
U Thaung
Maj-Gen Kyi Aung
Maj-Gen Sein Htwa

Brig-Gen Kyaw Hsan	Minister of Information, formerly Deputy Minister of Commerce
Col Thein Nyunt	Minister for Progress of Border Areas, National Races and Development Affairs
Maj-Gen Tin Htut	Minister of Electric Power
Brig-Gen Thura Aye Myint	Minister of Sports
U Aung Phone	Minister of Forestry
Col Tin Hlaing	Minister of Home Affairs
Brig-Gen Ohn Myint	Minister of Mines
Brig-Gen Maung Maung Thein	Ministry of Livestock and Fisheries
Lt-Gen Min Thein	Minister at the Office of the Chairman of the SPDC
Brig-Gen David Abel	Minister at the Office of Chairman of SPDC, 28.2.1935, Maymyo

8) *Other tourism-related appointments:*

Brig-Gen Aye Myint Kyu	Deputy Minister of Hotels and Tourism
U Aung Myint	Head of Office of Minister of Hotels and Tourism
Lt-Col Khin Maung Latt	Director-General, Ministry of Hotels and Tourism
U Myo Lwin	Deputy Director-General, Ministry of Hotels and Tourism

9) *Other senior Ministry of Defence officers:*

Vice Admiral Kyi Min	C-in-C Navy, wife Daw Aye Aye
Brig-Gen Myat Hein	C-in-C Air Force
Col Khin Aung Myint	Director of Public Relations and Psychological Warfare
Brig-Gen Win Hlaing	Managing Director, Directorate of Defence Procurement
Col Thein Tun	Director of Signals
Col Hla Tun	Director of Ordnance Services
Col Than Htay	Director of Supply and Transport
Brig-Gen Maung Nyo	Vice Adjutant General
Brig-Gen Kyaw Win	Vice Quartermaster General
Maj-Gen Tin Ngwe	Military Appointment General
Col Khin Maung Sann	Military Appointment Colonel
Maj-Gen Thein Soe	Judge Advocate General
Brig-Gen Saw Hla	Provost Marshal
Rear Admiral Soe Thane	Chief of Staff (Navy)
Col Myint Swe	Chief of Staff (Air)
Lt-Col Zin Aye	Colonel, General Air Staff
Capt Kyaw Naing Myint	Directorate of Defence Procurement, Ministry of Defence
Brig-Gen Khi Yi	Director-General of Myanmar (Burma) Police force (formerly commander of MOMC 21 based at Mong Mit)

10) *Members of the office of the chief of military intelligence (OCMI):*

Maj-Gen Kyaw Win	
Brig-Gen Myint Zaw	Division Head
Brig-Gen Hla Aung	
Brig-Gen Kyaw Han	Division Head

Col San Pwint	
Major Shwe Moe	
Lt-Col Khin Maung Thein	11.11.1934, Mandalay
Brig-Gen Thein Swe	
Brig-Gen Kyaw Thein	Division Head
Brig-Gen Si Thu	
Lt-Col Than Aye	
Col Than Tun	Division Head
Lt-Col Maung Htay	
Lt-Col Hla Min	
Commander Ngwe Tun	Chief Foreign Liaison, OCMI
Maj Myo Khine	Deputy Chief Foreign Liaison, OCMI
Capt Ko Ko Oo	Foreign Liaison Officer, OCMI
Lieut Htin Aung Kyaw	Foreign Liaison Officer, OCMI
Capt Soe Than	Foreign Liaison Officer, OCMI

11) *Former members of government:*

Lt-Gen Thein Win	Former Minister of Transportation (1937)
Brig-Gen Myo Thant	Former Minister in the Prime Minister's Office
U Kyin Maung Yin	Former Minister in the Deputy Prime Minister's Office (9.4.1931)
U Ohn Gyaw	Former Minister for Foreign Affairs (3.3.1932)
Maj-Gen Kyaw Than	Former Minister of Commerce
Brig-Gen Sein Win	Former Minister of Sports
Col Thein Lwin	Former Area Regional Commander
Col Aye Myint Kyu	Former Deputy Regional Commander
Brig-Gen Pyay Sone	Former Regional Commander

12) *Former members of government added from 2000:*

Vice Admiral Maung Maung Khin	Deputy Prime Minister — 23.11.1929
Lt-Gen Tin Tun	Deputy Prime Minister — 28.3.1930
Lt-Gen Win Myint	Formerly Third Secretary of SPDC
Lt-Gen Tin Hla	Former Deputy Prime Minister and Minister for Military Affairs and Quartermaster General
U Aung San	Former Minister for Cooperatives
Vice Admiral Tin Aye	Former Minister of Labour
Maj-Gen Saw Lwin	Former Minister of Hotels and Tourism, 1939
Brig-Gen Win Tin	Former Minister of Telecommunications, Posts and Telegraphs
U Win Sein	Former Minister of Culture, 10.10.1940 Kyaukkyi
Maj-Gen Lun Maung	Former Minister in the Prime Minister's Office
Brig-Gen Kyaw Saw	Former Minister of Information
Brig-Gen Maung Maung	Former Deputy Regional Commander Southern Command, and former Minister at the Office of the Chairman of the SPDC
Then Saw	Minister of Hotels and Tourism, 1939
Brig Gen Chit Than	Former Regional Commander, Triangle Command
Brig Gen Aye Kyway	Former Regional Commander, Coastal Command

COUNCIL JOINT ACTION
of 21 October 2002
amending Joint Action 2001/760/CFSP concerning the appointment of the Special Representative
of the European Union in the Former Yugoslav Republic of Macedonia

(2002/832/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 14 and Article 18(5) thereof,

Whereas:

- (1) On 29 October 2001 the Council adopted Joint Action 2001/760/CFSP ⁽¹⁾ concerning the appointment of Mr Alain Le Roy as the Special Representative of the European Union in the Former Yugoslav Republic of Macedonia (FYROM) with a view, in particular, to establishing and maintaining close contact with the government of the FYROM and with the parties involved in the political process and to offer the European Union's advice and facilitation in the political process.
- (2) On 25 June 2002 the Council adopted Joint Action 2002/497/CFSP ⁽²⁾ extending the mandate of the Special Representative of the European Union in FYROM, which expires on 31 December 2002.
- (3) Following Alain Le Roy's request that his mission be terminated on 31 October 2002, the Council agreed on 30 September 2002 to appoint Alexis Brouhns as the new EU Special Representative resident in Skopje.
- (4) In accordance with the guidelines on appointing procedure and administrative arrangements of EU Special Representatives adopted by the Council on 30 March 2000, Member States' and the Commission's missions can provide, on request, from their own resources appropriate and reasonable support to the mission of the Special Representative,

HAS ADOPTED THIS JOINT ACTION:

Article 1

Joint Action 2001/760/CFSP is hereby amended as follows:

1. Article 1 shall be replaced by the following Article:

'Article 1

Mr. Alexis Brouhns is hereby appointed EU Special Representative in FYROM.';

2. the following sentence shall be added to the end of paragraph 2 of Article 3:

'From the moment that Mr Le Roy ceases his activities as EU Special Representative, France shall no longer take on any of the administrative expenditure linked to the functioning of the EU Special Representative.'

Article 2

This Joint Action shall enter into force on 1 November 2002.

Article 3

This Joint Action shall be published in the Official Journal.

Done at Luxembourg, 21 October 2002.

For the Council

The President

P. S. MØLLER

⁽¹⁾ OJ L 287, 31.10.2001, p. 1.

⁽²⁾ OJ L 167, 26.6.2002, p. 13.

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1881/2002**of 14 October 2002****rectifying Regulation (EC) No 2200/96 relative to the starting date of the transitional period for the recognition of producer organisations**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

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

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

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas:

(1) Pursuant to Article 13(1) of Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽⁴⁾, a transitional period of two years, starting from its date of entry into force, in which the provisions of Title IV of the aforementioned Regulation would apply, was granted to producer organisations recognised under Regulation (EEC) No 1035/72 ⁽⁵⁾, who did not meet the requirements for recognition of Regulation (EC) No 2200/96. This two-year transitional period could be extended to five years subject to acceptance by the relevant Member State of an action plan presented by the producer organisation in order to comply with all requirements provided for by Regulation (EC) No 2200/96 for being granted recognition by that Member State.

(2) Regulation (EC) No 2200/96 defines in Article 13(1) the starting date of the two- and five-year transitional periods as the date of entry into force of the Regulation, namely 21 November 1996. This date is the result of an error; as a matter of fact, eligibility for transitional measures as from the date of entry into force of Regulation (EC) No 2200/96 would have been meaningless since Regulation (EEC) No 1035/72 was still in force

until 31 December 1996. Instead, the starting date for the transitional periods should have been the date of application of Regulation (EC) No 2200/96.

(3) It is therefore appropriate to rectify the error in Article 13(1) of Regulation (EC) No 2200/96. Since the effects of that error could have negatively affected producer organisations having benefitted from the said transitional periods, it is appropriate to apply the corresponding provisions as from the date of application of Regulation (EC) No 2200/96,

HAS ADOPTED THIS REGULATION:

Article 1

Article 13(1) of Regulation (EC) No 2200/96 shall be replaced by:

'1. Producer organisations recognised under Regulation (EEC) No 1035/72 before the entry into force of this Regulation and which are unable to qualify for recognition under Article 11 of this Regulation without a transitional period may continue to operate under the provisions of Title IV for two years as from 1 January 1997, provided that they remain in compliance with the requirements of the said Articles of Regulation (EEC) No 1035/72.'

Article 2

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

It shall apply as from the date of entry into force of Regulation (EC) No 2200/96.

⁽¹⁾ Proposal forwarded to the Council on 29 May 2002.

⁽²⁾ Opinion delivered on 24 September 2002 (not yet published in the Official Journal).

⁽³⁾ Opinion delivered on 18 September 2002 (not yet published in the Official Journal).

⁽⁴⁾ OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Regulation (EC) No 545/2002 (OJ L 84, 28.3.2002, p. 1).

⁽⁵⁾ OJ L 118, 20.5.1972, p. 1. Regulation as last amended by Commission Regulation (EC) No 1363/95 (OJ L 132, 16.6.1995, p. 8).

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

Done at Luxembourg, 14 October 2002.

For the Council

The President

M. FISCHER BOEL

COMMISSION REGULATION (EC) No 1882/2002
of 22 October 2002
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 23 October 2002.

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

Done at Brussels, 22 October 2002.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 22 October 2002 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	75,7
	096	39,0
	204	71,1
	999	61,9
0707 00 05	052	103,8
	999	103,8
0709 90 70	052	88,3
	999	88,3
0805 50 10	052	49,4
	388	60,4
	524	50,5
	528	51,1
	600	71,4
	999	56,6
0806 10 10	052	109,9
	400	276,8
	508	194,0
	999	193,6
0808 10 20, 0808 10 50, 0808 10 90	388	137,7
	400	59,4
	404	92,8
	512	55,7
	800	231,4
	804	73,7
	999	108,5
0808 20 50	052	75,1
	999	75,1

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6). Code '999' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 1883/2002
of 22 October 2002**

amending Council Regulation (EC) No 1081/2000 prohibiting the sale, supply and export to Burma/Myanmar of equipment which might be used for internal repression or terrorism, and freezing the funds of certain persons related to important governmental functions in that country

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1081/2000 of 22 May 2000 prohibiting the sale, supply and export to Burma/Myanmar of equipment which might be used for internal repression or terrorism, and freezing the funds of certain persons related to important governmental functions in that country ⁽¹⁾, and in particular the first indent of Article 4 thereof,

Whereas:

- (1) Annex II to Regulation (EC) No 1081/2000 lists the persons covered by the freezing of funds under that Regulation.
- (2) In Common Position 2002/831/CFSP of 21 October 2002 ⁽²⁾ the Council decided to update the Annex to Common Position 2000/346/CFSP of 26 April 2000 extending and amending Common Position 96/635/CFSP on Burma/Myanmar ⁽³⁾. That Annex contains the

list of persons subject to the restrictive measures set out in point 5(b)(i) and (iii) of Common Position 96/635/CFSP. Annex II to Regulation (EC) No 1081/2000 should, therefore, be amended accordingly.

- (3) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 1081/2000 is replaced by the text in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 22 October 2002.

For the Commission
Christopher PATTEN
Member of the Commission

⁽¹⁾ OJ L 122, 24.5.2000, p. 29.

⁽²⁾ OJ L 285, 23.10.2002, p. 7.

⁽³⁾ OJ L 122, 24.5.2000, p. 1.

ANNEX

List of persons referred to in Article 11) *State Peace and Development Council (SPDC):*

Senior Gen Than Shwe	Chairman, also Prime Minister and Minister of Defence (2.2.1933, Kyaukse)
Vice Senior Gen Maung Aye	Vice-Chairman (25.12.1937, Kon Balu)
Gen Khin Nyunt	Secretary One and Political Advisor (11.10.1939, Kyauktan)
Lt-Gen Thura Shwe Mann	Chief of Staff and Coordinator of Special Operations
Lt-Gen Ye Myint	Special Operations 1
Lt-Gen Aung Htwe	Special Operations 2
Lt-Gen Khin Maung Than	Special Operations 3
Lt-Gen Maung Bo	Special Operations 4
Lt-Gen Soe Win	Chief of Air Defence
Lt-Gen Kyaw Win	Chief of Armed Forces Training
Lt-Gen Thein Sein	Adjutant General
Lt-Gen (Thiha Thura) Tin Aung Myint Oo	Quartermaster General
Lt-Gen Tin Aye	Chief of Military Procurement and Head of UMEH

2) *Former members of SLORC:*

Lt-Gen Phone Myint (5.1.1931)
 Lt-Gen Aung Ye Kyaw (12.12.1930)
 Lt-Gen Sein Aung (11.11.1931)
 Lt-Gen Chit Swe (18.1.1932)
 Lt-Gen Mya Thin (31.12.1931)
 Lt-Gen Kyaw Ba (7.6.1932)
 Lt-Gen Tun Kyi (1.5.1938)
 Lt-Gen Myo Nyunt (30.9.1930)
 Lt-Gen Maung Thint (25.8.1932)
 Lt-Gen Aye Thoung (13.3.1930)
 Lt-Gen Kyaw Min (22.6.1932, Hanzada)
 Lt-Gen Maung Hla
 Maj-Gen Soe Myint
 Lt-Gen Myint Aung

3) *Former Members of SPDC:*

Commodore Nyunt Thein	Former C-in-C Navy
Maj-Gen Kyaw Than	Former C-in-C Air Force (14.6.1941, Bago)

4) *Regional Commanders:*

Maj-Gen Myint Swe	Yangon Command
Brig-Gen Ye Myint	Central Command
Brig-Gen Maung Oo	Western Command
Brig-Gen Maung Maung Swe	Northern Command
Brig-Gen Khin Maung Myint	Eastern Command
Brig-Gen Khin Zaw	Triangle Command
Brig-Gen Thar Aye	Coastal Command
Brig-Gen Htay Oo	South Western Command
Brig-Gen Thura Myint Aung	South Eastern Command

Brig-Gen Myint Hlaing
 Brig-Gen Soe Naing
 Brig-Gen Aung Min

North Eastern Command
 North Western Command
 Southern Command

5) *Deputy regional commanders:*

Brig-Gen Nay Win
 Brig-Gen Tin Latt
 Col Myint Aung
 Brig-Gen San Thein
 Brig-Gen San Tun
 Brig-Gen Soe Myint

Central Command
 Coastal Command
 Eastern Command
 North Eastern Command
 Northern Command
 North Western Command, formerly Deputy Regional
 Commander of Northern Command
 South Eastern Command
 South Western Command
 Western Command
 Southern Command
 Rangoon Command
 Triangle Command

Brig-Gen Myo Hla
 Brig-Gen Tint Swe
 Brig-Gen Aung Thein
 Brig-Gen Thura Maung Ni
 Brig-Gen Hsan Hsint
 Col Myint Aung

6) *Other state/divisional commanders:*

Col Thein Kyaing
 Col Aung Thwin
 Col Saw Khin Soe
 Col Kyaw Win

Magwe Division
 Chin State
 Karen State
 Kayah State

7) *Ministers:*

Maj-Gen Nyunt Tin
 U Aung Thaung
 Maj-Gen Saw Lwin
 Maj-Gen Hla Myint Swe
 U Win Aung
 U Soe Tha

Minister for Agriculture and Irrigation
 Minister for Industry I
 Minister for Industry II (1939)
 Minister for Transport
 Minister for Foreign Affairs (28.2.1944, Dawei)
 Minister of National Planning and Economic Development
 Minister for Cooperatives
 Minister in The Prime Minister's Office
 Minister of Labour and former Ambassador to the
 United States of America
 Minister of Rail Transportation
 Minister of Energy
 Minister for Education
 Minister of Health
 Minister of Commerce
 Minister of Hotels and Tourism and also Minister of
 Telecommunications, Posts and Telegraphs
 Minister of Finance and Revenue (11.11.1934,
 Mandalay)
 Minister of Religious Affairs
 Minister of Construction
 Minister of Science and Technology
 Minister of Culture
 Minister of Immigration and Manpower also Minister
 of Social Welfare, Relief and Resettlement

Lt-Gen Tin Ngwe
 U Than Shwe
 U Tin Win

U Pan Aung
 Brig-Gen Lun Thi
 U Than Aung
 Maj-Gen Ket Sein
 Brig-Gen Pyi Sone
 Maj-Gen Thein Zaw

U Khin Maung Thein
 U Aung Khin
 Maj-Gen Saw Tun
 U Thaung
 Maj-Gen Kyi Aung
 Maj-Gen Sein Htwa

Brig-Gen Kyaw Hsan	Minister of Information, formerly Deputy Minister of Commerce
Col Thein Nyunt	Minister for Progress of Border Areas, National Races and Development Affairs
Maj-Gen Tin Htut	Minister of Electric Power
Brig-Gen Thura Aye Myint	Minister of Sports
U Aung Phone	Minister of Forestry
Col Tin Hlaing	Minister of Home Affairs
Brig-Gen Ohn Myint	Minister of Mines
Brig-Gen Maung Maung Thein	Ministry of Livestock and Fisheries
Lt-Gen Min Thein	Minister at the Office of the Chairman of the SPDC
Brig-Gen David Abel	Minister at the Office of Chairman of SPDC, 28.2.1935, Maymyo

8) *Other tourism-related appointments:*

Brig-Gen Aye Myint Kyu	Deputy Minister of Hotels and Tourism
U Aung Myint	Head of Office of Minister of Hotels and Tourism
Lt-Col Khin Maung Latt	Director-General, Ministry of Hotels and Tourism
U Myo Lwin	Deputy Director-General, Ministry of Hotels and Tourism

9) *Other senior Ministry of Defence officers:*

Vice Admiral Kyi Min	C-in-C Navy, wife Daw Aye Aye
Brig-Gen Myat Hein	C-in-C Air Force
Col Khin Aung Myint	Director of Public Relations and Psychological Warfare
Brig-Gen Win Hlaing	Managing Director, Directorate of Defence Procurement
Col Thein Tun	Director of Signals
Col Hla Tun	Director of Ordnance Services
Col Than Htay	Director of Supply and Transport
Brig-Gen Maung Nyo	Vice Adjutant General
Brig-Gen Kyaw Win	Vice Quartermaster General
Maj-Gen Tin Ngwe	Military Appointment General
Col Khin Maung Sann	Military Appointment Colonel
Maj-Gen Thein Soe	Judge Advocate General
Brig-Gen Saw Hla	Provost Marshal
Rear Admiral Soe Thane	Chief of Staff (Navy)
Col Myint Swe	Chief of Staff (Air)
Lt-Col Zin Aye	Colonel, General Air Staff
Capt Kyaw Naing Myint	Directorate of Defence Procurement, Ministry of Defence
Brig-Gen Khi Yi	Director-General of Myanmar (Burma) Police force (formerly commander of MOMC 21 based at Mong Mit)

10) *Members of the office of the chief of military intelligence (OCMI):*

Maj-Gen Kyaw Win	
Brig-Gen Myint Zaw	Division Head
Brig-Gen Hla Aung	
Brig-Gen Kyaw Han	Division Head

Col San Pwint	
Major Shwe Moe	
Lt-Col Khin Maung Thein	11.11.1934, Mandalay
Brig-Gen Thein Swe	
Brig-Gen Kyaw Thein	Division Head
Brig-Gen Si Thu	
Lt-Col Than Aye	
Col Than Tun	Division Head
Lt-Col Maung Htay	
Lt-Col Hla Min	
Commander Ngwe Tun	Chief Foreign Liaison, OCMI
Maj Myo Khine	Deputy Chief Foreign Liaison, OCMI
Capt Ko Ko Oo	Foreign Liaison Officer, OCMI
Lieut Htin Aung Kyaw	Foreign Liaison Officer, OCMI
Capt Soe Than	Foreign Liaison Officer, OCMI

11) *Former members of government:*

Lt-Gen Thein Win	Former Minister of Transportation (1937)
Brig-Gen Myo Thant	Former Minister in the Prime Minister's Office
U Kyin Maung Yin	Former Minister in the Deputy Prime Minister's Office (9.4.1931)
U Ohn Gyaw	Former Minister for Foreign Affairs (3.3.1932)
Maj-Gen Kyaw Than	Former Minister of Commerce
Brig-Gen Sein Win	Former Minister of Sports
Col Thein Lwin	Former Area Regional Commander
Col Aye Myint Kyu	Former Deputy Regional Commander
Brig-Gen Pyay Sone	Former Regional Commander

12) *Former members of government added from 2000:*

Vice Admiral Maung Maung Khin	Deputy Prime Minister — 23.11.1929
Lt-Gen Tin Tun	Deputy Prime Minister — 28.3.1930
Lt-Gen Win Myint	Formerly Third Secretary of SPDC
Lt-Gen Tin Hla	Former Deputy Prime Minister and Minister for Military Affairs and Quartermaster General
U Aung San	Former Minister for Cooperatives
Vice Admiral Tin Aye	Former Minister of Labour
Maj-Gen Saw Lwin	Former Minister of Hotels and Tourism, 1939
Brig-Gen Win Tin	Former Minister of Telecommunications, Posts and Telegraphs
U Win Sein	Former Minister of Culture, 10.10.1940 Kyaukkyi
Maj-Gen Lun Maung	Former Minister in the Prime Minister's Office
Brig-Gen Kyaw Saw	Former Minister of Information
Brig-Gen Maung Maung	Former Deputy Regional Commander Southern Command, and former Minister at the Office of the Chairman of the SPDC
Then Saw	Minister of Hotels and Tourism, 1939
Brig Gen Chit Than	Former Regional Commander, Triangle Command
Brig Gen Aye Kyaw	Former Regional Commander, Coastal Command

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 22 October 2002

amending Decision 2000/672/EC laying down special conditions governing imports of fishery products originating in Venezuela

(notified under document number C(2002) 3902)

(Text with EEA relevance)

(2002/833/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products ⁽¹⁾, as last amended by Directive 97/79/EC ⁽²⁾, and in particular Article 11(5) thereof,

Whereas:

- (1) Commission Decision 2000/672/EC of 20 October 2000 laying down special conditions governing imports of fishery products originating in Venezuela ⁽³⁾, states that the 'Servicio Autonomo de Recursos Pesqueros (SARPA) of the Ministerio de Agricultura y Cria' is to be the competent authority in Venezuela for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.
- (2) Following a restructuring of the Venezuelan administration, the competent authority for issuing health certificates for fishery products has changed to the 'Instituto Nacional de la Pesca y Acuicultura (INAPESCA)'. This new authority is capable of effectively verifying the application of the laws in force.
- (3) Decision 2000/672/EC should therefore be amended accordingly.

- (4) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2000/672/EC is modified as follows:

1. Article 1 is replaced by the following:

'Article 1

The "Instituto Nacional de la Pesca y Acuicultura (Inapesca)" shall be the competent authority in Venezuela for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.'

2. In Article 3, paragraph 2 is replaced by the following:

'2. Certificates must bear the name, capacity and signature of the representative of the Inapesca and the latter's official stamp in a colour different from that of other endorsements'.

3. Annex A is replaced by the Annex to this Decision.

Article 2

This Decision shall apply from 7 December 2002.

⁽¹⁾ OJ L 268, 24.9.1991, p. 15.

⁽²⁾ OJ L 24, 30.1.1998, p. 31.

⁽³⁾ OJ L 280, 4.11.2000, p. 46.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 22 October 2002.

For the Commission

David BYRNE

Member of the Commission

ANNEX

‘ANNEX A

HEALTH CERTIFICATE

for fishery products from Venezuela and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No: ...

Country of dispatch: VENEZUELA

Competent authority: “Instituto Nacional de la Pesca y Acuicultura (Inapesca)”

I. Details identifying the fishery products

- Description of fishery/aquaculture products ⁽¹⁾:
- species (scientific name):
- presentation of product and type of treatment ⁽²⁾:
- Code No (where available):
- Type of packaging:
- Number of packages:
- Net weight:
- Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval number(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by Inapesca for export to the European Union:

.....
.....

III. Destination of products

The products are dispatched:

from:
(place of dispatch)

to:
(country and place of destination)

by the following means of transport:
.....

Name and address of dispatcher:
.....

Name of consignee and address at place of destination:
.....

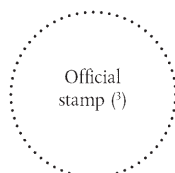
⁽¹⁾ Delete where applicable.

⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved, etc.

IV. Health attestation

- The official inspector hereby certifies that the fishery or aquaculture products specified above:
1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
 2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
 3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
 4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
 5. do not come from toxic species or species containing biotoxins;
 6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.
- The undersigned official inspector hereby declares that he/she is aware of the provisions of Directives 91/493/EEC and 92/48/EEC and Decision 2000/672/EC.

Done at ,
(Place) (Date)



.....
(Signature of official inspector (³))

.....
(Name in capital letters, capacity and qualifications of person signing)

(³) The colour of the stamp and signature must be different from that of the other particulars in the certificate.'

CORRIGENDA**Corrigendum to Council Regulation (EC) No 2500/2001 of 17 December 2001 concerning pre-accession financial assistance for Turkey and amending Regulations (EEC) No 3906/89, (EC) No 1267/1999, (EC) No 1268/1999 and (EC) No 555/2000**

(Official Journal of the European Communities L 342 of 27 December 2001)

The following Annex shall be added to the said Regulation:

'ANNEX**MINIMUM CRITERIA AND CONDITIONS FOR DECENTRALISING MANAGEMENT TO IMPLEMENTING AGENCIES IN TURKEY (ARTICLE 7)**

1. Minimum criteria for assessing the ability of implementing agencies in Turkey to manage assistance.

The following criteria shall be applied by the Commission in assessing which implementing agencies in Turkey are able to manage assistance on a decentralised basis:

- (a) there should be a well-defined system for managing the funds with full internal rules of procedure, clear institutional and personal responsibilities;
- (b) the principle of separation of powers must be respected so that there is no risk of conflict of interest in procurement and payment;
- (c) adequate personnel must be available and assigned to the task. Such personnel must have suitable auditing skills and experience, language skills and be fully trained in implementing Community programmes.

2. Minimum conditions for decentralising management to implementing agencies in Turkey.

Decentralisation to Turkey with *ex post* control by the Commission may be considered for an implementing agency where the following conditions are met:

- (a) demonstration of effective internal controls including an independent audit function and an effective accounting and financial reporting system which meets internationally accepted audit standards;
- (b) a recent financial and operational audit showing effective and timely management of Community assistance or national measures of similar nature;
- (c) a reliable national financial control system over the implementing agency;
- (d) procurement rules which are endorsed by the Commission as meeting requirements of Title IX of the Financial Regulation applicable to the general budget of the European Communities;
- (e) commitment by the National Authorising Officer to bear the full financial responsibility and liability for the funds.

This approach shall not prejudice the right of the Commission and the Court of Auditors to check the expenditure.'
