

COUNCIL OF THE EUROPEAN UNION

PRESS RELEASES

PRESIDENCY: GERMANY

JULY-DECEMBER 1994

Meetings and press releases October 1994

<b>Meeting number</b>	<b>Subject</b>	<b>Date</b>
1790 <sup>th</sup>	General Affairs	4 October 1994
1791 <sup>st</sup>	Environment	4 October 1994
1792 <sup>nd</sup>	Economics/Financial	10 October 1994
Special meeting	Economics/Financial	21 October 1994
1793 <sup>rd</sup>	Agriculture	24-25 October 1994
1794 <sup>th</sup>	No record of a meeting	
1795 <sup>th</sup>	No record of a meeting	
1796 <sup>th</sup>	General Affairs	31 October 1994

**PRESS RELEASE**

9745/94 (Presse 205)

1790th Council meeting

**- GENERAL AFFAIRS -**

Luxembourg, 4 October 1994

President: **Mr Klaus KINKEL**  
Minister for Foreign Affairs  
of the Federal Republic of Germany

The Governments of the Member States and the European Commission were represented as follows:

**Belgium:**

Mr Willy CLAES

Deputy Prime Minister, Minister for Foreign Affairs

Mr Robert URBAIN

Minister for Foreign Trade and European Affairs

**Denmark:**

Mr Jorgen ØRSTRØM MØLLER

State Secretary for Foreign Affairs

**Germany:**

Mr Klaus KINKEL

Minister for Foreign Affairs

Mr Hans Friedrich VON PLOETZ

State Secretary for Foreign Affairs

Mr Dieter VON WUERZEN

State Secretary for Economic Affairs

**Greece:**

Mr J. KRANIDIOTIS

Deputy Minister for Foreign Affairs

**Spain:**

Mr Carlos WESTENDORP

State Secretary for Relations with the European Communities

Mr Apolonio RUIZ LIGERO

State Secretary for Foreign Trade

**France:**

Mr Alain JUPPE

Minister for Foreign Affairs

**Ireland:**

Mr Dick SPRING

Minister for Foreign Affairs

**Italy:**

Mr Giorgio BERNINI

Minister for Foreign Trade

Mr Livio CAPUTO

State Secretary for Foreign Affairs

**Luxembourg:**

Mr Jacques POOS

Minister for Foreign Affairs

**Netherlands:**

Mr H.A.F.M.O. van MIERLO

Minister for Foreign Affairs

Ms A. van DOK-van WEELE

Minister for Foreign Trade

**Portugal:**

Mr José Manuel DURÃO BARROSO

Minister for Foreign Affairs

Mr Victor MARTINS

State Secretary for European Affairs

**United Kingdom:**

Mr Douglas HURD

Secretary of State for Foreign and Commonwealth Affairs

Mr David DAVIS

Minister of State, Department of Trade and Industry

Mr Ian TAYLOR

Parliamentary Under-Secretary of State, Department of Trade and Industry

o

o o

**Commission:**

Mr Jacques DELORS  
Sir Leon BRITTAN  
Mr Hans VAN DEN BROEK

President  
Member  
Member

o

o o

The following representatives of the four acceding Member States also attended as observers:

**Norway:**

Mr Bjørn Tore GODAL

Minister for Foreign Affairs

**Austria:**

Mr Alois MOCK

Minister for Foreign Affairs

**Finland:**

Mr Heikki HAAVISTO  
Mr SALOLAINEN

Minister for Foreign Affairs  
Minister for Foreign Trade

**Sweden:**

Mr Lars ANELL

Ambassador

**RELATIONS WITH THE ASSOCIATED CCEE****- Accession preparation strategy**

Further to the conclusions of the European Councils in Copenhagen and Corfu, the Council had an exchange of views on certain aspects of the Commission communication on the strategy for preparing the associated countries of Central and Eastern Europe (CCEE) for accession, which will be submitted to the European Council in Essen.

Confirming the approach outlined at its informal meeting in Usedom, the Council established a political consensus on the arrangements for the structured dialogue, which constitutes an important step towards the integration of the associated CCEE into the Union.

The Council welcomed the Commission's intention to submit a White Paper on the approximation of laws, after consultation with the Member States and the associated CCEE. This is a crucial element of the strategy in order to enable the associated countries of Central Europe to participate in the internal market. On this basis, the Council established a political consensus on the approach outlined by the Commission on this subject.

With regard to the other aspects of the Commission's communication, the Council took note of an interim progress report and noted that these results provided a sound basis for further discussions leading up to the European Council in Essen.

At each of its forthcoming meetings the Council will continue with a detailed examination of one or more aspects of these questions.

## PARTNERSHIP AND COOPERATION AGREEMENTS WITH CERTAIN STATES OF THE FORMER USSR

On the basis of a number of options submitted by the Commission, the Council held a policy debate on contractual relations with certain Republics of the former USSR.

The Council agreed on the following approach:

– Belarus

Given the determination of the authorities in Belarus to continue the process of political and economic reform, the Council wished to send them a political signal. It therefore considered that the negotiations for a partnership and cooperation agreement should be actively resumed with a view to their swift conclusion, and to this end asked the Commission to submit a proposal for additional directives.

– Caucasian Republics (Georgia, Armenia, Azerbaijan)

Given the encouraging political developments in the situation in these countries, and in particular the ceasefire agreement between Armenia and Azerbaijan, the Council considered that the Joint Committees should be activated straight away under the old 1989 agreement with the USSR. At the same time, it asked the Commission to examine further, in consultation with the authorities of those countries, the possible content of future agreements, and to submit a report to the Council on the basis of which the latter would take a decision, also taking account of political developments. At that time, the Council could also make a Declaration for each of the partners, stating in particular the Union's intention to negotiate partnership and cooperation agreements as soon as the conditions in those countries permitted and defining areas of possible cooperation.

**UKRAINE - CONCLUSIONS**

In accordance with the mandate from the Corfu European Council, the Council examined the objectives of the Union in Ukraine and the instruments for a global EU policy towards it. The Council concluded that the policies of the EU towards Ukraine were well based. In particular, in the long term: support for economic and political reform, close cooperation with the EU; in the short term: closure of Tchernobyl and the accession of Ukraine to the Non-Proliferation Treaty.

The Council instructed the Permanent Representatives Committee and the Political Committee, in the light of the Council conclusions on the strategy to be pursued with regard to Ukraine, to draw up a common position for a EU policy towards Ukraine under Article J.2 of the Treaty on European Union.

The Council's discussion also served as preparation for the political dialogue meeting with the Ukrainian Foreign Ministers, Mr Udevenko.

- Uzbekistan and Turkmenistan

The Council agreed, as a first step, to reactivate economic and commercial relations with these countries on the basis of the old 1989 agreement with the USSR, by proposing that Joint Committees be convened. At the same time, it asked the Presidency to draw up a report on the human rights situation together with the Commission and the embassies of the Member States on the spot. A decision could subsequently be taken to undertake exploratory talks with a view to the negotiation of partnership and cooperation agreements.

- Tajikistan

The Council noted that the continuing unstable situation in this country did not permit the creation of institutionalized cooperation relations to be contemplated at this stage.

SLOVENIA

The Presidency and the Member States welcomed the recent announcement by the Government of Slovenia of its intention to amend the constitution so as to harmonize the law on purchase of property with those prevailing in the European Union. The Council noted the statement made by the Italian Foreign Minister, Mr Martino, on 1 October 1994 in which he announced forthcoming discussions between the Italian and Slovenian Prime Ministers. The Council decided to consider the proposal for a negotiating brief for a Europe Agreement with Slovenia with a view to authorizing the Commission to proceed at the earliest possible moment. On the basis of these developments the Permanent Representatives Committee was invited to finalize the mandate.



**GRANTING NEW MACRO-FINANCIAL AID TO ALBANIA**

The Council turned once again to the question of the release of a tranche of ECU 15 million in financial aid for Albania.

In this context it hoped that there would be an improvement in relations between Greece and Albania and a resumption of dialogue between the two countries. Albanian leniency during the review of the Omonia trial could contribute to this process and, subsequently, to the release of Community aid.

**FORMER YUGOSLAVIA**

The Council, in the presence of Lord Owen, reviewed the situation in Bosnia, in particular as regards the monitoring of the Federal Republic of Yugoslavia's embargo against the Bosnian Serbs.

The Council also discussed the question of future relations with Croatia.

## MEDITERRANEAN POLICY

The Council was briefed by President Delors of progress in the current negotiations with Israel, Morocco and Tunisia and concerning the Commission's thinking on the Community's Mediterranean policy in general.

The Council stressed the importance of keeping priority on the current negotiations with the three countries with a view to their conclusion before the end of the year. The Commission will keep the Council informed of the progress of these negotiations and will, if necessary, submit appropriate proposals.

With regard to the other aspects of Mediterranean policy, the Commission will submit a communication in order to enable the Council to have an initial discussion at a forthcoming meeting.

In this context, the Council stressed the need to maintain a balance between the European Union's current endeavours with regard to the Countries of Central and Eastern Europe (CCEE) and its commitment to the countries of the Mediterranean Basin.

## RATIFICATION OF THE URUGUAY ROUND

Mindful of the European Union's responsibilities with regard to the undertakings it had given to conclude the Uruguay Round agreements in time to permit their entry into force on 1 January 1995, the Council approved the content of a draft Decision to this effect.

It decided to request immediately the assent of the European Parliament on the basis of this draft Decision and to consult the Economic and Social Committee so that all the Community ratification procedures could be completed before the end of the year.

The Council welcomed the statements made by a number of Member States to the effect that their procedures for ratification of the Uruguay Round agreements could also be completed before that date, and stressed that the entry into force of the Final Act of the Uruguay Round on 1 January 1995 was of the greatest importance for the European Union.

The Council also expected the United States and the other contracting parties to ratify the agreements in time and without reservations.

It requested the Commission to submit a written report on the compatibility of the United States' implementing legislation with the WTO.

Given that the Commission considered that the Opinion of the Court of Justice should be awaited, it was not possible to take a decision on the code of conduct between the Council, the Member States and the Commission to be applied in the framework of the WTO. The Permanent Representatives Committee was instructed to take discussions forward on the basis of the existing draft text so as to enable the Council to arrive at a solution as quickly as possible.

**TEXTILES - CONCLUSIONS**

The Council examined the amended Commission proposal in respect of harmonizing the rules regarding OPT, and the implementation of the Copenhagen European Council decision with respect to the CCEE. It noted that it was not in a position at the current meeting to reach agreement.

In these circumstances the Permanent Representatives Committee was instructed to intensify examination of the Commission proposal with a view to overall agreement being reached at the latest at the Council's November meeting.

**NORTHERN IRELAND - CONCLUSIONS**

The Council heard reports from the United Kingdom and Irish Foreign Ministers, welcomed the progress made since Usedom and reaffirmed the need to ensure that the peace process was made irreversible. It recognized that peace offers a unique opportunity for social and economic recovery in which Community assistance would continue to play an important role.

The Council welcomed the Commission's proposal to increase the Community contribution to the International Fund for Ireland to ECU 60 million over the next three years. It invited the Permanent Representatives Committee to finalize the legal text concerning this contribution with a view to its adoption by the Council at its next meeting.

The Council furthermore took note of the preliminary thinking of the Commission and the United Kingdom and Irish Ministers on a package of additional economic measures over the coming months to promote reconciliation between the communities in Northern Ireland.

The Council invited the Commission, in consultation with the United Kingdom and Irish Governments, to take the necessary measures within its own competence and where necessary bring forward specific proposals to the Council. The General Affairs Council will keep progress in this area under constant review.

**ILLEGAL TRAFFICKING IN RADIOACTIVE SUBSTANCES AND MATERIALS****- Procedure in preparation for the Essen European Council**

The Council agreed on certain procedural arrangements for coordinating work in the various Council bodies so that concrete and clear proposals could be put before the Essen European Council.

Following the recommendations of the Presidency, the Council set out a coordinated and integrated approach for the conduct of discussions in the various technical working parties, which are to submit their reports at the beginning of November. The Permanent Representatives Committee will then have to draw up a summary of operational suggestions resulting from the proceedings in those working parties.

**EU-ASEAN**

The Presidency briefed the Council on the very satisfactory outcome of the 11th EU-ASEAN Conference, which took place in Karlsruhe on 22 and 23 September 1994. It called upon the Union bodies to follow up the Conference on the basis of this outcome so as to strengthen cooperation and dialogue with the ASEAN region.

## RELATIONS WITH THE EUROPEAN PARLIAMENT

The Presidency reported to the Council on the outcome of the Trialogue – President of the Council, President of the Parliament, and Commission – which took place on 28 September, covering in particular the subjects of committee procedure, committees of inquiry, consultation of the Parliament in the areas of the CFSP and JHA, and financing of the CFSP.

The Presidency noted that some progress had been made, but stressed that additional efforts would have to be made to achieve solutions on these questions that were acceptable to all three institutions.

## NEW DECISION ON OWN RESOURCE

Since no developments took place at this meeting regarding the new decision on own resources, the Council noted that this issue would appear again on the agenda of the ECOFIN Council on 10 October, in order to continue the search for a solution.

## SOUTH AFRICA

The Commission submitted to the Council the draft cooperation agreement with South Africa, which follows on from the adoption last April of a package of initial measures to support the transition in South Africa. The Council noted that it was able to approve this agreement, and would be able to conclude it as soon as it had received the Opinion of the Parliament.

**SHIPBUILDING - CONCLUSIONS**

The Council heard a report from the Commission on the outcome of negotiations for an OECD agreement on the abolition of aid to shipbuilding. The Council noted that the Commission would shortly submit a formal proposal for conclusion of the agreement in good time.

It noted that one delegation still had substantive objections to the conclusion of the agreement in its present form.

**RWANDA**

The Council gave its political agreement to the draft of a common position on the objectives and priorities of the European Union as regards Rwanda. These guidelines relate in particular to humanitarian aid, a short-term rehabilitation programme, the return of refugees and respect for human rights. The draft gives priority to the return of refugees and provides that any aid must be paid progressively in the light, in particular, of the results achieved in creating the conditions for their return.

The Council instructed the Permanent Representatives Committee to finalize the common position with a view to its formal adoption as quickly as possible.



**MISCELLANEOUS DECISIONS**

(adopted without debate)

**Moldova**

In order to assist it in coping with the consequences of the drought and the hurricanes and floods which it had suffered during the summer of 1994, the Council agreed to extend to Moldova the food aid operation which it had approved on 27 July 1993 in the sum of ECU 204 million for the Caucasian Republics (Armenia, Azerbaijan, Georgia), Tajikistan and Kyrgyzstan.

The Council accordingly instructed the Permanent Representatives Committee to finalize the text of the Regulation amending the Regulation of 27 July, with a view to its formal adoption at a forthcoming meeting.

**CSCE**

The Council approved the European Union guidelines for the CSCE Review Conference due to take place in Budapest from 10 October to 2 December 1994.

**New Asia strategy**

The Council took note of a report drawn up by the Permanent Representatives Committee on the Commission communication to the Council of 15 July 1993 entitled "Towards a new Asia strategy". This (interim) report contains positive assessments regarding the development of a new strategy towards Asia which must take account of the growing importance of the region.

The relevant Council bodies were instructed to continue their discussions on this basis

with a view to submitting a report on the subject to the Essen European Council.

**United Nations Convention on Desertification**

Following the completion of the negotiations for the Convention in June 1994, the Council decided to sign the Convention on behalf of the Community and authorized the President of the Council to appoint the persons empowered to do so.

This Convention is a follow-up to the recommendations of the United Nations Conference on Environment and Development (UNCED), held in Rio de Janeiro in June 1992.

**PRESS RELEASE**

**9744/94 (Presse 204)**

**1791st Council meeting**

**- ENVIRONMENT -**

**Luxembourg, 4 October 1994**

**President: Mr Klaus TÖPFER  
Minister for the Environment  
of the Federal Republic of  
Germany**

The Governments of the Member States and the European Commission were represented as follows:

Belgium:

Mr Jacques SANTIN

Minister for Health, the Environment and Social Integration

Denmark:

Mr Svend AUKEN

Minister for the Environment

Germany:

Mr Klaus TÖPFER

Mr Clemens STROETMANN

Minister for the Environment  
State Secretary, Federal Ministry of  
Labour and Social AffairsGreece:

Ms Elizabeth PAPAZOI

State Secretary for the Environment, Regional  
Planning and Public WorksSpain:

Mr José BORRELL

Minister for Public Works, Transport and the  
Environment

Ms Cristina NARBONA

State Secretary for the Environment

France:

Mr Michel BARNIER

Minister for the Environment

Ireland:

Mr Michael SMITH

Mr John BROWNE

Minister for the Environment  
Minister of State at the Department of the  
EnvironmentItaly:

Mr Altero MATTEOLI

Minister for the Environment

Luxembourg:

Mr Johny LAHURE

Minister for the Environment

Netherlands:

Ms Margaretha DE BOER

Minister for Planning and the Environment

Portugal:

Ms Teresa PATRICIO GOUVEIA

Minister for the Environment

United Kingdom:

Mr John GUMMER

Secretary of State for the Environment

+

Commission:

Mr Yannis PALEOKRASSAS

Member

Representatives of the four acceding countries also attended as observers:

Norway:

Mr Thorbjørn BERNTSEN

Minister for the Environment

Austria:

Ms Maria RAUCH-KALLAT

Minister for the Environment

Finland:

Mr Sirpa PIETIKAINEN

Minister for the Environment

Sweden:

Mr Jan HYTTRING

Under-Secretary of State at the Ministry of the Environment

**PREPARATION FOR THE COUNCIL'S MEETING WITH ENVIRONMENT MINISTERS OF THE ASSOCIATED COUNTRIES OF CENTRAL AND EASTERN EUROPE (CCEE)**

The Council established the position to be taken at the meeting with Environment Ministers of the associated States of Central and Eastern Europe (Bulgaria, Hungary, Poland, Rumania, Slovakia, Czech Republic) on 5 October.

The meeting comes within the overall framework specified in the European Council's conclusions at Copenhagen and Corfu on the establishment of structured relations between the institutions of the Union and the six countries in question. It is also in keeping with the guidelines on development cooperation with the CCEE in the environmental sphere which were drawn up at the informal Council meeting in Dresden last July, and the conclusions on the arrangements for structured dialogue between the Union and the CCEE adopted at today's meeting of the General Affairs Council.

**CLIMATE CHANGE****COMMUNITY STRATEGY TO REDUCE CO2 EMISSIONS AND TO IMPROVE ENERGY EFFICIENCY**

On the basis of the preparatory work done by the High-Level Group set up last March, the Council held a constructive and detailed discussion on draft conclusions put forward by the Presidency. The Council has not yet reached a final agreement on this matter.

Work will continue within the Council with a view to this item being discussed at the Council meeting on 15 and 16 December.

The Council also held a discussion concerning the First Conference of Parties to the UN Framework Convention on Climate Change (Berlin, March/April 1995).

It was agreed that an ad hoc expert group should be set up so that at its meeting in December the Environment Council could prepare the Community's position for the Conference.

## INTEGRATED POLLUTION PREVENTION AND CONTROL

The Council held a further policy debate on the proposal for a directive on integrated pollution prevention and control.

The proposal would introduce procedures and methods reflecting the integrated approach in the fight against industrial pollution and determine the essential points for outlining an integrated approach that is compatible with the aims and principles of community action. It provides for public access to information and an exchange of technical information between national competent authorities, which would be organized by the Commission.

The proposal corresponds to a priority envisaged in the fifth action programme. Unlike previous Directives in this area, which distinguished between different types of environment (air, water, soil), the proposal takes an integrated approach to preventing and reducing the pollution caused mainly by emissions from industrial plant.

The discussion gave delegations an opportunity to clarify their positions and focused on the following matters, put forward for the Council's consideration by the Presidency;

- the link between the best available techniques and environmental quality protection standards;
- fixing Community-wide emission limit values;
- the relationship between operators' obligations and procedural measures.

The Permanent Representatives Committee was instructed to continue the work in the light of this discussion and the Opinion that was awaited from the European Parliament.



## PLACING ON THE MARKET OF BIOCIDAL PRODUCTS

The Council held a first policy debate on the proposal concerning the placing on the market of biocidal products for non-agricultural use.

The proposal seeks to harmonize the sometimes highly divergent national regulations that exist with regard to biocidal products with the aim of ensuring their free circulation and guaranteeing a high level of protection for human beings and the environment. Taking as a basis the system created by Directive 91/414/EEC (plant protection products), the proposal introduces a procedure centralized at Community level for authorizing the active substances that can be used in producing biocides (using a positive list, to be revised periodically) and a decentralized procedure of national authorizations for each biocidal product plus a mutual recognition system involving a reciprocal exchange of information.

The biocidal products in question are needed to combat organisms that are harmful to human or animal health and organisms liable to damage natural or manufactured products. They cover various groups such as wood-protection products, insecticides and disinfectants.

The Council's discussion addressed the following basic questions:

- authorizations for marketing
- mutual recognition of authorizations
- transitional measures and especially the intermediate stage
- comparative evaluation of active substances
- common principles for the evaluation of biocidal products

The Permanent Representatives Committee was instructed to continue the work in the light of this discussion and the Opinion awaited from the European Parliament.

### **DISPOSAL OF PCBs/PCTs**

The Council held a policy debate on the amended proposal for a Directive on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCBs/PCTs).

The proposal amends and replaces Council Directive 76/403/EEC on the disposal of PCBs, which has become obsolete as a result of the ban on marketing these substances and the progress that has been made on disposal techniques. The proposal's main aim is to approximate the Member States' laws on the controlled disposal of PCBs/PCTs and equipment contaminated by them (especially transformers and condensers).

Some progress was made during the debate, especially on the question of the deadline for disposing of these substances and the PCB percentage to be allowed in the mixtures occurring in contaminated equipment. The Permanent Representatives Committee was instructed to continue the work so that the Council could take a decision at one of its meetings in the near future.

### **ENVIRONMENT AND TRANSPORT**

The Council held a policy debate on the environmental problems caused in countries of the European Union by developments in the transport sector.

It noted the great variety of issues arising in this area and took the view that further work was needed before any conclusions on the subject could be envisaged.

The Council agreed to return to this matter at its next meeting in December.

**GROUNDWATER PROTECTION - COUNCIL RESOLUTION**

"The Council

- emphasizes the special significance of groundwater as an essential component of the water cycle and ecosystems and as one of the most important resources in the provision of drinking water;
- is concerned that groundwater resources in certain areas remain seriously endangered, both qualitatively and quantitatively;
- recalls its Resolution of 12 December 1991 calling upon the Commission to submit a detailed action programme for groundwater protection and to draft a proposal for revising the Directive on groundwater;
- confirms the points made in the final declaration adopted by the participants at the Ministerial Seminar on groundwater (The Hague, 26 and 27 November 1991);
- supports the guidelines of the 5th action programme of policy and action in relation to the environment and sustainable development in the field of groundwater management:
  - \* maintaining the quality of unpolluted groundwater,
  - \* preventing further pollution,
  - \* restoring where appropriate, polluted groundwater;

- advocates emphasis on the following points when formulating the action programme:
  - \* licensing systems and other instruments providing an appropriate national management of (ground) water,
  - \* measures to provide for preventive, comprehensive groundwater protection, inter alia, in view of diffuse sources,
  - \* general provisions for the safety of installations handling substances harmful to water,
  - \* general provisions to promote agricultural practices consistent with groundwater protection;
  
- therefore requests the Commission to tackle the aforementioned priority tasks and, in cooperation with the Member States, to draw up relevant proposals in compliance with the subsidiarity principle and put them forward in a specific programme that can also form part of the overall policy on water protection demanded by a number of Member States;
  
- requests the Commission to consider the revision of Directive 80/68/EEC where necessary;
  
- urges the Commission to expedite its work so that the action programme for the protection of groundwater can be submitted to the Council before the end of the first half of 1995 at the latest."

**POSSESSION OF AND TRADE IN SPECIMENS OF SPECIES OF WILD FAUNA AND FLORA  
(CITES)**

The Council discussed the proposal for a regulation laying down provisions with regard to possession of and trade in specimens of species of wild fauna and flora (CITES).

The proposal would replace Regulation (EEC) No 3626/82/EEC on the implementation of the CITES Convention with a text aimed at generally protecting wild fauna and flora from the harmful consequences which trade has for their conservation status and harmonizing the effects of the national measures adopted in this area.

The Council will return to this matter at its meeting in December with the aim of early adoption, especially in view of the Community's international commitments on this subject.

**ECO-LABEL EUROPEAN - COUNCIL CONCLUSIONS**

- "1. The Council states that the Regulation on a Community eco-label award scheme provides a very suitable basis for an environmentally oriented labelling of products. At the moment there is no necessity for any change.
2. The Council notes the efforts that have been made hitherto by the Commission and in particular by the Member States to implement the Regulation. In the past two-and-a-half years, however, this has led only to the adoption of requirements for washing machines and dishwashers.
3. The Council notes with regret the delays which have arisen in the adoption of requirements for other product groups approved by the Committee.

4. The Council calls on the Commission to adopt without delay the requirements which are already approved by the Committee and to take steps in the future to ensure that delays of this kind do not arise again. All experience gained in the meantime by Member States should be made available."

#### **PACKAGING AND PACKAGING WASTE**

The Council discussed the current conciliation procedure concerning the proposal for a Directive on packaging and packaging waste.

After a detailed discussion during which all aspects of the question were considered, the Council concluded that it was unable to respond favourably to the Parliament's proposed amendments which had not been adopted by an absolute majority of its members on second reading.

---

PRESS RELEASE

9748/94 (Presse 208)

1792nd meeting of the Council

**ECONOMIC AND FINANCIAL QUESTIONS**

Luxembourg, 10 October 1994

President: M. Theo WAIGEL

Minister for Finance  
of the Federal Republic of Germany

The Governments of the Member States and the European Commission were represented as follows:

Belgium:

Mr Philippe MAYSTADT Minister for Finance

Denmark:

Ms Marianne JELVED Minister for Economic Affairs

Germany:

Mr Theo WAIGEL Federal Minister for Finance  
 Mr Gert HALLER State Secretary for Finance  
 Mr Franz-Christoph ZEITLER State Secretary for Finance  
 Mr Johann EEKHOF State Secretary for Economic Affairs

Greece:

Mr Yiannos PAPANTONIOU Minister for Economic Affairs

Spain:

Mr Pedro SOLBES MIRA Minister for Economic Affairs and Finance  
 Mr Alfredo PASTOR BODMER State Secretary for Economic Affairs

France:

Mr Edmond ALPHANDERY Minister for Economic Affairs

Ireland:

Mr Bertie AHERN Minister for Finance

Italy:

Mr Lamberto DINI Minister for the Treasury

Luxembourg:

Mr Jean-Claude JUNCKER Minister for Finance  
 Mr Robert GOEBBELS Minister for Economic Affairs

Netherlands:

Mr G. ZALM Minister for Finance

Portugal:

Mr Walter MARQUES State Secretary for Finance

United Kingdom:

Mr Kenneth CLARKE Chancellor of the Exchequer



- + -

Commission

Mr Jacques DELORS  
Mr Henning CHRISTOPHERSEN

President  
Vice-President

- + -

The following also attended:

Sir Nigel WICKS

Chairman of the Monetary Committee

Mr L.A. GEELHOED

Chairman of the Economic Policy Committee

- + -

The following representatives of the four acceding countries also attended as observers:

Norway

Mr Sigbjørn JOHNSEN

Minister for Finance

Austria

Mr Manfred SCHEICH

Ambassador

Finland

Mr Liro VIINANEN

Minister for Finance

Mr Eino KEINÄNEN

State Secretary for Finance

Sweden

Mr Gorän PERSON

Minister for Finance

Mr Svante ÖBERG

State Secretary for Finance

- + -

**WHITE PAPER ON GROWTH, COMPETITIVENESS AND EMPLOYMENT****- IMPROVEMENT OF THE EMPLOYMENT SITUATION**

President Delors informed the Council of the progress made by the Commission in the context of its White Paper on the different aspects of the improvement of the employment situation in accordance with the conclusions of the European Council meetings in Brussels and Corfu.

The Council also took note of the information provided by the Chairman of the Economic Policy Committee on the proceedings in progress on that subject in that committee.

On the basis of those two statements the Council held a discussion in the course of which the President pointed out, *inter alia*, that positive developments in the world economy and the recovery of the economic situation in Europe had vindicated the medium-term growth strategy of the Community and its Member States. It was now a question of consolidating that recovery and exploiting it to reduce unemployment.

The Council's discussions, which it would continue on 7 November, must be on that basis.

The Council asked the Economic Policy Committee to finalize its report in good time for adequate preparation of the Ministers' discussions (the Committee's adoption of the report was planned for 19 October).

The Council also stressed the need for the Commission report, provided for in the Corfu European Council conclusions, on measures taken by the Member States that had achieved positive results on employment, to be available at its next meeting. That report must enable the Council to analyse the reasons for the success of those national measures and to frame appropriate recommendations for the adaptation of present policies.

In its discussions on 7 November - and before that in the Economic Policy Committee - account would also be taken of the report by the Labour and Social Affairs Council meeting on 22 September. The two reports, from the Labour and Social Affairs Council and the ECOFIN Council, would be submitted to the European Council meeting in Essen preceded by a summary note.

Finally the Council invited the Commission to draw up before spring 1995 a study on the effects of different tax regulations that had an impact on savings in the Community.

**REVISED SPANISH CONVERGENCE PROGRAMME 1995-1997 – COUNCIL CONCLUSIONS**

The Council welcomed the presentation of the revised Spanish convergence programme. The revised programme maintains the same approach as the original 1992 convergence programme, namely to make progress on both real and nominal convergence through fiscal consolidation and a furthering of structural reforms.

Central in the programme is the reduction of fiscal imbalances and the decline in inflation. The Council noted the intention of the Spanish government to achieve a deficit of 3% of GDP in 1997; however, more ambitious fiscal targets and more front loading would have been welcome. The Council encouraged the Spanish authorities to seize all opportunities to reduce the deficit faster which, in turn, could help to reverse earlier the present upward trend in the government debt to GDP ratio.

The Council supported the determination of the Spanish authorities to reduce the structural component of the government deficit, mainly through measures to control expenditure. A successful fiscal consolidation will be strongly enhanced by cooperation with the regional and local authorities and by the implementation of more efficient administrative budget procedures. Moreover, the Council noted the commitment of the Spanish authorities to take additional measures if necessary for achieving the programme's deficit targets.

The Council acknowledged the progress already achieved in reforming the labour market and welcomed the renewed importance attached in the revised programme to further structural reforms in particular to enhance competition in the services sector. The implementation of such reforms is crucial to reach the programme objectives of lower inflation and employment creation.

**EXCESSIVE PUBLIC SECTOR DEFICIT PROCEDURE**

The Council examined the Commission's draft recommendations and reached consensus on the ten recommendations addressed to the Member States with excessive deficits so that they would remedy that situation in accordance with Article 104c(7) of the Treaty.

They would be definitively approved at a forthcoming Council meeting in accordance with the procedures laid down in the Treaty.

**NEW DECISION ON OWN RESOURCES**

The Council again considered the question of the link made by the Italian delegation between the new decision on own resources and a solution acceptable to the Italian delegation for the problems resulting from Italy having exceeded its milk quotas.

The Council noted that contacts would continue between the Presidency, the Commission and the delegations with the aim of finding a solution before 24 October, the date of the start of the first reading of the draft 1995 budget at the European Parliament.

**DEFINITIVE VAT SYSTEM - DRAFT CONCLUSIONS**

Discussion of this item was postponed to the following ECOFIN Council meeting planned for 7 November.

## MISCELLANEOUS DECISIONS

(Adopted without debate. In the case of acts of legislation votes against or abstentions are indicated.)

### Former Yugoslavia

The Council adopted two common positions which would make it possible to adopt two Regulations implementing United Nations Security Council Resolutions 942/94 and 943/94 of 23 September 1994.

Resolution 942 provides, in view of the refusal of the Bosnian Serbs to accept the peace plan accepted by all the other parties, for the reinforcement and extension of the measures imposed by previous Resolutions with regard to the areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces.

The Regulation concerning this Resolution, which reduces economic and financial relations between the European Community and those parts of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, provides more specifically for the prohibition of economic activities, the freezing of funds and other financial assets and resources and the prohibition of the provision of services.

Resolution 943 provides for the suspension initially of certain limited sanctions imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro) subject to certain information attesting to the Belgrade authorities' continued effective enforcement of their decision concerning the border between the FRY and the Republic of Bosnia and Herzegovina.

The Regulation on this Resolution provides for the suspension of certain elements of the embargo on the FRY, in particular as regards civilian flights carrying only passengers and their personal effects and no cargo, to and from Belgrade airport.

### Relations with the ACP States

The Council adopted the amendment to Regulation (EEC) No 715/90 on the arrangements applicable to imports of certain agricultural products originating in the ACP States including seedless table grapes among the products covered.

That amendment, which is of particular interest to Namibia, provides for total reduction of the import duty on seedless table grapes by means of a quota of 400 tonnes for the period 1 December to 31 January and a reference quantity of 100 tonnes for the period 1 February to 31 March.

Since table grapes originating in the ACP States are in general supplied outside the EU's production and marketing seasons, the advantage granted should have no adverse effect on the formation of prices for this product within the EU.

### Relations with Bulgaria and Romania

On 27 June 1994 the Council approved Exchanges of Letters with Romania and Bulgaria amending the Interim Agreements and Europe Agreements with a view to alleviating some of the negative effects of the belated entry into force of the Interim Agreements. This alleviation should take the form of the carrying over of certain quotas and ceilings not utilized in 1993, taking account of the fact that these countries benefited in 1993 from the GSP (Generalized System of Preferences).

The Council today adopted the Regulation implementing the Exchange of Letters with Bulgaria and increased, by way of compensation as from 1 July 1994, certain tariff quotas and ceilings for industrial and agricultural products.

As regards the follow-up to the Exchange of Letters with Romania, it is for the Commission to adopt implementing regulations seeing that only agricultural concessions are involved.

### European Economic Area

Subject to their definitive adoption by the Community at a later date, the Council adopted the draft Decisions of the EEA Joint Committee amending Annex II (technical regulations, standards, testing and certification), Annex IX (financial services), Annex XIII (transport) and Annex XX (environment) to the EEA Agreement.

### Small and medium-sized enterprises

The Council formally adopted the Resolution on giving full scope to the dynamism and innovatory potential of small and medium-sized enterprises, including the craft sector and micro-enterprises, in a competitive economy. The Industry Council meeting on 28 September 1994 had already agreed in substance to the Resolution (see Press Release, 9560/94 Presse 196).

### Agriculture

The Council unanimously adopted, with the United Kingdom delegation abstaining, the Regulation laying down, in respect of hops, the amount of aid to producers for the 1993 harvest.

The amount of aid varies according to the varieties, viz.: ECU 395/ha for aromatic varieties; ECU 435/ha for bitter varieties; ECU 307/ha for other varieties and experimental strains.

### Renewal of the Advisory Committee on Vocational Training

The Council adopted the Decision appointing members and alternate members of the Advisory Committee on Vocational Training for a two-year period.

PRESS RELEASE

9751/94 (Presse 211)

Extraordinary meeting of the Council

**ECONOMIC AND FINANCIAL QUESTIONS**

Brussels, 21 October 1994

President: M. Theo WAIGEL

Minister for Finance  
of the Federal Republic of Germany



The Governments of the Member States and the European Commission were represented as follows:

Belgium:

Mr Philippe MAYSTADT Minister for Finance

Denmark:

Ms Marianne JELVED Minister for Economic Affairs

Germany:

Mr Theo WAIGEL Federal Minister for Finance

Greece:

Mr Alexandre ZAFIRIOU Ambassador, Permanent Representative

Spain:

Mr Pedro SOLBES MIRA Minister for Economic Affairs and Finance

France:

Mr Pierre de BOISSIEU Ambassador, Permanent Representative

Ireland:

Mr Pádraic MAC KERNAN Ambassador, Permanent Representative

Italy:

Mr Lamberto DINI Minister for the Treasury

Luxembourg:

Mr Jean-Jacques KASEL Ambassador, Permanent Representative

Netherlands:

Mr B.R. BOT Ambassador, Permanent Representative

Portugal:

Mr Eduardo CATROGA Minister for Finance

United Kingdom:

Mr Kenneth CLARKE Chancellor of the Exchequer

- + -

Commission  
Mr René STEICHEN

Member

- + -

The following representatives of the four acceding countries also attended as observers:

Norway  
Ms Marianne ANDREASSEN

State Secretary for Finance

Austria  
Mr Hans BRUNMAYR

Deputy Head of the Austrian Mission to the  
European Union

Finland  
Mr Erkki LIIKANEN

Ambassador, Head of the Finnish Mission to the  
European Union

Sweden  
Mr Lars ANELL

Ambassador, Head of the Swedish Mission to  
the European Union

- + -

**NEW DECISION ON OWN RESOURCES - MILK QUOTAS**

The Council adopted the joint guideline on the new Decision on own resources and ordered the guideline to be forwarded to the European Parliament.

With regard to the problem of milk quotas, the Council and the Commission reached the following joint conclusions:

"The Council agreed to extend its decisions increasing milk quotas to the 1991/1992 and 1992/1993 marketing years. The Commission would make the relevant proposals.

The Commission would revise the clearance decisions for 1989 and 1990, which the Court of Justice had been asked to annul, in such a way that the financial adjustments for the States concerned were based on the quotas allocated at the time and on the most reliable statistical data. It would take a similar decision regarding clearance for 1991.

The appeals against the clearance decisions pending before the European Court of Justice would be withdrawn as being void of object in the context of this overall solution.

The additional costs to be borne by the States affected by the increase in the financial adjustments for 1989 to 1991 would be recovered in four equal annual instalments from 1995 until the end of 1998, on the basis on the existing rules on clearance of accounts.

The equivalent in ECU of the amounts of the adjustments to be collected in national currency is given at the rate of exchange applicable on 1 July 1994 in the annexed table. The amounts in national currency for 1992 and 1993 may vary by  $\pm 5\%$ ."

21.X.94

**COST TO ITALY AND SPAIN OF FINANCIAL ADJUSTMENTS  
DUE TO RETROACTIVE APPLICATION OF QUOTA INCREASES AS FROM 1992**

(ecu million)

	1989	1990	1991	1992	1993	TOTAL
Italy	433	492	537	257	186	1 905
Spain	149	366	457	212	101	1 285
TOTAL	582	858	994	469	287	3 190

PRESS RELEASE

9753/94 (Presse 213)

1793rd Council meeting

**AGRICULTURE**

Luxembourg, 24 and 25 October 1994

President: Mr Jochen BORCHERT

Minister for Food,  
Agriculture and Forestry of  
the Federal Republic of Germany

The Governments of the Member States and the European Commission were represented as follows:

**Belgium:**

Mr André BOURGEOIS Minister for Agriculture

**Denmark:**

Mr Henrik DAM KRISTENSEN Minister for Agriculture and Fisheries  
Mr Nils BERNSTEIN State Secretary for Agriculture

**Germany:**

Mr Jochen BORCHERT Federal Minister for Food, Agriculture and Forestry  
Mr Franz-Josef FEITER State Secretary, Federal Ministry of Food, Agriculture and Forestry

**Greece:**

Mr Georges MORAITIS Minister for Agriculture

**Spain:**

Mr Luis ATIENZA Minister for Agriculture, Fisheries and Food

**France:**

Mr Jean PUECH Minister for Agriculture and Fisheries

**Ireland:**

Mr Joe WALSH Minister for Agriculture, Food and Forestry

**Italy:**

Ms Adriana POLI BORTONE Minister for Agriculture, Food and Forest Resources

**Luxembourg:**

Ms Marie-Josée JACOBS Minister for Agriculture, Viticulture and Rural Development

**Netherlands:**

Mr J.J. van AARTSEN Minister for Agriculture, Nature Conservation and Fisheries

**Portugal:**

Mr Antonio DUARTE-SILVA Minister for Agriculture

**United Kingdom:**

Mr William WALDEGRAVE Minister for Agriculture, Fisheries and Food

\*\*\*

**Commission**

Mr René STEICHEN Member

°

° °

The following representatives of the four accession countries also attended as observers:

**Norway:**

Ms Gunhild ØYANGEN

Minister for Agriculture

**Austria:**

Mr Franz FISCHLER

Minister for Agriculture and Forestry

**Finland:**

Mr Mikko PESÄLÄ

Minister for Agriculture and Forestry

**Sweden:**

Ms Margaretha WINBERG

Mr ASTROM

Minister for Agriculture

State Secretary, Ministry of Agriculture

**ADJUSTMENT OF AGRICULTURAL STRUCTURES**

On the basis of a Presidency compromise which was accepted by the Commission, and in the context of the CAP reform, the Council unanimously approved the amendments to the measures for speeding up the adjustment of production, processing and marketing structures.

This adjustment was necessary in particular to allow for changes in farming conditions as a result of the reform of the CAP and certain special circumstances.

The text of the compromise is given in Annex I.

The Regulation will be formally adopted as soon as the texts have been finalized.



## PROTECTION OF ANIMALS DURING TRANSPORT

The Council followed up the September discussion by taking a fresh look at this matter.

It noted that the text submitted after discussion by the High-Level Working Party and the Permanent Representatives Committee made several improvements to the conditions for transporting animals and to ways of ensuring more effective monitoring of the new requirements.

On the specific point of a limit on the transport time for slaughter animals, the Council was unable to accept a suggestion by the Presidency that, as a first stage towards harmonization, Member States should be permitted to fix a limit of between 8 and 22 hours for transporting such animals.

The Commission pointed out that its proposal had sought to bring about a swift improvement in the conditions under which animals were transported and did not take into account the question of transport time, a matter which required further scientific investigation.

The Presidency intended to press ahead with this matter with a view to achieving progress and, following fresh bilateral talks, submitting appropriate suggestions to the Council which would enable it to reach agreement in the coming months.

**SET-ASIDE RATE**

Pending the Opinion of the European Parliament which had been requested under the emergency procedure, the Council examined the proposal for a Regulation derogating from Regulation No 1765/92 establishing a support system for producers for certain arable crops as regards the set-aside requirement for the 1995/1996 marketing year.

Following its discussion, and in the absence of the European Parliament's Opinion without which it was unable to take a formal decision, the Council decided on a policy approach in favour of reducing the set-aside rate for the 1995/1996 marketing year.

**REFORM OF THE COMMON ORGANIZATION OF THE MARKET IN WINE**

Following its initial exchange of views on the Commission proposal in September, the Council received an interim report from the SCA which outlined the Committee's further work in particular on the following aspects of the matter:

- the arrangements for "wine deliveries"
- the specific measures to improve marketing conditions
- the promotion of quality products.

The SCA report in addition emphasized the close links between these aspects and the points arising from the proposal's basic principles which had already been considered by the Council, and stressed that a whole series of specific problems needed further examination.

The Council instructed the SCA to continue examining the topics it had been discussing and complete its examination of the whole proposal so that the Council would be able to discuss the matter in detail at its November meeting.

## FRUIT AND VEGETABLE SECTOR

The Council held a policy discussion on the Commission communication entitled "Development and future of Community policy in the fruit and vegetable sector".

This communication follows up the Commission's undertakings – particularly those given when the decisions on the 1993/1994 agricultural prices were taken – to conduct a detailed analysis of the current situation and foreseeable trends in this sector and of the common organization of the market, and to submit its conclusions before making formal proposals for reform.

The Council focused its discussion on a number of priority questions, as follows:

- strengthening the role of producers' organizations
- the withdrawal scheme
- inter-branch arrangements.

The Council was also in favour of pursuing a policy of standardization while recognizing the need for it to be simplified and suited to market requirements.

Several delegations argued strongly that the question of trade with third countries (implementation of the GATT Agreement/Community preference) should be given detailed consideration.

The discussion closed with the Council noting that the Commission now had sufficient evidence to be able to submit formal detailed proposals for reforming this sector in the near future.

**SIMPLIFICATION OF THE CAP****- Memoranda from the German, French, United Kingdom and Italian delegations**

The Council held an exchange of views on the memoranda submitted by the German, French, United Kingdom and Italian delegations regarding simplification of the procedures for implementing the reform. The implementation was shown to be raising numerous difficulties both for producers and for administrations.

Other delegations made suggestions during the discussion and several of them indicated that they would also be submitting a document along similar lines.

All these suggestions, it was also pointed out, should not call the principles underlying the reform into question, the aim being to achieve genuine simplification of the CAP in a manner which would make the reform measures more acceptable to producers.

In conclusion, the Council agreed that all the memoranda should be examined from a technical standpoint in an effort to find points of consensus. The Commission could subsequently be asked to submit practical proposals in the areas concerned.

In reply, the Commission, while prepared to examine the problems raised, warned delegations against introducing amendments which could prejudice either the reform measures already decided upon or the other commitments already entered into by the Community.

**EUROPEAN APICULTURE**

The Council held an exchange of views on the Commission discussion paper on European apiculture.

This communication was in response to the Council's request to the Commission in January 1994 that it submit a report on the problems of European apiculture together with proposals for any appropriate measures.

There are no current plans to create a specific market organization in this sector, but rather to introduce measures to improve the production and marketing of honey and to promote a quality image.

Winding up the discussion, the Council asked the Commission to submit the practical proposals which it recommended in its communication as soon as possible, taking into account the points that had been raised.

## ENVIRONMENT

The Council authorized the Commission to negotiate agreements and arrangements with third countries on the suspension and control of shipments of waste into and out of the Community.

This authorization follows the entry into force on 6 May 1994 of Regulation No 259/93 which transposed into Community law two instruments of international law to which the Community is party, these being the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their disposal and the Decision of the OECD Council of 30 March 1992 on the control of transfrontier movements of wastes destined for recovery operations.

## **MISCELLANEOUS DECISIONS**

**Adopted without debate. (Votes against or abstentions are indicated in the case of legislative acts.)**

### **Guarantee Fund – Budgetary discipline – Financial Regulation**

The Council agreed on the outcome of the conciliation procedure begun in July with the European Parliament and the Commission on the joint guidelines concerning the:

- setting up of a Guarantee Fund
- Decision on budgetary discipline
- amendment of the Financial Regulation and of Regulation No 1552/89.

The Council proposed to adopt these texts formally as soon as it had been apprised of the European Parliament's agreement to the outcome of the conciliation procedure.

### **Essential criteria for the introduction of a definitive VAT system – Council conclusions**

The Council confirmed the position it adopted at the meeting on 27 July 1994 that the definitive VAT arrangements within the meaning of Article 28 I of Directive 77/388/EEC should have clear advantages over the previous transitional arrangements and must satisfy the following essential criteria, all of which are considered of equal importance:

- fewer administrative obligations for business and administration and fundamental simplification of taxation;
- no diminution of Member States' revenue from turnover tax;
- no increase in the risk of tax fraud;
- preservation of the neutral effect of VAT on competition.

The Council considered that:

- one focus of concern was to reduce administrative costs to undertakings and Member States compared with the costs arising from the present system. As far as possible, intra-Community trade should not involve more cost than domestic trade or trade with third countries.



The main objective was to make Community undertakings more competitive both within the internal market and in other markets by cutting costs generally.

This particularly applied to small and medium-sized undertakings, which were supposed to take a larger part in intra-Community trade in accordance with the aims of the internal market. Here, legal, economic and material preconditions needed to be established so that the internal market opened up new prospects for precisely those undertakings.

To that end, the definitive system must be as simple as possible for all undertakings. Achievement of this objective would be facilitated if:

- . the treatment of intra-Community operations were similar to the treatment of domestic operations;
- . there were fewer cases in which undertakings needed to have a knowledge of foreign turnover tax law and be registered for turnover tax or appoint a tax representative in another Member State;
- . information and supervision procedures, including statistical declarations, were kept simple.
  - Member States' revenue from turnover tax must also be assured in a definitive VAT system. The definitive system would only satisfy Member States' justified budgetary interests if it led neither to falls in tax revenue throughout the Community nor to shifts in tax revenue between Member States;
  - the risk of tax fraud should on no account be increased in the definitive system but should as far as possible be reduced. Achievement of this objective could be facilitated by making the definitive system as simple and transparent as possible, thus promoting voluntary compliance with the law and allowing resources to be used more effectively by concentrating them on the detection and combating of fraud.

The national fiscal administrations' controls must above all be geared to deterring and detecting fraud offences. The aim was fast and effective monitoring in order to detect irregularities in the conduct of transactions within the Community. Further development of mutual assistance procedures must ensure that Member States' finance administrations provide each other with sufficient mutual assistance;

- the neutral effect of the common VAT system on competition would also be preserved in a definitive system as regards the origin of goods and services.

The Council requested the Commission, in the proposals it was due to submit in accordance with Article 28 l of Directive 77/388/EEC, to take account of the essential criteria for a definitive VAT system set out in these conclusions.

### Nepal

The Council authorized the Commission to open negotiations on a cooperation agreement between the European Community and Nepal and drew up negotiating directives for that purpose.

The aim in view was to conclude a framework trade and cooperation agreement which would exclude the financial aspect.

### Anti-dumping

The Council adopted the Regulation extending for two months until 31 December 1994 the provisional anti-dumping duty introduced under Regulation (EC) No 1506/94 on imports of urea and ammonium nitrate solution originating in Bulgaria and Poland.

### Hungary

The Council adopted the Decision on the conclusion of an Agreement in the form of an Exchange of Letters with Hungary amending certain annexes to the Europe Agreement with particular regard to agricultural concessions.

This Exchange of Letters provides, on the one hand, for greater flexibility in the administration of certain quotas for Hungarian products by widening their scope and further reducing certain levies and, on the other hand, for facilitating imports into Hungary of certain types of pigmeat originating in the Community.

## **Poland**

On 29 September 1994, the Community signed an Agreement with Poland setting up, in the framework of the Europe Agreement with that country, a tariff quota for imports into the Community of certain industrial products originating in Poland, specifically certain glassware gathered mechanically (subheading 70.13.99.90). This quota will benefit from the suspension of import duty up to an amount of ECU 1,13 million for 1994, and the overall quota of ECU 5,67 million for heading 70.13 will remain unchanged.

The Council has now adopted the implementing Regulation for this Agreement which amends Regulation (EEC) No 3918/92.

## **Moldova**

The Council adopted a Regulation on the free supply of agricultural products to the people of Moldova in order to improve the food supply situation in that country.

This Regulation follows up the Council's political decision to include Moldova among the countries eligible to receive food aid amounting to ECU 204 million as provided for in Regulation (EC) No 1999/94 on the supply of agricultural products to the peoples of Georgia, Armenia, Azerbaijan, Kyrgyzstan and Tajikistan.

## **Intellectual property**

The Council decided to extend the legal protection of topographies of semiconductor products to natural persons and to companies and other legal persons from Canada and to those residing or established in Canada. This decision is applicable from 1 November 1994.

## **Consumer protection**

Following the joint text approved by the Conciliation Committee on 20 September 1994, the Council adopted the Directive on the protection of purchasers in respect of certain aspects of contracts relating to the purchase of the right to use immovable properties on a timeshare basis by a qualified majority (the Portuguese delegation voted against, and the Netherlands delegation abstained – see voting explanations in Annexe II).

The purpose of this Directive, which was adopted by the European Parliament on 28 September, is to approximate the laws, regulations and administrative provisions of the Member States on the protection of purchasers in respect of certain aspects of timeshare contracts, i.e. information on the minimum constituent parts of a contract and the

arrangements for communicating such information and also the procedures and arrangements for cancellation and withdrawal.

By comparison with the common position adopted by the Council (see Press Release 10232/93, Presse 194) the main amendments which the Conciliation Committee made to the Directive are as follows:

- an extension of the possibilities available to the consumer to withdraw:
  - = the right of the consumer to withdraw without giving any reason within ten days of signing the contract is no longer subject to conditions;
  - = the list of information in the contract which, if omitted, gives the consumer the right to cancel the contract within three months has been amplified: for immovable property under construction at the time of signing, the contract must specify how far the work has progressed and give a reasonable date for its completion;
- a reduction in the time limit for transposing the Directive from 36 months to 30 months from the date of publication.

ADJUSTMENT OF AGRICULTURAL STRUCTURES - COMPROMISE

"The Commission proposals are approved subject to the following amendments:

**A. REGULATION (EEC) No 2328/91**

## Article 1

1. Annex, Article 12(3) (amounts of aid), read:  
ECU 45 000 per holding
2. (c) Article 5(2) is amended as follows:  
"2. The aid system referred to in paragraph 1 shall be limited to agricultural holdings where labour income per man work unit is less than 1,2 times the reference income referred to in paragraph 3."
3. Commission statement concerning Article 6:

The Commission will submit before mid-1995 a report on the pigmeat market and the relevant conclusions to be drawn and, where appropriate, on the possibilities which exist for helping to increase individual pig production capacity without however bringing about a regional increase in production.

4. The last subparagraph of Article 7 is amended as follows:

"In accordance with the procedure laid down in Article 29 of Regulation (EEC) No 4253/88, a Member State may be authorized, for a specified period, ..."

5. Article 9 is amended as follows:

- (a) paragraph 3 is replaced by the following text:

"3. Member States ... at least two-thirds of the members ..."

- (b) the first indent of the second subparagraph of paragraph 4 is amended as follows (consequential amendment):

"- 200 cows"

## 6. Commission statement concerning Article 10:

"The Commission confirms the undertaking given at the informal Council meeting in Ioannina, to submit, by the end of 1994, an overall report concerning young farmers and the problem of taking over holdings in European agriculture."

7. Article 12(4) is amended as follows:

- (d) the last subparagraph is replaced by the following text (consequential amendment):

"Moreover, as regards the holdings referred to in paragraphs 2 and 3, the number of dairy cows referred to in Article 6(3) shall be fifty per MWU and per holding."

## Commission statement concerning Article 12:

The Commission is aware of the problem raised by the Spanish delegation concerning the existence of farmers who do not have access to investment aid under Regulation (EEC) No 2328/91 because, since they obtain more than 50% of their income from farming activities outside their holdings, they do not fulfil the conditions laid down in Article 5 of that Regulation. The Commission considers that this is a particular problem which is specific to certain regions for which appropriate solutions may be found in the framework of the operational programmes of Objectives 1 and 5(b) while complying with the discipline of Article 12 of that Regulation.

8. Second subparagraph of Article 6(3), read:

In such cases, the granting of aid shall be subject to the condition that the investment does not serve to raise the number of dairy cows to more than fifty per MWU and more than eighty per holding or, where the holding has more than 1,6 MWU, does not serve to raise the number of dairy cows by more than 15%.

9. The following sentence is added to the last subparagraph of Article 6(4):

However, in accordance with the procedure laid down in Article 29 of Regulation (EEC) No 4253/88, the Commission may authorize a Member State to derogate from that condition, in exceptional cases and solely for investment to reduce emissions from animal droppings and the elimination of slurry in existing holdings, provided that such investment leads to a better result for the protection of the environment than that obtained by the condition derogated from and that it does not in any circumstances lead to an increase in production capacity.

10. The second sentence of Article 8 is amended as follows:

"However, the number of plans ... shall be limited to three ..."

11. The first sentence of Article 9(4) is amended as follows:

"Except for aquaculture, the ceilings for cattle or for the amounts referred to in Article 6(3), Article 7(2) and Article 8 may be multiplied by the number of holdings belonging to the group."

The second sentence is deleted.

12. The following Article 34b is added:

"In accordance with the procedure laid down in Article 29 of Regulation (EEC) No 4253/88, the Commission may, on its own initiative or at the request of a Member State, adjust the amounts laid down in this Regulation to take account of trends in inflation."

## **B. REGULATION (EEC) No 866/90**

Article 2

1. ...
2. ...
3. ...

4. The second subparagraph of Article 12(2) is amended as follows:

"In accordance with the procedure laid down in Article 29 of Regulation (EEC) No 4253/88, the Commission may accept investments relating to other products provided:

- = the aid recipients have direct contractual links with the producers of the basic agricultural products; or
- = the products in question have been processed from products listed in Annex II to the Treaty and proper justification can be provided that links exist proving the benefit to the producers of the basic agricultural products."

**TIMESHARE DIRECTIVE****Explanation of the Netherlands delegation's vote**

"At the Consumer Council on 19 November 1993 the Netherlands abstained during the vote on the proposal for a Timeshare Directive. From the outset the Netherlands has had reservations about this proposal with regard to subsidiarity and proportionality. In the view of the Netherlands, the rules concerned are difficult to implement. Moreover, the finalized text does not afford genuine and adequate protection to consumers."

**Explanation of the Portuguese delegation's vote**

"While it subscribes to the objectives of this Directive, the Portuguese delegation cannot approve its present provisions, as the proceedings on the ban on the payment of advances by the purchaser and the withdrawal period have not been conducted in such a way as to allow sufficient examination of a wording more in keeping with market economy principles.

Consumers would enjoy greater protection under a system of advances in return for effective guarantees as provided for in the legislation of certain Member States."

---



There is no record of a 1794<sup>th</sup> meeting.

There is no record of a 1795<sup>th</sup> meeting.

PRESS RELEASE

10314/94 (Presse 219)

1796th Council meeting

- GENERAL AFFAIRS -

Luxembourg, 31 October 1994

President: Mr Klaus KINKEL  
Minister for Foreign Affairs  
of the Federal Republic of Germany

The Governments of the Member States and the European Commission were represented as follows:

Belgium:

Mr Frank VANDENBROUCKE Deputy Prime Minister, Minister for Foreign Affairs

Denmark:

Mr Niels HELVEG PETERSEN Minister for Foreign Affairs  
Mr Jorgen ØRSTRØM MØLLER State Secretary for Foreign Affairs

Germany:

Mr Klaus KINKEL Minister for Foreign Affairs  
Mrs Ursula SEILER-ALBRING Minister of State for Foreign Affairs  
Mr Hans Friedrich VON PLOETZ State Secretary for Foreign Affairs

Greece:

Mr J KRANIDIOTIS Deputy Minister for Foreign Affairs

Spain:

Mr Javier SOLANA Minister for Foreign Affairs  
Mr Carlos WESTENDORP State Secretary for Relations with the European Communities

France:

Mr Alain JUPPE Minister for Foreign Affairs  
Mr Alain LAMASSOURE Minister with special responsibility for European Affairs

Ireland:

Mr Dick SPRING Minister for Foreign Affairs

Italy:

Mr Antonio MARTINO Minister for Foreign Affairs  
Mr Livio CAPUTO State Secretary for Foreign Affairs

Luxembourg:

Mr Jacques POOS Minister for Foreign Affairs

Netherlands:

Mr H.A.F.M.O. van MIERLO Minister for Foreign Affairs  
Mr M. PATIJN State Secretary for Foreign Affairs

Portugal:

Mr José Manuel DURÃO BARROSO Minister for Foreign Affairs

United Kingdom:

Mr Douglas HURD Secretary of State for Foreign and Commonwealth Affairs  
Mr David DAVIS Minister of State, Department of Trade and Industry

o

o o

Commission:

Mr Jacques DELORS  
Mr Manuel MARIN  
Sir Leon BRITTAN  
Mr Hans VAN DEN BROEK

President  
Vice-President  
Member  
Member

The following representatives of the four acceding Member States also attended as observers:

Norway:

Mr Bjørn Tore GODAL

Minister for Foreign Affairs

Austria:

Mr Alois MOCK

Minister for Foreign Affairs

Finland:

Mr Heikki HAAVISTO  
Mr Veli SUNDBÄCK

Minister for Foreign Affairs  
State Secretary for Foreign Affairs

Sweden:

Ms Lena HJELM-WALLÉN  
Mr Mats HELLSTRÖM

Minister for Foreign Affairs  
Minister for Foreign Trade

**RELATIONS WITH THE ASSOCIATED COUNTRIES OF CENTRAL AND EASTERN EUROPE****- Ministerial meeting with the associated CCEEs <sup>(1)</sup>**

This Council meeting witnessed (during the morning) the first meeting between the Ministers for Foreign Affairs of the European Union, of the four acceding countries and of the six Central and Eastern European countries. Discussions during this meeting, which gave rise to a substantive and open exchange of views, enabled the representatives of the European Union to set out the general guidelines of the strategy to prepare the CCEEs for accession which are to be approved by the European Council in Essen. The CCEEs set out their own views on the subject, which will be taken into consideration by the Union during its internal discussions prior to the Essen European Council.

The exchange of views covered the following topics in particular:

- alignment of the laws of the associated CCEEs with those of the European Union with a view to their taking part in the internal market, an essential aspect of which will be the preparation of a Commission white paper next year;
- regional cooperation in Central and Eastern Europe;
- future directions for the "Phare" programme;
- cooperation in the field of JHA;
- the human dimension of the process of alignment (culture, education, training).

In conclusion the President noted the convergence of views of the European Union

---

<sup>(1)</sup> The CCEEs were represented by their respective Ministers for Foreign Affairs: Bulgaria: Mr Ivan Stantchov; Hungary: Mr Laslo Kovacs; Poland: Mr Andrzej Olechowski; Romania: Mr Teodor Viorel Melescanu; Slovakia: Mr Eduard Kukan; Czech Republic: Mr Josef Zieleniec.

and the CCEEs regarding the line of conduct to be followed and the priorities to be adopted during the run-up to accession negotiations, the beginning of which would depend on future developments. Both sides stressed their determination to take up the challenges facing them. Moreover, the President stressed the central importance of such meetings both for the process of alignment and for cohesive action in that connection. The next two Presidencies had already taken steps to ensure that the dialogue would continue over the next year.

Finally, over lunch, the Ministers discussed a series of political topics of common interest, in particular: preparation for the CSCE summit in Budapest and measures to preserve peace within the CSCE framework, the Stability Pact, relations between the CCEEs and the CIS and in particular Russia, Ukraine and Belarus, and the situation in former Yugoslavia.

#### Strategy to prepare for accession

In the afternoon the Council continued its own examination of the Commission communication on the strategy to prepare the associated CCEEs for accession with a view to the deliberations of the Essen European Council and also in the light of the views expressed by the Ministers of the associated CCEEs during the morning meeting.

A political consensus emerged on a number of important issues regarding the pre-accession strategy to be decided at the Essen European Council. The issues were the following:

- alignment of the timetable of concessions for Bulgaria and Romania with that of the four other associated CCEEs;
- cooperation in the field of justice and home affairs;
- the new instrument for enlarged inter-regional cooperation;

- promotion of regional cooperation between the CCEEs;
- promotion of investment;
- the environment including transport aspects.

The Council also took note of the document on guidelines for implementing the conclusions of the General Affairs Council of 7 March 1994 on enhanced political dialogue with the associated countries of Central and Eastern Europe.

In addition the Council held an in-depth exchange of views on other aspects of the Commission communication, in particular with regard to adapting the PHARE programme and cooperation in the fields of cultural affairs, youth affairs, education and public relations. It would return to these questions at its next meeting on 28 and 29 November 1994. It would use that opportunity also to examine other important aspects of this subject.

#### **WHITE PAPER ON GROWTH, COMPETITIVENESS AND EMPLOYMENT**

The Council took note of the information provided by Mr Delors on progress in implementing the White Paper and in particular on the following six aspects: perfecting the internal market, the quantitative and qualitative development of research, financing large infrastructure networks, creating the information society, improving employment systems, and the relationship between growth, the environment and employment.

The Council will continue its discussions on this subject at its ECOFIN meeting on 7 November 1994, in particular to resume its discussions on improving the employment situation on the basis of a report from the Economic Policy Committee and taking into consideration the report from the Labour and Social Affairs Council on 22 September 1994. The ECOFIN Ministers will also discuss the financing of the trans-European networks and some ideas from the Commission on the issue of "Growth and the environment".

The Council (General Affairs) will return to this subject at its next meeting on 28 and 29 November 1994.



**FORMER YUGOSLAVIA**

During dinner the Council, in the presence of Lord Owen, held an exchange of views on the situation in former Yugoslavia and in particular Bosnia as well as on the possibility of a political solution in Krajina.

**- Mostar**

The Council approved the joint action on continuing support for EU administration of the town of Mostar in 1995. The definitive approval of this joint action and of the financial fact sheet will take effect as soon as the necessary budget appropriations are available and an arrangement is reached between the Council and the European Parliament safeguarding the Council's prerogatives as regards the financing of the CFSP within the budgetary procedure.

**- Croatia - extension of the "PHARE" programme**

The Council heard a communication from the Commission on its assessment mission in Croatia. It noted that the Commission would submit the necessary proposals for the inclusion of Croatia in the "PHARE" programme and for a brief to negotiate a cooperation agreement.

**SLOVENIA**

The Italian Minister reported to the Council on progress in the current discussions between Italy and Slovenia on certain bilateral issues and expressed the hope that these discussions might soon lead to an agreement.

The Council agreed to return to this subject at its next meeting to check whether the conditions had been met for the approval of negotiating directives for a Europe agreement with that country.

**UKRAINE**

The Council examined the implementation of the EU strategy towards Ukraine adopted at the General Affairs Council on 4 October 1994.

The Council agreed on the following early practical steps to strengthen relations with Ukraine:

- (a) a visit by the Troika, at Foreign Minister or another appropriate level, to present the agreed policy of the EU to the Ukrainian government and to discuss the future development of relations, building on the groundwork set at the meeting with the Ukrainian Foreign Minister Udovenko on 4 October;
- (b) the institution, as soon as possible, of regular Troika consultations with the Ukrainians at Political Director level and, as appropriate, at Foreign Minister level, in anticipation of the relevant provisions of the Partnership and Cooperation Agreement;
- (c) renewed efforts, through political contacts and diplomatic channels, to impress upon the Ukrainian government and parliament, the need for Ukraine to accede to the NPT

as a non-nuclear weapons State at the earliest possible time, the importance of full implementation of the START I and START II agreements and to maintain the momentum of the nuclear disarmament process;

- (d) the offer of advice on drafting a new constitution and a new electoral law;
- (e) to look at opportunities for improving trade and industrial cooperation between the EU and Ukraine in an early Joint Committee;
- (f) examination of the advisability of and conditions for possible membership of the Ukrainian Science and Technology Centre in Kiev.

The Council also invited Coreper to examine the coverage and content of common positions defined on the basis of Article J.2; and to make a recommendation to the Council on 28 November on Ukraine in particular.

The Council noted that ECOFIN on 7 November would be considering financial assistance for Ukraine and invited Coreper and the Political Committee to elaborate additional measures regarding the implementation of the agreed EU strategy towards Ukraine.

**BALTIC COUNTRIES**

The Council heard a presentation by the Commission of its recommendation on the opening of negotiations for Europe Agreements with the three Baltic countries and a communication containing guidelines for an approach by the Union regarding the Baltic Sea region.

After noting initial comments by a number of delegations, the Council instructed the Permanent Representatives Committee to examine the Commission proposals very rapidly and to report back to it so that, if possible, a decision on the question might yet be adopted this year.

**STABILITY PACT**

The Council took note of the interim report on the Stability Pact submitted by the Presidency.

It expressed satisfaction at the progress achieved to date in implementing the concluding documents of the inaugural conference in Paris.

The Council reaffirmed the importance it attached to this initiative and its rapid conclusion.

It noted the Presidency's intention of raising the matter of the Stability Pact at the European Council in Essen.

**MEDITERRANEAN POLICY**

The Council:

- acknowledged with great interest the Commission communication on the enhancement of the Union's Mediterranean policy presented by Mr Delors, President of the Commission, and Mr Marin, Vice-President.
- recalled that the Corfu European Council had already confirmed the importance it attached to the close links that already existed with its Mediterranean partners and its desire to develop these still further so that the Mediterranean region may become a cooperation area ensuring peace, security, stability and well-being;
- also recalled that the Essen European Council intended to assess the European Union's overall policy in the Mediterranean region and any initiatives to enhance that policy in the short and medium term with a view to the possible convening of a conference involving the European Union and its Mediterranean partners;
- instructed the Permanent Representatives Committee to examine the Commission communication with this in mind and to report to the Council meeting on 28 and 29 November 1994 to enable it to prepare for the Essen European Council;
- asked the Permanent Representatives Committee to expedite work in the appropriate fora on the Mediterranean conference scheduled for 1995;
- recalled the conclusions of the Corfu European Council regarding the accession of Malta and Cyprus to the European Union and welcomed the fact that the Commission would be

submitting reports on these two countries at the beginning of 1995;

- confirmed the importance of continuing to give priority to current negotiations with Israel, Morocco and Tunisia and invited the Commission to submit appropriate proposals to that end by 15 November 1994 at the latest.

## TURKEY

In preparation for the Association Council meeting with Turkey scheduled for 19 December 1994 the Council heard a progress report from the Commission on the completion of customs union with that country.

The Council asked Community bodies to expedite preparations for the Association Council meeting on 19 December with a view to achieving customs union with Turkey, and called upon the Permanent Representatives Committee in particular to continue discussions to define the position to be adopted by the Community at that meeting.

The Council agreed to return to this matter at its next meeting on 28 and 29 November.

**RELATIONS WITH THE EUROPEAN PARLIAMENT**

The Council listened to a statement from Mrs Seiler-Albring on the outcome of the Trialogue she chaired on 25 October 1994 on behalf of the Presidency with the Presidents of the European Parliament and the Commission.

She reported in particular on three issues of special importance for the proper functioning of the Union's bodies, namely committee procedure, temporary committees of inquiry and the financing of the CFSP.

The President stated his intention of continuing discussions with the European Parliament and the Commission on these three subjects with the aim of achieving results before the end of the year. He stressed that to achieve that objective the three institutions would have to show the right degree of flexibility. The Presidency would keep the Council regularly informed of developments in its discussions with the European Parliament and the Commission.

**OECD - SHIPBUILDING**

The Council noted that the Commission was currently finalizing its formal proposal on the conclusion of an agreement negotiated under the aegis of the OECD on the progressive removal of aid in the shipbuilding sector. The Council agreed to return to the subject once it had received the Commission proposal.

**MERCOSUR**

The Council took note with great interest of the Commission communication on strengthening European Union policy with regard to Mercosur, which followed on from the conclusions of the Corfu European Council.

It instructed the Permanent Representatives Committee to examine the communication and to report back to the Council meeting on 28 and 29 November 1994 to enable it to prepare the subject for the Essen European Council.



## NOMINATION OF THE MEMBERS OF THE COMMISSION

By common accord and after consulting Mr Santer, the President designate of the future Commission, the Governments of the Member States nominated the persons their Governments intend to appoint as Members of the Commission.

The Representatives of the Governments of the acceding States informed the Conference of the names of the persons their Governments intend to appoint as soon as the Treaty of Accession enters into force.

The Representatives of the Governments of the Member States took note thereof and gave their political assent.

The President of the European Parliament will be informed immediately of the conclusions of the aforementioned Conference.

All the persons thus nominated, including Mr Santer, will be subject as a body to approval by the European Parliament. After approval by the European Parliament, the President and the other members of the Commission will be appointed by common accord of the Governments of the Member States.

**MISCELLANEOUS DECISIONS**

(Adopted without debate. Votes against and abstentions are indicated where the act is of a legislative nature.)

**International Fund for Ireland**

The Council agreed to the Regulation on Community financial contributions to the International Fund for Ireland for the period from 1995 to 1997.

It should be noted that the Fund was set up in 1986 in the context of the Anglo-Irish Agreement of 15 September 1985 with the aim of facilitating economic and social progress and promoting reconciliation between nationalists and unionists throughout Ireland. Since 1989 the Community has made an annual contribution to the Fund of ECU 15 million.

On 4 October 1994 the Council welcomed the Commission's proposal to increase the Community contribution to the International Fund for Ireland to ECU 60 million over the next three years. It invited the Permanent Representatives Committee to finalize the legal text concerning this contribution with a view to its adoption by the Council at the next meeting.

The Regulation adopted today makes provision for the payment by the Community of ECU 20 million a year to the International Fund for Ireland until the end of 1997. This aid must be used for projects of a cross-border and cross-community nature, in accordance with the Agreement establishing the International Fund for Ireland.

It must be used in addition to private and public expenditure.

Before the end of 1996 the Commission will draw up a report for the European Parliament and the Council to assess the appropriateness of continuing the aid beyond 1997.

Switzerland

The Council adopted Decisions authorizing the Commission to negotiate bilateral agreements with Switzerland in the fields of:

- free movement of persons
- research and technological development
- agriculture
- mutual recognition in relation to conformity assessment
- public procurement

The Council adopted the following conclusions:

"In adopting the negotiating directives for the negotiation of bilateral agreements with Switzerland in the fields of the free movement of persons, research, agriculture, mutual recognition in relation to conformity assessment and public procurement, the Council would point out that in the conclusions it adopted at its meetings on 8 and 9 November 1993 and 16 and 17 May 1994 it stressed that

- it must be the Community's objective to secure a balance of mutual advantage within each sectoral agreement and between the various agreements;
- it intends to make sure that, where necessary, there is an appropriate parallelism between the various sectoral agreements concerned.

As regards transport, the Council notes that the Commission has conducted exploratory talks with the Swiss authorities designed to obtain the clarifications required by Community Ministers for Transport regarding the various questions connected with the arrangements for the implementation of the Alps initiative. The Council notes that the Commission intends shortly to submit a communication on the assessment of its talks and the prospects for progress on these matters and it expresses the firm hope that on that basis negotiating directives may soon be adopted in that field as well.

In the light of its aforementioned conclusions and on the basis of the regular reports that the Commission will submit to it on the progress of the sectoral negotiations including, as soon as possible, those on transport, the Council will take stock of the progress made on these various dossiers. A final general assessment will also be made before these various negotiations are concluded."

Latin America and the Caribbean

The Council approved the following basic document on relations between the European Union and Latin America and the Caribbean:

- "1. The countries and peoples of the European Union are united with those of Latin America and the Caribbean by many common historical, spiritual and cultural roots and share with them the values and ideals of freedom, solidarity, universal Human Rights, and the rule of law.

The successful course of Latin America and the Caribbean towards peace, democracy, and sustained development has enhanced their role within the international community while, at the same time, Europe is progressing on the road to unity.

In the framework of our common foreign and security policy we propose to undertake common efforts with Latin America and the Caribbean to bring about a new partnership of the two regions aimed at safeguarding peace, ensuring universal respect for Human Rights, increasing balanced economic exchanges, fostering sustained development, combating poverty and environmental degradation, and activating cultural and scientific bonds.

2. We pay tribute to and support the endeavours undertaken in the region to consolidate representative democracy and the rule of law, modernize institutions and raise public ethics, open up and integrate economies, and promote social justice. We are ready, if so desired, to contribute our advice, experience, and, if appropriate, assistance.
3. Respect for Human Rights and fundamental freedoms, as well as the participation of all citizens in shaping their country's political future and economic and social progress, are of vital significance for peaceful development, both at national and international level.

We therefore condemn all violations of Human Rights and demand that those responsible be punished. Impunity must be overcome by determined action and effective administration of justice.

4. The control of the armed forces by constitutional civil authority is of decisive importance for the internal stability of all states and for their role in international cooperation as well as for the consolidation of peace in the region.

We encourage endeavours to create a new, forward-looking role for the armed forces in support of international efforts towards peace and security.

5. We recognize the recent progress made by our partners as regards disarmament and arms control, non-proliferation and control of sensitive exports. We urge countries that have not yet ratified the Tlatelolco Treaty to do so soon, and encourage countries that are not as yet party to the non-proliferation treaty to accede to it. We call upon all countries to support the indefinite and unconditional extension of the non-proliferation treaty. We welcome the dialogue initiated on confidence building measures, to which we can contribute specific European experiences.
6. We express our satisfaction at the enhanced role taken up by the organization of American States in the defence of representative democracy and Human Rights as well as in the fight against poverty. We give our full support to the actions of the organization of American States in ensuring free, democratic elections.

We appreciate and support the peace endeavours made by the United Nations and the organization of American States, as well as groups of friends, in Central America and the Caribbean. We reconfirm our readiness to help reintegrate refugees and ex-combatants into civilian life.

7. We welcome the significant contributions of Latin American and Caribbean countries to safeguarding world peace and international security and to meeting the global challenges of our time, as well as to better enabling the United Nations for its fundamental tasks. We propose to intensify the dialogue on these matters.
8. We note with particular satisfaction the processes of regional and sub-regional integration, under way in Latin America and the Caribbean, and reaffirm our willingness to share our expert in this field.

We seek to intensify the dialogue and cooperation between the European Union, the Rio group, Central America (San José), and Mercosur, broaden the agenda and enhance the political aspects of this dialogue. We are prepared to take up and strengthen dialogue and cooperation with other regional and sub-regional groupings, as well as with individual countries.

We are determined to pursue, together with our Caribbean partners, the cooperation outlined in the Lomé Convention.

We welcome the recent establishment of the association of Caribbean States.

9. The promotion of trade and investments will remain the cornerstone of our relations with our Latin American and Caribbean partners. we warmly welcome the

successful conclusion of the Uruguay Round, as well as the establishment of the World Trade Organization. We advocate a dynamic increase in the economic exchanges between Europe and the emerging markets in Latin America, especially through rapid implementation of tariff reductions and the abolition of trade impediments.

We encourage additional national and international measures as well as the conclusion of agreements, by member states, to promote and protect investment and the improvement of the investment climate in general. This includes enhancing legal security and further developing legislation on intellectual property.

We acknowledge the important role of the European Community investment partners programme in promoting joint ventures.

We intend to make the fullest use of the successful third-generation cooperation agreements of the European Union with countries and regional groupings in Latin America. We are prepared to start discussions on new, more ambitious agreements that reflect the economic potential of our partners and their emerging systems of integration.

10. Building on the well-established profile of development cooperation of the European Union and its Member States, we offer to continue to accompany reform-minded partners in Latin America and the Caribbean on their way to sustained development.

Our cooperation, based on the principle of help towards self-help, aims at broadening the foundations for economic progress and social justice, democracy and Human Rights. Our assistance should benefit, above all, the poorest, most disadvantaged social groups including indigenous populations, and should increase their ability to preserve their cultural identity and improve their economic and social situation.

We underline the important role of the European Investment Bank as an instrument of cooperation between the European Union and Latin American and Caribbean countries.

11. We see it as a task of fundamental political importance to further strengthen the cultural ties with our partners and to increase exchanges at all levels. We underline the idea of cultural cooperation in a spirit of equal partnership by offering the Latin American and Caribbean countries greater opportunities to present their cultures in Europe, as well as by contributing to the preservation of their cultural patrimony.

We look forward to further developing cooperation in the fields of education, science and technology.

12. In accordance with the results of the United Nations Conference on Environment and Development, held in Rio de Janeiro, we dedicate special attention to cooperation on environmental issues in support of sustainable development. We want to join efforts with our partners in Latin America and the Caribbean to conserve endangered ecosystems, in particular tropical rain forests.

We are ready to assist with modern environmental technologies, tried and tested in Europe and worldwide, with a view to relieving the plight of the inhabitants of great urban agglomerations, rehabilitating existing industrial sites and building new ones according to modern environmental standards.

13. We are prepared to intensify cooperation with our partners in the fight against terrorism, drug trafficking and related crimes. Countries where drugs are produced, transited, or consumed must jointly shoulder the responsibility to combat the underlying causes of the problem. This calls for a balanced programme of alternative development, law enforcement and demand reduction.

In order to support continuous efforts of Andean and Central American countries in their fight against drugs, we are examining, in a spirit of understanding, the question of prolongation of the special regime, in favour of these countries, of the generalized system of preferences.

14. We express the desire that the dialogue between the Parliaments of Europe, Latin America and the Caribbean be enhanced.

Likewise, we call upon all non-governmental organizations, actively interested in Latin America and the Caribbean, as well as citizens of the two regions to participate in more intensive exchanges as an expression of solidarity between the peoples."

### Guarantee Fund - Own resources - Budgetary discipline - Financial Regulation

Following the agreement reached by the European Parliament as part of the conciliation procedure and in accordance with the joint guidelines adopted earlier, the Council formally adopted the following Regulations and Decisions:

- Regulation establishing a Guarantee Fund for external operations;
- Decision on the system of the European Communities' own resources;
- Decision on budgetary discipline;
- Regulation (EC, Euratom) amending Regulation (EEC, Euratom) No 1552/89 implementing Decision 88/376/EEC, Euratom on the system of the Communities' own resources (entry of own resources corresponding to the reserves linked to external operations);
- Regulation (ECSC, EC, Euratom) amending the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities (reserves linked to external operations).

It should be noted that these texts constitute the legal transposition of the outcome of the Edinburgh European Council on financial questions.

### Antidumping

The Council adopted the Regulation imposing a definitive anti-dumping duty on imports of furazolidone falling within CN code 2934 90 40 originating in the People's Republic of China and collecting definitively the duty imposed. The rate of duty applicable to the net, free-at-Community-frontier price before duty will be 70,6%.

### Textiles

The Council authorized the Commission to negotiate, on the basis of the negotiating directives adopted, Protocols to the bilateral textiles agreements and arrangements of the Community to take into account the accession of Austria, Finland, Norway and Sweden to the EU. The representatives of these four countries will take part in the negotiation discussions as observers.



## Bananas

After approval by the European Parliament of the common position within the cooperation procedure, the Council definitively adopted the Regulation establishing a special system of assistance to traditional ACP suppliers of bananas in accordance with its common position adopted at the meeting on 11 July 1994 (see Press release 7982/94 Presse 141).

## Crossing external frontiers

The Council adopted the following conclusions on conditions for the readmission of persons who are illegally resident in a Member State but who hold a residence permit for another Member State (Article 8(3) of the draft External Frontiers Convention):

### "Conclusion 1: Scope

The provisions on taking back pursuant to Article 8(3) are applicable to persons who are not nationals of a Member State, who hold a valid residence permit or valid provisional residence permit within the meaning of Article 8(1) and (2) and who are illegally resident in the territory of another Member State.

The provisions do not affect Member States' obligations under the Dublin Asylum Convention to take back applicants for asylum who are illegally resident in another Member State.

Conclusion 2: Voluntary departure or return to the Member State which issued a valid residence permit or valid provisional residence permit

Where a person covered by conclusion 1 entered a Member State from another Member State without a visa for the purposes of a short stay or transit, under Article 8(1) or (2), and is illegally resident there, that person must go without delay to the Member State for which he holds a residence permit unless he is authorized to go to another country to which he is certain to be admitted, in accordance with Article 15(1).

If a foreign national wishes to go to another country, he must provide documentary evidence that he may be admitted to that country, e.g. in the form of an entry permit or valid visa, and that he is in possession of the necessary resources, e.g. in the form of a ticket or other documentation that allows him to travel, and cash or a bank deposit in order to secure his transportation and his residence in the country to which he may be admitted.

If the person has provided documentary evidence that he may be admitted to another country and that he is in possession of the necessary resources to travel to and take up residence in that country, his wishes should normally be accepted.

Conclusion 3: Member State which is required to take back the person if he does not leave voluntarily

If a person who is not a national of a Member State and who is illegally resident in the territory of a Member State refuses to leave voluntarily, Member States are required to take him back in accordance with the guidelines set out below.

a. Persons holding a valid residence permit or valid provisional residence permit for another Member State

If the person holds a valid residence permit or valid provisional residence permit for another Member State, the Member State which issued the valid residence permit or valid provisional residence permit is required to take him back.

If the person holds more than one valid residence permit or provisional residence permit issued by different Member States, the Member State required to take him back is:

- (a) the State which issued the residence permit or provisional residence permit allowing the longest period of residence; or
- (b) where the residence permits allow the same period of residence, the State which issued the residence permit or provisional residence permit with the latest expiry date.

b. Persons holding an expired residence permit for another Member State

In case the person concerned holds a residence permit or a provisional residence permit the validity of which has expired by no more than two months, the Member State which has issued the residence permit will take back the person, provided that the requesting State:

- has discovered the illegal presence of that person in its territory within this period; and
- has lodged the request for taking him back within a period of an additional month at the latest.

If the person holds more than one residence permit, the validity of which has been expired by no more than a period of 2 months, the Member State required to take him back is:

- (a) the State which issued the residence permit which had allowed the longest period of residence; or
- (b) where the residence permits allowed the same period of residence, the State which issued the residence permit with the latest expiry date.

#### Conclusion 4: Taking back

The person is to be taken back after a request has been made by the competent authorities in the requesting State establishing that the person in question holds a valid residence permit or provisional residence permit for the taking back Member State.

The request must be accompanied by a copy of the administrative act establishing the person's unlawful presence in the Member State in question and stating, inter alia, when and where he was found to be unlawfully present.

A Member State receiving a request in accordance with conclusion 3 must reply to the request within 8 days. If the Member State does not respond within that time, it will be deemed to have agreed to taking back, unless it has expressly requested a one-week extension of that time limit.

The Member State to which the request was addressed is required to take in, within a month at most, the person it has agreed to take back. That time limit may be extended by agreement between the two Member States concerned, upon submission by the requesting Member State of an explicit and justified application.

Member States are to exchange lists of competent authorities to consider requests for taking back and of points at borders where the taking back can take place.

#### Conclusion 5: Costs for taking back

The financial costs entailed by the taking back are to be met by the person concerned. Where the person is unable to meet the expenses, the expenses up to the point of taking back are as a rule to be met by the State requesting the taking back."

Civil protection

The Council and the Representatives of the Governments of the Member States meeting within the Council adopted the following Resolution on strengthening Community cooperation on civil protection:

"The Council and the Representatives of the Governments of the Member States meeting within the Council,

Recalling their Resolution of 25 June 1987 on the introduction of Community cooperation on civil protection <sup>(1)</sup>, their Resolution of 13 February 1989 on the new developments in Community cooperation on civil protection <sup>(2)</sup>, their Resolution of 23 November 1990 on Community cooperation on civil protection <sup>(3)</sup>, their Resolution of 23 November 1990 on improving mutual aid between Member States in the event of a natural or man-made disaster <sup>(4)</sup> and their Resolution of 8 July 1991 on improving mutual aid in the event of a natural or technological disaster <sup>(5)</sup>;

Having regard to the benefit afforded to those involved in civil protection by the training activities and simulation exercises organized by the Commission; whereas these activities and exercises have helped both to improve their level of preparation and to develop interpersonal links between them; whereas such links will make for an improved exchange of experience at Community level and increase the efficiency and speed of mutual assistance operations;

Whereas the system of exchanges of experts currently being developed will help to increase that benefit;

Noting the important role played by volunteers in many areas of civil protection, and drawing attention in this context to the Resolution on voluntary work adopted by the European Parliament on 16 December 1993 <sup>(6)</sup>;

Whereas, subject to Member States' operational responsibilities, the maintenance and reinforcement of the operational arrangements already in place are a major asset for mutual assistance in the event of disasters; whereas the experience acquired in data

---

<sup>(1)</sup> OJ No C 176, 4. 7.1987, p. 1.

<sup>(2)</sup> OJ No C 44, 23. 2.1989, p. 3.

<sup>(3)</sup> OJ No C 315, 14.12.1990, p. 1.

<sup>(4)</sup> OJ No C 315, 14.12.1990, p. 3.

<sup>(5)</sup> OJ No C 198, 27. 7.1991, p. 1.

<sup>(6)</sup> OJ No C 10, 16. 1.1984, p. 288.

transmission between Member States has demonstrated the need to set up a committee of users within the existing permanent network of national correspondents arrangements to guide any new initiative in this field;

Emphasizing that those involved in civil protection should be given the opportunity of pooling their experience within a European perspective;

Believing that self-protection is an essential component of civil protection;

Reiterating the necessity of reinforcing the information, education and awareness-raising initiatives aimed at the public and in particular at young people, among other things in order to increase their degree of self-protection;

Whereas it is important to take specific measures under the European Economic Area Agreement <sup>(1)</sup>, which came into force on 1 January 1994, and in particular Article 78 thereof;

Whereas every effort must be made to ensure the best possible co-ordination of measures taken at international level in order to rationalize the use of the resources involved in such measures, without prejudice to Member States' responsibilities in this regard;

Recalling that, while Article 3(t) of the Treaty establishing the European Community already provides for the possibility of measures in the sphere of civil protection, the Declaration on civil protection, energy and tourism annexed to the Final Act of the Treaty on European Union mentions that the provisions on civil protection in particular will be examined in accordance with the procedure laid down in Article N(2) of the Treaty on European Union, on the basis of a report which the Commission will submit to the Council by 1996 at the latest;

Considering, therefore, that it would be appropriate to adumbrate broad guidelines that could be adopted by the Commission for the purposes of that report;

Recalling that, in accordance with point 2 of the Resolution of 25 June 1987, a permanent network of correspondents from the Member States and the Commission has been established; whereas this network plays an essential role in the drawing up of any Community initiatives that are undertaken;

**ACKNOWLEDGE** that the permanent network of national correspondents, hereinafter referred to as the "network", represents an essential framework which ensures the consistency of Community co-operation on civil protection and that the national correspondents must continue to play an active part, in particular in order to facilitate the participation of experts in Community measures, to communicate information on these

---

(<sup>1</sup>) OJ No L 1, 3.1.1994, p. 1.

measures to those concerned, and to provide better access to the advantage of Community backing for projects initiated by the Member States;

HEREBY AGREE that, within their administrations, the necessary human resources will be assigned or kept available, as required, for the smooth operation and possible development of the role of the network, and that they will arrange for the directors-general for civil protection or their counterparts to meet regularly and in principle once a year;

WELCOME the progress that has been made in implementing the Resolutions mentioned above, especially as regards the development of training activities, simulation exercises and pilot projects, and also call upon the Commission to continue and reinforce its action;

DESIRE also that co-operation may be developed between schools and national training centres that are active in the field of civil protection without prejudice to Member States' responsibilities in this regard;

NOTE with satisfaction the preparatory work initiated by the Commission for the creation of an expert-exchange system for an initial pilot phase of two years, in line with the request made in the Resolution of 23 November 1990; agree, furthermore, to assess by the end of this initial stage whether this system should be continued and if so, to have the arrangements for it examined, in particular with regard to the system of financing, within the network;

ENCOURAGE the Commission's initiative for pooling, in close cooperation with the national administrations, different experience in the voluntary sector in order to identify actions which contribute to better use of the resources of this sector and accordingly emphasize the usefulness of the organization in Portugal of a self-tuition workshop on voluntary work in June 1994;

GREATLY APPRECIATE the progress made in setting up assistance arrangements, in particular through the creation of an operational manual listing, among other things, national and Community points of contact, points of access to expert opinion on certain areas of intervention, as well as of registers of the resources that are available in each Member State and the procedures and arrangements for making such resources available subject to the operational responsibilities of the Member States;

WELCOME the arrangements made by the Commission, within its departments, to provide a 24-hour standby service and to meet the costs relating to the secondment of experts;

CALL UPON the Commission to consolidate these arrangements and when necessary to plan for the expansion of their scope by setting up groups of experts specializing in specific areas, in close cooperation with the network;

**BELIEVE** in particular that in its proposals for actions, the Commission should emphasize preparation to cope with disasters, disaster prevention and risk management; support in this respect the Commission's move to undertake, in close cooperation with the network, measures to ensure that those required to prevent and deal with emergencies are better prepared;

**CONSIDER** that the requirements of civil protection services need to be taken into account in the context of the trans-European information networks between administrations; call upon the Commission to assess the need for and the feasibility and cost of a teleconference system which is permanently accessible for emergencies in particular;

**CALL UPON** the Commission to give consideration, in accordance with the conclusions of the Europe 93 exercise and in collaboration with the network, to the opportunities for giving those who work for civil protection a forum for pooling their experience;

**REITERATE** their wish to see the development of initiatives to ensure that citizens, in particular at school level, become better informed, better educated and more aware so that, among other things, their level of self-protection can be increased;

**NOTE** the cooperation which has developed between the Community and the EFTA countries and welcome the fact that this cooperation is strengthened by the participation in Community training activities of experts from the countries which are Contracting Parties to the EEA Agreement but do not belong to the Community;

**CALL UPON** the Commission, through its regular contacts with international organizations active in the sphere of civil protection, to contribute to better co-ordination between civil protection measures on the international level, without prejudice to Member States' responsibilities in this regard;

**CONSIDER** that it was appropriate that, at the World Conference for the prevention of natural disasters called in Yokohama from 23 to 27 May 1994 by the United Nations General Assembly, all the initiatives conducted as part of Community co-operation in the field of civil protection were presented in collaboration with the Commission, so that this experience could be made available to other regions;

**UNDERTAKE** to co-operate closely and actively with the Commission in preparing the report which it must submit to the Council by 1996 at the latest as a basis for examination, in accordance with the procedure laid down in Article N(2) of the Treaty on European Union, of the question of introducing a Title relating to civil protection into the Treaty establishing the European Community."

### System of information on home accidents (EHLASS)

The Council adopted the Decision introducing a Community system of information on home and leisure accidents (EHLASS) for the period from 1994 to 1997 by a qualified majority, with the French and German delegations voting against.

The definitive adoption followed the approval by the European Parliament of the Council's common position on the matter on 26 October 1994.

The aim of the system is to organize and coordinate the collection of data on home and leisure accidents with a view to promoting accident prevention, improving the safety of consumer products and informing and educating consumers so that they make better use of products.

This Decision ensures that the EHLASS system established for one year by the Council Decision of 29 October 1993 will continue for the period from 1994 to 1997.

The system applies to home and leisure accidents which are followed by medical treatment and which occur in the home or in its immediate surroundings, such as gardens, yards and garages, or during leisure, sports or school activities.

The basic information will be obtained from the casualty departments of hospitals selected by the Member States, except in Germany, Spain and Luxembourg, where the basic information will be collected by means of household surveys.

Provision is made for Community financial support, up to a ceiling, at a standard rate representing 80% of the actual annual costs, both for the hospitals taking part in data collection and for the household surveys. The amount of Community financing deemed necessary to implement the system is ECU 2,5 million per year.



### Use of certain dangerous substances and preparations

After approval by the European Parliament, within the joint decision-making procedure, of the Council's common position of 16 July 1994, the Council definitively adopted the Directive amending for the thirteenth (formerly fifteenth <sup>(1)</sup>) time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations.

The amendment imposes limits on the use of flammable gases in aerosol dispensers sold to the general public for entertainment and decorative purposes.



---

<sup>(1)</sup> The title of the Directive was amended to take into account the fact that an earlier amendment has not yet been adopted. This earlier proposal would therefore become the fifteenth amendment to Directive 76/769/EEC.