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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2116/2004**of 2 December 2004**

amending Regulation (EC) No 2201/2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000, as regards treaties with the Holy See

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 57(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Article 40 of Council Regulation (EC) No 1347/2000 of 29 May 2000 on jurisdiction and the recognition and enforcement of judgments in matrimonial matters and in matters of parental responsibility for children of both spouses⁽¹⁾ provides that decisions as to the invalidity of a marriage taken under the treaties between the Holy See and Portugal, Italy and Spain (Concordats) are to be recognised in the Member States on the conditions laid down in Chapter III of that Regulation.
- (2) Article 40 of Regulation (EC) No 1347/2000 was amended by Annex II of the 2003 Act of Accession so as to mention Malta's Agreement with the Holy See on the recognition of civil effects to canonical marriages and to decisions of ecclesiastical authorities and tribunals on those marriages of 3 February 1993, with the second Additional Protocol of 6 January 1995.
- (3) Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000⁽²⁾ entered into force on 1 August 2004 and will apply from 1 March 2005 in all Member States with the exception of Denmark.

⁽¹⁾ OJ L 160, 30.6.2000, p. 19. Regulation as last amended by Commission Regulation (EC) No 1804/2004 (OJ L 318, 19.10.2004, p. 7).

⁽²⁾ OJ L 338, 23.12.2003, p. 1.

(4) Malta has requested that Article 63 of Regulation (EC) No 2201/2003, which corresponds to Article 40 of Regulation (EC) No 1347/2000, be amended so as to mention its Agreement with the Holy See.

(5) Article 57 of the 2003 Act of Accession provides that acts adopted prior to accession which require adaptation by reason of accession may be adapted through a simplified procedure whereby the Council acts by qualified majority on a proposal from the Commission.

(6) It is justified to take account of Malta's request and to amend Regulation (EC) No 2201/2003 accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Article 63 of Regulation (EC) No 2201/2003 is amended as follows:

1. in paragraph 3, the following point shall be added:

'(c) Agreement between the Holy See and Malta on the recognition of civil effects to canonical marriages and to decisions of ecclesiastical authorities and tribunals on those marriages of 3 February 1993, including the Protocol of application of the same date, with the second Additional Protocol of 6 January 1995';

2. paragraph 4 shall be replaced by the following:

'4. Recognition of the decisions provided for in paragraph 2 may, in Spain, Italy or Malta, be subject to the same procedures and the same checks as are applicable to decisions of the ecclesiastical courts handed down in accordance with the international treaties concluded with the Holy See referred to in paragraph 3'.

Article 2

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

This Regulation shall apply from 1 March 2005.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaty establishing the European Community.

Done at Brussels, 2 December 2004.

For the Council
The President
J. P. H. DONNER

COUNCIL REGULATION (EC) No 2117/2004**of 7 December 2004****extending the suspension of the anti-dumping duty imposed by Commission Decision No 2730/2000/ECSC on imports of coke of coal in pieces with a diameter of more than 80 mm originating in the People's Republic of China**

THE COUNCIL OF THE EUROPEAN UNION,

that the suspension may be extended for a further period, not exceeding one year, if the Council so decides on a proposal from the Commission.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁽¹⁾, (the basic Regulation), and in particular Article 14(4) thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

(4) Following the suspension of the definitive anti-dumping duty by the Decision, the Commission has, in accordance with recital (15) of the Decision, continued to monitor the market situation of coke 80+. In addition to the analysis of the imports from the PRC, a questionnaire was sent to all parties concerned requesting data on production, sales in volume and in prices on the Community market and profitability for 2003 and the first six months in 2004.

(5) Replies were received from both the complainant and user industries. Four Community producers cooperated: three from EU-15 (complainant industry) and one from Poland. Twelve companies representing both the stone-wool and foundry industries also cooperated.

A. PROCEDURE

(1) By Decision 2730/2000/ECSC⁽²⁾, the Commission imposed a definitive anti-dumping duty of EUR 32,6 per tonne on imports of coke of coal in pieces with a diameter of more than 80 mm (coke 80+) originating in the People's Republic of China (the PRC), falling within CN code ex 2704 00 19 (TARIC code 2704 00 19 10).

(2) By Decision 2004/264/EC⁽³⁾ (the Decision), the Commission suspended the definitive anti-dumping duty for a period of nine months, with effect from 20 March 2004.

B. GROUNDS FOR EXTENDING OF THE SUSPENSION

(3) Article 14(4) of the basic Regulation provides for the possibility of suspension of anti-dumping measures in the Community interest on the grounds that market conditions have changed temporarily to an extent that injury would be unlikely to resume as a result of such a suspension. The anti-dumping measures may be suspended by a decision of the Commission for a period of nine months. Article 14(4) further specifies

Imports from the PRC

(6) As to the volume of imports into the Community from the PRC, it was found that during the first six months of 2004 the volume of imports of the product concerned had decreased by 4% compared to the same period in 2003. Based on the experience of previous years, it seems, however, that more imports are normally made during the second half of the year. Indeed, in this case the comparison of the volume of imports between January and June 2004 and the last six months of 2003 shows a decrease of 11%.

(7) With regard to prices, the average price of coke 80+ during the first six months in 2004 increased by 107% compared to the average price in 2003. On average, the unit price was EUR 124 per tonne in 2003 and EUR 256 per tonne during the first six months of 2004. It is noted that during the first five months of 2004 there was a slight increase, from EUR 110 to EUR 140, and that in June the price rose to EUR 403.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 461/2004 (OJ L 77, 13.3.2004, p. 12).

⁽²⁾ OJ L 316, 15.12.2000, p. 30. Decision as amended by Council Regulation (EC) No 997/2004 (OJ L 183, 20.5.2004, p. 1).

⁽³⁾ OJ L 81, 19.3.2004, p. 89.

Imports from other countries

- (8) During the original investigation, the PRC main competitors were Poland and the Czech Republic. Based on Eurostat, total imports from these countries were 924 602 tonnes compared to 318 005 tonnes from the PRC in 2003. These countries are now part of the Community industry and their data have been taken into consideration.

Situation of the Community producers

- (9) The production among the Community producers (EU-15) increased from 442 397 tonnes in 2003 to an estimated 543 920 tonnes in 2004, i.e. by 23 %. At the same time, the sales volume increased by 35 % and prices by 8 %. The Community industry seems to have started to recover relatively well from the previous injurious situation, as the average profit was 8,5 % in 2003 and 12,4 % at the end of June 2004.
- (10) With regard to the new EU Member States, production of coke 80 + is concentrated mainly in Poland and the Czech Republic. One of the Polish producers cooperated in this proceeding. EU-25 production among the cooperating companies increased by 30 % from 2003 to 2004. At the same time, the sales volume increased by 39 % and sales prices by 12 %. The average profit for EU-25 producers was 13 % in 2003 and 19,1 % in 2004.

Situation of the user industry (stone-wool and foundry industry)

- (11) Prices of coke 80 + imported from the PRC by the user industry increased from EUR 143 per tonne in 2003 to EUR 255 per tonne in 2004 (April to June), i.e. by 78 %. The volume of Chinese coke purchased by these users decreased from 158 730 tonnes in 2003 to an estimated volume of 65 114 tonnes in 2004, i.e. by 59 %.
- (12) Users still maintain that the supply of coke 80 + does not meet the demand on the Community market, despite significant increases in production and sales by the Community industry. In addition, they argue that Chinese coke 80 + is not available in sufficient quantities and even then only at very high prices.

C. CONCLUSION

- (13) From the above, it can be seen that the market is in the same situation as when the measures were suspended.

Indeed, given the temporary change in market conditions, and in particular the high level of prices of the product concerned, which are far above the injurious level found in the original investigation, together with the shortage of coke 80 + supply, it is considered that the injury caused to the Community industry by imports of coke 80 + from the PRC is unlikely to resume under the present circumstances, and that an extension of the suspension would be in the Community interest. Consequently, the conditions for the suspension continue to be fulfilled.

- (14) In view of the abovementioned findings, it is proposed that the suspension of the anti-dumping duty on imports of coke of coal in pieces with a diameter of more than 80 mm be extended for a further period of one year, pursuant to Article 14(4) of the basic Regulation.
- (15) It should be noted when this extended suspension expires, the anti-dumping duty in force will have lapsed, unless a request for an expiry review is lodged.
- (16) All interested parties were informed of the essential facts and considerations leading to this conclusion. On the grounds that the coke market is very volatile, the Community industry requested an extension, limited to nine months, of the suspension of the anti-dumping duty. In this respect it was considered that a shorter period was not appropriate in the present context, since pursuant to Article 14(4) of the basic Regulation, measures may be reinstated, at any time and after consultation, if the reason for suspension is no longer applicable.
- (17) For the period of the suspension, the Commission will continue to monitor the development of imports of coke 80 + into the Community,

HAS ADOPTED THIS REGULATION:

Article 1

The suspension of the definitive anti-dumping duty imposed by Commission Decision 2730/2000/ECSC is hereby extended until 15 December 2005.

Article 2

This Regulation shall enter into force on the day following 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, 7 December 2004.

For the Council

The President

G. ZALM

COMMISSION REGULATION (EC) No 2118/2004**of 13 December 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 14 December 2004.

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

Done at Brussels, 13 December 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽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 Commission Regulation of 13 December 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	109,2
	204	91,2
	624	182,9
	999	127,8
0707 00 05	052	88,7
	220	122,9
	999	105,8
0709 90 70	052	130,6
	204	63,2
	999	96,9
0805 10 10, 0805 10 30, 0805 10 50	052	50,8
	204	52,8
	382	32,3
	388	48,6
	528	36,4
	999	44,2
0805 20 10	204	66,5
	999	66,5
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	67,8
	204	46,2
	464	171,7
	624	80,7
	720	30,2
	999	79,3
0805 50 10	052	40,2
	528	42,2
	999	41,2
0808 10 20, 0808 10 50, 0808 10 90	052	116,3
	388	150,4
	400	86,2
	404	106,9
	512	105,4
	720	51,5
	804	167,7
	999	112,1
0808 20 50	400	95,1
	720	42,1
	999	68,6

⁽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 2119/2004**of 13 December 2004****opening tendering procedure No 53/2004 EC for the sale of wine alcohol for new industrial uses**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, and in particular Article 33 thereof,

Whereas:

(1) Commission Regulation (EC) No 1623/2000 of 25 July 2000 laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms ⁽²⁾ lays down, *inter alia*, the detailed rules for disposing of stocks of alcohol arising from distillation under Articles 27, 28 and 30 of Regulation (EC) No 1493/1999 held by intervention agencies.

(2) In accordance with Article 80 of Regulation (EC) No 1623/2000, tendering procedures should be organised for the sale of wine alcohol for new industrial uses with a view to reducing the stocks of wine alcohol in the Community and enabling small-scale industrial projects to be carried out and such alcohol to be processed into goods intended for export for industrial uses. The wine alcohol of Community origin in storage in the Member States consists of quantities produced from distillation under Articles 27, 28 and 30 of Regulation (EC) No 1493/1999.

(3) Since 1 January 1999 and in accordance with Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽³⁾, the prices offered in tenders and securities must be expressed in euro and payments must be made in euro.

(4) Minimum prices should be fixed for the submission of tenders, broken down according to the type of end-use.

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

HAS ADOPTED THIS REGULATION:

Article 1

Tendering procedure No 53/2004 EC is hereby opened for the sale of wine alcohol for new industrial uses. The alcohol concerned has been produced from distillation under Articles 27 and 28 of Regulation (EC) No 1493/1999 and is held by the French intervention agency.

The volume put up for sale is 120 000 hectolitres of alcohol at 100 % vol. The vat numbers, places of storage and the volume of alcohol at 100 % vol contained in each vat are detailed in the Annex hereto.

Article 2

The sale shall be conducted in accordance with Articles 79, 81, 82, 83, 84, 85, 95, 96, 97, 100 and 101 of Regulation (EC) No 1623/2000 and Article 2 of Regulation (EC) No 2799/98.

Article 3

1. Tenders must be submitted to the intervention agency holding the alcohol concerned:

Onivins-Libourne, Délégation nationale
17, avenue de la Ballastière, boîte postale 231
F-33505 Libourne Cedex
(tel. (33-5) 57 55 20 00
telex: 57 20 25
fax: (33-5) 57 55 20 59)

or sent by registered mail to that address.

2. Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 53/2004 EC for new industrial uses', the outer envelope bearing the address of the intervention agency concerned.

⁽¹⁾ OJ L 179, 14.7.1999, p. 1. Regulation as last amended by Regulation (EC) No 1795/2003 (OJ L 262, 14.10.2003, p. 13).

⁽²⁾ OJ L 194 du 31.7.2000, p. 45. Regulation as last amended by Regulation (EC) No 1774/2004 (OJ L 316, 15.10.2004, p. 61).

⁽³⁾ OJ L 349, 24.12.1998, p. 1.

3. Tenders must reach the intervention agency concerned not later than 12.00 Brussels time on 4 January 2005.

4. All tenders must be accompanied by proof that a tendering security of EUR 4 per hectolitre of alcohol at 100 % vol has been lodged with the intervention agency concerned.

Article 4

The minimum prices which may be offered are EUR 8,35 per hectolitre of alcohol at 100 % vol intended for the manufacture of baker's yeast, EUR 26 per hectolitre of alcohol at 100 % vol intended for the manufacture of amine- and chloral-type chemical products for export, EUR 32 per hectolitre of alcohol at 100 % vol intended for the manufacture of eau de Cologne for export and EUR 7,50 per hectolitre of alcohol at 100 % vol intended for other industrial uses.

Article 5

The formalities for sampling shall be as set out in Article 98 of Regulation (EC) No 1623/2000. The price of samples shall be EUR 10 per litre.

The intervention agency shall provide all the necessary information on the characteristics of the alcohol put up for sale.

Article 6

The performance guarantee shall be EUR 30 per hectolitre of alcohol at 100 % vol.

Article 7

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, 13 December 2004.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX

INVITATION TO TENDER No 53/2004 EC FOR THE SALE OF ALCOHOL FOR NEW INDUSTRIAL USES

Place of storage, volume and characteristics of the alcohol put up for sale

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulation (EC) No 1493/1999 Article	Type of alcohol	Alcohol strength (in % vol)
FRANCE	Onivins-Longuefuye F-53200 Longuefuye	8	22 565	27	Raw	+ 92
		1	22 605	27	Raw	+ 92
		7	22 620	27	Raw	+ 92
		2	22 640	27	Raw	+ 92
		15	710	28	Raw	+ 92
		21	8 860	27	Raw	+ 92
	Onivins-Port-la-Nouvelle Entrepôt d'alcool Avenue Adolphe Turrel BP 62 F-11210 Port-la-Nouvelle	35	8 785	27	Raw	+ 92
		27	2 505	27	Raw	+ 92
		34	8 710	27	Raw	+ 92
	Total		120 000			

COMMISSION REGULATION (EC) No 2120/2004**of 10 December 2004****amending Regulation (EC) No 2729/2000 laying down detailed implementing rules on controls in the wine sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine⁽¹⁾, and in particular Article 72(4) thereof,

Whereas:

- (1) The second subparagraph of Article 11(2) of Commission Regulation (EC) No 2729/2000⁽²⁾ determines the minimum number of samples to be taken each year for the analytical databank provided for in Article 10 of that Regulation. Following the accession of the Czech Republic, Cyprus, Hungary, Malta, Slovenia and Slovakia, the number of samples to be taken for those countries should be determined.
- (2) Article 12 determines the number of analyses to be performed by the Joint Research Centre (JRC), including analyses of samples from Member states not yet equipped. A transitory period should be laid down to provide for the setting up and the organisation of proficient isotopic laboratories in those Member states.
- (3) Annexes I, II and III to Regulation (EC) No 2729/2000 draw up precise instructions for the processing, analysis and reporting of samples. To take account of experience and technical progress, those instructions should be updated.
- (4) Regulation (EC) No 2729/2000 should be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2729/2000 is amended as follows:

1. In Article 11(2), the second subparagraph is replaced by the following:

‘The number of samples to be taken each year for the databank shall be at least:

— 20 samples in the Czech Republic,

— 200 samples in Germany,

— 50 samples in Greece,

— 200 samples in Spain,

— 400 samples in France,

— 400 samples in Italy,

— 10 samples in Cyprus,

— 4 samples in Luxembourg,

— 50 samples in Hungary,

— 4 samples in Malta,

— 50 samples in Austria,

— 50 samples in Portugal,

— 20 samples in Slovenia,

— 15 samples in Slovakia,

— 4 samples in the United Kingdom’.

2. In Article 12(1), the first sentence is replaced by the following:

‘For a period ending on 31 July 2008, pending the setting up of the adequate analytical equipment, wine-producing Member States not equipped to carry out isotopic analysis shall send their wine samples to the JRC for analysis.’

3. Annex I is replaced by the text in Annex I to this Regulation.
4. Annex II is replaced by the text in Annex II to this Regulation.
5. Annex III is replaced by the text in Annex III to this Regulation.

Article 2

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

⁽¹⁾ OJ L 179, 14.7.1999, p. 1. Regulation as last amended by Commission Regulation (EC) No 1795/2003 (OJ L 262, 14.10.2003, p. 13).

⁽²⁾ OJ L 316, 15.12.2000, p. 16.

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

Done at Brussels, 10 December 2004.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX I

'ANNEX I

Instructions for taking samples of fresh grapes and processing them into wine for analysis by the isotopic methods referred to in Article 11

I. SAMPLING OF GRAPES

- A. Each sample must consist of at least 10 kg of ripe grapes of the same variety. They are to be taken in the condition in which they are found.

Sampling must be carried out during the period when the plot in question is harvested. The grapes collected must be representative of the whole plot. The fresh grape samples, or the derived pressed must, may be preserved by freezing until further usage.

Only in the case that oxygen-18 measurement of the water of the must is foreseen, an aliquot of must may be taken separately and preserved after pressing the whole grape sample.

- B. When the samples are taken, a description sheet is to be drawn up. This sheet must include a first part concerning the sampling of the grapes and a second part concerning vinification. It must be kept with the sample and must accompany it during all transportation. It must be kept up to date by means of an entry regarding each type of treatment undergone by the sample.

The description sheet concerning the sampling is to be drawn up in accordance with Part I of the questionnaire in Annex II.

II. VINIFICATION

- A. Vinification must be carried out by the competent body or by a department authorised to do so by that body, wherever possible under conditions comparable with the normal conditions in the production area of which the sample is representative. Vinification should result in the total transformation of the sugar into alcohol, i.e. in less than 2 g/l of residual sugar. However, in certain cases, e.g. for ensuring a better representativity, higher amounts of residual sugars can be accepted. As soon as the wine has clarified and stabilised by means of SO₂, it must be put in 75 cl bottles and labelled.
- B. The description sheet for vinification is to be drawn up in accordance with Part II of the questionnaire in Annex II.'
-

ANNEX II

'ANNEX II

Questionnaire on the collection and vinification of samples of grapes intended for analysis by isotopic methods

The analytical methods and the expression of results (units) to be used are those described in the Annex to Regulation (EEC) No 2676/90 (or proved equivalent by the laboratories involved in the analysis).

Part I**1. General information**

- 1.1. Sample number:
- 1.2. Name and function of the official or authorised person who took the sample:
- 1.3. Name and address of the competent body responsible for taking the sample:
- 1.4. Name and address of the competent body responsible for vinification and dispatch of the sample, if other than the body referred to at 1.3:

2. General description of the samples

- 2.1. Origin (country, region):
- 2.2. Year of harvest:
- 2.3. Vine variety:
- 2.4. Colour of the grapes:

3. Description of the vineyard

- 3.1. Name and address of person farming the plot:
- 3.2. Location of the plot:
 - wine village:
 - locality:
 - cadastral reference:
 - latitude and longitude:
- 3.3. Soil type (e.g. limey, clayey, lime-clay, sandy):
- 3.4. Situation (e.g. slope, plain, exposed to sun):
- 3.5. Number of vines per hectare:
- 3.6. Approximate age of vineyard (less than 10 years/between 10 and 25 years/more than 25 years):
- 3.7. Altitude:
- 3.8. Method of training and pruning:
- 3.9. Type of wine into which the grapes are normally made (table wine, quality wine psr, other)(see definitions of Regulation (EC) No 1493/1999, Annex 1):

4. Crop and must characteristics

- 4.1. Estimated yield per hectare for the plot harvested: (kg/ha)
- 4.2. State of health of the grapes (e.g. sound, rotten), specifying whether the grapes were dry or wet when the sample was taken:
- 4.3. Date on which sample was taken:

5. Weather conditions preceding harvest

5.1. Precipitation in the ten days preceding harvest: yes/no. If yes, additional information where available.

6. Irrigated vineyards

If the crop is irrigated, date of last watering:

(Stamp of the competent body responsible for taking the sample, and name, position and signature of official taking the sample)

Part II**1. Microvinification**

1.1. Weight of the sample of grapes, in kg:

1.2. Method of pressing:

1.3. Volume of must obtained:

1.4. Characteristics of the must:

- sugar concentration expressed in g/l by refractometry:
- total acidity expressed in g/l of tartaric acid: (optional)

1.5. Method of treating the must (e. g. settling, centrifugation):

1.6. Yeasting (variety of yeast used). Indicate whether or not there was spontaneous fermentation.

1.7. Temperature during fermentation:

1.8. Method for determining end of fermentation:

1.9. Method of treating the wine (e. g. racking):

1.10. Addition of sulphur dioxide in mg/l:

1.11. Analysis of the wine obtained:

- actual alcoholic strength in % vol.:
- total dry extract:
- reducing sugars expressed as g/l of invert sugar:

2. Chronological table of vinification of the sample

Date:

— on which sample was taken: (same date as date of harvest, part I-4.3)

— of pressing:

— of commencement of fermentation:

— of end of fermentation:

— of bottling:

Date on which Part II was completed:

(Stamp of the competent body which carried out vinification and signature of competent official of that body)"

ANNEX III

'ANNEX III

ANALYSIS REPORT

Wine and wine product samples analysed by an isotopic method described in the Annex to Regulation (EEC) No 2676/90, to be entered in the JRC isotope databank

I. GENERAL INFORMATION (carried over from Annex II)

1. Country:
2. Sample number:
3. Year:
4. Vine variety:
5. Type of wine:
6. Region/district:
7. Name and address of laboratory responsible for the results:
8. Sample for control analysis by the JRC: yes/no

II. METHODS AND RESULTS

1. **Wine** (carried over from Annex II)

- | | |
|--|--------|
| 1.1. Alcoholic strength by volume: | % vol. |
| 1.2. Total dry extract: | g/l |
| 1.3. Reducing sugars: | g/l |
| 1.4. Total acidity expressed as tartaric acid: | g/l |
| 1.5. Total sulphur dioxide: | mg/l |

2. **Distillation of wine for SNIF-NMR**

- 2.1. Description of distillation apparatus
- 2.2. Volume of wine distilled/weight of distillate obtained

3. **Analysis of distillate**

- 3.1. Alcohol strength of the distillate % (m/m)

4. **Result of deuterium isotope ratios of ethanol measured by NMR**

- 4.1. $(D/H)_I =$ ppm
- 4.2. $(D/H)_{II} =$ ppm
- 4.3. "R" =

5. **NMR parameters**

Observed frequency:

6. **Result of isotopic ratio $^{18}O/^{16}O$ of wine**

$\delta^{18}O$ [‰] = ‰ V. SMOW — SLAP

7. **Result of isotopic ratio $^{18}O/^{16}O$ of must** (when applicable)

$\delta^{18}O$ [‰] = ‰ V. SMOW — SLAP

8. **Result of isotopic ratio $^{13}C/^{12}C$ of wine ethanol**

$\delta^{13}C$ [‰] = ‰ V-PDB'

COMMISSION REGULATION (EC) No 2121/2004

of 13 December 2004

amending Regulation (EC) No 1727/1999 laying down certain detailed rules for the application of Council Regulation (EEC) No 2158/92 on protection of the Community's forests against fire and Regulation (EC) No 2278/1999 laying down certain detailed rules for the application of Council Regulation (EEC) No 3528/86 on the protection of the Community's forests against atmospheric pollution

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

of these national programmes, the Commission shall decide on the financial contributions to the eligible costs.

Having regard to the Treaty establishing the European Community,

(3) Article 14(1) of Regulation (EC) No 2152/2003 requires Member States to designate the bodies competent to manage the activities included in the approved national programmes. Thus, that Regulation explicitly delegates implementation tasks to national bodies.

Having regard to Regulation (EC) No 2152/2003 of the European Parliament and of the Council of 17 November 2003 concerning monitoring of forests and environmental interactions in the Community⁽¹⁾, and in particular Article 14(5) thereof,

(4) In the absence of a Commission Regulation laying down the detailed rules for the implementation of Regulation (EC) No 2152/2003, the provisions of Commission Regulations (EEC) 1696/87 of 10 June 1987 laying down certain detailed rules for the implementation of Council Regulation (EEC) No 3528/86 on the protection of the Community's forests against atmospheric pollution (inventories, network, reports)⁽⁴⁾, (EC) No 804/94 of 11 April 1994 laying down certain detailed rules for the application of Council Regulation (EEC) No 2158/92 as regards forest fire information systems⁽⁵⁾, (EC) No 1091/94 of 29 April 1994 laying down certain detailed rules for the implementation of Council Regulation (EEC) No 3528/86 on the protection of the Community's forests against atmospheric pollution⁽⁶⁾, (EC) No 1727/1999⁽⁷⁾ and (EC) No 2278/1999⁽⁸⁾ are still applicable, in so far as they are not incompatible with Regulation (EC) No 2152/2003.

Whereas:

(1) Regulation (EC) No 2152/2003 applies from 1 January 2003 and provides the basis to continue with an integrated approach the measures previously carried out under Council Regulation (EEC) No 3528/86 of 17 November 1986 on the protection of the Community's forests against atmospheric pollution⁽²⁾ and Council Regulation (EEC) No 2158/92 of 23 July 1992 on protection of the Community's forests against fire⁽³⁾. In addition, Regulation (EC) No 2152/2003 has been established to continue air pollution and fire-related forest monitoring and study any further development of the scheme in the future in order to address new environmental issues of relevance for the Community.

(5) Certain provisions of Regulations (EC) No 1727/1999 and (EC) No 2278/1999 should, however, be brought into line with Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities⁽⁹⁾, in particular Article 54(2)(c) and Article 56 thereof, and Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities⁽¹⁰⁾.

(2) Article 8(1) of Regulation (EC) No 2152/2003 stipulates that the activities provided for in Articles 4, 5, 6(2) and (3) and 7(2) of the Regulation shall be implemented under national programmes to be drawn up by Member States for a period of two years. According to Article 8(5), on the basis of the national programmes submitted, or on the basis of any approved adaptations

⁽¹⁾ OJ L 324, 11.12.2003, p. 1. Regulation as last amended by Regulation (EC) No 788/2004 (OJ L 38, 30.4.2004, p. 17).

⁽²⁾ OJ L 326, 21.11.1986, p. 2. Regulation as last amended by Regulation (EC) 804/2002 of the European Parliament and of the Council (OJ L 32, 17.5.2002, p. 1).

⁽³⁾ OJ L 217, 31.7.1992, p. 3. Regulation as last amended by Regulation (EC) No 805/2002 of the European Parliament and of the Council (OJ L 32, 17.5.2002, p. 3).

⁽⁴⁾ OJ L 161, 22.6.1987, p.1. Regulation as last amended by Regulation (EC) No 2278/1999 (OJ L 279, 29.10.1999, p. 3).

⁽⁵⁾ OJ L 93, 12.4.1994, p. 11.

⁽⁶⁾ OJ L 125, 18.5.1994, p. 1. Regulation as last amended by Regulation (EC) No 2278/1999 (OJ L 279, 29.10.1999, p. 3).

⁽⁷⁾ OJ L 203, 3.8.1999, p. 41.

⁽⁸⁾ OJ L 279, 29.10.1999, p. 3.

⁽⁹⁾ OJ L 248, 16.9.2002, p. 1.

⁽¹⁰⁾ OJ L 357, 31.12.2002, p. 1.

- (6) Prior analysis has disclosed that the delegation of budget implementation tasks in accordance with Article 54(2)(c) of Regulation (EC, Euratom) No 1605/2002 to national public-sector bodies or bodies governed by private law satisfies the requirements of sound financial management and ensures compliance with the principle of non-discrimination and the visibility of Community action.
 - (7) Criteria for the selection of bodies competent to be designated by the Member States according to Regulation (EC) No 2152/2003 should be introduced into Regulations (EC) No 1727/1999 and (EC) No 2278/1999 together with provisions ensuring compliance with the requirements of a sound financial management and full respect of the principles of non-discrimination and transparency.
 - (8) Regulations (EC) No 1727/1999 and (EC) No 2278/1999 should therefore be amended accordingly.
 - (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Forestry Committee,
 - (d) they shall ensure the transparency of the operations carried out in accordance with Article 56(1)(a) to (e) of Regulation (EC, Euratom) No 1605/2002.
3. In addition to meeting the criteria set out in paragraph 2 the private-law entities referred to in point (a) of that paragraph shall provide proof of the following:
- (a) their technical and professional capacity, on the basis of documentary evidence of the educational and professional qualifications of the members of their managerial staff;
 - (b) their economic and financial capacity, on the basis of appropriate statements from banks or evidence of relevant professional risk indemnity insurance or a state guarantee, or balance sheets, or extracts from balance sheets, covering at least the last two years for which accounts have been closed, where publication of the balance sheet is required under the company law of the country in which the entity is established;
 - (c) their competence under national law to perform the budget-implementation tasks, as attested by for example documentary evidence of their enrolment in a professional or trade register or a sworn declaration or certificate, membership of a specific organisation, express authorisation or entry in VAT register;
 - (d) that they are not in one of the situations listed in Articles 93 and 94 of Regulation (EC) No 1605/2002.

HAS ADOPTED THIS REGULATION:

Article 1

In Regulation (EC) No 1727/1999 the following Article 2a is inserted:

'Article 2a

1. The competent bodies designated by the Member States under Article 14 of Regulation (EC) No 2152/2003 of the European Parliament and of the Council(*) in order to manage the activities included in the approved national programmes shall comply with the rules laid down in the Council Regulation (EC, Euratom) No 1605/2002(**) and Commission Regulation (EC, Euratom) No 2342/2002(***) as well as with the provisions laid down in the present Regulation.

2. In particular, the bodies referred to in paragraph 1, hereinafter referred to as the 'competent bodies', shall meet at least the following criteria:

- (a) they shall be national public-sector bodies or private-law entities with a public-service mission, provided that they are governed by the law of one of the Member States;
- (b) they shall offer adequate financial guarantees, issued preferably by a public authority, in particular as regards full recovery of amounts due to the Commission;
- (c) they shall operate according to the requirements of sound financial management;

4. The Commission shall conclude an agreement with the competent bodies in conformity with Articles 56 of Regulation (EC, Euratom) No 1605/2002 and Articles 35 and 41 of Regulation (EC, Euratom) No 2342/2002.

5. The competent bodies shall conduct regular checks to ensure that the actions to be financed under Regulation (EC) No 2152/2003 have been implemented correctly. They shall take appropriate measures to prevent irregularities and fraud and if necessary bring prosecutions to recover funds lost, wrongly paid or incorrectly used.

6. The competent bodies shall provide the Commission with any information it requests. The Commission can carry out document and on-the-spot checks into their existence, relevance and proper operation, in accordance with the rules of sound financial management.

7. The competent bodies shall be the intermediary to whom the Community contribution is paid, and where the accounts and records of the receipt and payment of that contribution in support of the national programme are held, including all invoices and documents of a similar probative value to support the direct and indirect costs of the programme.

(*) OJ L 324, 11.12.2003, p. 1.

(**) OJ L 248, 16.9.2002, p. 1.

(***) OJ L 357, 31.12.2002, p. 1.

Article 2

Regulation (EC) No 2278/1999 is amended as follows. The following Article 2a is inserted:

'Article 2a

1. The competent bodies designated by the Member States under Article 14 of Regulation (EC) No 2152/2003 of the European Parliament and of the Council(*) in order to manage the activities included in the approved national programmes shall comply with the rules laid down in the Council Regulation (EC, Euratom) No 1605/2002(**) and Commission Regulation (EC, Euratom) No 2342/2002(***) as well as with the provisions laid down in the present Regulation.

2. In particular, the bodies referred to in paragraph 1, hereinafter referred to as the 'competent bodies', shall meet at least the following criteria:

- (a) they shall be national public-sector bodies or private-law entities with a public-service mission, provided that they are governed by the law of one of the Member States;
- (b) they shall offer adequate financial guarantees, issued preferably by a public authority, in particular as regards full recovery of amounts due to the Commission;
- (c) they shall operate according to the requirements of sound financial management;
- (d) they shall ensure the transparency of the operations carried out in accordance with Article 56(1)(a) to (e) of Regulation (EC, Euratom) No 1605/2002.

3. In addition to meeting the criteria set out in paragraph 2 the private-law entities referred to in point (a) of that paragraph shall provide proof of the following:

- (a) their technical and professional capacity, on the basis of documentary evidence of the educational and professional qualifications of the members of their managerial staff;

- (b) their economic and financial capacity, on the basis of appropriate statements from banks or evidence of relevant professional risk indemnity insurance or a state guarantee, or balance sheets, or extracts from balance sheets, covering at least the last two years for which accounts have been closed, where publication of the balance sheet is required under the company law of the country in which the entity is established;

- (c) their competence under national law to perform the budget-implementation tasks, as attested by for example documentary evidence of their enrolment in a professional or trade register or a sworn declaration or certificate, membership of a specific organisation, express authorisation or entry in VAT register;

- (d) that they are not in one of the situations listed in Articles 93 and 94 of Regulation (EC) No 1605/2002.

4. The Commission shall conclude an agreement with the competent bodies in conformity with Articles 56 of Regulation (EC, Euratom) No 1605/2002 and Articles 35 and 41 of Regulation (EC, Euratom) No 2342/2002.

5. The competent bodies shall conduct regular checks to ensure that the actions to be financed under Regulation (EC) No 2152/2003 have been implemented correctly. They shall take appropriate measures to prevent irregularities and fraud and if necessary bring prosecutions to recover funds lost, wrongly paid or incorrectly used.

6. The competent bodies shall provide the Commission with any information it requests. The Commission can carry out document and on-the-spot checks into their existence, relevance and proper operation, in accordance with the rules of sound financial management.

7. The competent bodies shall be the intermediary to whom the Community contribution is paid, and where the accounts and records of the receipt and payment of that contribution in support of the national programme are held, including all invoices and documents of a similar probative value to support the direct and indirect costs of the programme.

(*) OJ L 324, 11.12.2003, p. 1.

(**) OJ L 248, 16.9.2002, p. 1.

(***) OJ L 357, 31.12.2002, p. 1.

Article 3

This Regulation shall enter into force on the third 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, 13 December 2004.

For the Commission
Stavros DIMAS
Member of the Commission

COMMISSION REGULATION (EC) No 2122/2004**of 13 December 2004****fixing the quantities for which applications for import licences can be lodged in respect of the period from 1 January to 30 June 2005 under the tariff quotas for beef and veal provided for in Council Regulation (EC) No 1279/98 for Bulgaria and Romania**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1279/98 of 19 June 1998 laying down detailed rules for applying the tariff quotas for beef and veal provided for in Council Decisions 2003/286/EC and 2003/18/EC for Bulgaria, Romania⁽¹⁾, and in particular Article 4(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1349/2004 of 23 July 2004 determining the percentage of quantities which may be allowed in respect of import licence applications lodged in July 2004 under tariff quotas for beef and veal provided for in Regulation (EC) No 1279/98 for Bulgaria and Romania⁽²⁾ lays down the conditions under which applications for import licences lodged for the period from 1 July to 31 December 2004 can be accepted.
- (2) All the available quantities of beef and veal products originating in Bulgaria that can be imported under special conditions in the period from 1 July to 31 December 2004, as provided for in the first paragraph of Article 2 of Regulation (EC) No 1279/98, have been used up.
- (3) Licence applications have been lodged for smaller quantities of beef and veal products originating in Romania that can be imported under special terms in the period from 1 July to 31 December 2004, as provided for in the

first paragraph of Article 2 of Regulation (EC) No 1279/98, than the quantities actually available. In accordance with the second paragraph of that Article, therefore, the quantities left over from that period should be added to the quantities available for the following period for Romania.

- (4) The quantities of beef and veal products originating in Romania that can be imported under special terms in the period from 1 January to 30 June 2005 must be established in the light of the available quantities left over from the preceding period, in accordance with the second paragraph of Article 2 of Regulation (EC) No 1279/98,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which applications for import licences can be lodged in respect of the period from 1 January to 30 June 2005 under the tariff quotas for beef and veal provided for by Regulation (EC) No 1279/98 shall be as set out in the Annex to this Regulation, by country of origin and quota serial number.

Article 2

This Regulation shall enter into force on 14 December 2004.

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

Done at Brussels, 13 December 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 176, 20.6.1998, p. 12. Regulation as last amended by Regulation (EC) No 1118/2004 (OJ L 217, 17.6.2004, p. 10).

⁽²⁾ OJ L 250, 24.7.2004, p. 7.

ANNEX

Quantities available for the period referred to in Article 2 of Regulation (EC) No 1279/98, running from 1 January to 30 June 2005

Country of origin	Serial number	CN code	Quantity available (t)
Romania	09.4753	0201 0202	2 860
	09.4765	0206 10 95 0206 29 91 0210 20 0210 99 51	100
	09.4768	1602 50	415
Bulgaria	09.4651	0201 0202	125

COMMISSION DIRECTIVE 2004/112/EC**of 13 December 2004****adapting to technical progress Council Directive 95/50/EC on uniform procedures for checks on the transport of dangerous goods by road****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Having regard to the Treaty establishing the European Community,

Directive 95/50/EC is hereby amended as follows:

Having regard to Council Directive 95/50/EC of 6 October 1995 on uniform procedures for checks on the transport of dangerous goods by road ⁽¹⁾ and in particular Article 9a thereof,

Annexes I, II and III are replaced by Annexes I, II and III to this Directive.

Article 2

Whereas:

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive no later than one year after its publication. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

(1) Council Directive 94/55/EC of 21 November 1994 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road ⁽²⁾ laid down uniform rules for the transportation of dangerous goods in the Community.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

(2) The Annexes to Directive 95/50/EC are related to the Annexes to Directive 94/55/EC. Adaptation to scientific and technical progress of the Annexes to Directive 94/55/EC may have an effect on the Annexes to Directive 95/50/EC.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

(3) In order to take into account Commission Directive 2003/28/EC of 7 April 2003 adapting for the fourth time to technical progress Council Directive 94/55/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road, the Annexes to Directive 95/50/EC should be amended.

This Directive shall enter into force on the twentieth day following its publication in the *Official Journal of the European Union*.

Article 4

This Directive is addressed to the Member States.

(4) The measures provided for in this Directive are in accordance with the opinion of the Committee on the transport of dangerous goods set up by Directive 94/55/EC,

Done at Brussels, 13 December 2004.

For the Commission

Jacques BARROT

Member of the Commission

⁽¹⁾ OJ L 249, 17.10.1995, p. 35. Directive as amended by Directive 2001/26/EC of the European Parliament and of the Council (OJ L 168, 23.6.2001, p. 23).

⁽²⁾ OJ L 319, 12.12.1994, p. 7. Directive as last amended by Commission Directive 2003/28/EC (OJ L 90, 8.4.2003, p. 45).

ANNEX I

CHECKLIST

1. Place of check	2. Date	3. Time
.....		
4. Vehicle nationality mark and registration number		
5. Trailer/semi-trailer nationality mark and registration number		
6. Undertaking carrying out transport/address		
7. Driver/driver's assistant		
8. Consignor, address, place of loading ⁽¹⁾ ⁽²⁾		
9. Consignee, address, place of unloading ⁽¹⁾ ⁽²⁾		
10. Total quantity of dangerous goods per transport unit		
11. ADR 1.1.3.6 quantity limit exceeded	☐ yes	☐ no
12. Mode of transport	☐ in bulk	☐ package ☐ tank
Documents on board		
13. Transport document	☐ inspected	☐ infringement established ☐ not applicable
14. Instructions in writing	☐ inspected	☐ infringement established ☐ not applicable
15. Bilateral/multilateral agreement/national authorisation	☐ inspected	☐ infringement established ☐ not applicable
16. Certificate of approval for vehicles	☐ inspected	☐ infringement established ☐ not applicable
17. Driver's training certificate	☐ inspected	☐ infringement established ☐ not applicable
Transport operation		
18. Goods authorised for transport	☐ inspected	☐ infringement established ☐ not applicable
19. Vehicles authorised for goods carried	☐ inspected	☐ infringement established ☐ not applicable
20. Provisions related to the mode of transport (bulk, package, tank)	☐ inspected	☐ infringement established ☐ not applicable
21. Mixed loading prohibition	☐ inspected	☐ infringement established ☐ not applicable
22. Loading, securing of the load and handling ⁽³⁾	☐ inspected	☐ infringement established ☐ not applicable
23. Leakage of goods or damage to package ⁽³⁾	☐ inspected	☐ infringement established ☐ not applicable
24. UN packaging marking/tank marking ⁽²⁾ ⁽³⁾ (ADR 6)	☐ inspected	☐ infringement established ☐ not applicable
25. Package marking (e.g. UN no) and labelling ⁽²⁾ (ADR 5.2)	☐ inspected	☐ infringement established ☐ not applicable
26. Tank/vehicle placarding (ADR 5.3.1)	☐ inspected	☐ infringement established ☐ not applicable

⁽¹⁾ To be filled only if relevant for an infringement.

⁽²⁾ To be stated under 'remarks' for groupage transport operations.

⁽³⁾ Check of visible violations.

27. Vehicle/transport unit marking (orange plate, elev. temp.)
(ADR 5.3.2-3) ☐ inspected ☐ infringement established ☐ not applicable

Equipment on board

28. General purpose safety equipment specified in ADR ☐ inspected ☐ infringement established ☐ not applicable

29. Equipment according to the goods carried ☐ inspected ☐ infringement established ☐ not applicable

30. Other equipment specified in the instructions in writing ☐ inspected ☐ infringement established ☐ not applicable

31. Fire extinguisher(s) ☐ inspected ☐ infringement established ☐ not applicable

39. The most serious risk category of established infringements, if any ☐ Category I ☐ Category II ☐ Category III

40. Remarks

41. Authority/officer having carried out the inspection

ANNEX II

INFRINGEMENTS

For the purposes of this Directive, the following non-exhaustive list, classified into three risk categories (Category I being the most serious), gives a guideline on what is to be regarded as infringement.

The determination of the appropriate risk category must take account of the particular circumstances and be left to the discretion of the enforcing body/officer at the roadside.

Failures that are not listed under the risk categories shall be classified according to the descriptions of the categories.

In the event there are several infringements per transport unit, only the most serious risk category (as indicated under item 39 in Annex I to this Directive) shall be applied for reporting purposes (Annex III to this Directive).

1. Risk Category I

Where failure to comply with relevant ADR provisions creates a high-level risk of death, serious personal injury or significant damage to the environment such failures would normally lead to taking immediate and appropriate corrective measures such as immobilisation of the vehicle.

Failures are:

1. The dangerous goods being carried are prohibited for transport
2. Leakage of dangerous substances
3. Carriage by a prohibited mode or an inappropriate means of transport
4. Carriage in bulk in a container which is not structurally serviceable
5. Carriage in a vehicle without an appropriate certificate of approval
6. Vehicle no longer complies with the approval standards and presents an immediate danger (otherwise it goes in risk category II)
7. Non-approved packaging is used
8. Packaging does not conform to the applicable packing instruction
9. The special provisions for mixed packing have not been complied with
10. The rules governing the securing and stowage of the load have not been complied with
11. The rules governing mixed loading of packages have not been complied with
12. The permissible degrees of filling of tanks or packages have not been complied with
13. The provisions limiting the quantities carried in one transport unit have not been complied with
14. Carriage of dangerous goods without any indication of their presence (e.g. documents, marking and labelling on the packages, placarding and marking on the vehicle)
15. Carriage without any placarding and marking on the vehicle
16. Information relevant to the substance being carried enabling determination of a risk category I offence is missing (e.g. UN number, proper shipping name, packing group)

17. Driver does not hold a valid vocational training certificate

18. Fire or an unprotected light is being used

19. The ban on smoking is not being observed.

2. Risk Category II

Where failure to comply with relevant ADR provisions creates a risk of personal injury or damage to the environment such failures would normally lead to taking appropriate corrective measures such as requiring rectification at the site of control if possible and appropriate, but at the completion of the current transport movement at the latest.

Failures are:

1. The transport unit comprises more than one trailer/semi-trailer
2. Vehicle no longer complies with the approval standards but does not present an immediate danger
3. The vehicle is not carrying operational fire extinguishers as required; a fire extinguisher can still be deemed operational if only the prescribed seal and/or the expiry date are missing; however, this does not apply if the fire extinguisher is visibly no longer operational, e.g. pressure gauge at 0
4. The vehicle does not carry the equipment required in the ADR or in the instructions in writing
5. Test and inspection dates and use periods of packaging, IBCs or large packaging have not been complied with
6. Packages with damaged packaging, IBCs or large packaging or damaged uncleaned empty packaging are being carried
7. Carriage of packaged goods in a container which is not structurally serviceable
8. Tanks/tank containers (including ones that are empty and uncleaned) have not been closed properly
9. Carriage of a combination packaging with an outer packaging which is not closed properly
10. Incorrect labelling, marking or placarding
11. There are no instructions in writing conforming to the ADR, or the instructions in writing are not relevant to the goods carried
12. The vehicle is not properly supervised or parked.

3. Risk Category III

Where failure to comply with relevant provisions result in a low level of risk of personal injury or damage to the environment and where appropriate corrective measures do not need to be taken at the roadside but can be addressed at a later date at the undertaking.

Failures are:

1. The size of placards or labels or the size of letters, figures or symbols on placards or labels does not comply with the regulations
 2. Information in the transport documentation other than that in risk category I/(16) is not available
 3. The training certificate is not on board the vehicle but there is evidence that the driver holds it.
-

ANNEX III

**MODEL STANDARD FORM FOR THE REPORT TO BE SENT TO THE COMMISSION CONCERNING
INFRINGEMENTS AND PENALTIES**

Country:

Year:

CHECKS ON THE TRANSPORT OF DANGEROUS GOODS BY ROAD

		Place of registration of vehicles ⁽¹⁾			Total number
		Country of check	Other EU Member States	Third countries	
Number of transport units checked on the basis of the contents of the load (and ADR)					
Number of transport units not conforming to ADR					
Number of transport units immobilised					
Number of infringements noted, according to risk category ⁽²⁾	Risk category I				
	Risk category II				
	Risk category III				
Number of penalties imposed, according to penalty type	Caution				
	Fine				
	Other				

ESTIMATED TOTAL QUANTITY OF DANGEROUS GOODS TRANSPORTED BY ROAD:	 t	or t.km
---	---------	---------------

⁽¹⁾ For the purposes of this Annex the country of registration is that of the motor vehicle.

⁽²⁾ In the event that there are several infringements per transport unit, only the most serious risk category (as indicated under item 39 in Annex I) shall be applied.

II

(Acts whose publication is not obligatory)

COUNCIL

POLITICAL AND SECURITY COMMITTEE DECISION PROXIMA/2/2004

of 30 November 2004

concerning the appointment of the Head of Mission of the EU Police Mission in the former Yugoslav Republic of Macedonia, EUPOL Proxima

(2004/846/EC)

THE POLITICAL AND SECURITY COMMITTEE,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty on European Union and in particular Article 25(3) thereof,

Article 1

Mr Jürgen SCHOLZ is hereby appointed Head of Mission of the European Union Police Mission in the former Yugoslav Republic of Macedonia (EUPOL Proxima) from 15 December 2004.

Having regard to Council Joint Action 2004/789/CFSP of 22 November 2004 on the extension of the European Union Police Mission in the former Yugoslav Republic of Macedonia (EUPOL Proxima), and in particular Article 8(1) thereof,

Article 2

Whereas:

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

(1) Article 8(1) of Joint Action 2004/789/CFSP provides that the Council authorises the Political and Security Committee to take the relevant decisions in accordance with Article 25 of the TEU, including the powers to appoint, upon a proposal by the Secretary General/High Representative, a Head of Mission.

It shall apply until 14 December 2005.

(2) The Secretary General/High Representative has proposed the appointment of Mr Jürgen SCHOLZ,

Done at Brussels, 30 November 2004.

For the Political and Security Committee

The President

A. HAMER

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

COUNCIL JOINT ACTION 2004/847/CFSP
of 9 December 2004
on the European Union Police Mission in Kinshasa (DRC) regarding the Integrated Police Unit (EUPOL 'Kinshasa')

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and, in particular Article 14, Article 25, third subparagraph, Article 26 and Article 28(3) thereof,

Whereas:

- (1) On 26 January 2004, the Council adopted Common Position 2004/85/CFSP concerning conflict prevention, management and resolution in Africa⁽¹⁾.
- (2) The European Union, through Operation Artemis conducted in the Democratic Republic of Congo (DRC) during 2003 under Joint Action 2003/423/CFSP of 5 June 2003 on the EU Military Operation in the Democratic Republic of Congo⁽²⁾, has already taken concrete steps to contribute to the re-establishment of security within the DRC.
- (3) On 14 December 2000, the Council adopted Joint Action 2000/792/CFSP⁽³⁾ appointing Mr Aldo Ajello as the Special Representative of the European Union for the African Great Lakes Region, and repealing Joint Action 96/250/CFSP. The mandate of the Special Representative was last extended by Joint Action 2004/530/CFSP⁽⁴⁾.
- (4) On 29 September 2003, the Council adopted Common Position 2003/680/CFSP⁽⁵⁾ amending Common Position 2002/829/CFSP on the supply of certain equipment to the DRC.
- (5) The global and all-inclusive Agreement on the transition in the Democratic Republic of Congo, signed in Pretoria on 17 December 2002 and the Memorandum on Security and the Army of 29 June 2003 provided for the establishment of an Integrated Police Unit (IPU).
- (6) On 28 July 2003 the United Nations Security Council adopted Resolution 1493 (2003) in which it expresses satisfaction at the promulgation, on 4 April 2003, of the Transitional Constitution in the Democratic Republic of Congo and at the formation, announced on 30 June 2003, of the Government of National Unity and Transition. It also encourages donors to support the establishment of an integrated Congolese police unit and approves the provision by the United Nations Organisation Mission in the DRC (MONUC) of the additional assistance that might be needed for its training.
- (7) In the Joint Declaration on UN-EU Cooperation in Crisis Management of 29 September 2003, the Secretary-General of the United Nations and the Presidency of the Council of the European Union welcomed the existing cooperation between the United Nations and the European Union in the area of civilian and military crisis management, and considered ways to assist in the establishment of an Integrated Police Unit in Kinshasa to provide security to the transitional government and institutions.
- (8) On 20 October 2003, the government of the DRC addressed an official request to the High Representative for the CFSP for European Union assistance in setting up the IPU, which should contribute to ensuring the protection of the state institutions and reinforce the internal security apparatus.
- (9) On 15 December 2003 the Political and Security Committee (PSC) agreed that the European Union should support the establishment of the IPU following a three strands approach: the rehabilitation and refurbishment of a training centre and the provision of basic equipment; the training of the IPU; and the follow-up, monitoring and mentoring of the concrete implementation of IPU's mandate after the initial training phase.
- (10) The Commission has adopted a financing decision on the European Development Fund (EDF) for a project which includes technical assistance, rehabilitation of the training centre and the provision of certain equipment for the IPU, as well as adequate training.

⁽¹⁾ OJ L 21, 28.1.2004, p. 25.

⁽²⁾ OJ L 143, 11.6.2003, p. 50.

⁽³⁾ OJ L 318, 16.12.2000, p. 1.

⁽⁴⁾ OJ L 234, 3. 7. 2004, p. 13.

⁽⁵⁾ OJ L 249, 1.10.2003, p. 64.

- (11) On 17 May 2004, the Council adopted Joint Action 2004/494/CFSP⁽¹⁾ in which the European Union commit to 'support the process of the consolidation of internal security in the DRC, which is an essential factor for the peace process and the development of the country, through assistance to the setting up of an Integrated Police Unit (IPU) in Kinshasa'. To that end, and in addition to the EDF funded activities, the European Union and its Member States contributed with funds and/or contributions in kind to provide the government of the DRC with the law enforcement equipment, arms and ammunition identified as necessary for the establishment of the IPU.
- (12) On 1 October 2004 the United Nations Security Council adopted Resolution 1565 (2004) in which it decided to extend the deployment of MONUC until 31 March 2005. In addition, the UNSC decided that MONUC would have, inter alia, the mandate in support of the Government of National Unity and Transition: 'to contribute to arrangements taken for the security of the institutions and the protection of officials of the Transition in Kinshasa until the integrated police unit is ready to take on this responsibility and assist the Congolese authorities in the maintenance of order in other strategic areas'.
- (13) The current security situation in the DRC may deteriorate with potentially serious repercussions on the process of strengthening of democracy, the rule of law and international and regional security. A continued commitment of EU political effort and resources will help to embed stability in the region.
- (14) Recital 12 of Joint Action 2004/494/CFSP envisages that 'The Council may decide that the EDF project and the provision of law enforcement equipment, arms and ammunition of the IPU as appropriate be followed by a European Security and Defence Policy (ESDP) component for monitoring, mentoring and advising'.
- (15) In its meeting of 16 November 2004, the PSC agreed to the concept of an ESDP mission to follow the EDF project.
- (16) On 22 November 2004, the Council reiterated its commitment to work in very close association with MONUC and to provide it with effective support to fulfil its mandate, which includes police training,

HAS ADOPTED THIS JOINT ACTION:

Article 1

Mission

1. The European Union hereby establishes a European Union Police Mission (EUPOL 'KINSHASA') in order to ensure the follow-on to the EDF project referred to in Joint Action 2004/494/CFSP in relation to the setting up of an IPU in Kinshasa (DRC) as from early January 2005. Before that date and in order to prepare the Police Mission, a Planning Team shall be established not later than 1 December 2004 and shall be operational until the start of the mission.

2. EUPOL 'KINSHASA' shall operate in accordance with the objectives and other provisions as contained in the mission statement set out in Article 3.

Article 2

Planning Phase

1. During the planning phase, the Planning Team shall comprise a Police Head of Mission/Head of the Planning Team and the necessary staff to deal with functions ensuing from the needs of the mission.

2. A comprehensive risk assessment shall be carried out as a priority in the planning process and may be updated as necessary.

3. The General Secretariat of the Council shall elaborate the Concept of Operations (CONOPS). The Planning Team shall subsequently draw up the Operation Plan (OPLAN) and develop all technical instruments necessary to execute EUPOL 'KINSHASA'. CONOPS and OPLAN shall take into account the comprehensive risk assessment. The Council shall approve the CONOPS and the OPLAN.

Article 3

Mission Statement

The European Union shall conduct a police mission in Kinshasa (DRC) in order to monitor, mentor, and advise the setting up and the initial running of the IPU in order to ensure that the IPU acts following the training received in the Academy Centre and according to international best practices in this field. These actions shall be focused on the IPU chain of command to enhance the management capability of the IPU and to monitor, mentor and advice the operational Units in the execution of its tasks.

Article 4

Structure of the mission

The Mission will be composed of a Head Quarter (HQ) co-located in the IPU operational base. The HQ will consist of the office of the Head of the Mission, a monitor, mentor and advisor branch, an administration support branch and liaison officers to the most relevant actors regarding the IPU.

⁽¹⁾ OJ L 182, 19.5.2004, p. 41.

*Article 5***Head of Mission/Police Commissioner**

1. Upon a proposal by the Secretary-General/High Representative, the PSC shall appoint a Head of Mission/Police Commissioner. The Head of Mission/Police Commissioner shall exercise Operational Control over EUPOL 'KINSHASA' and assume the day-to-day management of EUPOL 'KINSHASA' functions.

2. The Head of Mission/Police Commissioner shall sign a contract with the Commission.

3. All police officers shall remain under full command of the appropriate national authority. National authorities shall transfer Operational Control to the Head of EUPOL 'KINSHASA'.

4. The Head of Mission/Police Commissioner shall be responsible for disciplinary control over the staff. For seconded staff, disciplinary action shall be exercised by the national or EU authority concerned.

*Article 6***Staff**

1. The numbers and competence of EUPOL 'KINSHASA' staff shall be consistent with the mission statement set out in Article 3 as well as the mission structure set out in Article 4.

2. Police officers shall be seconded by Member States. Each Member State shall bear the costs related to the police officers seconded by it, including salaries, medical coverage, allowances other than per diems and housing allowances, and travel expenses to and from the DRC.

3. International civilian staff and local staff shall be recruited on a contractual basis by EUPOL 'KINSHASA' as required.

4. Contributing states or Community institutions may also, if required, second international civilian staff. Each contributing state or Community institution shall bear the costs related to any of the staff seconded by it including salaries, medical coverage, allowances other than per diems and housing allowances, and travel expenses to and from the DRC.

*Article 7***Chain of Command**

The structure of EUPOL 'KINSHASA' shall have a unified chain of command, as a crisis management operation.

— The European Union Special Representative (EUSR) shall report to the Council through the Secretary-General/High Representative,

— The PSC shall provide the political control and strategic direction,

— The Head of Mission/Police Commissioner shall lead EUPOL 'KINSHASA' and assume its day-to-day management,

— The Head of Mission/Police Commissioner shall report to the Secretary-General/High Representative through the EUSR,

— The Secretary-General/High Representative shall give guidance to the Head of Mission/Police Commissioner through the EUSR.

*Article 8***Political control and strategic direction**

1. Under the responsibility of the Council, the PSC shall exercise the political control and strategic direction of the mission. The Council hereby authorises the PSC to take the relevant decisions in accordance with Article 25 of the Treaty. This authorisation shall include the powers to amend the Operation Plan and the Chain of Command. The powers of decision with respect to the objectives and termination of the operation shall remain vested in the Council, assisted by the Secretary-General/High Representative.

2. The EUSR shall provide the Police Head of Mission with local political guidance. The EUSR shall ensure coordination with other EU actors as well as relations with host state authorities.

3. The PSC shall report to the Council at regular intervals taking into account the EUSR reports.

4. The PSC shall receive reports by the Police Head of Mission regarding the conduct of the mission at regular intervals. The PSC may invite the Police Head of Mission to its meetings as appropriate.

*Article 9***Participation of Third States**

1. Without prejudice to the decision-making autonomy of the EU and the single institutional framework of the Union, acceding states will be invited and candidate and other third states may be invited to contribute to EUPOL 'KINSHASA' on the basis that they bear the cost of sending the police officers and/or the international civilian staff seconded by them, including salaries, allowances and travel expenses to and from the DRC, and contribute to the running costs of EUPOL 'KINSHASA' as appropriate.

2. The Council hereby authorises the PSC to take, upon the recommendation of the Police Head of Mission and the Committee for Civilian Aspects of Crisis Management, the relevant decisions on acceptance of the proposed contributions.

3. Third states making contributions to EUPOL 'KINSHASA' shall have the same rights and obligations in terms of day-to-day management of the operation as EU Member States taking part in the operation.

4. The PSC shall take appropriate action with regard to participation arrangements and shall, if required, submit a proposal to the Council, including on possible financial participation from third states in the common costs.

5. Detailed arrangements regarding the participation of third states shall be the subject of agreements pursuant to Article 24 of the Treaty. The Secretary-General/High Representative assisting the Presidency may negotiate such arrangements on its behalf. Where the EU and a third state have concluded an agreement establishing a framework for the participation of this third state in the EU crisis management operations, the provisions of such an agreement shall apply in the context of this operation.

Article 10

Financial arrangements

1. The costs for implementing this Joint Action shall be a maximum amount of EUR 4 370 000 to cover the costs during the planning phase and the year 2005.

2. As regards expenditure financed out of the Community budget, the following shall apply:

- (a) expenditure shall be managed in accordance with the Community rules and procedures applicable to the budget, with the exception that any pre-financing shall not remain the property of the Community. Nationals of third states shall be allowed to tender for contracts;
- (b) the Head of the Planning Team/Police Head of Mission shall report fully to, and be supervised by, the Commission on the activities undertaken in the framework of his contract.

3. The financial arrangements shall respect the operational requirements of EUPOL 'KINSHASA', including compatibility of equipment and interoperability of its teams.

Article 11

Community and other relevant actions

1. The Council notes the Commission's intention to direct its action towards achieving the objectives of this Joint Action, where appropriate, by relevant Community measures.

2. The Council also notes that coordination arrangements are required in Kinshasa as well as in Brussels, *inter alia* with regard to possible future projects under EDF, taking into account existing coordination mechanisms.

Article 12

Release of classified information

1. The Secretary-General/High Representative is authorised to release to third states associated with this Joint Action, EU classified information and documents up to the level 'CONFIDENTIEL UE' generated for the purposes of the operation, in accordance with the Council's security regulations.

2. The Secretary-General/High Representative is also authorised to release to the United Nations, in accordance with the operational needs of the Mission, EU classified information and documents up to the level 'RESTREINT UE' generated for the purposes of the operation, in accordance with the Council's security regulations. Local arrangements shall be drawn up for this purpose.

3. In the event of a specific and immediate operational need, the Secretary-General/High Representative is also authorised to release to the host state EU classified information and documents up to the level 'RESTREINT UE' generated for the purposes of the operation, in accordance with the Council's security regulations. In all other cases, such information and documents shall be released to the host state in accordance with procedures appropriate to the host state's level of cooperation with the European Union.

4. The Secretary-General/High Representative is authorised to release to third states associated with this Joint Action EU non-classified documents related to the deliberations of the Council with regard to the operation covered by the obligation of professional secrecy pursuant to Article 6(1) of the Council Rules of Procedure.

Article 13

Status of staff of EUPOL 'KINSHASA'

1. The status of EUPOL 'KINSHASA' staff in the DRC, including where appropriate the privileges, immunities and further guarantees necessary for the completion and smooth functioning of EUPOL 'KINSHASA' shall be agreed in accordance with the procedure laid down in Article 24 of the Treaty. The Secretary-General/High Representative assisting the Presidency may negotiate such arrangement on its behalf.

2. The state or Community institution having seconded a staff member shall be responsible for answering any claims linked to the secondment, from or concerning the staff member. The state or Community institution in question shall be responsible for bringing any action against the person seconded.

Article 14

Entry into force, duration and expenditure

This Joint Action shall enter into force on the date of its adoption.

It shall expire on 31 December 2005.

The expenditure shall be eligible after the adoption of the Joint Action.

Article 15

Publication

This Joint Action shall be published in the *Official Journal of the European Union*.

Done at Brussels, 9 December 2004.

For the Council

The President

L. J. BRINKHORST

COUNCIL COMMON POSITION 2004/848/CFSP**of 13 December 2004****amending Common Position 2004/661/CFSP concerning restrictive measures against certain officials of Belarus**

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

(1) On 24 September 2004, the Council adopted Common Position 2004/661/CFSP concerning restrictive measures against certain officials of Belarus⁽¹⁾.

(2) The International Election Observation Mission in Belarus came to the conclusion that the parliamentary elections and referendum in Belarus on 17 October 2004 fell significantly short of Belarus' basic OSCE commitments. The EU considers that the Belarusian authorities are directly responsible for the irregularities noted by the observers.

(3) The EU also notes that violent attacks were carried out by Belarusian police and other security forces against several opposition leaders and media representatives on the occasion of peaceful political demonstrations in Minsk after the elections and the referendum.

(4) Consequently, the Council on 22 November 2004 decided to impose restrictions on admission against the officials directly responsible for the fraudulent elections and referendum and against those responsible for severe human rights violations in the repression of peaceful demonstrators.

(5) In this context, the Council on the same date called upon President Lukashenko and his Government to reverse their present policies and to embark on fundamental democratic and economic reforms to bring the country closer to European common values. The Council further stated that the EU remains open for dialogue with Belarus on gradual development of bilateral relations, as

soon as the Belarus authorities demonstrate by concrete actions a sincere willingness to re-engage. Further to this, the Council reiterated its willingness to deepen its relationship with Belarus, including within the European Neighbourhood Policy (ENP), once the Belarusian authorities clearly demonstrate their willingness to respect democratic values and the rule of law.

(6) The scope of the restrictive measures imposed by Common Position 2004/661/CFSP should therefore be expanded to persons who are directly responsible for the fraudulent elections and referendum in Belarus on 17 October 2004 and those who are responsible for severe human rights violations in the repression of peaceful demonstrators in the aftermath of the elections and referendum in Belarus.

(7) The restrictive measures against the persons who are directly responsible for the fraudulent elections and referendum in Belarus on 17 October 2004 and those who are responsible for severe human rights violations in the repression of peaceful demonstrators in the aftermath of the elections and referendum, should be reviewed in the light of reforms made to the Electoral Code to bring it in line with OSCE commitments and other international standards for democratic elections as recommended by the OSCE/ODIHR, and in light of concrete actions by the authorities to respect human rights with regard to peaceful demonstrations,

HAS ADOPTED THIS COMMON POSITION:

Article 1

Common Position 2004/661/CFSP is hereby amended as follows:

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

'1. Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of persons, who are responsible:

⁽¹⁾ OJ L 301, 28.9.2004, p. 67.

- for, but failed to start, the initiation of independent investigation and prosecution of the alleged crimes and those who are considered by the Pourgourides Report to be key actors in the disappearances of four well-known persons in Belarus in 1999/2000 and the following cover-up, in view of their apparent obstruction of justice, as listed in Annex I;
- for the fraudulent elections and referendum in Belarus on 17 October 2004 and those who are responsible for severe human rights violations in the repression of peaceful demonstrators in the aftermath of the elections and referendum in Belarus, as listed in Annex II.’

2. Article 2 shall be replaced by the following:

‘Article 2

The Council, acting upon a proposal by a Member State or the Commission, shall adopt modifications to the lists contained in Annex I and Annex II as required by political developments in Belarus.’

3. The Annex shall be replaced by Annexes I and II as contained in the Annex to this Common Position.

Article 2

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

Article 3

This Common Position shall be published in the *Official Journal of the European Union*.

Done at Brussels, 13 December 2004.

For the Council

The President

B. R. BOT

ANNEX

‘ANNEX I

List of persons referred to in Article 1, paragraph 1, first indent

1. SIVAKOV, YURY (YURIJ) Leonidovich, Minister of Tourism and Sports of Belarus, born on 5 August 1946, in Sakhalin Region, former Russian Socialist Federative Soviet Republic.
2. SHEYMAN (SHEIMAN), VICTOR Vladimirovich, Head of Presidential Administration of Belarus, born on 26 May 1958, in Grodno region.
3. PAVLICHENKO (PAVLIUCHENKO), DMITRI (Dmitry) Valeriyevich, officer of the special forces of Belarus, born in 1966 in Vitebsk.
4. NAUMOV, VLADIMIR Vladimirovich, Minister of the Interior, born in 1956.

ANNEX II

List of persons referred to in Article 1, paragraph 1, second indent

1. Lidia YERMOSHINA, Chairperson of the Central Election Commission
2. Yuri PODOBED, Commander Minsk OMON.’