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DECLASSIFICATION

of document:	15215/03 RESTREINT UE/EU RESTRICTED
dated:	25 November 2003
new status:	Public
Subject:	Draft Council Decision authorising the Commission to open negotiations on the revision of the International Health Regulations under the framework of the World Health Organisation
	- Adoption

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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COUNCIL OF
THE EUROPEAN UNION

Brussels, 25 November 2003

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SAN 252

RESTRICTED EU DOCUMENT
CIRCULATED TO ACCEDING
STATES

REPORT

from : Permanent Representatives Committee
to : Council

No. prev. doc. : 14900/03 SAN 244
No. Cion prop. : 13074/03 SAN 197

Subject : Draft Council Decision authorising the Commission to open negotiations on the revision of the International Health Regulations under the framework of the World Health Organisation
- Adoption

1. The Commission sent to the Council on 25 September 2003 a Communication containing a recommendation for a Council Decision authorising the Commission to open negotiations on the revision of the International Health Regulations under the framework of the World Health Organisation.
2. The Permanent Representatives Committee at its meeting on 21 November 2003 agreed in principle on the text as set out in Annex A to this report ¹.

¹ The German delegation maintains at this stage a scrutiny reservation.

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3. Furthermore the Committee agreed in principle that a statement by the Council and the Commission, as set out in Annex B to this report, be entered into the Council minutes.

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The Council is invited to adopt the draft Decision as set out in Annex A to this report and to decide to enter in its minutes the statement as set out in Annex B to this report.

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ANNEX A

DRAFT DECISION OF THE COUNCIL OF...

Authorising the Commission to open negotiations on the revision of the International Health Regulations under the framework of the World Health Organisation

The COUNCIL OF THE EUROPEAN UNION, having regard to the recommendation from the Commission,

HAS DECIDED AS FOLLOWS:

Sole Article

With regard to matters within the Community field of competence, the Commission is hereby authorised to negotiate on behalf of the European Community the revision of the International Health Regulations under the framework of the World Health Organisation.

The negotiations shall be conducted by the Commission in accordance with the Negotiating Directives laid down in the Annex and in consultation with a special Committee appointed by the Council in accordance with article 300 (1) of the Treaty.

The negotiating directives will be reviewed as soon as further information on the proposed revision of the International Health Regulations is available.

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ANNEX to the Annex

NEGOTIATING DIRECTIVES FOR NEGOTIATING THE REVISION OF THE INTERNATIONAL HEALTH REGULATIONS NEGOTIATING DIRECTIVES

1. The Commission will represent the European Community in the negotiations on the revision of the International Health Regulations with regard to matters within the Community field of competence and in accordance with the following negotiating directives:
2. The aim of the negotiations shall be the creation of a set of new International Health Regulations.
3. The European Commission must ensure that the development of the revision of the International Health Regulations and its annexes reinforces international co-operation in the field of public health protection and that existing Community acquis is respected.
4. The European Commission shall at the initial stage make every effort to ensure that, with regard to matters within the Community field of competence, the Community point of view is considered in the preliminary technical drafts of the revised texts, and its opinion is taken into account.
5. Meetings of the special Committee referred to in Article 300 (1) of the Treaty (the Working Party on Public Health) shall be held to apply the above-mentioned directives to the texts proposed also during meetings of the Intergovernmental Working Group, WHO Regional Meetings and the World Health Assembly.
6. As soon as any information, drafts or procedures are available to the Commission in the context of these negotiations, the Commission shall seek further directives adaptation of the present directives from the Council.
7. The Commission shall regularly inform the Council of the progress achieved in the negotiations and shall refer to the Council cases in which specific problems arise during the negotiations.

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ANNEX B

Statement by the Council and the Commission for the minutes

The main objectives of the revised International Health Regulations as envisaged are to ensure maximum security against the spread of diseases with the minimum interference with world trade.

This is a field in which the Community and the Member States support cooperation with third countries and international organisations active in the field of public health, prominent among which is the World Health Organisation.

Whilst competence lies largely with the Member States, several areas of Community activity are affected. This makes Community involvement necessary. The existence of both Member State and Community competence makes it even more important that the Community and its Member States act in a coherent and effective way.

The Council is accordingly in favour of the Commission's participation in the negotiations alongside the Member States, without prejudice to the competences of the Member States and their full participation in the negotiations and in the technical preparatory work.

Given the many and complex subjects likely to be discussed during the negotiations for the International Health Regulations, it is not possible, at this stage, to apportion competence between the Member States and the Community with regard to all such subjects. Instead this will have to be done during the negotiations, primarily during the meetings of the special Article 300(1) Committee.