

# Official Journal

## of the European Union

L 8

Volume 48

12 January 2005

English edition

### Legislation

Contents

#### I Acts whose publication is obligatory

- ★ **Council Regulation (EC, Euratom) No 31/2005 of 20 December 2004 adjusting, with effect from 1 July 2004, the remuneration and pensions of officials and other servants of the European Communities and the correction coefficients applied thereto** ..... 1
- Commission Regulation (EC) No 32/2005 of 11 January 2005 establishing the standard import values for determining the entry price of certain fruit and vegetables ..... 7
- ★ **Commission Regulation (EC) No 33/2005 of 10 January 2005 initiating a 'new exporter' review of Council Regulation (EC) No 2604/2000 imposing definitive anti-dumping duties on imports of certain polyethylene terephthalate (PET) originating, inter alia, in India, repealing the duty with regard to imports from one exporter in this country and making these imports subject to registration** ..... 9

#### II Acts whose publication is not obligatory

##### Council

2005/16/EC:

- ★ **Council Decision of 22 December 2004 amending Decision 2003/631/EC adopting measures concerning Liberia under Article 96 of the ACP-EC Partnership Agreement in a case of special urgency** ..... 12

## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EC, EURATOM) No 31/2005  
of 20 December 2004**

**adjusting, with effect from 1 July 2004, the remuneration and pensions of officials and other servants of the European Communities and the correction coefficients applied thereto**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Protocol on the Privileges and Immunities of the European Communities, and in particular Article 13 thereof,

Having regard to the Staff Regulations of Officials and the Conditions of employment of other servants of the European Communities, laid down by Regulation (EEC, Euratom, ECSC) No 259/68 <sup>(1)</sup>, as last amended by Regulation (EC, Euratom) No 723/2004 <sup>(2)</sup>, and in particular Articles 63, 64, 65, 65a and 82 of the Staff Regulations and Annexes VII, XI and XIII thereto, and Article 20(1), Article 64 and Article 92 of the Conditions of employment of other servants,

Having regard to the proposal from the Commission,

Whereas,

in order to guarantee that the purchasing power of officials and other servants of the European Communities develops in parallel with that of national civil servants in the Member States, the remuneration and pensions of officials and other servants of the European Communities should be adjusted under the 2004 annual review,

HAS ADOPTED THIS REGULATION:

*Article 1*

With effect from 1 July 2004, the date '1 July 2003' in the second subparagraph of Article 63 of the Staff Regulations shall be replaced by '1 July 2004'.

*Article 2*

With effect from 1 July 2004, the table of basic monthly salaries in Article 66 of the Staff Regulations shall be replaced by the following:

1.7.2004 Grades	Steps				
	1	2	3	4	5
16	14 926,62	15 553,86	16 207,45		
15	13 192,64	13 747,01	14 324,68	14 723,21	14 926,62
14	11 660,09	12 150,06	12 660,62	13 012,86	13 192,64
13	10 305,57	10 738,63	11 189,88	11 501,20	11 660,09
12	9 108,40	9 491,15	9 889,98	10 165,14	10 305,57
11	8 050,31	8 388,59	8 741,09	8 984,28	9 108,40
10	7 115,13	7 414,12	7 725,67	7 940,61	8 050,31
9	6 288,58	6 552,84	6 828,20	7 018,17	7 115,13
8	5 558,06	5 791,62	6 034,99	6 202,89	6 288,58

<sup>(1)</sup> OJ L 56, 4.3.1968, p. 1.

<sup>(2)</sup> OJ L 124, 27.4.2004, p. 1.

1.7.2004 Grades	Steps				
	1	2	3	4	5
7	4 912,40	5 118,82	5 333,92	5 482,32	5 558,06
6	4 341,74	4 524,18	4 714,29	4 845,45	4 912,40
5	3 837,37	3 998,62	4 166,65	4 282,57	4 341,74
4	3 391,59	3 534,11	3 682,62	3 785,08	3 837,37
3	2 997,60	3 123,57	3 254,82	3 345,38	3 391,59
2	2 649,38	2 760,71	2 876,72	2 956,75	2 997,60
1	2 341,61	2 440,01	2 542,54	2 613,28	2 649,38

### Article 3

With effect from 1 July 2004, the weightings applicable under Article 64 of the Staff Regulations to the remuneration of officials and other servants shall be as indicated in column 2 of the following table.

With effect from 1 January 2005, the correction coefficients applicable under Article 17(3) of Annex VII to the Staff Regulations to transfers by officials and other servants shall be as indicated in column 3 of the following table.

With effect from 1 July 2004, the correction coefficients applicable to pensions under Article 20(2) of Annex XIII to the Staff Regulations shall be as indicated in column 4 of the following table.

With effect from 1 May 2005, the correction coefficients applicable to pensions under Article 20(2) of Annex XIII to the Staff Regulations shall be as indicated in column 5 of the following table:

Country/place	Remuneration 1.7.2004	Transfer 1.1.2005	Pension 1.7.2004	Pension 1.5.2005
Czech Republic	87,1	74,8	100,0	100,0
Denmark	136,7	131,6	135,7	134,7
Germany	101,2	102,0	101,4	101,5
Bonn	96,2			
Karlsruhe	95,4			
Munich	107,3			
Estonia	79,5	76,1	100,0	100,0
Greece	93,5	92,5	100,0	100,0
Spain	100,6	95,5	100,0	100,0
France	120,2	106,9	117,5	114,9
Ireland	122,3	115,6	121,0	119,6
Italy	109,8	106,0	109,0	108,3
Varese	100,6			
Cyprus	90,4	94,0	100,0	100,0
Latvia	77,9	74,5	100,0	100,0
Lithuania	78,6	75,2	100,0	100,0
Hungary	88,3	70,8	100,0	100,0
Malta	89,9	83,8	100,0	100,0
Netherlands	110,5	103,6	109,1	107,7
Austria	108,0	108,0	108,0	108,0
Poland	72,0	65,0	100,0	100,0
Portugal	91,8	91,4	100,0	100,0
Slovenia	84,4	81,3	100,0	100,0
Slovakia	90,9	79,5	100,0	100,0
Finland	119,4	114,4	118,4	117,4
Sweden	117,4	111,0	116,1	114,8
United Kingdom	142,7	116,5	137,5	132,2
Culham	115,4			

*Article 4*

With effect from 1 July 2004, the amount of the parental leave allowance referred to in Article 42a of the Staff Regulations shall be EUR 804,36 and EUR 1 072,48 for single parents.

*Article 5*

With effect from 1 July 2004, the basic amount of the household allowance referred to in Article 1(1) of Annex VII to the Staff Regulations shall be EUR 150,44.

With effect from 1 July 2004, the amount of the dependent child allowance referred to in Article 2(1) of Annex VII to the Staff Regulations shall be EUR 328,73.

With effect from 1 July 2004, the amount of the education allowance referred to in Article 3(1) of Annex VII to the Staff Regulations shall be EUR 223,05.

With effect from 1 July 2004, the amount of the education allowance referred to in Article 3(2) of Annex VII to the Staff Regulations shall be EUR 80,30.

With effect from 1 July 2004, the minimum amount of the expatriation allowance referred to in Article 69 of the Staff Regulations and in the second subparagraph of Article 4(1) of Annex VII thereto shall be EUR 445,88.

*Article 6*

With effect from 1 January 2005, the kilometric allowance referred to in Article 8 of Annex VII to the Staff Regulations shall be adjusted as follows:

— EUR 0 for every km from	0 to 200 km
— EUR 0,3343 for every km from	201 to 1 000 km
— EUR 0,5572 for every km from	1 001 to 2 000 km
— EUR 0,3343 for every km from	2 001 to 3 000 km
— EUR 0,1114 for every km from	3 001 to 4 000 km
— EUR 0,0536 for every km from	4 001 to 10 000 km
— EUR 0 for every km over	10 000 km.

To the above kilometric allowance a flat-rate supplement shall be added, amounting to:

- EUR 167,16 if the distance by train between the place of employment and the place of origin is between 725 km and 1 450 km,
- EUR 334,31 if the distance by train between the place of employment and the place of origin is greater than 1 450 km.

*Article 7*

With effect from 1 July 2004, the daily subsistence allowance referred to in Article 10 of Annex VII to the Staff Regulations shall be:

- EUR 34,55 for an official who is entitled to the household allowance,
- EUR 27,86 for an official who is not entitled to the household allowance.

*Article 8*

With effect from 1 July 2004, the lower limit for the installation allowance referred to in Article 24(3) of the Conditions of employment of other servants shall be:

- EUR 983,69 for a servant who is entitled to the household allowance,
- EUR 584,90 for a servant who is not entitled to the household allowance.

## Article 9

With effect from 1 July 2004, for the unemployment allowance referred to in the second subparagraph of Article 28a(3) of the Conditions of employment of other servants, the lower limit shall be EUR 1 179,72, the upper limit shall be EUR 2 359,44 and the standard allowance shall be EUR 1 072,48.

## Article 10

With effect from 1 July 2004, the table of basic monthly salaries in Article 63 of the Conditions of employment of other servants shall be replaced by the following:

1.7.2004	Categories	Groups	Steps			
			1	2	3	4
A	I	6 012,49	6 757,25	7 502,01	8 246,77	
	II	4 363,77	4 788,99	5 214,21	5 639,43	
	III	3 667,06	3 830,41	3 993,76	4 157,11	
B	IV	3 522,70	3 867,56	4 212,42	4 557,28	
	V	2 767,02	2 949,42	3 131,82	3 314,22	
C	VI	2 631,63	2 786,56	2 941,49	3 096,42	
	VII	2 355,40	2 435,55	2 515,70	2 595,85	
D	VIII	2 128,92	2 254,30	2 379,68	2 505,06	
	IX	2 050,23	2 078,79	2 107,35	2 135,91	

## Article 11

With effect from 1 July 2004, the table of basic monthly salaries in Article 93 of the Conditions of employment of other servants shall be replaced by the following:

Function Groups	1.7.2004 Grades	Steps						
		1	2	3	4	5	6	7
IV	18	5 145,58	5 252,59	5 361,82	5 473,32	5 587,15	5 703,33	5 821,94
	17	4 547,80	4 642,37	4 738,91	4 837,46	4 938,06	5 040,75	5 145,58
	16	4 019,46	4 103,05	4 188,37	4 275,48	4 364,39	4 455,15	4 547,80
	15	3 552,50	3 626,38	3 701,79	3 778,78	3 857,36	3 937,57	4 019,46
	14	3 139,79	3 205,09	3 271,74	3 339,78	3 409,23	3 480,13	3 552,50
	13	2 775,03	2 832,74	2 891,65	2 951,78	3 013,17	3 075,83	3 139,79
III	12	3 552,45	3 626,32	3 701,73	3 778,70	3 857,28	3 937,49	4 019,37
	11	3 139,77	3 205,06	3 271,71	3 339,74	3 409,19	3 480,08	3 552,45
	10	2 775,03	2 832,73	2 891,64	2 951,77	3 013,15	3 075,81	3 139,77
	9	2 452,66	2 503,66	2 555,72	2 608,87	2 663,12	2 718,50	2 775,03
	8	2 167,74	2 212,82	2 258,83	2 305,80	2 353,75	2 402,70	2 452,66
II	7	2 452,60	2 503,61	2 555,68	2 608,84	2 663,10	2 718,49	2 775,03
	6	2 167,62	2 212,71	2 258,73	2 305,71	2 353,67	2 402,62	2 452,60
	5	1 915,77	1 955,61	1 996,29	2 037,81	2 080,19	2 123,46	2 167,62
	4	1 693,17	1 728,39	1 764,34	1 801,03	1 838,49	1 876,73	1 915,77
I	3	2 085,85	2 129,14	2 173,33	2 218,43	2 264,47	2 311,47	2 359,44
	2	1 843,98	1 882,25	1 921,31	1 961,19	2 001,89	2 043,44	2 085,85
	1	1 630,16	1 663,99	1 698,53	1 733,78	1 769,76	1 806,49	1 843,98

*Article 12*

With effect from 1 July 2004, the lower limit for the installation allowance referred to in Article 94 of the Conditions of employment of other servants shall be:

- EUR 739,90 for a servant who is entitled to the household allowance,
- EUR 438,67 for a servant who is not entitled to the household allowance.

*Article 13*

With effect from 1 July 2004, for the unemployment allowance referred to in the second subparagraph of Article 96(3) of the Conditions of employment of other servants, the lower limit shall be EUR 884,79, the upper limit shall be EUR 1 769,58 and the standard allowance shall be EUR 804,36.

*Article 14*

With effect from 1 July 2004, the allowances for shiftwork laid down in Article 1 of Regulation (ECSC, EEC, Euratom) No 300/76<sup>(1)</sup> shall be EUR 337,16, EUR 508,90, EUR 556,42 and EUR 758,58.

*Article 15*

With effect from 1 July 2004, the amounts in Article 4 of Regulation (EEC, Euratom, ECSC) No 260/68<sup>(2)</sup> shall be subject to a coefficient of 4,867097.

*Article 16*

With effect from 1 July 2004, the table in Article 8(1) of Annex XIII to the Staff Regulations shall be replaced by the following:

1.7.2004 Grades	Steps							
	1	2	3	4	5	6	7	8
16	14 926,62	15 553,86	16 207,45	16 207,45	16 207,45	16 207,45		
15	13 192,64	13 747,01	14 324,68	14 723,21	14 926,62	15 553,86		
14	11 660,09	12 150,06	12 660,62	13 012,86	13 192,64	13 747,01	14 324,68	14 926,62
13	10 305,57	10 738,63	11 189,88	11 501,20	11 660,09			
12	9 108,40	9 491,15	9 889,98	10 165,14	10 305,57	10 738,63	11 189,88	11 660,09
11	8 050,31	8 388,59	8 741,09	8 984,28	9 108,40	9 491,15	9 889,98	10 305,57
10	7 115,13	7 414,12	7 725,67	7 940,61	8 050,31	8 388,59	8 741,09	9 108,40
9	6 288,58	6 552,84	6 828,20	7 018,17	7 115,13			
8	5 558,06	5 791,62	6 034,99	6 202,89	6 288,58	6 552,84	6 828,20	7 115,13
7	4 912,40	5 118,82	5 333,92	5 482,32	5 558,06	5 791,62	6 034,99	6 288,58
6	4 341,74	4 524,18	4 714,29	4 845,45	4 912,40	5 118,82	5 333,92	5 558,06
5	3 837,37	3 998,62	4 166,65	4 282,57	4 341,74	4 524,18	4 714,29	4 912,40
4	3 391,59	3 534,11	3 682,62	3 785,08	3 837,37	3 998,62	4 166,65	4 341,74
3	2 997,60	3 123,57	3 254,82	3 345,38	3 391,59	3 534,11	3 682,62	3 837,37
2	2 649,38	2 760,71	2 876,72	2 956,75	2 997,60	3 123,57	3 254,82	3 391,59
1	2 341,61	2 440,01	2 542,54	2 613,28	2 649,38			

<sup>(1)</sup> Council Regulation (ECSC, EEC, Euratom) No 300/76 of 9 February 1976 determining the categories of officials entitled to allowances for shiftwork, and the rates and conditions thereof (OJ L 38, 13.2.1976, p. 1). Regulation as supplemented by Regulation (Euratom, ECSC, EEC) No 1307/87 (OJ L 124, 13.5.1987, p. 6).

<sup>(2)</sup> Regulation (EEC, Euratom, ECSC) No 260/68 of the Council of 29 February 1968 laying down the conditions and procedure for applying the tax for the benefit of the European Communities (OJ L 56, 4.3.1968, p. 8). Regulation as last amended by Regulation (EC, Euratom) No 1750/2002 (OJ L 264, 2.10.2002, p. 15).

*Article 17*

With effect from 1 July 2004, the amount of the dependent child allowance referred to in Article 14 of Annex XIII to the Staff Regulations shall be as follows:

1.7.2004-31.12.2004: 262,79

1.1.2005-31.12.2005: 275,97

1.1.2006-31.12.2006: 289,16

1.1.2007-31.12.2007: 302,35

1.1.2008-31.12.2008: 315,53.

*Article 18*

With effect from 1 July 2004, the amount of the education allowance referred to in Article 15(1) of Annex XIII to the Staff Regulations shall be as follows:

1.7.2004-31.8.2005: 16,06

1.9.2005-31.8.2006: 32,12

1.9.2006-31.8.2007: 48,17

1.9.2007-31.8.2008: 64,24.

*Article 19*

With effect from 1 July 2004, for the purposes of applying Article 18 of Annex XIII to the Staff Regulations, the amount of the fixed allowance mentioned in the former Article 4a of Annex VII to the Staff Regulations in force before 1 May 2004 shall be:

— EUR 116,32 per month for officials in Grade C4 or C5,

— EUR 178,34 per month for officials in Grade C1, C2 or C3.

*Article 20*

This Regulation shall enter into force on the day following that 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, 20 December 2004.

*For the Council*

*The President*

P. VAN GEEL

---

**COMMISSION REGULATION (EC) No 32/2005**  
**of 11 January 2005**  
**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<sup>(1)</sup>, 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 12 January 2005.

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

Done at Brussels, 11 January 2005.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and  
Rural Development*

---

<sup>(1)</sup> 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 11 January 2005 establishing the standard import values for determining the entry price of certain fruit and vegetables**

*(EUR/100 kg)*

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	052	105,3
	204	102,4
	999	103,9
0707 00 05	052	112,6
	999	112,6
0709 90 70	052	114,3
	204	158,0
	999	136,2
0805 10 20	052	49,1
	204	52,5
	220	41,7
	448	34,6
	999	44,5
0805 20 10	204	72,6
	999	72,6
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	69,0
	204	51,9
	400	79,3
	624	60,0
	999	65,1
0805 50 10	052	44,4
	999	44,4
0808 10 80	400	111,5
	404	101,2
	720	58,5
	999	90,4
0808 20 50	400	95,6
	999	95,6

<sup>(1)</sup> 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 33/2005**

**of 10 January 2005**

**initiating a 'new exporter' review of Council Regulation (EC) No 2604/2000 imposing definitive anti-dumping duties on imports of certain polyethylene terephthalate (PET) originating, *inter alia*, in India, repealing the duty with regard to imports from one exporter in this country and making these imports subject to registration**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

**D. GROUNDS FOR THE REVIEW**

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96<sup>(1)</sup> of 22 December 1995 on protection against dumped imports from countries not members of the European Community (the basic Regulation), and in particular Article 11(4) thereof,

After consulting the Advisory Committee,

Whereas:

**A. REQUEST FOR A REVIEW**

- (1) The Commission has received an application for a 'new exporter' review pursuant to Article 11(4) of the basic Regulation. The application was lodged by South Asian Petrochem Limited (the applicant), an exporting producer in India (the country concerned).

**B. PRODUCT**

- (2) The product under review is polyethylene terephthalate with a coefficient of viscosity of 78 ml/g or higher, according to DIN (Deutsche Industrienorm) 53728, originating in India (the product concerned) and normally declared within CN code 3907 60 20. This CN code is given only for information.

**C. EXISTING MEASURES**

- (3) The measures currently in force are definitive anti-dumping duties imposed by Council Regulation (EC) No 2604/2000<sup>(2)</sup>, under which imports into the Community of the product concerned originating, *inter alia*, in India and produced by the applicant are subject to a definitive anti-dumping duty of EUR 181,7 a tonne with the exception of imports from several companies expressly mentioned which are subject to individual duty rates.

- (4) The applicant alleges that it did not export the product concerned to the Community during the period of investigation on which the anti-dumping measures were based, i.e. the period from 1 October 1998 to 30 September 1999 (the original investigation period) and that it is not related to any of the exporting producers of the product concerned which are subject to the above-mentioned anti-dumping measures.

- (5) The applicant further alleges that it has begun exporting the product concerned to the Community after the end of the original investigation period.

**E. PROCEDURE**

- (6) Community producers known to be concerned have been informed of the above application and have been given an opportunity to comment. No comments have been received.

- (7) Having examined the evidence available, the Commission concludes that there is sufficient evidence to justify the initiation of a 'new exporter' review, pursuant to Article 11(4) of the basic Regulation, with a view to determine the applicant's individual margin of dumping and, should dumping be found, the level of the duty to which its imports of the product concerned into the Community should be subject.

- (a) Questionnaires

In order to obtain the information it deems necessary for its investigation, the Commission will send a questionnaire to the applicant.

- (b) Collection of information and holding of hearings

All interested parties are hereby invited to make their views known in writing and to provide supporting evidence. Furthermore, the Commission may hear interested parties, provided that they make a request in writing showing that there are particular reasons why they should be heard.

<sup>(1)</sup> 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).

<sup>(2)</sup> OJ L 301, 30.11.2000, p. 21, Regulation as last amended by Regulation (EC) No 823/2004 (OJ L 127, 29.4.2004, p. 7).

#### F. REPEAL OF THE DUTY IN FORCE AND REGISTRATION OF IMPORTS

- (8) Pursuant to Article 11(4) of the basic Regulation, the anti-dumping duties in force should be repealed with regard to imports of the product concerned which are produced and sold for export to the Community by the applicant. At the same time, such imports should be made subject to registration in accordance with Article 14(5) of the basic Regulation, in order to ensure that, should the review result in a finding of dumping in respect of the applicant, anti-dumping duties can be levied retroactively from the date of the initiation of this review. The amount of the applicant's possible future liabilities cannot be estimated at this stage of the proceeding.

#### G. TIME LIMITS

- (9) In the interest of sound administration, time limits should be stated within which:

— interested parties may make themselves known to the Commission, present their views in writing and submit the replies to the questionnaire mentioned in recital 7(a) of this Regulation or provide any other information to be taken into account during the investigation, or

— interested parties may make a written request to be heard by the Commission.

#### H. NON COOPERATION

- (10) In cases in which any interested party refuses access to or does not provide the necessary information within the time limits, or significantly impedes the investigation, findings, affirmative or negative, may be made in accordance with Article 18 of the basic Regulation, on the basis of the facts available.
- (11) Where it is found that any interested party has supplied false or misleading information, the information shall be disregarded and use may be made, in accordance with Article 18 of the basic Regulation, of the facts available. If an interested party does not cooperate or cooperates only partially, and findings are therefore based on facts

available in accordance with Article 18 of the basic Regulation, the result may be less favourable to that party than if it had cooperated,

HAS ADOPTED THIS REGULATION:

#### Article 1

A review of Regulation (EC) No 2604/2000 is hereby initiated pursuant to Article 11(4) of Regulation (EC) No 384/96 in order to determine if and to what extent the imports of polyethylene terephthalate with a coefficient of viscosity of 78 ml/g or higher, according to DIN (Deutsche Industrienorm) 53728, falling within CN code 3907 60 20 originating in India, produced and sold for export to the Community by South Asian Petrochem Limited (TARIC additional code A585) should be subject to the anti-dumping duties imposed by Regulation (EC) No 2604/2000

#### Article 2

The anti-dumping duty imposed by Regulation (EC) No 2604/2000 is hereby repealed with regard to the imports identified in Article 1 of the present Regulation.

#### Article 3

The customs authorities are hereby directed, pursuant to Article 14(5) of Regulation (EC) No 384/96, to take the appropriate steps to register the imports identified in Article 1 of this Regulation. Registration shall expire nine months following the date of entry into force of this Regulation.

#### Article 4

1. Interested parties, if their representations are to be taken into account during the investigation, must make themselves known to the Commission, present their views in writing and submit the replies to the questionnaire mentioned in recital 7(a) of this Regulation or any other information, unless otherwise specified, within 40 days of the entry into force of this Regulation. Attention is drawn to the fact that the exercise of most procedural rights set out in Regulation (EC) No 384/96 depends on the party's making itself known within the aforementioned period.

Interested parties may also apply in writing to be heard by the Commission within the same 40-day time limit.

2. All submissions and requests made by interested parties must be made in writing (not in electronic format, unless otherwise specified) and must indicate the name, address, e-mail address, telephone and fax and/or telex numbers of the interested party. All written submissions, including the information requested in this Regulation, questionnaire replies and correspondence provided by interested parties on a confidential basis shall be labelled as 'Limited<sup>(1)</sup>' and, in accordance with Article 19(2) of Regulation (EC) No 384/96, shall be accompanied by a non-confidential version, which will be labelled 'FOR INSPECTION BY INTERESTED PARTIES'.

Any information relating to the matter and/or any request for a hearing should be sent to the following address:

European Commission  
Directorate-General for Trade  
Directorate B  
Office: J-79 5/16  
B-1049 Brussels  
Fax (32-2) 295 65 05  
Telex COMEU B 21877

*Article 5*

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, 10 January 2005.

*For the Commission*  
Peter MANDELSON  
*Member of the Commission*

---

<sup>(1)</sup> This means that the document is for internal use only. It is protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43). It is a confidential document pursuant to Article 19 of Regulation (EC) No 384/96 and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-dumping Agreement).

## II

(Acts whose publication is not obligatory)

## COUNCIL

## COUNCIL DECISION

of 22 December 2004

**amending Decision 2003/631/EC adopting measures concerning Liberia under Article 96 of the ACP-EC Partnership Agreement in a case of special urgency**

(2005/16/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the ACP-EC Partnership Agreement, which entered into force on 1 April 2003, and in particular Article 96 thereof,

Having regard to the Internal agreement between the representatives of the governments of the Member States, meeting within the Council, on measures to be taken and procedures to be followed for the implementation of the ACP-EC Partnership Agreement<sup>(1)</sup>, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) Council Decision 2002/274/EC of 25 March 2002 concluding consultations with Liberia under Articles 96 and 97 of the ACP-EC Partnership Agreement<sup>(2)</sup>, provides for the adoption of the appropriate measures within the meaning of Article 96(2)(c) and of Article 97(3) of the ACP-EC Partnership Agreement.

(2) Council Decision 2003/631/EC of 25 August 2003 adopting measures concerning Liberia under Article 96 of the EC-ACP Partnership Agreement in a case of special urgency<sup>(3)</sup>, provides for the adoption of new appropriate measures within the meaning of Article 96(2)(c) and of Article 97(3) of the ACP-EC Partnership Agreement.

(3) The current conditions in Liberia do not yet ensure respect for democratic principles, governance and the rule of law.

(4) It is consequently necessary to extend the validity period of the measures provided for in Decision 2003/631/EC and to continue the intensive political dialogue with the Government of Liberia,

HAS DECIDED AS FOLLOWS:

*Article 1*

The measures referred to in Article 1 of Decision 2003/631/EC shall expire on 30 June 2006. This date does not preclude any specific expiry date contained in the financial instruments covered by this Decision.

The letter appearing in the Annex to this Decision shall be addressed to the Minister of Foreign Affairs of Liberia.

*Article 2*

The outcome of the consultations, as set out in the draft letter annexed to Decision 2002/274/EC, shall remain unaffected.

*Article 3*

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

<sup>(1)</sup> OJ L 317, 15.12.2000, p. 376.

<sup>(2)</sup> OJ L 96, 13.4.2002, p. 23.

<sup>(3)</sup> OJ L 220, 3.9.2003, p. 3.

*Article 4*

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

Done at Brussels, 22 December 2004.

*For the Council*  
*The President*  
C. VEERMAN

---

ANNEX

**DRAFT LETTER TO THE MINISTER OF FOREIGN AFFAIRS OF LIBERIA**

HE Mr Thomas Nimely Yaya  
Minister of Foreign Affairs  
Monrovia  
Liberia

Dear Minister,

With its letter reference SGS3/7429 of 27 August 2003, the European Union informed the government of Liberia of its intentions to accompany the Liberian peace process on the basis of the Comprehensive Peace Agreement. The letter also stipulated that the European Union would closely follow the political development and transitional reform in your country and continue the intensive political dialogue on the basis of Article 8 of the ACP-EC Partnership Agreement and the outcome of the consultations as set out in our letter reference SGS 272745 of 27 March 2002.

More than a year has passed since the National Transitional Government of Liberia took office following the signing of the Accra Comprehensive Peace Agreement in August 2003. It is now time to take stock of progress in the implementation of the comprehensive peace agreement and the undertakings that resulted from the aforementioned consultations.

The European Union is pleased to note at this juncture that security and calm have returned to the country and that some initial steps to introduce democratic change and to reform the functioning of the public sector have been made. Serious concerns remain, however, over public finance and macro-economic management by the National Transitional Government of Liberia and the State-owned enterprises, and over the increasing level of corruption. Furthermore, the commissions created under the Comprehensive Peace Agreement have to date shown insufficient progress in the implementation of their mandates to improve governance and accountability. Further steps in addressing human rights issues are also required.

In the light of the above, the European Union considers that the National Transitional Government of Liberia is not fully functional and operational and the appropriate measures can therefore not yet be completely revoked. This will be done once a democratically elected and accountable President and government have been installed.

For this reason, the European Union has decided that Council Decision 2003/631/EC of 25 August 2003 shall be extended for a period of 18 months. During this period our intensive political dialogue should continue, on the basis of Article 8 of the ACP-EC Partnership Agreement and on the basis of the outcome of the consultations as set out in our letter reference SGS 272745 of 27 March 2002, with a view to continue improving respect for human rights, democracy, rule of law, and good governance. The dialogue shall involve the Presidency of the European Union and the European Commission and include six-monthly political reviews.

Meanwhile, on the basis of the appropriate measures defined in Council Decision 2003/631/EC of 25 August 2003, support for the peace process and the Results Focused Transitional Framework shall continue.

Yours faithfully,

*For the Commission*

*For the Council*

---