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## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1357/2004****of 27 July 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<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 28 July 2004.

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

Done at Brussels, 27 July 2004.

*For the Commission*

J. M. SILVA RODRÍGUEZ  
*Agriculture Director-General*

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<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 27 July 2004 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                                | 62,9                  |
|                        | 999                                | 62,9                  |
| 0707 00 05             | 052                                | 83,5                  |
|                        | 092                                | 101,8                 |
|                        | 999                                | 92,7                  |
| 0709 90 70             | 052                                | 80,3                  |
|                        | 999                                | 80,3                  |
| 0805 50 10             | 382                                | 64,7                  |
|                        | 388                                | 56,6                  |
|                        | 508                                | 39,2                  |
|                        | 512                                | 41,3                  |
|                        | 524                                | 64,0                  |
|                        | 528                                | 53,1                  |
|                        | 999                                | 53,2                  |
| 0806 10 10             | 052                                | 148,4                 |
|                        | 204                                | 92,6                  |
|                        | 220                                | 117,9                 |
|                        | 616                                | 105,2                 |
|                        | 624                                | 122,3                 |
|                        | 800                                | 99,3                  |
|                        | 999                                | 114,3                 |
|                        | 0808 10 20, 0808 10 50, 0808 10 90 | 388                   |
| 400                    |                                    | 104,4                 |
| 404                    |                                    | 128,5                 |
| 508                    |                                    | 71,5                  |
| 512                    |                                    | 86,3                  |
| 524                    |                                    | 56,0                  |
| 528                    |                                    | 78,4                  |
| 720                    |                                    | 75,2                  |
| 804                    |                                    | 89,3                  |
| 999                    |                                    | 86,7                  |
| 0808 20 50             | 052                                | 134,0                 |
|                        | 388                                | 97,5                  |
|                        | 512                                | 88,2                  |
|                        | 999                                | 106,6                 |
| 0809 10 00             | 052                                | 180,4                 |
|                        | 094                                | 61,8                  |
|                        | 999                                | 121,1                 |
| 0809 20 95             | 052                                | 290,6                 |
|                        | 400                                | 293,6                 |
|                        | 404                                | 322,5                 |
|                        | 616                                | 183,0                 |
|                        | 999                                | 272,4                 |
| 0809 30 10, 0809 30 90 | 052                                | 158,7                 |
|                        | 999                                | 158,7                 |
| 0809 40 05             | 093                                | 60,1                  |
|                        | 512                                | 91,6                  |
|                        | 624                                | 179,3                 |
|                        | 999                                | 110,3                 |

<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 1358/2004****of 27 July 2004****amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1210/2004 for the 2004/2005 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector<sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses<sup>(2)</sup>, and in particular the second sentence of the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups for the 2004/2005 marketing year are fixed by Commission Regulation (EC) No 1210/2004<sup>(3)</sup>. These prices and duties have last been amended by Commission Regulation (EC) No 1262/2004<sup>(4)</sup>.

- (2) The data currently available to the Commission indicate that the said amounts should be changed in accordance with the rules and procedures laid down in Regulation (EC) No 1423/95,

HAS ADOPTED THIS REGULATION:

*Article 1*

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95, as fixed by Regulation (EC) No 1210/2004 for the 2004/2005 marketing year are hereby amended as set out in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 28 July 2004.

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

Done at Brussels, 27 July 2004.

*For the Commission*

J. M. SILVA RODRÍGUEZ  
*Agriculture Director-General*

<sup>(1)</sup> OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

<sup>(2)</sup> OJ L 141, 24.6.1995, p. 16. Regulation as last amended by Regulation (EC) No 624/98 (OJ L 85, 20.3.1998, p. 5).

<sup>(3)</sup> OJ L 232, 1.7.2004, p. 11.

<sup>(4)</sup> OJ L 239, 9.7.2004, p. 23.

## ANNEX

**Amended representative prices and additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99 applicable from 28 July 2004**

(EUR)

| CN code                   | Representative price per 100 kg of the product concerned | Additional duty per 100 kg of the product concerned |
|---------------------------|--|---|
| 1701 11 10 <sup>(1)</sup> | 18,69  | 6,96  |
| 1701 11 90 <sup>(1)</sup> | 18,69  | 12,86   |
| 1701 12 10 <sup>(1)</sup> | 18,69  | 6,77  |
| 1701 12 90 <sup>(1)</sup> | 18,69  | 12,35   |
| 1701 91 00 <sup>(2)</sup> | 22,15  | 14,90   |
| 1701 99 10 <sup>(2)</sup> | 22,15  | 9,64  |
| 1701 99 90 <sup>(2)</sup> | 22,15  | 9,64  |
| 1702 90 99 <sup>(3)</sup> | 0,22   | 0,42  |

<sup>(1)</sup> Fixed for the standard quality defined in Annex I.II to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).

<sup>(2)</sup> Fixed for the standard quality defined in Annex I.I to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).

<sup>(3)</sup> Fixed per 1 % sucrose content.

## II

(Acts whose publication is not obligatory)

## COMMISSION

## COMMISSION DECISION

of 23 July 2004

amending Decision 92/452/EEC as regards embryo collection teams in the United States of America

(notified under document number C(2004) 2420)

(Text with EEA relevance)

(2004/568/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species<sup>(1)</sup>, and in particular Article 8 thereof,

Whereas:

- (1) Commission Decision 92/452/EEC of 30 July 1992 establishing lists of embryo collection teams and embryo production teams approved in third countries for export of bovine embryos to the Community<sup>(2)</sup>, provides that Member States are only to import embryos from third countries where they have been collected, processed and stored by embryo collection teams listed in that Decision.
- (2) The United States of America has requested that amendments be made to the list as regards entries for that country.
- (3) The United States of America has provided guarantees regarding compliance with the appropriate rules set out in Directive 89/556/EEC and the embryo collection teams concerned have been officially approved for

exports to the Community by the veterinary services of that country.

- (4) Decision 92/452/EEC should therefore be amended accordingly.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

*Article 1*

The Annex to Decision 92/452/EEC is amended in accordance with the Annex to this Decision.

*Article 2*

This Decision shall apply from 31 July 2004.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 23 July 2004.

*For the Commission*

David BYRNE

*Member of the Commission*

<sup>(1)</sup> OJ L 302, 19.10.1989, p. 1. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

<sup>(2)</sup> OJ L 250, 29.8.1992, p. 40. Decision as last amended by Decision 2004/52/EC (OJ L 10, 16.1.2004, p. 67).

## ANNEX

In the Annex to Decision 92/452/EEC, the following rows are added to the list for the United States of America:

|     |  |                  |  |   |                  |
|-----|--|------------------|--|---|------------------|
| 'US |  | 04KY110<br>E625  |  | Lutz Brookview Farm<br>4475 Fairfield Road, Box 74<br>Fairfield, KY 40020 | Dr Cheryl Nelson |
| US  |  | 04WI109<br>E1257 |  | Cashton Veterinary Clinic<br>406 South Street<br>Cashton, WI 54619        | Dr Brent Beck'   |

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

## COUNCIL JOINT ACTION 2004/569/CFSP

of 12 July 2004

### on the mandate of the European Union Special Representative in Bosnia and Herzegovina and repealing Council Joint Action 2002/211/CFSP

THE COUNCIL OF THE EUROPEAN UNION,

(5) On 17 November 2003 the Council adopted Guidelines on the appointment, mandate and financing for EUSRs,

Having regard to the Treaty on European Union, and in particular Articles 14, 18(5) and 23(2) thereof,

HAS ADOPTED THIS JOINT ACTION:

Whereas:

#### Article 1

Lord Ashdown shall continue to exercise his functions as the European Union Special Representative (EUSR) in Bosnia and Herzegovina (BiH), in accordance with the mandate set out hereafter.

#### Article 2

The mandate of the EUSR shall be based on the policy objectives of the EU in BiH. These centre around continued progress in the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina, in accordance with the Office of the High Representative's Mission Implementation Plan, and in the Stabilisation and Association Process, with the aim of a stable, viable, peaceful and multiethnic BiH, cooperating peacefully with its neighbours and irreversibly on track towards EU membership.

#### Article 3

In order to achieve the policy objectives of the EU in BiH, the mandate of the EUSR shall be to:

- (1) On 11 March 2002 the Council adopted Joint Action 2002/211/CFSP appointing Lord Ashdown as the EU Special Representative in Bosnia and Herzegovina<sup>(1)</sup> and Joint Action 2002/210/CFSP establishing the European Union Police Mission in order to ensure the follow-on to the United Nations International Police Task Force in Bosnia and Herzegovina (BiH) as from 1 January 2003<sup>(2)</sup>.
- (2) On 17 to 18 June 2004 the European Council adopted the European Security Strategy: Comprehensive Policy for Bosnia and Herzegovina, *inter alia* calling for explicit links to the EU Special Representative (EUSR) as far as CFSP/ESDP instruments in Bosnia and Herzegovina are concerned in order to allow the EUSR to assist the Secretary-General/High Representative and the Political and Security Committee (PSC) in ensuring maximum coherence of the EU effort.
- (3) On 12 July 2004 the Council adopted Joint Action 2004/570/CFSP on the European Union military operation in Bosnia and Herzegovina<sup>(3)</sup> which designates a specific role of the EUSR. His mandate should be modified accordingly and Joint Action 2002/211/CFSP should be repealed.
- (4) The EUSR will implement his mandate in the context of a situation which may deteriorate and could harm the objectives of the CFSP as set out in Article 11 of the Treaty on European Union.

- (a) offer the EU's advice and facilitation in the political process;
- (b) promote overall EU political coordination in BiH without prejudice to Community competence;
- (c) provide local political advice to the EUFOR Commander, including with respect to the Integrated Police Unit style capability, on which he may draw, in agreement with the EUFOR Commander, without prejudice to the chain of command;

<sup>(1)</sup> OJ L 70, 13.3.2002, p. 7.

<sup>(2)</sup> OJ L 70, 13.3.2002, p. 1. Joint Action as last amended by Joint Action 2003/188/CFSP (OJ L 73 19.3.2003, p. 9).

<sup>(3)</sup> See page 10 of this Official Journal.

- (d) contribute to reinforcement of internal EU coordination and coherence in BiH, including through briefings to EU Heads of Mission and through participation in, or representation at, their regular meetings, through chairing a coordination group composed of all EU actors present in the field with a view to coordinating the implementation aspects of the EU's action, and through providing guidance to them on relations with the BiH authorities;
- (e) ensure consistency and coherence towards the public, without prejudice to Community competence. The EUSR spokesperson will be the main EU point of contact for BiH media on CFSP/ESDP issues;
- (f) maintain an overview over the whole range of activities in the field of the Rule of Law and in this context provide advice to the Secretary-General/High Representative and the Commission as necessary;
- (g) as part of his wider responsibilities, have authority to give direction, as necessary, to the Head of Mission/Police Commissioner of the European Union Police Mission;
- (h) as far as Community activities and activities under Title VI of the TEU, including Europol, are concerned, provide advice, as appropriate, and take part in the required local coordination;
- (i) with a view to coherence and possible synergies, continue to be consulted on priorities for Community Assistance for Reconstruction, Development and Stabilisation.

#### Article 4

1. The EUSR shall be responsible for the implementation of the mandate acting under the authority and operational direction of the Secretary-General/High Representative. The EUSR shall be accountable to the Commission for all expenditure.
2. The Political and Security Committee (PSC) shall maintain a privileged link with the EUSR and shall be the primary point of contact with the Council. The PSC shall provide strategic guidance and political input to the EUSR within the framework of the mandate.

#### Article 5

The role of the EUSR shall not in any way prejudice the mandate of the High Representative in Bosnia and Herzegovina, including his coordinating role with regard to all activities of all civilian organisations and agencies as set out in GFAP and subsequent Peace Implementation Council conclusions and declarations.

#### Article 6

1. The financial reference amount intended to cover the expenditure related to the mandate of the EUSR shall be EUR 200 000.
2. The expenditure financed by the amount stipulated in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the general budget of the European Union with the exception that any prefinancing shall not remain the property of the Community. Nationals of the host and neighbouring countries are allowed to tender for contracts.
3. The management of the expenditure shall be subject to a contract between the EUSR and the Commission.
4. The Presidency, Commission, and/or Member States, as appropriate, shall provide logistical support in the region.
5. Expenditure shall be eligible as of the date of entry into force of this Joint Action.

#### Article 7

1. An EU dedicated staff projecting an EU identity shall be assigned to assist the EUSR to implement his mandate and contribute to the coherence, visibility and effectiveness of the overall EU action in BiH, in particular in political, politico-military and security affairs, and with regard to communication and media relations. Within the limits of his mandate and the corresponding financial means made available, the EUSR shall be responsible for constituting his team in consultation with the Presidency, assisted by the Secretary-General/High Representative, and in full association with the Commission. The EUSR shall inform the Presidency and the Commission of the final composition of his team.

2. EU Member States and Institutions may propose the secondment of staff to work with the EUSR. The remuneration of staff who might be seconded by an EU Member State or Institution to the EUSR shall be covered by the EU Member State or Institution concerned, respectively.

3. All A-type posts, which are not covered by secondment, shall be advertised as appropriate by the General Secretariat of the Council and also notified to EU Member States and Institutions in order to recruit the best-qualified applicants.

4. The privileges, immunities and further guarantees necessary for the completion and smooth functioning of the mission of the EUSR and the members of his staff shall be defined with the parties. Member States and the Commission shall grant all necessary support to such effect.

#### Article 8

As a rule, the EUSR shall report in person to the Secretary-General/High Representative and to the PSC and may report also to the relevant working group. Regular written reports shall be circulated to the Secretary-General/High Representative, Council and Commission. The EUSR may report to the Council on the recommendation of the Secretary-General/High Representative and the PSC.

#### Article 9

To ensure the consistency of the EU external action, the activities of the EUSR shall be coordinated with those of the Secretary-General/High Representative, the Presidency and the Commission. The EUSR shall provide regular briefings to Member States' missions and Commission delegations. In the field, close liaison shall be maintained with the Presidency, the Commission and Heads of Mission who shall make best efforts to assist the EUSR in the implementation of the mandate. The EUSR shall also liaise with other international and regional actors in the field, including, *inter alia*, the OSCE.

#### Article 10

The implementation of this Joint Action and its consistency with other EU contributions to the region shall be kept under regular review. The EUSR shall present a comprehensive written report on the implementation of the mandate to the Secretary-General/High Representative, Council and Commission two months before the mandate expires. The report shall form a basis for evaluation of this Joint Action in the relevant working groups and by the PSC. In the context of overall priorities for deployment, the Secretary-General/High Representative shall make recommendations to the PSC concerning the Council's decision on renewal, amendment or termination of the mandate.

#### Article 11

Joint Action 2002/211/CFSP is hereby repealed.

#### Article 12

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

It shall apply until 28 February 2005.

#### Article 13

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

Done at Brussels, 12 July 2004.

For the Council

The President

B. BOT

**COUNCIL JOINT ACTION 2004/570/CFSP****of 12 July 2004****on the European Union military operation in Bosnia and Herzegovina**

THE COUNCIL OF THE EUROPEAN UNION,

(7) The NATO Summit Meeting of Heads of State and Government in Istanbul on 28 to 29 June 2004 decided to conclude NATO's SFOR operation in Bosnia and Herzegovina by the end of 2004.

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

Whereas:

(1) The European Council has announced the readiness of the European Union for an ESDP mission in Bosnia and Herzegovina (BiH), including a military component.

(2) The General Framework Agreement for Peace (GFAP) in BiH foresees, *inter alia*, arrangements for establishing a multinational military implementation force.

(3) The Council adopted on 12 July 2004 Joint Action 2004/569/CFSP<sup>(1)</sup> on the mandate of the European Union Special Representative in Bosnia and Herzegovina. The EU Special Representative (EUSR) in BiH will promote overall EU political coordination in BiH.

(4) The Council adopted on 11 March 2002 Joint Action 2002/210/CFSP<sup>(2)</sup> on the European Union Police Mission (EUPM), to build and strengthen local policing capacity, especially at State level and in the fight against organised crime.

(5) On 26 April 2004 the Council approved the general concept for an ESDP mission in BiH, including a military component.

(6) On 17 to 18 June 2004 the European Council adopted a comprehensive policy towards BiH.

(8) United Nations Security Council Resolution 1551 (2004), adopted on 9 July 2004, welcomed the European Union's intention to launch an EU mission to Bosnia and Herzegovina, including a military component, from December 2004, under the terms set out in the letter of 29 June 2004 from the Minister of Foreign Affairs of Ireland and President of the Council of the European Union to the Presidency of the Security Council. The United Nations Security Council further decided that the status of forces agreements currently contained in Appendix B to Annex 1.A of the Peace Agreement shall apply provisionally in respect to the proposed EU mission and its forces, including from the point of their build-up in Bosnia and Herzegovina, in anticipation of the concurrence of the parties to those agreements to that effect.

(9) The Council has agreed that the EU military operation should provide deterrence, continued compliance with the responsibility to fulfil the role specified in Annexes 1.A and 2 of the GFAP in BiH and contribute to the safe and secure environment, in line with its mandate, required to achieve core tasks in the Office of the High Representative's Mission Implementation Plan and the Stabilisation and Association Process (SAP).

(10) The operation should reinforce the EU's comprehensive approach towards BiH, and support BiH's progress towards EU integration by its own efforts, with the objective of the signing of a Stabilisation and Association Agreement as a medium-term objective.

(11) The EU military operation should have full authority, exercised through its force commander, in order to fulfil the role specified in Annexes 1.A and 2 of the GFAP in BiH to monitor implementation of military aspects of the GFAP, and to assess and address non-compliance by the Parties.

<sup>(1)</sup> See page 7 of this Official Journal.

<sup>(2)</sup> OJ L 70, 13.3.2002, p. 1.

- (12) In addition to contacts already established in relation to EU's activities in BiH, the European Union should maintain close consultations with the BiH authorities, in particular with the Minister of Defence, regarding the conduct of the EU military operation.
- (13) Consultations with NATO will proceed in accordance with the relevant provisions laid down in the 17 March 2003 Exchange of Letters between the Secretary-General/High Representative (SG/HR) and NATO Secretary-General. In a subsequent Exchange of Letters on 30 June and 8 July 2004 respectively, the North Atlantic Council has agreed to make available DSACEUR as EU Operation Commander and has agreed that the EU Operation Headquarters should be located at SHAPE.
- (14) The Political and Security Committee (PSC) should exercise political control of and provide strategic direction to the EU military operation in BiH and take the relevant decisions in accordance with Article 25, third paragraph of the Treaty on European Union.
- (15) In conformity with the guidelines of the European Council meeting at Nice on 7 to 9 December 2000, this Joint Action should determine the role of the SG/HR in accordance with Articles 18 and 26 of the Treaty on European Union in the implementation of measures falling within the political control and strategic direction exercised by the PSC, in accordance with Article 25 of the Treaty on European Union.
- (16) Third States should participate in the EU military operation in accordance with the guidelines laid down by the European Council.
- (17) In accordance with Article 28(3) of the Treaty on European Union, the operational expenditure arising from this Joint Action, having military or defence implications, should be charged to the Member States in accordance with Council Decision 2004/197/CFSP of 23 February 2004 establishing a mechanism to administer the financing of the common costs of European Union operations having military or defence implications<sup>(1)</sup> (hereafter referred to as 'ATHENA').
- (18) Article 14(1) of the Treaty on European Union calls for the indication in joint actions of the means to be made available to the Union. The financial reference amount for the common costs of the EU military operation constitutes the best current estimate and is without prejudice to the final figures that shall be included in a budget to be approved in accordance with the principles laid down in ATHENA.

- (19) In conformity with Article 6 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark does not participate in the elaboration and implementation of decisions and actions of the European Union which have defence implications. Denmark does not participate in the implementation of this Joint Action and therefore does not participate in the financing of the operation,

HAS ADOPTED THIS JOINT ACTION:

#### *Article 1*

##### **Mission**

1. Subject to a further decision by the Council to launch the operation, once all relevant decisions have been made, the European Union shall conduct a military operation in Bosnia and Herzegovina (BiH) named 'ALTHEA' in order to provide deterrence, continued compliance with the responsibility to fulfil the role specified in Annexes 1.A and 2 of the General Framework Agreement for Peace (GFAP) in BiH and to contribute to a safe and secure environment in BiH, in line with its mandate, required to achieve core tasks in the OHR's Mission Implementation Plan and the SAP. This operation shall be part of the overall ESDP mission in BiH.

2. The forces deployed to this effect shall operate in accordance with the general concept approved by the Council.

3. The EU military operation shall be carried out with recourse to NATO common assets and capabilities, on the basis agreed with NATO.

#### *Article 2*

##### **Appointment of the EU Operation Commander**

Admiral Rainer FEIST, Deputy Supreme Allied Commander for Europe (D-SACEUR), is hereby appointed EU Operation Commander.

#### *Article 3*

##### **Designation of the EU Operational Headquarters**

EU Operational Headquarters shall be located at the Supreme Headquarters of Allied Powers in Europe (SHAPE).

#### *Article 4*

##### **Designation of the EU Force Commander**

Major General A. David LEAKEY is hereby appointed EU Force Commander.

<sup>(1)</sup> OJ L 63, 28.2.2004, p. 68.

*Article 5***Planning and launching of the Operation**

The Council shall decide on the launching of the EU military operation following the approval of the Operation Plan and the Rules of Engagement and any necessary further decisions.

*Article 6***Political control and strategic direction**

1. Under the responsibility of the Council, the PSC shall exercise the political control and strategic direction of the EU military operation. The Council hereby authorises the PSC to take the relevant decisions in accordance with Article 25 of the Treaty on European Union. This authorisation shall include the powers to amend the planning documents, including the Operation Plan, the Chain of Command and the Rules of Engagement. This authorisation shall also include the powers to take further decisions on the appointment of the EU Operation Commander and/or EU Force Commander. The powers of decision with respect to the objectives and termination of the EU military operation shall remain vested in the Council, assisted by the SG/HR.

2. The PSC shall report to the Council at regular intervals.

3. The PSC shall receive reports from the Chairman of the European Union Military Committee (CEUMC) regarding the conduct of the EU military operation, at regular intervals. The PSC may invite the EU Operation Commander and/or EU Force Commander to its meetings, as appropriate.

*Article 7***Coherence of EU response**

1. The operation shall be part of a closely coordinated EU presence in BiH. The Council shall ensure the maximum coherence and effectiveness for the EU effort in BiH. Without prejudice to Community competence, the EUSR shall promote overall EU political coordination in BiH. The EUSR shall chair a coordination group composed of all EU actors present in the field, including the EU Force Commander, with a view to coordinating the implementation aspects of the EU's action.

2. The EU Force Commander shall, without prejudice to the chain of command, take EUSR local political advice into account, especially with regard to matters for which the EUSR has a particular or stated role, and shall, within his/her mandate, endeavour to take into account any request from the EUSR.

3. The EU Force Commander shall liaise, as appropriate, with the EUPM.

*Article 8***Military direction**

1. The EU Military Committee (EUMC) shall monitor the proper execution of the EU military operation conducted under the responsibility of the EU Operation Commander.

2. The EUMC shall receive reports from the EU Operation Commander at regular intervals. It may invite the EU Operation Commander and/or EU Force Commander to its meetings as necessary.

3. The CEUMC shall act as the primary point of contact with the EU Operation Commander.

*Article 9***Relations with BiH**

The SG/HR and the EUSR in BiH, within their respective mandates, shall act as primary points of contact with the authorities of BiH for matters relating to the implementation of this Joint Action. The Presidency shall be kept regularly and promptly informed on these contacts. The EU Force Commander shall maintain contact with local authorities, in close coordination with the EUSR, on issues relevant to his mission.

*Article 10***Coordination and liaison**

Without prejudice to the chain of command, the EU Commanders shall coordinate closely with the EUSR in BiH with a view to ensure consistency of the EU military operation with the broader context of the EU activities in BiH. Within that framework, the EU Commanders shall liaise with other international actors in the area as appropriate.

*Article 11***Participation of third States**

1. Without prejudice to the decision-making autonomy of the European Union and to the Single Institutional Framework, and in accordance with the relevant guidelines of the European Council:

— the non-EU European NATO members and Canada shall participate in the EU military operation if they so wish,

— countries which are candidates for accession to the European Union may be invited to participate in the EU military operation in accordance with the agreed modalities,

— potential partners and other third states may also be invited to participate in the operation.

2. The Council hereby authorises the PSC to take, upon the recommendation of the EU Operation Commander and the EUMC, the relevant decisions on acceptance of the proposed contributions.

3. Detailed arrangements regarding the participation of third states shall be the subject of an agreement, in conformity with Article 24 of the Treaty on European Union. The SG/HR, 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.

4. Third States making significant military contributions to the EU military operation 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.

5. The Council hereby authorises the PSC to take relevant decisions on the setting-up of a Committee of Contributors, should third states provide significant military contributions.

#### Article 12

##### Financial arrangements

1. The common costs of the EU military operation shall be administered by ATHENA.

2. For the purposes for this EU military operation:

— barracks and lodging for the forces as a whole shall not be eligible for payment as common costs,

— expenditure related to transportation for the forces as a whole shall not be eligible for payment as common costs.

3. Without prejudice to the financing of any future operation and in view of the specific requirements of the establishment of this operation, the Council may, in the light of the Force Generation Process, consider the issue of the financing of Multi-national Task Force North.

4. The financial reference amount for the common costs of the EU military operation shall be 71 700 000 EUR.

5. Procurement procedures for the EU military operation shall be open to tenderers from the EU Member States contributing to the financing of the operation.

#### Article 13

##### Relations with NATO

1. Relations with NATO shall be conducted in accordance with the relevant provisions laid down in the 17 March 2003 Exchange of Letters between the Secretary-General/High Representative and the NATO Secretary-General.

2. The entire chain of command of the EU Force shall remain under the political control and strategic direction of the EU throughout the EU military operation, after consultation between the EU and NATO. Within this framework, the EU Operation Commander shall report on the conduct of the operation to EU bodies only. NATO shall be informed of developments in the situation by the appropriate bodies, in particular the PSC and CEUMC.

#### Article 14

##### Release of information to NATO and to third States

1. The SG/HR is hereby authorised to release to NATO and to third parties, associated with this Joint Action, EU classified information and documents generated for the purposes of the EU military operation, in accordance with the Council Security Regulations.

2. The SG/HR is hereby authorised to release to third parties, 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, paragraph 1 of the Council Rules of Procedure.

#### Article 15

##### Community action

The Council notes the intention of the Commission to direct, where appropriate, its action towards achieving the objectives of this Joint Action.

#### Article 16

##### Review process

1. As part of the EU mission review process, a six-monthly review shall be held

— to enable the PSC to determine, taking account of the security situation and of advice from HR/EUSR and from the EU Force Commander through the Chain of Command, and following EUMC military advice, any changes to be made to the size, mandate and tasks of the EU military operation, and when it should be terminated,

— to enable the PSC to determine, taking account of the security situation and advice from HR/EUSR, the EU Force Commander, and the Head of Mission EUPM, and following EUMC and CIVCOM advice, whether all or part of the Integrated Police Unit style capability should be repositioned within EUSR domain, for duties in support of the Rule of Law, including in support of State Information and Protection Agency (SIPA). In this case, the composition of the police and military missions shall be reviewed.

2. The Council shall, not later than 31 December 2005, evaluate the continuation of the operation.

*Article 17*

**Entry into force and termination**

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

2. The EU military operation shall end on a date to be decided by the Council.

3. This Joint Action shall be repealed following the redeployment of all EU forces, in accordance with approved termination planning of the EU military operation.

*Article 18*

**Publication**

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

Done at Brussels, 12 July 2004.

*For the Council*

*The President*

B. BOT

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**CORRIGENDA****Corrigendum to Commission Regulation (EC) No 1147/2004 of 22 June 2004 determining the quantity of certain products in the milk and milk products available for the second half of 2004 under quotas opened by the Community on the basis of the import licence alone**

*(Official Journal of the European Union L 222 of 23 June 2004)*

On pages 13 and 14, in Annexes I.A and I.H:

*for:* 'Allocation coefficient',

*read:* 'Quantity (tonnes)'.

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