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Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 1179/2004 of 25 June 2004 establishing the standard import values for determining the entry price of certain fruit and vegetables	1
Commission Regulation (EC) No 1180/2004 of 25 June 2004 fixing the maximum aid for cream, butter and concentrated butter for the 144th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97	3
Commission Regulation (EC) No 1181/2004 of 25 June 2004 fixing the minimum selling prices for butter for the 144th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97	5
Commission Regulation (EC) No 1182/2004 of 25 June 2004 fixing the minimum selling price for skimmed-milk powder for the 63rd individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2799/1999	7
Commission Regulation (EC) No 1183/2004 of 25 June 2004 fixing the maximum aid for concentrated butter for the 316th special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90	8
Commission Regulation (EC) No 1184/2004 of 25 June 2004 fixing the export refunds on pigmeat	9
Commission Regulation (EC) No 1185/2004 of 25 June 2004 opening a standing invitation to tender for the export of rye held by the German intervention agency	11
Commission Regulation (EC) No 1186/2004 of 25 June 2004 fixing the export refunds on olive oil	17
★ Commission Regulation (EC) No 1187/2004 of 25 June 2004 amending for the 35th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001	19

Council

2004/520/EC:

- ★ **Council Decision of 14 June 2004 on the principles, priorities and conditions contained in the European Partnership with Serbia and Montenegro including Kosovo as defined by the United Nations Security Council Resolution 1244 of 10 June 1999** 21

2004/521/EC:

- ★ **Council Decision of 21 June 2004 amending Decision 2003/893/EC on trade in certain steel products between the European Community and Ukraine** 35

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1179/2004
of 25 June 2004
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⁾, 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 26 June 2004.

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

Done at Brussels, 25 June 2004.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 1947/2002 (OJ L 299, 1.11.2002, p. 17).

ANNEX

to the Commission Regulation of 25 June 2004 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	62,9
	999	62,9
0707 00 05	052	109,3
	999	109,3
0709 90 70	052	88,0
	999	88,0
0805 50 10	382	55,6
	388	55,3
	508	51,4
	528	53,4
	999	53,9
0808 10 20, 0808 10 50, 0808 10 90	388	83,0
	400	106,5
	404	106,8
	508	69,1
	512	71,4
	528	69,5
	720	52,8
	804	98,9
	999	82,3
0809 10 00	052	268,7
	624	203,0
	999	235,9
0809 20 95	052	375,8
	068	148,4
	400	369,3
	616	146,8
	999	260,1
0809 30 10, 0809 30 90	052	155,1
	624	151,6
	999	153,4
0809 40 05	624	207,9
	999	207,9

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1180/2004**of 25 June 2004****fixing the maximum aid for cream, butter and concentrated butter for the 144th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) The intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice cream and other foodstuffs⁽²⁾, to sell by invitation to tender certain quantities of butter of intervention stocks that they hold and to grant aid for cream, butter and concentrated butter. Article 18 of that Regulation stipulates that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further

stipulated that the price or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure, and that a decision may also be taken to make no award in response to the tenders submitted. The amount(s) of the processing securities must be fixed accordingly.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum aid and processing securities applying for the 144th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 June 2004.

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

Done at Brussels, 25 June 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 350, 20.12.1997, p. 3. Regulation as last amended by Regulation (EC) No 921/2004 (OJ L 163, 30.4.2004, p. 94).

ANNEX

to the Commission Regulation of 25 June 2004 fixing the maximum aid for cream, butter and concentrated butter for the 144th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula		A		B	
Incorporation procedure		With tracers	Without tracers	With tracers	Without tracers
Maximum aid	Butter $\geq$ 82 %	59	55	59	55
	Butter < 82 %	57	53	—	—
	Concentrated butter	74	67	74	65
	Cream	—	—	26	23
Processing security	Butter	65	—	65	—
	Concentrated butter	81	—	81	—
	Cream	—	—	29	—

COMMISSION REGULATION (EC) No 1181/2004**of 25 June 2004****fixing the minimum selling prices for butter for the 144th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) The intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽²⁾, to sell by invitation to tender certain quantities of butter from intervention stocks that they hold and to grant aid for cream, butter and concentrated butter. Article 18 of that Regulation stipulates that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further stipulated that the price or aid may vary according to the

intended use of the butter, its fat content and the incorporation procedure, and that a decision may also be taken to make no award in response to the tenders submitted. The amount(s) of the processing securities must be fixed accordingly.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling prices of butter from intervention stocks and processing securities applying for the 144th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 June 2004.

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

Done at Brussels, 25 June 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 350, 20.12.1997, p. 3. Regulation as last amended by Regulation (EC) No 921/2004 (OJ L 163, 30.4.2004, p. 94).

ANNEX

to the Commission Regulation of 25 June 2004 fixing the minimum selling prices for butter for the 144th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter ≥ 82 %	Unaltered	211,1	215,1	—	—
		Concentrated	209,1	213,1	—	—
Processing security		Unaltered	129	129	—	—
		Concentrated	—	—	—	—

COMMISSION REGULATION (EC) No 1182/2004**of 25 June 2004****fixing the minimum selling price for skimmed-milk powder for the 63rd individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2799/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products⁽¹⁾, and in particular Article 10 thereof,

Whereas:

(1) Pursuant to Article 26 of Commission Regulation (EC) No 2799/1999 of 17 December 1999 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the grant of aid for skimmed milk and skimmed-milk powder intended for animal feed and the sale of such skimmed-milk powder⁽²⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of skimmed-milk powder held by them.

(2) According to Article 30 of the said Regulation, in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed or a decision shall be taken to make no award. The amount of the processing security shall also be fixed taking account of the difference between the market price of skimmed-milk powder and the minimum selling price.

(3) In the light of the tenders received, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 63rd individual invitation to tender pursuant to Regulation (EC) No 2799/1999, in respect of which the time limit for the submission of tenders expired on 22 June 2004, the minimum selling price and the processing security are fixed as follows:

— minimum selling price: EUR 189,52/100 kg,

— processing security: EUR 50,00/100 kg.

Article 2

This Regulation shall enter into force on 26 June 2004.

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

Done at Brussels, 25 June 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 340, 31.12.1999, p. 3. Regulation as last amended by Regulation (EC) No 922/2004 (OJ L 163, 30.4.2004, p. 96).

COMMISSION REGULATION (EC) No 1183/2004**of 25 June 2004****fixing the maximum aid for concentrated butter for the 316th special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Commission Regulation (EEC) No 429/90 of 20 February 1990 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community⁽²⁾, the intervention agencies are opening a standing invitation to tender for the granting of aid for concentrated butter. Article 6 of that Regulation provides that in the light of the tenders received in response to each special invitation to tender, a maximum amount of aid is to be fixed for concentrated butter with a minimum fat content of 96 % or a decision is to be taken to make no award; the end-use security must be fixed accordingly.

- (2) In the light of the tenders received, the maximum aid should be fixed at the level specified below and the end-use security determined accordingly.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 316th tender under the standing invitation to tender opened by Regulation (EEC) No 429/90 the maximum aid and the end-use security are fixed as follows:

- | | |
|---------------------|----------------|
| — maximum aid: | EUR 74/100 kg, |
| — end-use security: | EUR 82/100 kg. |

Article 2

This Regulation shall enter into force on 26 June 2004.

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

Done at Brussels, 25 June 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 45, 21.2.1990, p. 8. Regulation as last amended by Commission Regulation (EC) No 921/2004 (OJ L 163, 30.4.2004, p. 94).

COMMISSION REGULATION (EC) No 1184/2004**of 25 June 2004****fixing the export refunds on pigmeat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat⁽¹⁾, and in particular the second paragraph of Article 13(3) thereof,

Whereas:

(1) Article 13 of Regulation (EEC) No 2759/75 provides that the difference between prices on the world market for the products listed in Article 1(1) of that Regulation and prices for these products within the Community may be covered by an export refund.

(2) It follows from applying these rules and criteria to the present situation on the market in pigmeat that the refund should be fixed as set out below.

(3) In the case of products falling within CN code 0210 19 81, the refund should be limited to an amount which takes account of the qualitative characteristics of each of the products falling within these codes and of the foreseeable trend of production costs on the world market. It is important that the Community should continue to take part in international trade in the case of certain typical Italian products falling within CN code 0210 19 81.

(4) Because of the conditions of competition in certain third countries, which are traditionally importers of products falling within CN codes 1601 00 and 1602, the refund for these products should be fixed so as to take this situation into account. Steps should be taken to ensure that the refund is granted only for the net weight of the edible substances, to the exclusion of the net weight of the bones possibly contained in the said preparations.

(5) Article 13 of Regulation (EEC) No 2759/75 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 2759/75 according to destination.

⁽¹⁾ OJ L 282, 1.11.1975, p. 1. Regulation as last amended by Regulation (EC) No 1365/2000 (OJ L 156, 29.6.2000, p. 5).

(6) The refunds should be fixed taking account of the amendments to the refund nomenclature established by Commission Regulation (EEC) No 3846/87⁽²⁾.

(7) Refunds should be granted only on products that are allowed to circulate freely within the Community. Therefore, to be eligible for a refund, products should be required to bear the health mark laid down in Council Directive 64/433/EEC⁽³⁾, Council Directive 94/65/EC⁽⁴⁾ and Council Directive 77/99/EEC⁽⁵⁾.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS REGULATION:

Article 1

The list of products on which the export refund specified in Article 13 of Regulation (EEC) No 2759/75 is granted and the amount of the refund shall be as set out in the Annex hereto.

The products concerned must comply with the relevant provisions on health marks laid down in:

— Chapter XI of Annex I to Directive 64/433/EEC,

— Chapter VI of Annex I to Directive 94/65/EC,

— Chapter VI of Annex B to Directive 77/99/EEC.

Article 2

This Regulation shall enter into force on 28 June 2004.

⁽²⁾ OJ L 366, 24.12.1987, p. 1. Regulation as last amended by Regulation (EC) No 118/2003 (OJ L 20, 24.1.2003, p. 3).

⁽³⁾ OJ L 121, 29.7.1964, p. 2012/64. Directive as last amended by Directive 95/23/EC (OJ L 243, 11.10.1995, p. 7).

⁽⁴⁾ OJ L 368, 31.12.1994, p. 10.

⁽⁵⁾ OJ L 26, 31.1.1977, p. 85. Directive as last amended by Directive 97/76/EC (OJ L 10, 16.1.1998, p. 25).

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

Done at Brussels, 25 June 2004.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 25 June 2004 fixing the export refunds on pigmeat

Product code	Destination	Unit of measurement	Amount of refund
0210 11 31 9110	P08	EUR/100 kg	59,50
0210 11 31 9910	P08	EUR/100 kg	59,50
0210 19 81 9100	P08	EUR/100 kg	59,50
0210 19 81 9300	P08	EUR/100 kg	59,50
1601 00 91 9120	P08	EUR/100 kg	21,50
1601 00 99 9110	P08	EUR/100 kg	16,50
1602 41 10 9110	P08	EUR/100 kg	32,00
1602 41 10 9130	P08	EUR/100 kg	19,00
1602 42 10 9110	P08	EUR/100 kg	25,00
1602 42 10 9130	P08	EUR/100 kg	19,00
1602 49 19 9130	P08	EUR/100 kg	19,00

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 27.3.2002, p. 1) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

The other destinations are defined as follows:

P08 All destinations except for Bulgaria and Romania

COMMISSION REGULATION (EC) No 1185/2004**of 25 June 2004****opening a standing invitation to tender for the export of rye held by the German intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Subject to this Regulation, the German intervention agency shall issue a standing invitation to tender in accordance with Regulation (EEC) No 2131/93 for the export of rye held by it.

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, and in particular Article 5 thereof,

Article 2

1. The invitation to tender shall cover a maximum of 1 000 000 tonnes of rye for export to third countries.

Whereas:

2. The regions in which the 1 000 000 tonnes of rye are stored are set out in Annex I.

(1) Commission Regulation (EEC) No 2131/93⁽²⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies.

Article 3

1. As an exception to the third paragraph of Article 16 of Regulation (EEC) No 2131/93, the price to be paid for the export shall be that quoted in the tender, without monthly increase

(2) Given the current market situation, a standing invitation to tender should be opened for the export of 1 000 000 tonnes of rye held by the German intervention agency.

2. No export refund or tax or monthly increase shall be granted on exports carried out under this Regulation.

(3) Special rules must be laid down to ensure that the operations are properly carried out and monitored. To that end, securities should be lodged to ensure that the goals of the operation are achieved without excessive cost to the operators. Derogations should accordingly be made to certain rules, in particular those laid down in Regulation (EEC) No 2131/93.

3. Article 8(2) of Regulation (EEC) No 2131/93 shall not apply.

(4) Where removal of the rye is delayed by more than five days or the release of one of the securities required is delayed for reasons imputable to the intervention agency, the Member State concerned should pay compensation.

Article 4

1. Export licences shall be valid from their date of issue within the meaning of Article 9 of Regulation (EEC) No 2131/93 until the end of the fourth month thereafter.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

2. Tenders submitted in response to this invitation to tender may not be accompanied by export licence applications submitted under Article 49 of Commission Regulation (EC) No 1291/2000⁽³⁾.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).

⁽²⁾ OJ L 191, 31.7.1993, p. 76. Regulation as last amended by Regulation (EC) No 777/2004 (OJ L 23, 27.4.2004, p. 50).

⁽³⁾ OJ L 152, 24.6.2000, p. 1.

Article 5

1. As an exception to Article 7(1) of Regulation (EEC) No 2131/93, the time limit for submission of tenders under the first partial invitation to tender shall be 9.00 (Brussels time) on 1 July 2004.

2. The time limit for submission of tenders under subsequent partial invitations to tender shall be 9.00 (Brussels time) each Thursday thereafter, with the exception of 22 July 2004, 5 August 2004, 19 August 2004, 2 September 2004, 23 December 2004, 24 March 2005, 5 May 2005 and 26 May 2005.

3. The last partial invitation to tender shall expire at 9.00 (Brussels time) on 23 June 2005.

4. Tenders must be lodged with the German intervention agency:

Bundesanstalt für Landwirtschaft und Ernährung
BLE
Adickesallee 40
D-60322 Frankfurt am Main
(Telefax: 00 49 691 56 49 62).

Article 6

1. The intervention agency, the storer and a successful tenderer shall, at the request of the latter and by common agreement, either before or at the time of removal from storage as the tenderer chooses, take reference samples for counter-analysis at the rate of at least one sample for every 500 tonnes and shall analyse the samples. The intervention agency may be represented by a proxy, provided this is not the storer.

In the event of a dispute, the analysis results shall be forwarded to the Commission.

Reference samples for counter-analysis shall be taken and analysed within seven working days of the date of the successful tenderer's request or within three working days if the samples are taken on removal from storage. Where the final result of sample analyses indicates a quality:

(a) higher than that specified in the notice of invitation to tender, the successful tenderer must accept the lot as established;

(b) higher than the minimum characteristics laid down for intervention but below the quality described in the notice

of invitation to tender, providing that the differences do not exceed the following limits:

— one kilogram per hectolitre as regards specific weight, which must not, however, be less than 68 kg/hl,

— one percentage point as regards moisture content,

— half a percentage point as regards the impurities specified in points B.2 and B.4 of the Annex to Regulation (EC) No 824/2000⁽¹⁾, and

— half a percentage point as regards the impurities specified in point B.5 of the Annex to Regulation (EC) No 824/2000, the percentages admissible for noxious grains and ergot, however, remaining unchanged,

the successful tenderer must accept the lot as established;

(c) higher than the minimum characteristics laid down for intervention but below the quality described in the notice of invitation to tender, and a difference exceeding the limits set out in point (b), the successful tenderer may:

— accept the lot as established, or

— refuse to take over the lot concerned. The successful tenderer shall be discharged of all obligations relating to the lot in question and the securities shall be released provided the Commission and the intervention agency are immediately notified in accordance with Annex II; however, if the successful tenderer requests the intervention agency to supply another lot of intervention rye of the quality laid down at no additional charge, the security shall not be released. The lot must be replaced within three days of the date of the successful tenderer's request. The successful tenderer shall notify the Commission immediately thereof in accordance with Annex II;

(d) below the minimum characteristics laid down for intervention, the successful tenderer may not remove the lot in question. The successful tenderer shall be discharged of all obligations relating to the lot in question and the securities shall be released provided the Commission and the intervention agency are immediately notified in accordance with Annex II; however, the successful tenderer may request the intervention agency to supply another lot of intervention rye of the quality laid down at no additional charge. In that case, the security shall not be released. The lot must be replaced within three days of the date of the successful tenderer's request. The successful tenderer shall immediately inform the Commission thereof in accordance with Annex II.

⁽¹⁾ OJ L 100, 20.4.2000, p. 31.

2. However, if the rye is removed before the results of the analyses are known, all risks shall be borne by the successful tenderer from the time the lot is removed, without prejudice to any means of redress against the storer.

3. If, as a result of successive replacements, the successful tenderer has not received a replacement lot of the quality laid down within one month of the date of the request for a replacement, the successful tenderer shall be discharged of all obligations and the securities shall be released, provided the Commission and the intervention agency have been immediately informed in accordance with Annex II.

4. Except where the final results of analyses indicate a quality below the minimum characteristics laid down for intervention, the costs of taking the samples and conducting the analyses provided for in paragraph 1 but not of inter-bin transfers shall be borne by the European Agricultural Guidance and Guarantee Fund (EAGGF) for up to one analysis per 500 tonnes. The costs of inter-bin transfers and any additional analyses requested by a successful tenderer shall be borne by that tenderer.

Article 7

As an exception to Article 12 of Commission Regulation (EEC) No 3002/92 ⁽¹⁾, the documents relating to the sale of rye under this Regulation, and in particular the export licence, the removal order referred to in Article 3(1)(b) of Regulation (EEC) No 3002/92, the export declaration and, where applicable, the T5 copy shall carry the entry:

— Centeno de intervención sin aplicación de restitución ni gravamen, Reglamento (CE) n.º .../2004

— Intervenční žito nepodléhá vývozní náhradě ani clu, nařízení (ES) č. .../2004

— Rug fra intervention uden restitutionsydelse eller -afgift, forordning (EF) nr. .../2004

— Interventionsroggen ohne Anwendung von Ausfuhrerstattungen oder Ausfuhrabgaben, Verordnung (EG) Nr. .../2004

— Sekkumisrukis, mille puhul ei rakendata toetust või maksu, määrus (EÜ) nr .../2004

— Σίκαλη παρέμβασης χωρίς εφαρμογή επιστροφής ή φόρου, κανονισμός (ΕΚ) αριθ. .../2004

— Intervention rye without application of refund or tax, Regulation (EC) No .../2004

— Seigle d'intervention ne donnant pas lieu à restitution ni taxe, règlement (CE) n.º .../2004

— Segala d'intervento senza applicazione di restituzione né di tassa, regolamento (CE) n. .../2004

— Intervences rudzi bez kompensācijas vai nodokļa piemērošanas, Regula (EK) Nr. .../2004

— Intervenciniai rugiai, kompensacija ar mokesčiai netaikytini, Reglamentas (EB) Nr. .../2004

— Intervencióis rozs, visszatérítés, illetve adó nem alkalmazandó, .../2004/EK rendelet

— Rogge uit interventie, zonder toepassing van restitutie of belasting, Verordening (EG) nr. .../2004

— Žyto interwencyjne niedające prawa do refundacji ani do opłaty, rozporządzenie (WE) nr .../2004

— Centeio de intervenção sem aplicação de uma restituição ou imposição, Regulamento (CE) n.º .../2004

— Intervenčný jačmeň, nepodlieha vývozným náhradám ani clu, nariadenie (ES) č. .../2004

— Intervencija rži brez zahtevkov za nadomestila ali carine, Uredba (ES) št. .../2004

— Interventoriusta, johon ei sovelleta vientitukea eikä vientimaksua, asetus (EY) N:o .../2004

— Interventionsråg, utan tillämpning av bidrag eller avgift, förordning (EG) nr .../2004.

Article 8

1. The security lodged under Article 13(4) of Regulation (EEC) No 2131/93 shall be released once the export licences have been issued to the successful tenderers.

⁽¹⁾ OJ L 301, 17.10.1992, p. 17.

2. Notwithstanding Article 17 of Regulation (EEC) No 2131/93, the obligation to export shall be covered by a security equal to the difference between the intervention price applying on the day of the award and the price awarded but not less than EUR 25 per tonne. Half of the security shall be lodged when the licence is issued and the balance shall be lodged before the cereals are removed.

As an exception to Article 15(2) of Regulation (EEC) No 3002/92:

- the part of the security lodged when the licence is issued shall be released within 20 working days of the date on which the successful tenderer provides proof that the cereals removed have left the customs territory of the Community.

As an exception to Article 17(3) of Regulation (EEC) No 2131/93:

- the remainder of the security shall be released within 15 working days of the date on which the successful tenderer provides the proof referred to in Article 16 of Commission Regulation (EC) No 800/1999⁽¹⁾.

3. Except in duly substantiated exceptional cases, in particular the opening of an administrative enquiry, where the securities provided for in this Article are released after the time limits specified in this Article, the Member State shall be required to pay compensation amounting to EUR 0,015 per 10 tonnes for each day's delay.

This compensation shall not be charged to the EAGGF.

Article 9

Within two hours of the expiry of the time limit for the submission of tenders, the German intervention agency shall notify the Commission of tenders received. Such notification shall be made using the model set out in Annex III and the fax numbers set out in Annex IV.

Article 10

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, 25 June 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 102, 17.4.1999, p. 11.

ANNEX I

(in tonnes)	
Place of storage	Quantity
Schleswig-Holstein/Hamburg/Niedersachsen/Bremen/ Mecklenburg-Vorpommern	139 719
Berlin/Brandenburg/Sachsen-Anhalt/Sachsen/Thüringen	860 281

ANNEX II

Communication of refusal of lots under the standing invitation to tender for the export of rye held by the German intervention agency

(Article 6(1) of Regulation (EC) No 1185/2004)

— Name of successful tenderer:

— Date of award:

— Date of refusal of the lot by the successful tenderer:

Number of lot	Quantity in tonnes	Address of the silo	Reason for refusal to take over
			— PS (kg/hl) — % of sprouted grains — % of miscellaneous impurities (Schwarzbesatz) — % of matter other than basic cereals of unimpaired quality — Other

ANNEX III

Standing invitation to tender for the export of rye held by the German intervention agency

(Regulation (CE) No 1185/2004)

1	2	3	4	5	6	7
Serial numbers of tenderers	Number of lot	Quantity in tonnes	Tender price (EUR/t) ⁽¹⁾	Increases (+) Reductions (-) (EUR/t) (for the record)	Commercial costs (EUR/t)	Destination
1						
2						
3						
etc.						

⁽¹⁾ This price includes the increases and reductions relating to the lot covered by the tender.

ANNEX IV

The following numbers only for the Agriculture DG (C/1) in Brussels are to be used:

fax: (+32) 2 296 49 56
(+32) 2 295 25 15.

COMMISSION REGULATION (EC) No 1186/2004**of 25 June 2004****fixing the export refunds on olive oil**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organisation of the market in oils and fats⁽¹⁾, and in particular Article 3(3) thereof,

Whereas:

- (1) Article 3 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries.
- (2) The detailed rules for fixing and granting export refunds on olive oil are contained in Commission Regulation (EEC) No 616/72⁽²⁾.
- (3) Article 3(3) of Regulation No 136/66/EEC provides that the refund must be the same for the whole Community.
- (4) In accordance with Article 3(4) of Regulation No 136/66/EEC, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market. However, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period. The amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market.
- (5) In accordance with Article 3(3) third indent, point (b) of Regulation No 136/66/EEC, it may be decided that the refund shall be fixed by tender. The tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations.
- (6) The second indent of Article 3(3) of Regulation No 136/66/EEC provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary.
- (7) The refund must be fixed at least once every month. It may, if necessary, be altered in the intervening period.
- (8) It follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(2)(c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 June 2004.

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

Done at Brussels, 25 June 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 72, 30.9.1966, p. 3025/66. Regulation as last amended by Regulation (EC) No 1513/2001 (OJ L 201, 26.7.2001, p. 4).

⁽²⁾ OJ L 78, 31.3.1972, p. 1. Regulation as last amended by Regulation (EEC) No 2962/77 (OJ L 348, 30.12.1977, p. 53).

ANNEX

to the Commission Regulation of 25 June 2004 fixing the export refunds on olive oil

Product code	Destination	Unit of measurement	Amount of refund
1509 10 90 9100	A00	EUR/100 kg	0,00
1509 10 90 9900	A00	EUR/100 kg	0,00
1509 90 00 9100	A00	EUR/100 kg	0,00
1509 90 00 9900	A00	EUR/100 kg	0,00
1510 00 90 9100	A00	EUR/100 kg	0,00
1510 00 90 9900	A00	EUR/100 kg	0,00

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

COMMISSION REGULATION (EC) No 1187/2004**of 25 June 2004****amending for the 35th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freezing of funds and other financial resources in respect of the Taliban of Afghanistan⁽¹⁾, and in particular the first indent of Article 7(1) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.

- (2) On 23 June 2004, the Sanctions Committee of the United Nations Security Council decided to amend the list of persons, groups and entities to whom the freezing of funds and economic resources should apply. Annex I 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 I to Regulation (EC) No 881/2002 is hereby amended in accordance with 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 Union*.

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

Done at Brussels, 25 June 2004.

For the Commission

Christopher PATTEN

Member of the Commission

⁽¹⁾ OJ L 139, 29.5.2002, p. 9. Regulation as last amended by Commission Regulation (EC) No 984/2004 (OJ L 180, 15.5.2004, p. 24).

ANNEX

Annex I to Regulation (EC) No 881/2002 is amended as follows:

1. The following entries shall be added under the heading 'Natural persons'.
 - (a) Mohamed Ben Mohamed **Abdelhedi**. Address: via Catalani 1, Varese (Italy). Date of birth: 10 August 1965. Place of birth: Sfax (Tunisia). Fiscal Code: BDL MMD 65M10 Z352S.
 - (b) Kamel **Darraj**. Address: via Belotti 16, Busto Arsizio (Varese, Italy). Date of birth: 22 July 1967. Place of birth: Menzel Bouzelfa (Tunisia). Fiscal Code: DRR KML 67L22 Z352Q or DRR KLB 67L22 Z352S.
 - (c) Mohamed **El Mahfoudi**. Address: via Puglia 22, Gallarate (Varese, Italy). Date of birth: 24 September 1964. Place of birth: Agadir (Morocco). Fiscal Code: LMH MMD 64P24 Z330F.
 - (d) Imed Ben Bechir **Jammali**. Address: via Dubini 3, Gallarate (Varese, Italy). Date of birth: 25 January 1968. Place of birth: Menzel Temine (Tunisia). Fiscal Code: JMM MDI 68A25 Z352D.
 - (e) Habib Ben Ahmed **Loubiri**. Address: via Brughiera 5, Castronno (Varese, Italy). Date of birth: 17 November 1961. Place of birth: Menzel Temine (Tunisia). Fiscal Code: LBR HBB 61S17 Z352F.
 - (f) Chabaane Ben Mohamed **Trabelsi**. Address: via Cuasso 2, Porto Ceresio (Varese, Italy). Date of birth: 1 May 1966. Place of birth: Menzel Temine (Tunisia). Fiscal code: TRB CBN 66E01 Z352O.
 2. The entry 'Youssef ABDAOUI (alias Abu ABDULLAH, ABDELLAH, ABDULLAH), Piazza Giovane Italia 2, Varese, Italy. Place of birth: Kairouan (Tunisia). Date of birth: 4 June 1966.' under the heading 'Natural persons' shall be replaced by the following:

'Youssef **Abdaoui** (alias (a) Abu **Abdullah**, (b) Abdellah, (c) Abdullah). Address: (a) via Romagnosi 6, Varese (Italy), (b) Piazza Giovane Italia 2, Varese (Italy). Date of birth: (a) 4 June 1966, (b) 4 September 1966. Place of birth: Kairouan (Tunisia). Fiscal Code: BDA YSF 66P04 Z352Q.'
-

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 14 June 2004

on the principles, priorities and conditions contained in the European Partnership with Serbia and Montenegro including Kosovo as defined by the United Nations Security Council Resolution 1244 of 10 June 1999

(2004/520/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 533/2004 of 22 March 2004 on the establishment of European partnerships in the framework of the stabilisation and association process⁽¹⁾ and in particular to Article 2 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Thessaloniki European Council of 19 and 20 June 2003 endorsed the 'Thessaloniki Agenda for the western Balkans: moving towards European integration' where the drawing up of European partnerships is mentioned as one of the means to intensify the stabilisation and association process.
- (2) Regulation (EC) No 533/2004 sets out that the Council is to decide, by a qualified majority and following a proposal from the Commission, on the principles, priorities and conditions to be contained in the European partnerships, as well as any subsequent adjustments. It also states that the follow up of the implementation of the European partnerships will be ensured through the mechanisms established under the stabilisation and association process, notably the Annual Reports.
- (3) The 2004 Commission's Annual Report presents an analysis of the preparations of Serbia and Montenegro including Kosovo as defined by the United Nations Security Council Resolution 1244 for further integration into the European Union and identifies a number of priority areas for further work.

- (4) In order to prepare for further integration into the European Union, the competent authorities in Serbia and Montenegro should develop a plan with a timetable and details in terms of measures Serbia and Montenegro intends to take to this end. As Kosovo is at present under international interim administration pursuant to United Nations Security Council Resolution 1244, a separate plan addressing the priorities concerning Kosovo should be developed under the authority of the United Nations Interim Administration in Kosovo,

HAS DECIDED AS FOLLOWS:

Article 1

In accordance with Article 1 of Regulation (EC) No 533/2004, the principles, priorities and conditions in the European Partnership with Serbia and Montenegro including Kosovo as defined by the United Nations Security Council Resolution 1244 are set out in the annex hereto, which forms an integral part of this Decision.

Article 2

The implementation of the European Partnership shall be examined through the mechanisms established under the Stabilisation and Association process.

Article 3

This Decision shall take effect on the third day following its publication in the *Official Journal of the European Union*.

Done at Luxembourg, 14 June 2004.

For the Council
The President
B. COWEN

⁽¹⁾ OJ L 86, 24.3.2004, p. 1.

ANNEX

1. INTRODUCTION

The Thessaloniki Agenda identifies ways and means of intensifying the stabilisation and association process, *inter alia*, through the introduction of European partnerships.

Based on the Commission's Annual Report, the purpose of the European Partnership with Serbia and Montenegro including Kosovo as defined by the United Nations Security Council Resolution 1244 (Serbia and Montenegro including Kosovo) is to identify priorities for action in order to support efforts to move closer to the European Union within a coherent framework. The priorities are adapted to specific needs and stage of preparation of Serbia and Montenegro including Kosovo and will be updated as necessary. The European Partnership also provides guidance for financial assistance to Serbia and Montenegro including Kosovo.

It is expected that Serbia and Montenegro including Kosovo will adopt plans including a timetable and details in terms of how they intend to address the European Partnership priorities. The plan should also indicate ways to pursue the Thessaloniki Agenda, the priorities on fighting organised crime and corruption identified at the 2002 London Conference and at the Ministerial meeting held in Brussels on 28 November 2003 in the framework of the EU-western Balkans Forum and the measures presented by each of the western Balkan countries at the meeting of 5 November 2003 in Belgrade as a follow-up to the Ohrid Conference on integrated border management.

2. PRINCIPLES

The stabilisation and association process remains the framework for the European course of the western Balkan countries, all the way to their future accession.

The main priorities identified for Serbia and Montenegro including Kosovo relate to its capacity to meet the criteria set by the Copenhagen European Council of 1993 and the conditions set for the Stabilisation and Association process, notably the conditions defined by the Council in its conclusions of 29 April 1997 and 21 and 22 June 1999, the content of the final declaration of the Zagreb Summit of 24 November 2000 and the Thessaloniki agenda.

3. PRIORITIES

The Commission's Annual Report assesses progress made and notes areas where the country needs to increase its efforts. The priorities listed in this European Partnership have been selected on the basis that it is realistic to expect that Serbia and Montenegro including Kosovo can complete them or take them substantially forward over the next years. A distinction is made between short-term priorities, which are expected to be accomplished within one to two years, and medium-term priorities, which are expected to be accomplished within three to four years.

The European Partnership indicates the main priority areas for the preparations of Serbia and Montenegro including Kosovo for further integration into the European Union, based on the analysis in the 2004 Annual Report. It should be recalled that where legislative approximation is concerned, incorporation of the *acquis* into legislation is not in itself sufficient; it will also be necessary to prepare to its full implementation.

The priorities concerning Serbia and Montenegro, and the priorities concerning specifically Kosovo, are presented in the lists attached.

4. PROGRAMMING

Community assistance under the stabilisation and association process to the western Balkan countries will be provided by the relevant financial instruments, and in particular by Council Regulation (EC) No 2666/2000 of 5 December 2000 on assistance for Albania, Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia ⁽¹⁾, accordingly, this Decision will have no financial implications. In addition Serbia and Montenegro including Kosovo will have access to funding from multi-country and horizontal programmes. The Commission is working with the European Investment Bank and the International Financial Institutions, in particular the European Bank for Reconstruction and Development and the World Bank, with a view to facilitate the co-financing of projects relating to the stabilisation and association process.

⁽¹⁾ OJ L 306, 7.12.2000, p. 1. Regulation as amended by Regulation (EC) No 2415/2001 (OJ L 327, 12.12.2001, p. 3).

5. CONDITIONALITY

Community assistance under the stabilisation and association process to the western Balkan countries is conditional on further progress in satisfying the Copenhagen political criteria. Failure to respect these general conditions could lead the Council to take appropriate measures on the basis of Article 5 of Council Regulation (EC) No 2666/2000.

Community assistance shall also be subject to the conditions defined by the Council in its Conclusions of 29 April 1997, in particular as regards the recipient's undertaking to carry out democratic, economic and institutional reforms, taking into account the priorities set out in this European Partnership.

6. MONITORING

The follow-up of the European Partnership is ensured through the mechanisms established under the stabilisation and association process, notably the Annual Report on the stabilisation and association process.

SERBIA AND MONTENEGRO ⁽¹⁾

SHORT-TERM PRIORITIES

Political situation

Democracy and rule of law

Constitutional issues — Fully respect the Constitutional Charter and ensure the effective functioning of the State. In particular, fulfil all outstanding commitments laid down in the Constitutional Charter, notably the establishment of the State Court including agreement on the exact scope of its powers. Revise the republican Constitutions in line with the Constitutional Charter. Adopt the State Parliament's Rules of Procedure and establish its committees. Ensure the financial viability of the State institutions, through regular financing in accordance with agreed principles and the preparation of individual institutional budgets (covering staff and operating costs).

Army reform — Adopt a defence strategy and military doctrine in line with democratic principles; prepare and adopt a transparent and appropriate legal framework to clarify the outstanding issue of military property.

Electoral law reform — In Serbia: complete the ongoing electoral law reform (including electorate register) to bring the electoral system up to international standards notably by revising electoral laws, in line with the Office for Democratic Institutions and Human Rights recommendations and fully implementing legislation on financing of political parties.

Public administration reform

Strengthen and maintain administrative capacity of the institutions dealing with European integration at the State and Republican level (in terms of staff, training, equipment) and improve cooperation among them.

In Serbia: adopt a comprehensive strategy on public administration reform including a precise calendar of actions, in particular address civil service pay system reforms and related human resource development measures; establish and maintain the relevant institutions and allocate the necessary resources; prepare the legislation on government and civil service.

In Montenegro: implement the strategy on public administration reform, in particular adopt and start implementing the legislation on civil service to ensure professionalism and accountability. Implement the law on salaries of civil servants and public employees.

Judicial reform

Ensure the smooth transfer military jurisdiction to civilian courts in line with the Constitutional Charter.

In Serbia: modernise and increase efficiency and independence of the court system, in particular its commercial courts; ensure the functional independence of war crime prosecutor. Prepare for the setting-up of administrative and appellate jurisdictions.

⁽¹⁾ Not including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999.

In Montenegro: continue preparations for implementation of the Criminal Code and of the Criminal Procedure Code, and law on prosecutors, in particular ensure functional independence of special prosecutor for organised crime. Set up administrative and appellate jurisdictions.

Fight against corruption

In both Republics: prepare a comprehensive anti-corruption strategy in line with Council of Europe standards and adopt law on conflict of interests.

Human Rights and Protection of minorities

Council of Europe obligations — Fulfil all short term obligations arising out of membership of the Council of Europe including uniform effective implementation, throughout the State Union, of European Convention on Human Rights and Fundamental Freedoms and European Convention for the Prevention of Torture.

Ombudsman

In Serbia: adopt the legislation to set up an Ombudsman Office.

In Montenegro: strengthen the administrative capacity of the Ombudsman Office

Elimination of torture

In both republics: take comprehensive and transparent action in all alleged cases of torture.

Freedoms of expression and association

In Serbia: decriminalise slander. Enforce media legislation, in particular broadcasting law, by assuring political independence of the Audiovisual Council. Adopt law on free access to information, in line with Council of Europe standards. Create an environment (including financial aspects), conducive to the development of NGO and civil society organisations including social partners, notably by adopting the law on associations, and a law on the legal status of foreign NGOs.

In Montenegro: adopt law on access to public information in line with Council of Europe Standards. Adopt strategy on cooperation between NGOs and governmental bodies.

Property rights:

In both Republics: adopt/implement legislation on property restitution.

Refugees, displaced persons and minorities

Ensure adequate cooperation between the State Union and Republics as regards the legislative basis and practical protection of the rights of refugees, displaced persons and minorities. Strengthen cooperation with Bosnia and Herzegovina and Croatia to enable returns. Engage in dialogue with Pristina on the return of displaced persons and related issues such as property and social rights. In both Republics: amend legislation to repeal all discriminatory provisions. In Montenegro: abolish legal prohibition for refugees to work and amend restrictive provisions to allow them possibility to apply for citizenship.

Regional and international cooperation/obligations

Ensure full cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY).

Fully respect the UNSCR 1244 and continue dialogue with Pristina on practical issues of common interest. Ensure recognition of UNMIK travel documents and car plates.

Strengthen stability and regional cooperation. Comply with the stabilisation and association process requirements and Thessaloniki commitments in terms of regional cooperation. Ratify and fully enforce all free trade agreements concluded by the State. Start implementing the Memorandum of Understanding on the Development of the South East Europe Core Regional Transport Network and in particular take measures to set up the cooperation mechanisms, *inter alia*, the Steering Committee and the South East Europe Transport Observatory. Make progress in meeting commitments under the 2003 Athens Memorandum of Understanding on the Regional Energy Market in South East Europe

Economic situation**Market economy and structural reforms**

Sustain macroeconomic stability. Implement a 2004 budget that reflects further necessary fiscal adjustment and consolidation. Continue efforts with a view to come to an agreement with commercial creditors (London Club) on debt restructuring. In particular, in Serbia: continue with a prudent monetary policy stance, backed by appropriate exchange rate policy, and establish more efficient monetary instruments with a view to improve the targeting of monetary aggregates.

Liberalise remaining prices and remove administrative controls. In particular adjust energy prices towards cost recovery levels, also gradually replacing all existing price subsidies to poor consumers by direct transfers.

Speed up the restructuring, privatisation and/or liquidation of large socially- and State owned enterprises. Accelerate also the restructuring, of large publicly owned utilities (electricity, oil and gas, railway, airline, telecommunications etc.). Continue banking sector reform more vigorously and in particular the preparation of privatisation in Serbia of the majority of the State-owned banks. Ensure allocation of sufficient budgetary resources for redundancy and restructuring costs.

Develop a stable and functioning land/real estate market. Prepare legislation on cadastre.

Employment policy

In both Republics: develop and implement a comprehensive strategy to promote employment and combat unemployment, in particular with regard to vocational training and labour market reforms, involving all relevant actors; improve public employment services and allocate sufficient staff and financial resources to the implementation.

Develop reliable statistics. Revise and adopt the master plan on statistics with a view to ensure a clear allocation of responsibilities among the three statistical offices at State Union level and the republican level and an effective coordination among them. Adopt the laws on statistics at the State Union level and in both Republics.

Management of public finances

Continue to formalise the grey economy and broaden the tax base through implementation of public expenditure management system (treasury, public internal financial control) and comprehensive tax reforms, with fewer exemptions and lower rates in particular on labour and improved implementation of tax laws.

In particular, in Serbia, adopt and implement the tax reform package, including the adoption of VAT and necessary related IT systems. Continue to strengthen and modernise the Public Revenue Agency, focussing on revenue collection and control in order to reduce tax fraud.

In Montenegro, start reviewing the present tax legislation and the administrative procedures in order to ensure effective and non-discriminatory enforcement of tax legislation. Strengthen the administrative capacity of the tax legislation to effectively collect and control fiscal revenues, in particular VAT.

For both Republics, the legislation and implementation of VAT throughout the State Union should be harmonised in order not to lead to obstacles to the functioning of the internal market.

EU Standards**Internal market and trade**

Complete and fully implement all elements of the Internal Market/Trade Action Plan. In particular, urgent attention should be given to the definition of common tariffs for all products and harmonise all additional import levies and charges, in line with the respective tariff harmonisation schedule.

Abolish all import levies and additional charges that were introduced in violation of the standstill clause enshrined in the EU's autonomous trade preferences.

Abolish the import licensing system for steel and iron products that was introduced in violation of the standstill clause enshrined in the EU's autonomous trade preferences. *Abolish export duties* on ferrous and non-ferrous metals and rawhide.

Ensure the necessary institutional set-up for the State to act as a single trade/customs interlocutor internationally, especially by strengthening the Joint Customs Office, the veterinary/phyto-sanitary Liaison Offices and the Statistical Office, and by granting these institutions the necessary powers.

Continue to modernise *customs administrations* in order to ensure the development of a high level of administrative capacity. Strengthen administrative cooperation and ensure continuous observance of obligations related to the implementation of preferential trade measures (origin).

Dismantle existing and avoid new obstacles to the state's internal market as provided in the Constitutional Charter. Ensure State-wide market access for domestic and foreign operators regarding goods, services, capital and persons. Ensure legislative consultation and apply the *principle of mutual recognition* of all republican decisions on market access.

Implement a consistent and effective *public procurement regime* in Serbia and Montenegro. Ensure transparent procedures, regardless of the value of the contract concerned, and non-discrimination between Serbian and Montenegrin suppliers.

Install a direct link between *business registers* to safeguard free State-wide establishment. In Serbia, adopt the Law transferring the business register from the Commercial Courts to an independent agency.

Ensure a State-wide anti-trust regime, applicable to all anti-competitive effects both within and between the Republics, as well as to effects on bilateral trade with the EU. Ensure the administrative capacity for the efficient and independent enforcement of these rules, including the strengthening of the Joint Competition Commission on State level. Establish State aid coordination points and create full State aid transparency, as a first step towards State aid control. Ensure a coherent horizontal approach to promote competition policy.

Strengthen the protection of intellectual property rights by adopting a set of revised laws. Ensure harmonised penal provisions and strengthen implementation capacity in this field, notably in border services.

Implement a system of corresponding accounts in commercial banks to ensure the *free movement of capital* between the Republics.

Sector policies

Agriculture

In Serbia: adopt food safety legislation and strengthen food safety laboratories; adopt legislation on veterinary matters and strengthen controls. Establish Food-Chain Laboratories Agency.

In Montenegro: implement law on veterinary matters (including fishery products) and establish the veterinary and phyto-sanitary laboratories, including for fish and wine; strengthen controls.

Transport

In Serbia: adopt law on railways. Begin development of a national transport strategy, including economic viability of the sector.

In Montenegro: adopt and start implementing the Road Transport Law (including establishment of the relevant implementation structures) and adopt the Law on Rail Transport.

Energy

In Serbia: adopt the Energy Law and establish the independent Energy Regulatory Agency, continue environmental audits on energy plants and address worst polluters.

In Montenegro: prepare and adopt the energy development strategy, also covering energy efficiency strategy; strengthen the administrative capacity of the Ministry of Economy as regards energy; unbundle and restructure the electric power utility.

Industry and SMEs

In both Republics: continue implementing the European Charter for Small Enterprises.

In Serbia: adopt the amended bankruptcy law.

In Montenegro: transform and rationalise the institutions involved in restructuring and privatisation of enterprises, notably, the Development Fund. Establish an autonomous investment promotion agency. Continue implementation of the newly established national guarantee fund.

Telecommunications

In both Republics: ensure that the electronic communications sector is liberalised effectively including the strengthening of regulatory bodies and the adoption of suitable laws and policies for the sector.

Environment

In Serbia: adopt a law on environment protection and set up and operationalise the Environment Protection Agency.

In Montenegro: adoption of the strategy on waste water and solid waste with a view to approximating with EU acquis.

Cooperation in justice and home affairs*Law enforcement reform*

Improve judicial and law enforcement cooperation both within each Republic and between Republics. Full implementation of the Memorandum on Cooperation, signed between Republican Ministries of Interior in December 2003.

In Serbia: adopt law on police in order to improve professionalism and accountability. Implement a revision of the laws on the organisation of the judiciary (Law on Courts, Law on Judges, Law on Prosecutors, and Law on High Judicial Council) and on criminal legislation (Criminal Procedure Code, Criminal Code and Law on Enforcement of Criminal Sanctions), as provided for in the protocol on cooperation with the Council of Europe.

In Montenegro: adopt laws on police and state security to ensure professionalism and accountability.

Border management

Develop a State-level approach and mechanisms and ensure consistent implementation at the republican level in line with the Memorandum of Understanding. As a follow-up to the Ohrid regional Conference on border security and management in May 2003, start implementation of the short term measures that were adopted by the Government and presented at the meeting of JHA ministers within the framework of the EU-western Balkans Forum on 28 November 2003.

In Serbia: take further steps to implement best practices concerning border police, in line with EU Standards; proceed in coordination with the State level authorities with demilitarisation of the border control.

In Montenegro: strengthen civilian control of borders (including training, equipment compatible with Schengen).

Fight organised crime, trafficking, drugs and money laundering, terrorism

Strengthen inter-agency cooperation within the Republic and formalise inter-Republican cooperation. Develop the capacity to seize assets. Strengthen criminal intelligence. Start implementing the specific action oriented measures that were agreed at the JHA ministerial meeting in November 2003. Take the necessary steps to prepare for the conclusion of a cooperation agreement with Europol. Increase capacity to fight against drug trafficking and develop a national drugs strategy in line with the EU Drugs Strategy and Action Plan on Drugs. Strengthen fight against trafficking of human beings, including by providing adequate assistance and protection to the victims. In particular in Montenegro: implement anti-money-laundering law, notably through the financial investigation unit.

Increase international cooperation and implement relevant international conventions on terrorism; improve cooperation and exchange of information between police and intelligence services within the State and with other States; prevent the financing and preparation of acts of terrorism.

Visa, asylum and migration

Develop a unified State-level approach to issues related to visa, asylum and migration in line with the Constitutional Charter, notably with the complete harmonisation of visa regimes as applied in the Republics, the adoption of the Asylum Law and the further conclusion and implementation of readmission agreements. Put in place the mechanisms to monitor the implementation of policies in the areas of asylum, migration and visa which are elaborated at the state level but which are implemented at the republican level. In particular for both Republics, full participation in the coordination mechanisms for the adoption and implementation of the relevant State level policies.

MEDIUM-TERM PRIORITIES

Political situation**Democracy and rule of law**

Continue process of restructuring of the armed forces, including as appropriate military conversion and downsizing (taking into account the social impact).

Continue public administration reform

Further develop the European Integration structures, notably by strengthening the European Integration Offices, establishing smooth cooperation mechanisms as well as European Integration Units in the line of Ministries of State and Republican level.

At the State level: ensure appropriate administrative capacity to adequately perform the State competences and that a reform strategy for the State Public Administration is developed and implemented, including the necessary legislative basis.

In Serbia: adopt civil service and public administration laws. Implement civil service human resources development measures. Strengthen capacity (policy making and inter-ministerial coordination) of the public administration at government and local levels, notably by establishing a centralised payroll system. Strengthen the economic policy-making process, e.g. through continued support to strengthen the statistical services and the creation of a medium term economic planning unit.

In Montenegro: implement the law on civil service and set up the agency for human resources management (which needs to become sustainable). Develop training and recruitment policy. Strengthen policy making process, e.g. through continued support to strengthen the statistical services and the creation of a medium term economic planning unit.

Parliament

In Serbia: develop and implement a reform strategy for the Parliament to bring its working standards and resources to a level at which it can act as an effective institution.

Promote local government

In Serbia: adopt and implement decentralisation reform and ensure sufficient local capacities to deal with, among others, administrative and financial issues and forthcoming regional programmes.

In Montenegro: implement law on local government, notably by establishing the equalisation fund.

Continue the judicial reform

In Serbia: ensure full legal and practical safeguards for independence and efficiency of the courts, including the reform of the current system of appointment procedure; implement legislation on mandatory training and ensure budgetary sustainability of the Judicial Training Centre; create an IT network for prosecutors at all levels; ensure enforcement of court decisions. Develop the capacity to try war crimes domestically in full compliance with international obligations as to cooperation with ICTY. Set up appellate and administrative courts.

In Montenegro: ensure mandatory training of judges, through revision of the law on courts and budgetary sustainability of the Judicial Training Centre. Implement the IT strategy for the judiciary.

Prison conditions

In Serbia: improve prison conditions in line with Council of Europe standards, in particular as regards vulnerable groups such as juvenile offenders; ensure further training of penitentiary staff and improvement of facilities.

In Montenegro: further training of penitentiary staff and improvement of facilities.

Fight against corruption and organised crime

In both Republics: adopt and implement a comprehensive anti-corruption strategy, including adoption and enforcement of the available anti-corruption instruments. Ensure full compliance with the UN Convention on the fight against corruption. Facilitate the placement of liaison officers, seconded by EU member states in the relevant state bodies involved in the fight against organised crime. Provide six-monthly reports to the EU on tangible results achieved in the judicial pursuit of organised crime related activities under the terms of the United Nations Convention on transnational organised crime, known as the Palermo Convention.

Human rights and the protection of minorities

Council of Europe obligations. Put in place the necessary mechanisms to monitor and ensure a coherent and consistent implementation of all Council of Europe obligations as provided for under the accession commitments.

Equality

Adopt/implement anti-discrimination legislation.

Freedom of expression

In Serbia: transform Radio Television Serbia into a public service broadcaster. Support development of media in line with EU standards. Foster professionalism of journalists and media operators.

In Montenegro: continue the transformation of Radio Television Montenegro into a public service broadcaster; support development of media in line with EU standards. Foster professionalism of journalists and media operators.

Refugees, displaced persons and minorities

In both Republics: ensure full respect of their human rights, including access to health services, and easy access to personal documents; ensure right of a real choice between sustainable return and integration; facilitate integration for those who choose not to return. In Serbia: adopt new legislation on refugees; continue to implement the National Strategy.

Regional and international cooperation

Further improve regional cooperation. Further deepen regional trade liberalisation on the basis of the Free Trade Agreements in force. With regard to the Athens process on the Regional Energy Market in South East Europe, prepare Serbia and Montenegro for the establishment in 2005 of an integrated regional energy market. Continue to implement the Memorandum of Understanding on the Development of the South East Europe Core Regional Transport Network.

Economic situation**Market economy and structural reforms***Continue sustainable macroeconomic policies*

Continue fiscal adjustment and consolidation to reduce relatively high fiscal and in particular external imbalances. Take account of the inevitable costs of structural reforms and rising interest payments, clearly prioritise public spending in short and medium term budgeting; in particular reduce subsidies, transfers and the civil service wage bill. Continuously reduce overall public spending as a share of GDP and complement prudent monetary policy with careful exchange rate policies. In Serbia: reform the health system, in particular, the health insurance fund, with a view to ensure its financial sustainability and with a view to improve health protection and the health of the population.

Complete the privatisation process and financial (bank) restructuring.

Strengthen a business environment conducive to private sector development and employment with competitive markets, level playing fields and access to finance through financial sector development.

Achieve a stable and functioning land/real estate market. Adopt and implement legislation on cadastre. Start land reform, restructuring and privatisation of large farms.

Management of public finances*Improve the budget process and financial management*

Strengthen capacity building for budget preparation and execution to enable prioritisation. Improve financial management at central and local government level. Adopt the Law on the Supreme Audit Institution.

Establish effective procedures for the detection, treatment and follow-up of cases of suspected *fraud and other irregularities* affecting national and international funds.

Continue reviewing the *fiscal legislation* and the administrative procedures in order to ensure effective and non-discriminatory enforcement of the tax legislation. Continue strengthening the administrative capacity of the tax administrations.

EU standards

Internal market and trade

Fully establish a single external trade regime under the Internal Market/Trade Action Plan. Enforce common tariffs, levies and charges for all products after the end of the transition periods foreseen.

Ensure the full implementation of the *customs reform* plan to secure a high degree of administrative capacity.

Sector policies

Industry and SMEs

In Serbia: implement the European Charter for SMEs. Rationalise complex Chamber of Commerce organisation. Make arrangements to facilitate NGO micro credit facilities.

In Montenegro: implement the European Charter for SMEs. Proceed with the development and establishment of a national guarantee fund. Further develop dialogue between government and private sector, including through the SME Agency, by establishing a formal forum for consultation and business advocacy.

Telecommunications

Transpose and implement the new EU framework for electronic communications.

Agriculture

In Serbia: further build administrative capacity for policy formulation and implementation. Design and start implementing a rural development policy. Continue strengthening veterinary, sanitary, phyto-sanitary and food-safety legislation and controls, including wine laboratories. Improve waste management and reduce agricultural pollution.

In Montenegro: adopt an overall strategy covering agriculture, rural development, fisheries, phyto-veterinary matters. Increase capacity building of the Ministry of Agriculture. Adopt the law on phytosanitary matters.

Transport

In Serbia: adopt and implement a transport policy strategy (road, rail, aviation and waterways). Strengthen capacity building, including project preparation for large investments. Earmark sufficient resources for the maintenance of transport infrastructures and institutions.

In Montenegro: earmark sufficient resources for the maintenance of transport infrastructures and institutions.

Energy

In both Republics: adopt energy sector legislation, including long term strategy for an environmentally sustainable energy policy.

In Serbia: ensure unbundling in view of restructuring and privatisation. Set up the necessary institutional structures: Transmission System Operator, Market Operator, and Energy Regulatory Agency. Progress towards a regional energy market (including through feasibility studies on interconnectivity).

In Montenegro: strengthen the energy regulator. Complete restructuring and liberalisation of the internal energy market; privatise and/or allow development of public/private partnerships in the sector.

Environment

In both Republics: adopt and implement legislation on environmental impact assessment in line with the EU acquis.

In Serbia: adopt and start implementing a strategy on pollution of air (notably from power plants), water (waste water) and soil (solid waste); strengthen administrative capacity notably as regards planning, permitting, inspecting, monitoring, as well as project management. Develop a multi-annual plan for financing investments, based on estimations of costs and realistic sources of public and private funding.

In Montenegro: develop an overall environmental strategy (waste water, solid water, air) with a view to adopt environmental protection framework legislation approximating with the EU acquis and set up an environment protection agency.

Cooperation in justice and home affairs

Continue restructuring the police: ensure accountability; reform police education; ensure cooperation among law enforcement agencies.

Border management

In both Republics: on the basis of State level policy, develop the technical infrastructure and human resource capacities to implement the Integrated Border Management policy including strengthening the border police and the customs services. Improve cross-border facilitations through new border posts.

Fight against organised crime, trafficking, drugs and money laundering

In both Republics: develop an effective system of witness protection which incorporates republican but also regional elements. Reinforce the fight against economic and financial crime (including money-laundering and counterfeiting of currencies), fraud and corruption as well as improve the related national legislation.

In Serbia: strengthen capacity building at the Ministry of Interior (notably directorate for organised crime). Develop procedures and the capacity to share intelligence between agencies. Develop an effective system of witness protection which incorporates republican but also regional elements. Strengthen the Financial Investigation Unit in the Ministry of Finance.

In Montenegro: increase administrative and judicial capacity to implement the new criminal code as regards organised crime. Strengthen the Unit for fight against organised crime at the Ministry of Interior and ensure coordination of all the enforcement bodies.

KOSOVO

AS DEFINED BY UNSCR 1244

SHORT-TERM PRIORITIES

General priority

— *In order to ensure a stable future for a secure, democratic and multi-ethnic Kosovo, make substantial progress in achieving the Standards for Kosovo, which were presented by the UN Special Representative of the Secretary General and representatives of the Provisional Institutions of Self Government in December 2003 and endorsed by the UN Security Council. In particular, carry out the concrete actions set in the Kosovo Standards Implementation Plan covering:*

- Functioning of democratic institutions
- Rule of law
- Freedom of movement
- Sustainable returns and rights of communities and their members
- Economy
- Property rights
- Dialogue with Belgrade
- Kosovo Protection Corps.

In addition to the above general priority, the following *complementary priorities* need to be addressed:

Political situation

Democracy and rule of law

- *The Provisional Institutions of Self Government (PISG) must take all necessary steps as required by the UN Interim Administration in Kosovo to overcome the consequences and address the causes of the March 2004 events.* The immediate priorities must be to condemn explicitly violence against minority communities, ensure the security of all communities, facilitate the return of displaced persons, restore and rebuild damaged and destroyed properties, including historic and religious sites, and to cooperate fully with UNMIK-KFOR to bring those responsible to Justice.

The PISG need to demonstrate their full and unconditional commitment to a multi-ethnic Kosovo, in particular with respect to the protection and promotion of rights of members of the minority communities, equal security, freedom of movement and sustainable returns for all inhabitants of Kosovo.

- *EU compatibility:* develop the EU orientation of the Kosovo Government policy-making by institutionalising within the Prime Minister Office the mechanism for effective verification of EU consistency of government policies and draft laws; developing at the ministerial level and the Assembly of Kosovo capacity to ensure EU compatibility.
- *Fight against corruption and organised crime:* improve cooperation between UNMIK and PISG effectively to implement the 'zero tolerance' policy against corruption, notably by providing all necessary support to the investigations undertaken by OLAF and OIOS (the UN internal audit service).

Regional and international cooperation

- *Ensure full cooperation with ICTY*
- *Enhance regional cooperation.* Further integration into the regional network of Free Trade Agreements under the Stability Pact Memorandum of Understanding on Trade Liberalisation and Facilitation in South Eastern Europe, in compliance with UNSCR 1244. Start implementing the Memorandum of Understanding on the Development of the South East Europe Core Regional Transport Network and in particular take measures to set up the cooperation mechanisms, *inter alia*, the Steering Committee and the South East Europe Transport Observatory. Make progress in meeting commitments under the 2002 and 2003 Memoranda of the Athens process on the Regional Energy Market in South East Europe.

Economic situation

Market economy and structural reforms

- Define the *macro-economic priorities* for Kosovo in close cooperation with IMF.
- Revitalise the *privatisation* process to support economic development and attract inward investment and develop a comprehensive strategy to this end.

Management of public finances

- Develop technical support systems and procedures to ensure transparency, efficiency, and better *control of public spending*.
- Establish effective procedures for the detection, treatment and follow-up of cases of suspected *fraud and other irregularities* affecting national and international funds.

EU standards

Internal market and trade

- Continue development of a *legislative and policy framework* for trade and trade-related policies, ensuring EU- and WTO-compatibility. Fully implement the new Customs Code. Adopt a Domestic Trade Law and a Law on Trade Inspection.

Sector policies— *Environment*

Prepare a comprehensive environmental action plan, particularly relating to public health issues, with a view to approximating with the EU acquis.

Adopt and implement legislation on environmental impact assessment in line with the EU acquis.

— *Transport*

Prepare and adopt a transport policy framework on transport including the gradual development of a multi-modal transport strategy.

Develop the civil operator of Pristina airport, its staff and facilities, to ensure an adequate level of security and sound and accountable management.

— *Energy*

Establish effective and functioning governance structures in the energy sector to ensure the viability and sustainability of the Kosovo electricity company notably by substantially increasing revenue collection.

Cooperation in justice and home affairs

— Implement the new Criminal and Criminal Procedure Codes.

MEDIUM-TERM PRIORITIES**Political situation****Democracy and rule of law**

- *Improve EU compatibility*: strengthen the capacity of all Kosovo institutions to enact and effectively enforce EU compatible policies and legislation, notably by reinforcing the structures dealing with European integration in the context of the stabilisation and association process.
- *Strengthen public administration reform*: implement a Public Administration reform in order to streamline public administration and build a professional and accountable civil service able to attract and retain qualified staff. Improve the capacity of local administration to provide services to their constituencies in an equitable and effective manner.
- *Reinforce judicial reform*: strengthen the judiciary and law enforcement agencies, notably by improving infrastructure, equipment and training. Transform the Kosovo Judicial Institute into a viable future institution responsible for judicial training. Ensure the viability of a comprehensive legal aid system for Kosovo. Improve the penitentiary system with particular attention to management, vocational training and reintegration schemes.
- *Fight against corruption*: implement a comprehensive anti-corruption strategy comprising prevention measures and an effective investigation and prosecution, notably by strengthening local capacity, in line with Council of Europe standards.

Human rights and protection of minorities

- *Ombudsman*: ensure the viability and the continued independence of the Ombudsman institution in Kosovo.
- *Further develop freedom of expression*: ensure the long-term viability of the public broadcaster and its capacity to perform its role as a public service broadcaster to all communities.
- *Improve protection of minorities*: ensure the viability of minority communities and their non discriminatory participation in Kosovo society, notably by establishing the necessary framework to ensure the equitable provision of public utilities and universal services.

Economic situation**Market economy and structural reforms**

- Ensure viability of a *borrowing and debt management* capacity.
- Develop guarantee mechanisms for political risk to attract *foreign investment*.
- Further develop the *regulatory framework* for public utilities with regard to EU and international standards, notably by adopting and implementing subsidiary legislation, procedures and guidelines. Strengthen the administrative capacity of the regulators. Ensure that regulators have suitable local staff and develop their professional skills and technical equipment to discharge their functions.
- Develop the capacity of the *banking sector* to provide long-term financing to the economy.
- Develop a *social policy* to promote employment and social cohesion, to address poverty and social exclusion, to further improve social standards and to develop effective social protection systems.
- Increase efforts to ensure the compatibility of the *statistical system* with EU standards.

Management of public finances

- Develop capacity of the *Tax Administration* in order to increase non-customs revenue (direct and indirect taxation) through the progressive development of a taxation system based on EU standards. Start reviewing the present tax legislation and elaborate and implement a realistic action plan in order to progressively strengthen the administrative capacity of the Tax Administration.
- Ensure viability of the *budget* cycle notably by capacity building for budget preparation and execution. Develop the capacity of the Assembly of Kosovo to effectively participate in the public finance process. Ensure smooth spending across the financial year and the 'carry-over' principle for unspent funds.

EU standards**Internal market and trade**

- Continue gradual *alignment of Kosovo's legislation* with all aspects of the EU's company law acquis.

Sector policies**— Agriculture**

Develop a regulatory framework and appropriate mechanisms to ensure food safety and improved phyto-sanitary controls in line with relevant EU standards, also to improve Kosovo's export opportunities. Develop a policy and a regulatory framework to support viable land reform. Support the protection of agricultural land against unplanned urban development.

— Environment

Adopt and implement the environmental action plan with a view to approximating with the EU acquis.

— Transport

Implement a transport policy framework on transport including the gradual development of a multi modal transport strategy.

— Energy

Develop policy framework for public-private partnerships and mixed investments in the energy sector.

Cooperation in justice and home affairs

- Strengthen cooperation between border/boundaries management agencies and strengthen capacity for implementation of veterinary and sanitary and phytosanitary standards as a part of the integrated border management system.
-

COUNCIL DECISION
of 21 June 2004
amending Decision 2003/893/EC on trade in certain steel products between the European
Community and Ukraine
(2004/521/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Whereas:

- (1) As from 1 May 2004, the European Union includes 10 new Member States, which are: Cyprus, Czech Republic, Estonia, Hungary, Lithuania, Latvia, Malta, Poland, Slovenia and Slovakia. The 2003 Act of Accession stipulates in its Article 6(8) that the quantitative restrictions applied by the Community on imports of steel products shall be adjusted on the basis of imports of new Member States over recent years.
- (2) By Decision 2003/893/EC⁽¹⁾, the Council adopted quantitative limits on imports into the European Community of certain steel products originating in Ukraine.
- (3) Since the negotiations with Ukraine on the conclusion of a bilateral steel agreement have not been completed, and in pursuance of Article 6(8), third subparagraph of the 2003 Act of Accession, it is necessary to provide for the increase of existing quantitative limits to ensure that traditional trade is maintained after the enlargement of the European Union. This increase is based on the average of the imports of the relevant steel products by the new Member States over the years 2000, 2001 and 2002 adjusted *pro rata temporis*, since the enlargement

will be effective on 1 May 2004, and further adjusted by applying the same reducing factor of 30 % already applied to the quantitative limits adopted as a result of the obstacles to the export of ferrous scrap imposed by Ukraine. These quantitative limits will be further amended as necessary following the conclusion of an agreement.

- (4) Therefore, Annex II to Council Decision 2003/893/EC should be amended,

HAS DECIDED AS FOLLOWS:

Article 1

Annex II to Decision 2003/893/EC shall be replaced by the Annex to this Decision.

Article 2

This Decision shall take effect on the third day following that of its publication in the *Official Journal of the European Union*.

Done at Luxembourg, 21 June 2004.

For the Council

The President

J. WALSH

⁽¹⁾ OJ L 333, 20.12.2003, p. 84.

ANNEX

‘ANNEX II

QUANTITATIVE LIMITS — UKRAINE

(tonnes)	
Year	2004
Products	
<i>SA Flat products</i>	
SA1 Coils	62 037
SA2 Heavy plate	200 104
SA3 Other flat products	66 608
<i>SB Long products</i>	
SB1 Beams	12 481
SB2 Wire rod	66 828
SB3 Other long products	122 170