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DECLASSIFICATION

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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 52
ASIE 34**

TRANSMISSION OF TEXT

from : Secretariat

Subject : Report of the Asia Oceania Working Group of 23 October 2003

Please find annexed the report of the Asia Oceania Working Group of 23 October 2003.

DECLASSIFIED

1. ADS Agreement with China

The representative of the Council's Legal Service presented his opinion on the question of the competence of the Community to conclude the Agreement.

The Commission representative explained that the Agreement would be initialled at the EU-China Summit to take place on 30 October in Beijing. Signature would follow in November according to the normal EU procedures. It is possible that the Agreement would eventually be called "Memorandum of Understanding", but this should not be a problem provided it has a legally binding nature for both parties. In this context, the Commission underscored that a provision guaranteeing the legally binding nature of the Agreement would be included in the text.

The IRL, DK and UK delegations expressed the wish to conclude an ADS Agreement with China as soon as possible. IRL requested a sentence to this effect be included in the Joint Press Statement of the EU-China Summit.

2. Afghanistan

The Presidency referred to the Secretariat's report on the results of the troika mission to Afghanistan (Kabul, 19-20 October).

The Commission representative deplored the worsening security situation and the alarming increase of drug production: as a consequence, the drug issue is now deeply embedded in Afghanistan's structure and the country is in danger of becoming a de facto federation based upon narcotics. He also pointed out that the works of the Constitution were quickly moving towards Islamisation. He urged the EU to re-engage with the US and explore possibilities for a radical revisiting of the approach of the international community towards Afghanistan.

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The Presidency invited delegations to regularly update their contributions to the charter on EU Reconstruction and Humanitarian Pledges to Afghanistan (doc. 104/03).

3. EU-Vietnam Joint Commission (New Delhi, 22 October 2003)

- Annotated agenda

The Commission representative presented the draft annotated agenda of the Joint Commission (doc. 107/03).

A number of delegations, while welcoming the establishment of the working group "Co-operation in the areas of institution building and administrative reform, governance and human rights" (item 3.2 of the annotated agenda), stressed that this new structure should not replace the current human rights dialogue. The Commission explained that the two structures would deal with different issues: for instance, the human rights dialogue would remain the forum for handing over the list of individual cases, while the new working group would be a good channel to discuss co-operation programmes or questions emanating from the European Parliament or the public on the situation of human rights in Vietnam.

Several delegations emphasised the importance of ensuring non-discrimination of EU companies - as compared to US companies - in the textile sector.

4. Indonesia

The Commission representative presented a summary of findings and conclusions of the election exploratory mission to Indonesia that took place from 3 to 14 October.

The Group agreed to revert to this issue in a forthcoming meeting.

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5. Mongolia

The Commission representative presented the agendas for the EC-Mongolia Sub-Committee and Joint Committee to take place in Ulaan Bataar on 3 and 4 November 2003.

In reply to remarks from delegations, the Commission representative noted that awarding Market Economy Status to Mongolia would still require long and careful examination, although there are no cases of anti-dumping procedures against Mongolia. As for meat exports, Mongolia needs to take a number of measures to overcome the current difficulties.

The Group reflected on the legal difficulties attached to the transit of the TACIS aid programmes to the PVD/ALA framework.

6. Bangladesh

The Commission representative presented the agenda for the EU-Bangladesh Joint Commission taking place on 19 November 2003.

In response to a question from a delegation, the Presidency recalled that Member States had reached a consensus on Bangladesh as target country for the implementation of the EU guidelines against torture in Asia. However, further to a request from the Commission, COASI will revert to this issue once all torture reports from Asian countries are ready. COHOM will take the final decision on worldwide target countries in November.

7. AOB

-ASEM- migration

The Group agreed that, due to short notice, the EU was not in a position to attend the ASEM meeting on migration convened by China for 12 November. The EU will invite China to postpone the meeting.