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Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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**PVD 49
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TRANSMISSION OF TEXT

from : Secretariat

Subject : Report of the Asia Oceania Working Group of 25 September 2003

Please find annexed the report of the Asia Oceania Working Group of 25 September 2003.

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1. ADS Agreement with China

- Briefing by the Commission

The Presidency and the Commission recalled that the ADS Agreement was the main deliverable for the EU-China Summit to take place in Beijing on 30 October.

The Commission briefed the Group on the positive developments in the ADS dossier. The Chinese side had shared with the EU a very interesting counterproposal on Article 5 (readmission). The counterproposal included a State obligation of China to readmit overstayers and could therefore be considered to be a breakthrough in the negotiations.

The Commission intended to hold talks in Beijing in the days to come, so as to pave the way for an early conclusion of the Agreement. The Commission underlined the importance of the ADS readmission clause, as it would open the door for a general readmission agreement with China in due course, and warned delegations against jeopardising ADS negotiations with small technical problems.

Delegations generally welcomed the Chinese counterproposal, although some had not yet finished the examination thereof. In response to questions from delegations, the Commission representative explained that Member States with a Schengen opt-out would be concluding with China a bilateral agreement of similar content as the ADS Agreement. He stressed the need to include photocopies of passports in a list of documentary evidence in the Agreement. The Commission will seek to add to the ADS Agreement a declaration that would allow the new EU Member States to benefit from the Agreement (except for the Schengen visa) as from 1 May 2004.

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Further to some concerns expressed by delegations on the financial burden imposed on travel agencies in the Chinese counterproposal, the Commission representative acknowledged that the text needed some redrafting in order to make clear that national authorities, and not the travel agencies, will pay the airfare (and only the airfare) of the illegal overstayer.

2. India-EU Joint Committee (New Delhi, 22 October 2003)

- Annotated agenda

The Commission representative presented the draft annotated agenda of the Joint Committee (meeting document 96/03), with special emphasis on some deliverables for the EU-India Summit to take place on 29 November in Delhi: Customs Cooperation Agreement, Cooperation on Space (including Indian participation in Galileo), EU-India Scholarship Programme.

The Joint Committee will hear a report on progress in the negotiations of an EU-India Maritime Transport Agreement. The Commission acknowledged that negotiations are going slow. Several delegations underscored the importance of this Agreement.

3. Bangladesh

- End of Multi-fibre Agreement

One delegation drew the attention of the Group to the possible effects of the end of the Multi-fibre Agreement for Bangladesh in 2004. The country's foreign trade highly (76%) depends on the export of textiles, in particular ready-made garments. In 2005 Bangladesh will be faced with strong competition. Investigations on the textile sector predict job losses of up to 40%. This delegation invited the Commission to prepare a report on the situation and proposed that either the Commission or the HOMs in Dhaka could prepare suggestions on how the EU could react to the problems that Bangladesh might be facing from 2005.

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The Commission representatives replied that it had been monitoring the situation, and further light will be shed on this at the EC-Bangladesh Joint Committee meeting later this year. They further pointed out that the end of the Multi-fibre Agreement would entail problems not only for Bangladesh, but also to many other countries including several EU Member States. In any case, the Commission will present by the end of October a communication on how to help the most vulnerable countries, possibly through a concentration of the SPG benefits to these countries.

The Commission also briefed the Group on EC projects in Bangladesh. Delegations welcomed this information and kindly requested the Commission to provide its next briefing on these subjects also in writing.

4. Afghanistan

- Briefing by the Commission on the Dubai high-level meeting (21 September 2003)

The Commission representative briefed the Group on the main issues raised at the Dubai meeting: Afghan request of 30 billion US\$ from donors, donors' requests for results on the ground, US announcement of 1,2 billion US\$ aid, EU's commitment of 50 mio EURO for law and order purposes. Participants put a very heavy emphasis on security. The political and constitutional process and human rights issues, especially gender, were also discussed.

In response to a question put by a delegation on the conditionality of aid, the Commission representative pointed out that the EC aid was subject to the respect of EU-agreed benchmarks by the Afghan Transitional Authority. He further reported on the state of play of some EC quick-impact projects, especially the reconstruction of the Kabul-Jalalabad road. On elections, he felt that if a postponement was required for successfully holding free and fair presidential/parliamentary elections, the main players might have to consider how best to address the issue of the date.

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The Presidency felt that reflection was needed on the EU's role in Afghanistan. He wondered whether COASI I could act as clearinghouse for Member States' actions in the field of assistance to Afghanistan.

5. Implementation of EU-guidelines on torture in Asia

Further to the mandate given by COASI II on 9 September, the Group held a debate on the selection of priority countries in Asia for EU action against torture in implementation of the EU guidelines.

A consensus emerged on the designation of Bangladesh. Therefore, this country will be indicated to COHOM for the first phase. Other countries may be indicated at a later stage, should consensus emerge. A number of delegations took the view that the selection criteria should have been more detailed.

6. AOB

In response to one delegation, the Presidency indicated that the November GAERC might adopt conclusions on the Commission's Communication "A New Partnership for South Asia" (COM (2003) 399/4).

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