

COUNCIL OF THE EUROPEAN COMMUNITIES

PRESS RELEASES

PRESIDENCY: DENMARK

JULY-DECEMBER 1982

Meetings and press releases December 1982

<b>Meeting number</b>	<b>Subject</b>	<b>Date</b>
810 <sup>th</sup>	Environment	17-18 December 1982
811 <sup>th</sup>	Labour/Social Affairs	10 December 1982
812 <sup>th</sup>	Foreign Affairs	13-14 December 1982
813 <sup>th</sup>	Agriculture	13-14 December 1982
814 <sup>th</sup>	Transport	16 December 1982
815 <sup>th</sup>	Budget	15-16 December 1982
816 <sup>th</sup>	Economics/Finance	17 December 1982
817 <sup>th</sup>	Fisheries	21 December 1982

COUNCIL OF THE EUROPEAN COMMUNITIES  
GENERAL SECRETARIAT

PRESS RELEASE

11999/82 (Presse 198)

810th Council meeting

- Environment -

Brussels, 17 and 18 December 1982

President: Mr Christian CHRISTENSEN,  
Minister for the Environment  
and for Nordic Affairs  
of the Kingdom of Denmark

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

Belgium:

Mr Firmin AERTS  
State Secretary for Public Health  
and the Environment

Denmark:

Mr Christian CHRISTENSEN  
Minister for the Environment and  
for Nordic Affairs

Mr Holger LAVESEN  
State Secretary,  
Ministry of the Environment

Germany:

Mr Gunter HARTKOPF  
State Secretary  
Federal Ministry of the Interior

Greece:

Mr A. TRITSIS  
Minister for Regional Development  
and the Environment

France:

Mr Michel CREPEAU  
Minister for the Environment

Ireland:

Mr John SWIFT  
Deputy Permanent Representative

Italy:

Mr Pier Luigi ROMITA  
Minister for Scientific Research

Luxembourg:

Mr Jean MISCHO  
Deputy Permanent Representative

Netherlands

Mr P. WINSEMIUS  
Minister for Housing, Regional  
Development and Environment  
Protection

United Kingdom

Mr Giles SHAW  
Under-Secretary of State  
Department of the Environment

Mr W. F. van EEKELLEN  
State Secretary  
Ministry of Foreign Affairs  
(responsible for European Affairs)

Commission:

Mr Karl-Heinz NARJES  
Member

SEAL PUPS

The Council resumed the discussion which it had suspended on 3 December 1982 and signified its agreement to a Resolution of the Council and the Representatives of the Governments of the Member States on the import of skins of certain seal pups and products derived therefrom into the Community. The provisional text of this Resolution which will be formally adopted following legal and linguistic finalization is given below:

THE COUNCIL OF THE EUROPEAN COMMUNITIES AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL,

1. Considering the European Parliament Resolution on Community trade in seal products and in particular in products derived from the pups of harp and hooded seals; and whereas this Resolution reflected concern over the way harp and hooded seal pups are killed in certain third countries;
2. Whereas in certain areas of the world the exploitation of seals and of other species, in accordance with their capacity to withstand it and with due respect for the balance of nature, is a natural and legitimate occupation and forms an important part of the traditional way of life and economy;
3. Whereas in certain Member States voluntary or statutory measures already exist to restrict the importation or marketing of the skins of whitecoat pups of harp seals and of pups of hooded seals (bluebacks); whereas one Member State already requires the marking of all seal products; whereas such measures must comply with the relevant provisions of the EEC Treaty;
4. Whereas there is scientific uncertainty over the population size of the hooded seal and the capacity of that species to withstand exploitation at current levels,

CALL UPON

5. the Commission, in collaboration with the authorities of the countries concerned, to further examine the methods, circumstances, scientific aspects (threat of extinction of species and environmental balance), possibilities of identification by marking, and consequences of the killing of pups of harp and hooded seals, taking into consideration among other things the conclusions reached by the International Council for the Exploration of the Sea (ICES);
6. the Commission, to pursue exploratory talks with the countries concerned in order to evaluate the possibilities inherent in the proposals put forward by Canada;
7. the Commission, to report back as a matter of urgency so that the Council may review these issues by 1 March 1983;
8. the Commission, to consider the possibility of proposing, in the light of the results of such examinations, and an evaluation of the national measures taken in accordance with point 11, any necessary action at Community level on the basis of the relevant provisions of the EEC Treaty;

THE COUNCIL UNDERTAKES

9. to examine the Commission's communications and proposals on the subject, notably the proposal for a regulation on an import ban already submitted, and to adopt before 1 March 1983 as part of its review all appropriate measures on the basis of all the necessary background information, while fulfilling the Community's obligations, in particular in the field of international trade;

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES UNDERTAKE

10. to pursue, where they are Parties to the Washington Convention on International Trade in Endangered Species of Wild Flora and Fauna, whatever initiatives might be necessary for the conservation of the harp and hooded seal species;

11. Pending any decision about action at Community level, to take all measures necessary and possible within the limits of national competences to prevent the importation into their territory of the products listed in the Annex to this Resolution.

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ANNEX

<u>No</u>	<u>CCT No</u>	<u>Description</u>
1	ex 43.01	Raw furskins and furskins tanned or dressed, including furskins assembled on plates, crosses, tanned or dressed:  - of whitecoat pups of harp seals  - of pups of hooded seals (blue-backs less than three months old).
2	ex 43.03	Articles of the furskins referred to in 1.

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3rd ACTION PROGRAMME (1982-1986)

The Council and the Representatives of the Governments of the Member States signified their agreement to a Resolution on the continuation and implementation of a Community policy and action programme on the environment (3rd action programme for 1982-1986).

The Council will adopt this Resolution at a forthcoming meeting following finalization of the texts.

The provisional text of the Resolution is as follows:

The Council:

TAKES NOTE of the action programme annexed hereto and approves the general approach thereof;

DECLARES that it is particularly important for Community actions to be carried out in the following areas:

- integration of the environmental dimension into other policies;
- environmental impact assessment procedure;
- reduction of pollution and nuisance if possible at source, in the context of an approach to prevent the transfer of pollution from one part of the environment to another, in the following areas:
  - = combating atmospheric pollution, especially by NO<sub>x</sub>, heavy metals and SO<sub>2</sub>, inter alia by implementing Directive 80/779/EEC of 15 July 1980 on air quality limit values and guide values for sulphur dioxide and suspended particulates;

- = combating freshwater and marine pollution, inter alia by
  - . implementing Directive 76/464/EEC of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community and Directive 78/176/EEC of 20 February 1978 on waste from the titanium dioxide industry,
  - . and the action programme of the European Communities of 26 June 1978 on the control and reduction of pollution caused by hydrocarbons discharged at sea;
- = combating pollution of the soil.

Specific aspects of protection

- the protection of the Mediterranean environment which should be taken into account when giving practical application to the action programme;
- noise pollution and particularly noise pollution caused by means of transport;
- combating transfrontier pollution;
- dangerous chemical substances and preparations; e.g. the supplementing and application of Directive 79/831/EEC of 18 September 1979 amending for the sixth time Directive 67/548/EEC of 27 June 1967 on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances;



- waste management, including treatment, recycling and re-use - toxic and dangerous waste, including transfrontier transport of such waste and the review of the list of toxic and dangerous substances and materials in the Annex to Directive 78/319/EEC of 20 March 1978 on toxic and dangerous waste;
- encouraging the development of clean technology, e.g. by improving the exchange of information between Member States;
- protection of areas of importance to the Community which are particularly sensitive environmentally;
- co-operation with developing countries on environmental matters;

NOTES with satisfaction that the Commission intends to be guided, as in the past, by the following considerations in drawing up its proposals:

- the desirability of action at Community level;
- the need to avoid any unnecessary duplication, by checking whether the subjects in question are already being dealt with satisfactorily by international bodies;
- the need to assess, as far as possible, the costs and benefits of the action envisaged;

- the need to take account of the differing economic and ecological conditions and the differing structures in the Community;
- the need to carry out careful research, analysis and consultation before proposals are submitted to the Council;

UNDERTAKES to act on these proposals wherever possible within nine months of the date on which they are submitted by the Commission or, as the case may be, of the date on which the Opinions of the European Parliament and of the Economic and Social Committee are submitted;

STATES that the decision to make available the financial resources necessary for implementing this Resolution and the action programme attached thereto will be taken in accordance with the usual procedures.

THE COMBATTING OF WATER POLLUTION

The Council signified its agreement to a Resolution concerning the combatting of water pollution. This Resolution, the text of which is given below, will be adopted formally by the Council following legal and linguistic finalization.

The Council,

- Whereas the Council Resolution concerning the third environment action programme (1982- 1986) lists among its priority actions, the combatting of the pollution of fresh water and sea water, inter alia, by implementing Council Directive 76/464/EEC;
- Whereas the importance of combatting water pollution has already been underlined in the second environment programme (1977-1981);
- Whereas it is desirable to speed up proceedings by more active participation on the part of the Member States where possible;
- Whereas it is therefore desirable to reinforce research on a number of substances, in order to decide whether it is necessary to adopt specific directives for those substances;
- TAKES NOTE of the Commission communication to the Council concerning dangerous substances which might be included in List I of Council Directive 76/464/EEC (8239/82 ENV 127) and welcomes the effort made by the Commission preparatory to the further implementation of the said Directive,
- STATES that the list of 129 substances contained in the Commission communication will serve as a basis for further Community work on the implementation of Directive 76/464/EEC,

- WELCOMES the fact that the Member States will endeavour to communicate to the Commission as soon as possible, and within three years at the latest, all readily available data concerning the list of 129 substances. When such data are being forwarded, prominence should be given to the following points:

- production, use and discharges as per branch of industry;
- diffuse sources;
- concentration in surface water, sediments and organisms;
- remedial measures already taken and/or envisaged and their effect on the quantities discharged.

Initially, special attention will, as far as possible and where appropriate be focused on the substances mentioned in the Annex

- UNDERSTANDS that the Member States will endeavour to supply additional data where useful concerning substances for which studies by the Commission have been completed or are being carried out,
- NOTES that the Member States recognize the list of 129 substances as a provisional basis for any national measures to combat pollution of water by these substances, when applying the measures provided for in Directive 76/464/EEC,
- NOTES that the Commission, after consulting national experts, will provide guidance to Member States on the content and form of the information to be communicated over this Resolution in the light of their continuing study of the environmental hazards posed by the 129 substances contained in the abovementioned communication and will circulate all data collected under this Resolution to all Member States,
- NOTES that the various undertakings by the Member States mentioned above will not under any circumstances be interpreted in such a way as to cause delay to the Commission's activities concerning the implementation of Council Directive 76/464/EEC.

ANNEX

2 - chloroaniline,  
3 - chloroaniline,  
4 - chloroaniline,  
1 - chloro-2-nitrobenzene,  
1 - chloro-3-nitrobenzene,  
1 - chloro-4-nitrobenzene,  
2, 4 - dichlorophenol,  
2 - chloroethanol,  
1, 3 - dichloro-2-propanol,  
epichlorohydrin,  
parathion (including methyl parathion).

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MISCELLANEOUS STATEMENTS

The Council took note of the following statements:

- lead in petrol (Danish delegation)
  - transfrontier air pollution (Danish delegation)
  - air pollution - noise emission from vehicles (German delegation)
  - compensation for victims of hydrocarbon pollution (French delegation)
  - aspects of training connected with environmental protection (Greek delegation)
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OTHER DECISION

1983 budget

The Council examined the increases in non-compulsory expenditure approved by the European Parliament on 16 December 1982 following its discussions on the draft 1983 budget.

Pursuant to the last subparagraph of Article 203(9) of the EEC Treaty, the Council also signified its agreement to these increases and to the consequent new rates for commitment appropriations and payment appropriations.

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PRESS RELEASE

11794/82 (Presse 188)

811th meeting of the Council  
- Labour and Social Affairs -  
Brussels, 10 December 1982

President: Mrs Grethe FENDER MØLLER,  
Minister for Labour  
of the Kingdom of Denmark



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

Belgium:

Mr Firmin AERTS  
State Secretary for  
Public Health and the Environment

Denmark:

Mrs Grethe FENGER MØLLER  
Minister for Labour

Germany:

Mr Norbert BLUM  
Federal Minister for Labour and  
Social Affairs

Greece:

Mr Evangelos YANNOPOULOS  
Minister for Labour

France:

Mr Jean AUROUX  
Minister responsible for Social  
Affairs, with responsibility for  
Labour

Ireland:

Mr Gene FITZGERALD  
Minister of Labour and  
Minister of the Public Service

Italy:

Mr Vincenzo SCOTTI  
Minister for Labour

Luxembourg:

Mr Jacques SANTER  
Minister for Labour and  
Social Security

Netherlands:

Mr J. de KONING  
State Secretary  
Ministry of Social Affairs

United Kingdom:

Mr Norman TEBBIT  
Secretary of State for Employment

Commission:

Mr Ivor RICHARD - Member

EUROPEAN SOCIAL FUND

The Council heard an introductory statement by its President on the progress of proceedings for the review of the European Social Fund, a dossier which is before the European Parliament and the Economic and Social Committee for an Opinion.

The Council held an exchange of views on this subject, in particular on ways of implementing the conclusions of the European Council meeting in Copenhagen on 3 and 4 December 1982 concerning measures on behalf of young people. The Council affirmed that it intended to do its utmost to ensure that tangible progress was achieved on the reform of the European Social Fund and on the communications which the Commission had submitted or would soon be submitting to it on vocational training policies and on measures to combat youth unemployment. The Council emphasized that it was giving top priority to these measures.

Pending the implementation of the new provisions applicable to the Fund, the Council decided to extend the Decisions concerning aid from the Fund for young people, workers in the textile and clothing industries, migrant workers and women.

The Council also took note of the Commission report on the activities of the European Social Fund in the financial year 1981 and of the various comments made on this report.

NEW COMMUNITY INITIATIVES FOR THE PERIOD 1983-1987 IN NEW INFORMATION TECHNOLOGIES AND VOCATIONAL TRAINING

The Council held a policy debate on a Commission communication concerning new Community initiatives for the period 1983-1987 in new information technologies and vocational training and on a draft Resolution on this subject.

The Council declared itself favourably disposed towards the draft resolution and asked the Permanent Representatives Committee to continue discussing it, so that the Council could adopt it at a future meeting after learning the Opinions of the European Parliament and the Economic and Social Committee.

PROTECTION OF WORKERS EXPOSED TO ASBESTOS

The Council continued its discussions on a proposal for a Directive on the protection of workers exposed to asbestos. It first noted the progress made on numerous aspects of the proposal for a Directive since the last Council meeting on 27 May 1982.

Discussions then centred on the two key problems raised by the proposal, namely:

- action levels, i.e. exposure values which, if exceeded, trigger application of the Directive in its entirety;
- limit values for the concentration of asbestos in the air which may not be exceeded under any circumstances when workers are exposed to asbestos at their place of work.

At the close of its discussions, the Council noted that broad measures of agreement had been reached on the proposal for a Directive. It asked the Permanent Representatives to continue its work so that final agreement could be reached at a forthcoming Council meeting.

VOLUNTARY PART-TIME WORK AND TEMPORARY WORK

The Council held a policy debate on two proposals for Directives on voluntary part-time work and on temporary work. It recalled that these proposals were a follow-up to the Council Resolution of 18 December 1979 (see Press Release 11782/79 (Presse 171)) on the adaptation of working time and to the proceedings of the Standing Committee on Employment in 1980 and 1981.

Winding up its debate, the Council agreed to instruct the Permanent Representatives Committee to continue its work in the light of the guidelines which had been evolved and of the new elements to be submitted (amended Commission proposal for a Directive on part-time work and Opinions of the European Parliament and the Economic and Social Committee on the Directive concerning temporary work).

PRINCIPLES OF A COMMUNITY POLICY ON RETIREMENT AGE

Following the agreement reached at its meeting on 27 May 1982, the Council adopted in the official languages of the Communities a Recommendation on the principles of a Community policy on retirement age. The operative part of the Recommendation is annexed hereto.

MISCELLANEOUS DECISIONS

Other social questions

Taking note of the Commission report on the programme to combat poverty and of delegations' comments on that report, the Council adopted a set of conclusions stating in particular that more specific Community action is necessary and indicated some guidelines which might shape such action and serve as a basis for the proposals which the Commission is to submit on this subject.

In addition, the Council, having received the European Parliament's Opinion, confirmed its approval of the Commission communication on medium-term social expenditure projections and the financing of such expenditure (see Press Release 7307/82 (Presse 69) of 27 May 1982).

Lastly, the Council took note of:

- the second Commission report to the Council on the action programme of the European Communities on health and safety at work;
- the sixth progress report by the Advisory Committee on Safety, Hygiene and Health Protection at work (1981);
- the Commission report to the Council on the exchange programme for young workers and of the comments made on the subject by the delegations of the Member States and of the Community.

Textiles

The Council adopted in the official languages of the Communities the Regulation on the conclusion of the Additional Protocol to the Agreement between the European Economic Community and Malaysia on trade in textile products consequent on the accession of the Hellenic Republic to the Community.

The Council also decided to sign, subject to conclusion, the Additional Protocol to the Agreement between the European Economic Community and Argentina on trade in textile products consequent on the accession of the Hellenic Republic to the Community.

Relations with Mediterranean countries

The Council adopted in the official languages of the Communities the Regulations on the conclusion of the Agreements in the form of Exchanges of Letters between the EEC and Israel, Algeria, Morocco and Tunisia respectively concerning fruit salads and between the EEC and Algeria concerning tomato concentrates (extension of current arrangements).

The Council also adopted in the official languages of the Communities the Regulations on the conclusion and application of the Agreements in the form of Exchanges of Letters between the EEC of the one part and Tunisia, Morocco, Algeria and Turkey of the other concerning untreated olive oil (extension of the current arrangements).

Lastly, the Council adopted in the official languages of the Communities the Regulations:

- on the total or partial suspension of Common Customs Tariff duties on certain products falling within Chapters 1 to 24 of the Common Customs Tariff and originating in Malta (1983);
- opening, allocating and providing for the administration of Community tariff quotas for certain textile products falling within heading Nos 55.05 and 55.09 and subheading ex 58.01 A of the Common Customs Tariff originating in Turkey (1983);
- on the total or partial suspension of Common Customs Tariff duties on certain agricultural products originating in Turkey (1983);
- opening, allocating and providing for the administration of a Community tariff quota for sweet peppers falling within subheading 07.01 S of the Common Customs Tariff and originating in Cyprus (1983).

Commercial policy

The Council adopted in the official languages of the Communities:

- the Decision authorizing extension or tacit renewal of certain trade agreements concluded between the Member States and third countries;
- the Regulation maintaining the Danish export regime for aluminium waste and scrap;
- the Decision on the rules applicable, in the fields of export guarantees and finance for export, to certain subcontracts with parties in other Member States of the Communities or in non-member countries.

### Energy

The Council adopted in the official languages of the Communities the Directive amending Directive 78/170/EEC on the performance of heat generators for space heating and the production of hot water in new or existing non-industrial buildings and on the insulation of heat and domestic hot-water distribution in new non-industrial buildings.

### Agriculture

The Council adopted in the official languages of the Communities the Regulation opening a Community tariff quota for 29,800 tonnes of high-quality fresh, chilled or frozen beef and veal for 1983.

### Appointments

On a proposal from the Irish Government, the Council appointed, Mr Brendan O'RIORDAN, Principal Officer, Department of Labour, as a full member of the Advisory Committee on Freedom of Movement for Workers to replace Mr C. O'FEINNEADHA, who has resigned, for the remainder of the latter's term of office, which runs until 20 September 1984.

On a proposal from the Commission, the Council also appointed, Mr A. WOLTMEIJER, Christelijke Nationaal Vakverbond, as an alternate member of the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions to replace Mr J.C. LOOISE, who has resigned, for the remainder of the latter's term of office, which runs until 16 March 1983.

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## THE COUNCIL

## INVITES THE MEMBER STATES:

to acknowledge flexible retirement, i.e. freedom for employed persons within the meaning of their domestic legislation to choose under the conditions prescribed by such legislation when they will take their retirement pension, as one of the aims of their social policy.

## RECOMMENDS THE MEMBER STATES:

(A) to be guided by the following principles in order to achieve the progressive introduction of flexible retirement, within the framework of different retirement pension systems and taking particular account of the freedom of collective bargaining:

1. To ensure that retirement is voluntary, the rules governing the age from which a retirement pension may normally be drawn should be made flexible. To this end:
  - as from a specified age, and if necessary within an age limit, employed persons should be free to choose the age from which they could take their retirement pensions;
  - failing that, and provided that the system stipulates a specific age for the granting of a pension, employed persons should have the right, during a specified period, to apply for a pension in advance of the prescribed age or to defer it beyond that age. Reductions to pensions taken early should not be such as to make it pointless to exercise this right;
  - furthermore, flexibility as regards the age of entitlement to a retirement pension can also be achieved by a system under which entitlement to a retirement pension arises after a given number of years of occupational activity or membership of an insurance scheme.

2. The measures referred to in point 1 should not stand in the way of existing or future opportunities for employed persons to obtain a gradual reduction in their working hours during the years immediately preceding their retirement.

3. Financial incentives to promote the early departure of elderly workers which have been introduced for a limited period only and because of exceptional economic circumstances may not, nonetheless, be regarded as forming part of a flexible retirement system.

The Member States shall also determine what schemes cannot be regarded as forming part of a flexible retirement system.

4. Employed workers receiving a retirement pension cannot be excluded from any form of paid employment.

5. Retirement preparation programmes should be started during the years preceding the end of working life with the participation of organizations representing employers and employed persons and of other interested bodies.

(B) to undertake, as a first stage, an examination of their retirement pension systems in the light of these principles over the next two years and to examine also the feasibility of generalizing opportunities for phased retirement with a view to easing the passage from full-time employment to retirement.

Member States shall communicate the results of these examinations to the Commission within two and a half years following the adoption of this Recommendation, to enable it to draw up a report for submission to the Council on the progress made and the obstacles encountered in applying flexible retirement and phased retirement, and if necessary to propose any other measures needed to achieve common objectives and to make the transition from full-time employment to retirement easier for employed persons.

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PRESS RELEASE

11820/82 (Presse 192)

812th meeting of the Council

- Foreign Affairs -

Brussels, 13 and 14 December 1982

President: Mr Uffe ELLEMANN-JENSEN,  
Minister for Foreign Affairs  
of the Kingdom of Denmark

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

Belgium:

Mr Leo TINDEMANS	Minister for External Relations
Mr Paul de KEERSMAEKER	State Secretary for European Affairs and for Agriculture

Denmark:

Mr Uffe ELLEMANN-JENSEN	Minister for Foreign Affairs
Mr Jakob Esper LARSEN	Under Secretary, Ministry of Foreign Affairs

Germany:

Mr Hans-Werner LAUTENSCHLAGER	State Secretary, Federal Ministry of Foreign Affairs
Mr Hans-Hilger HAUENSCHILD	State Secretary, Federal Ministry of Research
Mr Otto SCHLECHT	State Secretary, Federal Ministry of the Economy

Greece:

Mr Grigoris VARFIS	State Secretary for Economic Co-ordination responsible for relations with the EEC
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France:

Mr Claude CHEYSSON	Minister for External Relations
Mr André CHANDERNAGOR	Minister responsible for European Affairs to the Minister for External Relations

Ireland:

Mr Andrew O'ROURKE	Ambassador, Permanent Representative
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Italy:

Mr Nicola CAPRIA

Minister for External Trade

Mr Mario FIORET

State Secretary,  
Ministry of Foreign Affairs

Luxembourg:

Miss Colette FLESCH

Vice-President of the Government,  
Minister for Foreign Affairs

Netherlands:

Mr H. van den BROEK

Minister for Foreign Affairs

Mr F. BOLKESTEIN

Minister for External Trade

Mr W.F. van EEKELEN

State Secretary for Foreign  
Affairs, European Affairs

United Kingdom:

Mr Francis PYM

Secretary of State for Foreign  
and Commonwealth Affairs

Mr Peter REES

Secretary of State for Trade

Commission:

Mr Gaston THORN

President

Mr Wilhelm HAFERKAMP

Vice-President

Viscount Etienne DAVIGNON

Vice-President

Mr Lorenzo NATALI

Vice-President

Mr Karl-Heinz NARJES

Member

Mr Edgard PISANI

Member

RENEWAL OF THE TERM OF OFFICE OF THE PRESIDENT AND VICE-PRESIDENTS  
OF THE COMMISSION

The representatives of the Governments of the Member States have appointed

Mr Gaston THORN President

and

Viscount Etienne DAVIGNON,  
Mr Wilhelm HAFERKAMP,  
Mr Lorenzo NATALI,  
Mr François-Xavier ORTOLI,  
Mr Christopher Samuel TUGENDHAT

Vice-Presidents of the Commission of the European Communities for the period from 6 January 1983 to 5 January 1985 inclusive.

STEEL

Internal aspect - Conclusions of the Council

The Council

- having taken note of the decision which the Commission intends to take concerning guide prices, which is designed to restore steel prices to a stable level, supports the general approach of this decision and requests the Commission to follow market trends closely; it agrees to examine urgently with the Commission ways and means to ensure strict compliance with Community steel prices and to adopt the necessary measures to this end
- signifies its agreement in principle, with a view to improving compliance with the rules on quantities and prices, to the strengthening of controls on deliveries by imposing the obligation to provide delivery statistics not only on steel undertakings, but also on steel traders; therefore requests the Commission and the Permanent Representatives Committee to study as soon as possible the technical arrangements for applying such controls for traders with a view to enabling it to give its assent, pursuant to Article 95(1) of the ECSC Treaty, at its next meeting at the latest
- having carried out an initial examination of the Commission proposal on the enlargement of Annex I to the ECSC Treaty, requests the Permanent Representatives Committee and the Commission to study urgently and in greater depth all the aspects of the impact of an enlargement in order to be able to adopt a position, pursuant to Article 81 of the ECSC Treaty, at its next meeting at the latest.

External aspect

The Council took note of a report by Vice-President DAVIGNON on the progress made in the talks between the Commission and the steel-supplying countries in the light of the voluntary restraint arrangements for 1983.



UNIFORM ELECTORAL PROCEDURE

The Council examined the questions still outstanding with regard to the draft Act concerning a uniform electoral procedure, in particular the principle of a proportional representation system and the content of the right of nationals of Member States to vote and to stand for election.

The Council instructed the Permanent Representatives Committee to continue its work on this question in the light of today's discussions with a view to preparing further discussion by the Council at its meeting on 24 and 25 January 1983.

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SPANISH ACCESSION

The 13th meeting of the Conference at Ministerial level for the accession of Spain to the European Communities was also held on the occasion of this Council meeting. The Spanish delegation was led by Mr Fernando MORAN, the Spanish Minister for Foreign Affairs.

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REVISION OF THE JRC PROGRAMME FOR 1983: THE SUPER SARA PROJECT

In the light of the latest proposals presented by the Commission, the Council examined afresh the problems arising with regard to continuation of the Super SARA project as part of the Joint Research Centre Programme.

Following this discussion, the Council drew the following conclusions:

- (1) The Research Council will revert to the matter at its meeting on 8 February 1983.
- (2) The Commission will, in time for this Council, obtain the advice of three independent experts in the field of nuclear reactor safety on the following points:
  - (a) Is Super SARA a significant contribution from a Community point of view in the field of reactor safety, having regard to research taking place in Europe and elsewhere?
  - (b) The compatibility of costs with expected results from the Super SARA project, and an evaluation of the risks of cost overruns.

The three independent experts will consider any contributions submitted by Member Governments

- (3) The Commission will prepare, in time for the Research Council of 8 February, proposals for possible alternative research activities at the Joint Research Centre, of a similar level of resources to those envisaged for the Super SARA project.

JAPAN

The Council, at the end of an intensive debate, has reached the following conclusions:

The Council examined the question of relations with Japan against the background of its discussion in Luxembourg on 25/26 October 1982, and on the basis of the communication of the Commission of 30 November 1982 and of the report of the high level working party on Japan of 6 December 1982.

The Council underlined the vital necessity that European industries keep and continuously improve their international competitiveness. The Council agreed that the creation of conditions inside the Community which would permit industry fully to exploit the advantages of a single market and to enhance economies of scale, was highly relevant in this context. The Council shared the view of the Commission on the need for intensified industrial co-operation, standardization and research and development within the Community.

Noting the lack of a satisfactory solution in the consultations conducted so far with Japan under GATT Article XXIII paragraph 1, and that there has been no substantial progress in opening up of the Japanese market, while the continuous pressure of Japanese exports to the Community market represents an important threat to certain industrial sectors in the Community, the Council stressed the necessity to take appropriate action immediately. To that purpose the Council decided as follows:

- the Community will now avail itself of the procedure laid down under Article XXIII paragraph 2, seeking the setting up of a working party by the Contracting Parties of the GATT to consider the issues which the Community has raised. The timing, modalities and detailed character of the action to be undertaken by the Community in the GATT will be finalized by the Commission in consultation with the Article 113 Committee.
- at the same time, the Commission will continue in consultation with the Article 113 Committee to pursue vigorously with the Japanese authorities the revised list of requests of 19 November 1982 for the further opening of the Japanese market;
- in order to allow the process of structural adjustment already in progress within the Community to be successfully completed, the Commission will renew the Community's request to the Japanese authorities to provide tangible assurances that from 1983 onwards, Japan will pursue a policy of clearly defined and effective moderation towards the European Community as a whole as regards sectors where pressure of Japanese exports to the Community would cause significant problems. The Commission will make a report to the Council at its session of 24/25 January 1983.

The Council took note of the Commission's intention, in consultation with the Member States, to prolong and where necessary extend the present system of statistical surveillance of certain imports from Japan. In this context the Commission declared its willingness, in particular when so requested by Member States, to initiate safeguard investigations for sensitive products under the conditions of the EEC Regulation 288/82.

The Council reiterated its earlier conclusion that the yen should reflect the fundamental strength of the Japanese economy.

MFA

The Council was informed by the Commission that it had been possible to initial bilateral agreements with 26 countries out of the envisaged total of 27, in full respect of the negotiation directives including the global ceilings.

Consequently, the Council decided that the Community should continue to participate in the Multifibre Agreement (AMF).

Regarding Argentina with which it had not been possible to reach agreement, the Council decided on measures in order to ensure that the imports from this country in 1983 will not exceed their 1982 levels.

The Council expressed its appreciation of the way in which the Commission had conducted these negotiations.

REACTIVATING THE INTERNAL MARKET

Following the conclusions of the European Council on 3 and 4 December 1982, the Council held a policy debate on the organization of its discussions on the matters dealt with in the Commission communication on reactivating the internal market.

The Council instructed the Permanent Representatives Committee to continue discussing the subject in the light of today's debates and to report back to it for its meeting on 24 and 25 January 1983.

1970 EEC-SPAIN AGREEMENT

The Council took note of a statement by Vice-President NATALI on the application of the 1970 agreement with Spain and noted the comments made by the delegations.

The Council noted that the Commission planned to have talks with the Spanish delegation on the subject and to report to the next Council meeting.

COMMUNITY TARIFF QUOTA FOR NEWSPRINT

The Council agreed to the opening of a Community tariff quota of 2,500,000 tonnes of newsprint for 1983.

OTHER DECISIONS

The Council adopted in the official languages of the Communities the Decisions:

- adopting a concerted action project for the European Economic Community in the field of shore-based maritime navigation aid systems;
  - relating to the co-ordination of the activities of the Member States and Community institutions with a view to assessing the need for a Community inter-institutional information system and preparing proposals for setting up such a system.
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PRESS RELEASE

11821/82 (Presse 193)

813th Council meeting

- Agriculture -

Brussels, 13 and 14 December 1982

President: Mr Niels Anker KOFOED

Minister for Agriculture  
of the Kingdom of Denmark



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

Belgium:

Mr Paul de KEERSMAEKER  
State Secretary for  
European Affairs and  
Agriculture

Denmark:

Mr Niels Anker KOFOED  
Minister for Agriculture  
Mr H.J. KRISTENSEN  
State Secretary  
Ministry of Agriculture

Germany:

Mr Hans-Jürgen ROHR  
State Secretary  
Federal Ministry of Food,  
Agriculture and Forestry

Greece:

Mr Costas SIMITIS  
Minister for Agriculture

France:

Mrs Edith CRESSON  
Minister for Agriculture

Ireland:

Mr James O'MAHONY  
Secretary,  
Department of Agriculture

Italy:

Mr Calogero MANNINO  
Minister for Agriculture  
Mr Mario CAMPAGNOLI  
Secretary at the  
Ministry of Agriculture

Luxembourg:

Mr Jean RIES  
Director at the Ministry of  
Agriculture, Viticulture,  
Lakes, Rivers and Forests

Netherlands:

Mr G. BRAKS  
Minister for Agriculture and  
Fisheries

United Kingdom:

Mr Peter WALKER  
Minister for Agriculture,  
Fisheries and Food  
Mr Alick BUCHANAN-SMITH,  
Minister of State,  
Ministry of Agriculture,  
Fisheries and Food

Commission:

Mr Poul DALSAGER - Member

ADJUSTMENT OF THE "ACQUIS COMMUNAUTAIRE" FOR MEDITERRANEAN PRODUCTS

The Council held an exchange of views on the brief given to it by the European Council meeting in Copenhagen on 3 and 4 December 1982, to complete urgently and before March 1983 the revision of existing rules for certain Mediterranean agricultural products on the basis of Commission proposals.

The Council concluded by agreeing to resume its examination of the whole matter at its next meeting.

ESTIMATES FOR BEEF AND VEAL AND FOR YOUNG BOVINE ANIMALS

On the basis of a compromise proposal by the Presidency taken up by the Commission, the Council decided to authorise imports in 1983 of:

= 60,000 tonnes of meat intended for the processing industry, comprising 30,000 tonnes without the levy and 30,000 with a levy which the Commission intends to set at 45% of the normal levy;

= young male bovine animals weighing 300 kg or less intended for fattening, as follows:

.. Quota of 237,000 head: 205,000 for Italy;  
30,000 for Greece;  
2,000 for the other Member States.

VETERINARY QUESTIONS

As regards the various problems arising in the veterinary sector, the Council expressed sympathy for a compromise extending for one year the derogations granted to Ireland, the United Kingdom and Denmark in 1976 for live animals and fresh meat, without prejudice to the Opinion of the European Parliament on the foot-and-mouth-disease derogations.

The Council will take its decision in the light of the European Parliament's Opinion and will adopt the Decision by the most appropriate and rapid means once the customary finalization of the texts has taken place.

On the basis of a report from the Permanent Representatives Committee, the Council also held a wide-ranging policy debate on current progress in work in the veterinary sector.

Following this debate, it was noted that the texts on the health problems connected with intra-Community trade in fresh meat, and the problems relating to imports of animals and fresh meat from third countries could, in view of a number of compromise suggestions, elicit consensus on the part of most delegations.

The Council agreed to make every effort to take a final decision on this issue as a whole before 15 February 1983.

AGRI-MONETARY SECTOR

The Council agreed to continue examining this dossier at a later date.

Pending more detailed discussion, the Council agreed on the extension until 31 January 1983 of Regulation No 652/79 on the introduction of the ECU into the common agricultural policy.

At the same time the Council adopted, with effect until the end of January 1983, two amendments to the existing agri-monetary rules: the first related to the possibility of adjusting the level of structural aid expressed in ECU so as to preclude a reduction in national currency of the amounts in question as a result of the revaluation of a green rate; the second makes it possible for a producer Member State which does not apply negative MCAs not to apply in the wine sector the reduction in MCAs currently laid down for cases where two Member States with depreciated currency are to apply MCAs.

IMPORTS OF NEW ZEALAND BUTTER INTO THE UNITED KINGDOM

While it did not call into question the agreement of principle entered into on 19 and 20 October 1982, the Council discussed the procedure to be followed now that two delegations have opposed the adoption of the proposal in question as an "A" item.

The Council also agreed to carry over until its next meeting discussion of the guidelines to be followed for the negotiation with certain third countries of framework agreements on the multiannual supply of agricultural products and the laying down of minimum standards for the protection of laying hens kept in battery cages.

MISCELLANEOUS STATEMENTS

The Council heard Commission statements and/or replies on the following questions:

- Statement from the Commission on the sugar market situation
- Information from Mr DALSAGER on the Commission's meeting with United States representatives on 10 December 1982
- Tariff classification of imports of manioc from Thailand (Netherlands delegation)
- Special measures for peas and field beans (differential amounts) (United Kingdom delegation)
- Transfer of 10,000 tonnes of milk powder to Italy (Italian delegation)
- Problem concerning maize seed (French delegation)

## MISCELLANEOUS DECISIONS

### Other agricultural decisions

The Council adopted in the official languages of the Communities the Regulations:

- fixing for 1983 the quantity of oil seeds and vegetable oils for which the Hellenic Republic is authorized to apply an import control system;
- amending Regulation (EEC) No 2764/77 extending the period for which Class III may be applied in respect of certain fruit and vegetables;
- fixing for the 1983/1984 milk year the guideline figure for the fat content of standardized whole milk imported into Ireland and the United Kingdom;
- fixing the activating prices for table wines for the period 16 December 1982 to 15 December 1983.

### Fisheries

The Council adopted in the official languages of the Communities

- the Regulations
    - = fixing the guide prices for the fishery products listed in Annex I (A) and (D) to Regulation (EEC) No 3796/81 for the 1983 fishing year;
    - = fixing the guide prices for the fishery products listed in Annex II to Regulation (EEC) No 3796/81 for the 1983 fishing year;
    - = fixing the Community producer price for tuna intended for the canning industry in the 1983 fishing year.
  - the Decision concerning the conclusion of the Convention for the Conservation of Salmon in the North Atlantic Ocean.
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**PRESS RELEASE**  
11954/82 (Presse 196)

814th meeting of the Council

- Transport -

Brussels, 16 December 1982

President: Mr Arne MELCHIOR,  
Minister for Public Works  
of the Kingdom of Denmark

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

Belgium:

Mr Herman de CROO  
Minister for Transport  
and for Posts and  
Telecommunications

Denmark:

Mr Arne MELCHIOR  
Minister for Public Works

Germany:

Mr Werner DOLLINGER  
Federal Minister for Transport

Greece:

Mr Nicholaos AKRITIDIS  
Minister for Public Works

France:

Mr Charles FITERMAN  
Minister of State,  
Ministry of Transport

Ireland:

Mr Jim MITCHELL  
Minister for Transport and  
Communications

Italy:

Mr Nicolo GRASSI-BERTAZZI  
State Secretary,  
Ministry of Transport

Luxembourg:

Mr Jean MISCHO  
Deputy Permanent Representative

Netherlands:

Mrs N. SMIT-KROES  
Minister for Transport  
and Public Works

United Kingdom:

Mrs Lynda CHALKER  
Parliamentary Secretary,  
Ministry of Transport

Mr Iain SPROAT  
Under-Secretary of State,  
Department of Trade

Commission:

Mr Georges CONTOGEORGIS  
Member



SITUATION AS REGARDS THE COMMON TRANSPORT POLICY

The Council took note of the statements by a number of delegations and by Mr CONTOGEOGRIS, member of the Commission, on ways and means of promoting the development of the common transport policy.

WEIGHTS AND DIMENSIONS OF COMMERCIAL ROAD VEHICLES

The Council noted the progress made in the course of the work carried out since its meeting on 10 June 1982. It also took note of certain suggestions put forward with a view to resolving, inter alia, the problem of the maximum weight of vehicles. Following a brief exchange of views on these suggestions, the Council instructed the Permanent Representatives Committee to continue examining the issue in the light of the comments made during the discussion and to report back to it at the earliest opportunity.

TRANSPORT INFRASTRUCTURE

- Limited financial support

The Council signified its agreement to a proposal for a Regulation on the granting of limited financial support in the field of transport infrastructure. Under this proposal, the Community will grant its financial support, within the limit of the 10 MECU available in appropriations from the 1982 budget, to the following three transport infrastructure projects:

Work in connection with:

- Italy - Domodossola marshalling and customs-clearance yard, in order to increase the capacity of the Simplon railway line. This work will dovetail with the work carried out by the Swiss to double the capacity of the Lötschberg line.
- Greece - the Klidi-Axios section of the Evzoni-Volos road. This project is aimed at improving the roads linking Evzoni and Igoumenitsa to the ferry ports of Volos and Kalamata, thus making it possible for all the overland routes of Western Europe to be linked with the Mediterranean and, from there, the Middle East. The project relates to the construction of a fast road from Evzoni to Volos and in particular the widening of the carriageway between Klidi and Axios.
- United Kingdom/  
France - fixed cross-Channel link - work on technical aspects, to facilitate appraisal of the project by the banks.
- This project is directed towards a study on possible means of financing the construction of a fixed link across the Channel; such a study would constitute an important step towards the achievement of that link.

The Commission will, in agreement with the Member States concerned, take the measures necessary for the application of the Regulation and will, on completion of the work supported by the Community, submit a report to the Council.

- Multianual programme

Following the invitation he received from the Council at its meeting on 10 June 1982 (<sup>1</sup>), Mr CONTOGEOORGIS, Member of the Commission, commented on the communication forwarded to the Council by the Commission on 10 December 1982, concerning an experimental transport infrastructure programme covering the period 1983 to 1987.

The Council instructed the Permanent Representatives Committee to study this programme and to report back to it for its next meeting on transport questions.

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(<sup>1</sup>) See 7559/82 (Presse 74), page 6.

FACILITATION OF FORMALITIES AND INSPECTIONS IN RESPECT OF THE CARRIAGE OF GOODS BETWEEN MEMBER STATES

In the light of the draft Directive as set out by the Permanent Representatives Committee and on the basis of a Note from the Presidency, the Council held a general discussion on certain issues of principle to which the proposed Directive on this matter gave rise.

This facilitation of formalities and inspections forms part of the programme of priority measures adopted by the Transport Council on 26 March 1981, and is among the priority goals recommended by the European Council in Copenhagen on 3 and 4 December 1982 as a means of strengthening the internal market.

The Council agreed to instruct the Permanent Representatives Committee to do its utmost to enable a decision to be reached on the matter as soon as possible.

FORMATION OF RATES FOR THE CARRIAGE OF GOODS BY ROAD BETWEEN MEMBER STATES

The Council took note of a report from the Presidency on the progress of proceedings on the proposal for a Regulation on the formation of rates for the carriage of goods by road between Member States. The Council instructed the Permanent Representatives Committee to continue examining the proposal.

SHUTTLE SERVICES

The Council approved a Decision authorizing the Commission to negotiate an agreement between the Community and third countries which are members of the European Conference of Ministers of Transport (ECMT), with a view to establishing uniform arrangements for international shuttle services by coach and bus. Such an Agreement should be based on Regulation (EEC) No 516/72, under which common rules were introduced for international passenger transport by bus and coach.

Such an Agreement would, in common with the ASOR Agreement, simplify administrative formalities, eliminate distortions of competition, encourage the rational and efficient development of transport services on a European scale and improve collaboration with the ECMT countries.

NEGOTIATIONS WITH AUSTRIA IN THE FIELD OF TRANSPORT

The Council heard a verbal report from the Commission on progress in the negotiations with Austria in the field of transport. The exchange of views which ensued revealed the political interest there was in the successful pursuit of those negotiations.

INTERNATIONAL RAILWAY CO-OPERATION

The Council took note of a verbal report from the Commission concerning progress in its work on international railway co-operation. The Commission's report will form part of the work to be done in connection with the Council Resolution on railway policy adopted in December 1981 (see press release 11770/81 (Presse 169) of 15 December 1981).

The report takes stock of the work currently in hand at the Commission as a result of the invitation to it from the Council on 10 June 1982 to continue its proceedings and to submit to the Council at the earliest opportunity specific proposals to strengthen international railway co-operation.

COMMUNITY QUOTA FOR THE CARRIAGE OF GOODS BY ROAD BETWEEN MEMBER STATES

The Council decided to extend the system of short-term authorizations introduced under Regulation (EEC) No 2964/79, and made that system permanent.

The Council also agreed that the ceiling for short-term authorizations should be increased to 15% of the total quota of the Member States concerned. However, following a detailed discussion the Council recorded that it was not in a position to increase the Community quota.

The Council recalled that it was, moreover, awaiting with interest the Commission proposal promised for early 1983 concerning in particular a new method of calculation for increasing and allocating the Community quota.

STANDARDIZATION OF CERTAIN RULES RELATING TO AUTHORIZATIONS FOR THE CARRIAGE OF GOODS BETWEEN MEMBER STATES

In the course of a policy debate, the Council noted that there was broad agreement on the substance of the problem covered by a proposal for a Directive aimed at reducing the administrative difficulties experienced with removals effected by road. Concluding its discussion, the Council asked the Permanent Representatives Committee to continue examining the problem.

INTER-REGIONAL SERVICES

The Council made a detailed examination of the proposal for a Directive concerning the authorization of scheduled inter-regional air services for passengers, mail and cargo between Member States.

The Council was able to align positions on a number of points. In concluding its proceedings the Council asked the Permanent Representatives Committee to continue active examination of the problems still unresolved so that final overall agreement could be reached in the near future.

MISCELLANEOUS STATEMENTS

The Council heard a statement on:

- the limitation of noise and exhaust emission from road vehicles (German delegation).

OTHER DECISIONS ON TRANSPORT

ASOR

The Council adopted a Regulation concerning the implementation of the Agreement on the international carriage of passengers by road by means of occasional coach and bus services (ASOR). This Agreement was adopted in Dublin on 26 May 1982 and approved by the Community on 12 July 1982 (see Press Release 7559/82 (Presse 74), 10.6.1982, page 13).

The Regulation determines the respective responsibilities of the Council, the Commission and the Member States for the implementation of the Agreement. The competent authorities of the Member States are entrusted with the task of overseeing the application of the ASOR;

The Commission will, in accordance with the Treaty, ensure that the Agreement and the ASOR are applied, and will maintain liaison between the Community and the Member States on the one hand and the remaining contracting parties on the other. Any decision on revising or denouncing the ASOR will be a matter for the Council.

Shipping information system

The Council adopted a Decision extending until 31 December 1984 the collection of information concerning the activities of carriers participating in cargo liner traffic between the Member States and East Africa, Central America and the Far East. The collection of information on these activities was introduced by Council Decisions Nos 79/4/EEC, 80/1181/EEC and 81/189/EEC.



PRESS RELEASE

11938/82 (Presse 195)

815th meeting of the Council

- Budget -

Strasbourg, 15 and 16 December 1982

President: Mr Otto MØLLER,  
State Secretary,  
Ministry of Foreign Affairs  
of the Kingdom of Denmark

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

Belgium:

Mr Paul de KEERSMAEKER  
State Secretary for  
European Affairs and Agriculture

Denmark:

Mr Otto MØLLER  
State Secretary,  
Ministry of Foreign Affairs

Germany:

Mr Hans TIETMEYER  
State Secretary,  
Federal Ministry of Finance

Greece:

Mr Panayiotis ROUMELIOTIS  
State Secretary,  
Ministry of Finance

France:

Mr André CHANDERNAGOR  
Minister attached to the  
Foreign Secretary,  
responsible for European Affairs

Ireland:

Mr John SWIFT  
Deputy Permanent Representative

Italy:

Mr Carlo FRACANZANI  
State Secretary,  
Ministry of the Treasury

Luxembourg:

Mr Ernest MÜHLEN  
State Secretary,  
Ministry of Finance

Netherlands:

Mr W.F. van EEKELEN  
State Secretary,  
Ministry of Foreign Affairs,  
with responsibility for  
European Affairs

United Kingdom:

Mr Nicolas RIDLEY  
Financial Secretary to the  
Treasury

Commission:

Mr Christopher TUGENDHAT  
Vice-President

DRAFT GENERAL BUDGET FOR THE FINANCIAL YEAR 1983 AND DRAFT  
SUPPLEMENTARY AND AMENDING BUDGET No 1 FOR THE FINANCIAL YEAR 1982

The Council discussed the draft general budget for 1983 in the light of the second reading by the European Parliament's Committee on Budgets and also draft supplementary and amending budget No 1 for the financial year 1982 as it stood after the European Parliament's first reading and in the light inter alia of Parliament's Resolution ("Barbarella") adopted on 14 December.

The Council held several meetings on the matter with a European Parliament delegation led by Mr DANKERT, President of the European Parliament. The delegation also included the following persons: Mr LANGE, Chairman of the Committee on Budgets, Mr NOTENBOOM, 1st Vice-Chairman of the Committee on Budgets, Mrs BARBARELLA, 2nd Vice-Chairman of the Committee on Budgets and Rapporteur on supplementary and amending budget No 1/82, Mr Robert JACKSON, Rapporteur on Section III of the 1983 Budget, Mr SABY, Rapporteur on other sections of the 1983 Budget, Mr AIGNER, Chairman of the Committee on Budgetary Control, Mr ANSQUER, Mr BONDE and Mrs SCRIVENER, Members of the Committee on Budgets.

The problems raised by the European Parliament in the Barbarella Resolution were discussed in depth at these meetings.

At the last meeting the Council offered the Parliament delegation an overall compromise involving essentially the following:

With respect to the supplementary and amending budget for 1982:

- in reply to point 7 of the Barbarella Resolution, the Council would make the following statement:

"The Council shares the view of the European Parliament as to the importance and urgency of finding, in the context of the development of common policies, a lasting solution to the Community's internal imbalances, which will enable subsequent recourse to ad hoc budgetary measures to be avoided in line with the Parliament's wishes.

In this connection, the Commission has furthermore announced that it will be submitting proposals to the Council and to the European Parliament on a system of financing suited to an enlarged Community."

- With respect to the European Parliament's request for the special measures to be restored to the context of existing common policies, the Council stated its readiness, within the framework of an overall agreement, to accept the amendment (No 9) concerning Community energy development programmes (21 MECU).
- As regards Parliament's insistence on effective monitoring of expenditure under the special measures, the United Kingdom stated its willingness to provide Parliament with six-monthly reports on the utilization of the amounts received under the special measures and to arrange for on-the-spot checks by the European Parliament's Committee on Budgetary Control.
- The Council was unable to accept Parliament's other amendments concerning the draft supplementary and amending budget for 1982. The Council asked the European Parliament to give its Opinion at this part-session on the two Regulations needed to implement the special measures concerned.

As far as the 1983 budget was concerned, the Council was prepared to agree to 70% of the amounts resulting from the proposals for amendments submitted to Parliament by the Committee on Budgets for the final vote on the 1983 budget.

The European Parliament delegation reacted negatively to the Council's offer. The Council expressed its disappointment at the position adopted by the European Parliament delegation.

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PRESS RELEASE

11998/82 (Presse 197)

816th meeting of the Council  
- Economic and Financial Questions -  
Brussels, 17 December 1982  
President: Mr Henning CHRISTOPHERSEN,  
Minister for Finance of  
the Kingdom of Denmark

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

Belgium:

Mr Paul NOTERDAEME  
Ambassador,  
Permanent Representative

Denmark:

Mr Henning CHRISTOPHERSEN  
Minister for Finance  
Mr Anders ANDERSEN  
Minister for Economic Affairs

Germany:

Mr Otto SCHLECHT  
State Secretary,  
Federal Ministry of  
Economic Affairs  
Mr Hans TIETMEYER  
State Secretary,  
Federal Ministry of Finance

Greece:

Mr Nikos DIMADIS  
Ambassador  
Permanent Representative

France:

Mr Jacques DELORS  
Minister for Economic Affairs  
and Finance

Ireland:

Mr Alan DUKES  
Minister for Finance

Italy:

Mr Giovanni GORIA  
Minister of the Treasury

Luxembourg:

Mr Ernest MÜHLEN  
State Secretary,  
Ministry of Finance

Netherlands:

Mr H. RUDING  
Minister for Finance

United Kingdom:

Sir Geoffrey HOWE  
Chancellor of the Exchequer

Commission:

Mr Gaston THORN - President  
Mr François-Xavier ORTOLI - Vice-President  
Mr Christopher TUGENDHAT - Member

ANNUAL REPORT ON THE ECONOMIC SITUATION

Following an introductory statement by Mr ORTOLI, the Council held its third quarterly examination of the economic situation in the Community.

Following this examination, it adopted the annual report on the economic situation in the Community and laid down economic policy guidelines for 1983 to be followed by the Member States.

BUDGETARY CONSTRAINTS AND ECONOMIC CONVERGENCE

The Council held a first discussion on the Commission communication concerning budgetary constraints and economic convergence at its July meeting, and it held a further examination at this meeting on the problems raised by the communication in the light of an oral report given by Mr ORTOLI on developments in the situation in this field.

INTERNATIONAL MONETARY QUESTIONS

The Council examined certain international monetary questions, in particular the position of the Member States of the Community with regard to the increase in IMF quotas.



THE BUDGET SITUATION

The Council confirms that it will respect the commitments contained in the conclusions of the Council of 26 October 1982.

The Council commits itself to use the budgetary means which are available at the end of 1982 for this purpose as a priority.

The Council notes that

- the Commission has declared that these means are sufficient for this purpose,
- the Commission will take steps to ensure that the two countries concerned will not be put in a worse position than intended under the conclusions of 26 October 1982,
- the Commission will shortly make preparations for initiating in the first days of 1983 the procedures necessary to fulfill the commitments contained in the conclusions of 26 October 1982,
- the Commission will elaborate a work programme for the development of the Community's policies.

SIXTH COMPANY LAW DIRECTIVE: DIVISIONS OF PUBLIC LIMITED LIABILITY COMPANIES

The Council adopted in the official languages of the Communities the sixth company law Directive based on Article 54(3)(g) of the Treaty, concerning the harmonization of the rules on the division of public limited liability companies subject to the law of one and the same Member State.

This Directive aims to co-ordinate the procedures and the effects of division and similar operations with a view to establishing throughout the Community an equivalent level of protection for members, creditors and employees of companies participating in such operations.

The Directive comes within the framework of Directives already adopted or envisaged (see Annex) in the field of company law. In particular, it supplements the third Directive on mergers of public limited liability companies, Article 21 of which was initially intended to lay down provisions which would also apply to divisions (see Annex). However, it became clear that certain amendments were needed to take account of the special nature of division operations, particularly the special risks which could result for shareholders and creditors where the assets and liabilities of the company undergoing division were divided amongst several other companies.

The various provisions of the Directive, which will have to be carried over into the individual national laws authorizing such operations, define division operations by acquisition and by the formation of new companies, fix minimum requirements to be laid down for the content, publication and supervision of draft terms of division to be drawn up by the administrative or management bodies of the companies concerned, organize the rights of shareholders, debenture-holders and creditors of these companies, and lay down special conditions for nullity rules for divisions <sup>(1)</sup>.

Certain special rules are provided where division operations take place under the supervision of a judicial authority, in particular in the case of common law proceedings, and also where companies benefiting from the transfer of the assets and liabilities of the divided company were already the holders of all the latter's shares.

Thus, co-ordination of the laws of the Member States has now been achieved in the two areas, namely the merger and the division of public limited liability companies; the practical significance of this is clearly very great when it comes to operations for restructuring undertakings.

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<sup>(1)</sup> The Member States are permitted to adopt in the form of a single piece of legislation the measures necessary for implementing the "merger" Directive and the "division" Directive.

Directives on company law

1. Directives already adopted:

- First Directive (68/151/EEC of 9 March 1968) co-ordinating national provisions on disclosure validity of obligations entered into by, and nullity of public limited liability and limited liability companies;
- Second directive (77/91/EEC of 13 December 1976) on the formation of public liability companies and the maintenance and alteration of their capital;
- Third Directive (78/855/EEC of 9 October 1978) on mergers of public limited liability companies;
- Fourth Directive (78/660/EEC of 25 July 1978) on the annual accounts of certain types of companies.

2. Proposed Directives:

- Fifth Directive on the structure of sociétés anonymes and the powers and obligations of their organs;
- Seventh Directive on consolidated accounts;
- Eighth Directive on the approval of persons responsible for carrying out statutory audits of the annual accounting documents of certain types of companies;
- Ninth Directive on groups of undertakings.

3. Place of the Directive on division:

The Directive on division has been labelled the sixth Directive on company law to preserve the consistency of the numbering without interfering with the order with which all legal experts are already quite familiar.

MISCELLANEOUS DECISIONS

Further economic question

The Council adopted in the official languages of the Communities the Decision concerning the extension of the machinery for medium-term financial assistance (until 31 December 1984).

Commercial policy and customs union

The Council adopted in the official languages of the Communities the Regulation amending Regulation (EEC) No 3286/80 on import arrangements in respect of State-trading countries.

The Representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council, adopted in the official languages of the Communities the Decision on certain measures to be applied, in respect of State-trading countries, to trade in iron and steel products covered by the ECSC Treaty, including pig iron, cast iron and high-carbon ferro-manganese.

The Council and the Representatives of the Governments of the Member States meeting within the Council also adopted a Regulation and a Decision respectively laying down the arrangements applicable to EEC/ECSC trade between Greece and Algeria consequent on the accession of Greece to the Communities.

Finally, the Council adopted in the official languages of the Communities the Regulations:

- opening, allocating and providing for the administration of a Community tariff quota for newsprint falling within subheading 48.01 A of the Common Customs Tariff (1983) and extending this quota to include certain other types of paper;
- amending for the third time Regulation (EEC) No 222/77 on community transit.

Research

The Council adopted in the official languages of the Communities the Community-COST co-operation agreements relating to concerted action projects in the fields of:

- the physico-chemical behaviour of atmospheric pollutants (COST project 61a bis)
- the analysis of organic micropollutants in water (COST project 64b bis).

Approximation of laws

The Council adopted in the official languages of the Communities the Council Regulation amending 17 directives on the approximation of the laws of the Member States relating to wheeled agricultural or forestry tractors.

Declaration regarding United Kingdom nationals

The Council and the Representatives of the Governments of the Member States took note of a declaration by the United Kingdom defining the term "nationals" in relation to the United Kingdom for the purposes of the Treaties and Community legislation.

Appointments

On a proposal from the Danish government, the Council appointed Konsulent Knud OVERGAARD-HANSEN, Direktoratet for arbejdstilsynet, an alternate member of the Advisory Committee on Safety, Hygiene and Health Protection at Work to replace Mr Henrik NEPPER-CHRISTENSEN, alternate member, who has resigned, for the remainder of the latter's term of office, i.e. until 1 April 1985.

On a proposal from the Irish government, the Council appointed Mr Brendan O'RIORDAN, Principal Officer, a member of the Advisory Committee on Vocational Training, to replace Mr C. O'FEINNEADHA, member, who has resigned, for the remainder of the latter's term of office, i.e. until 16 September 1983.

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PRESS RELEASE

12116/82 (Presse 200)

817th Council meeting

- Fisheries -

Brussels, 21 December 1982

President: Mr Otto MØLLER,  
State Secretary,  
Ministry of Foreign Affairs  
of the Kingdom of Denmark



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

Belgium:

Mr Paul de KEERSMAEKER  
State Secretary, European  
Affairs and Agriculture

Germany:

Mr Josef ERTL  
Federal Minister for Food,  
Agriculture and Forestry

Mr Hans-Jürgen ROHR  
State Secretary,  
Federal Ministry of Food,  
Agriculture and Forestry

France:

Mr Louis le PENSEC  
Minister of the Sea

Italy:

Mr Giovanni NONNE  
State Secretary,  
Ministry of Shipping

Netherlands:

Mr G.J.M. BRAKS  
Minister for Agriculture  
and Fisheries

Denmark:

Mr Henning GROVE  
Minister for Fisheries

Mr Otto MØLLER  
State Secretary,  
Ministry of Foreign Affairs

Mr Jørgen HERTOFT  
State Secretary,  
Ministry of Fisheries

Greece:

Mr Alexandre ZAFIRIOU  
Deputy Permanent Representative

Ireland:

Mr Patrick O'TOOLE  
Minister for Fisheries

Mr Michael D'ARCY  
Minister of State,  
Ministry of Fisheries

Luxembourg:

Mr Jean MISCHO  
Deputy Permanent Representative

United Kingdom:

Mr Peter WALKER  
Minister for Agriculture,  
Fisheries and Food

Mr George YOUNGER  
Secretary of State for Scotland

Mr Alick BUCHANAN-SMITH  
Minister of State,  
Ministry of Agriculture,  
Fisheries and Food

For the Commission:

Mr Gaston THORN - President

Mr Georges CONTOGEOURIS - Member

COMMON FISHERIES POLICY

The President of the Council noted that the Council had been unable to take a decision on the set of proposals from the Commission on the common fisheries policy. <sup>(1)</sup>

The Commission therefore drafted a statement containing the following:

Conservation of fishery resources has been the exclusive responsibility of the Community since 1 January 1979 (Article 43 of the Treaty and Article 102 of the Act of Accession) but the Community has still not, by today, 21 December 1982, succeeded in adopting a comprehensive conservation system.

In order to enable the Community to discharge its responsibilities with regard to conservation under these circumstances, the Commission recalls that the Member States not only have the right to adopt the necessary measures, subject to their approval by the Commission, but also have the duty to take these measures in the collective interest, this being a duty which the Commission can ask them to accept. As confirmed by the Court of Justice, these rights and duties flow from the Treaty, namely Article 5 (duty of co-operation among the Member States) and Article 155 (right and obligation of supervision by the Commission).

The Commission consequently calls upon all Member States:

- to notify it without delay of the national measures of conservation they plan to adopt;
- to confirm at the same time their intention to take the necessary action, at national level, to ensure that national measures of conservation planned, which the Commission approves, are complied with;
- to respect rigorously the provisions of Council Regulation No 2057/82 (control measures), and in particular Article 9 thereof.

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<sup>(1)</sup> Notwithstanding, the Commission's proposals as amended and supplemented following the Council's deliberations since October will stay tabled until the end of December 1982.

With a view to ensuring that the activities of the entire fishing fleet of the Member States are as orderly and stable as possible, the Commission will, in carrying out its responsibilities, and particularly when approving national conservation measures, act on the basis of the proposals <sup>(1)</sup> that it has submitted to the Council.

The Commission will ensure that the different national measures of conservation are as well co-ordinated as possible and requests the Member States' co-operation in this. The national measures must constitute a temporary system that is at once practicable, effective and non-discriminatory.

The Commission is determined to use all the means in its power to ensure that the Member States respect the obligations of which it has reminded them in this declaration.

"Roll over"

In this context the Commission tabled a proposal whereby the Member States would conduct their fisheries activities, as from 1 January 1983 until a Council decision was adopted on the subject, so as to take account of the TACs available to the Community as proposed by the Commission on 18 June 1982, as amended in the meantime or as modified at a later stage to take account of new scientific information.

Nine delegations have so far approved the proposal; one delegation will state its position soon.

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<sup>(1)</sup> The Commission's formal proposals already to hand and the amendments tabled today.

Structural policy

The Council approved a Regulation on an interim common measure for restructuring the inshore fishing industry and aquaculture. This Regulation, which is based on that adopted on 25 July 1978, provided for intervention by the EAGGF in a common measure for restructuring, modernizing and developing the inshore fishing industry and developing aquaculture. The Regulation provides inter alia for the Fund's participation in investment projects, on the one hand, to modernize or convert working fishing vessels work on which would cost at least 65,000 ECU per project, and, on the other hand, to construct, equip and modernize installations for farming fish, crustaceans and molluscs in salt water or brine. For each project the subsidy allocated from the Fund is to be 25% except in Greece, Greenland, Ireland, Northern Ireland, in Italy the Mezzogiorno and in the French Overseas Departments and Territories where the subsidy will be 50%.

Community tariff quotas for certain fishery products coming from Canada (1983)

The Council has given its approval to the opening of a tariff quota for 1983 for certain frozen fish products coming from Canada, in particular redfish, cod, fillets of cod and prepared or preserved herring flaps.

External aspect

The Council approved the conclusion of the Agreement in the form of an Exchange of Letters provisionally applying the Agreement between the Government of the Republic of Guinea-Bissau and the European Economic Community amending the Agreement on fishing off the coast of Guinea-Bissau.

The Council also noted certain statements by the Member States and by the Commission concerning the consultations or negotiations with Norway, Sweden, Norway and Sweden (Skagerrak/Kattegatt), the Faroe Islands, Mauritania and Spain and the signing of the framework agreement with Finland.

MISCELLANEOUS DECISIONS

Other question concerning fisheries

The Council adopted in the official languages of the Communities a Decision amending Decision 78/640/EEC on financial participation by the Community in inspection and surveillance operations in the maritime waters of Denmark and Ireland.

Agriculture

The Council adopted in the official languages of the Communities a Directive on the notification of animal diseases within the Community.

Without prejudice to earlier undertakings entered into by the Member States vis-à-vis international organizations (in particular the International Office of Epizootics) as regards the notification of contagious animal diseases, this Directive lays down that Member States shall notify the Commission directly of:

- outbreaks of any of the main contagious animal diseases
- the removal - after eradication of the last outbreak - of restrictions in relation to the outbreak of any of those diseases.

The Council adopted in the official languages of the Communities estimates

- concerning beef and veal intended for the processing industry for the period 1 January to 31 December 1983 <sup>(1)</sup>
- concerning young male bovine animals weighing 300 kg or less and intended for fattening for the period 1 January to 31 December 1983. <sup>(1)</sup>

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<sup>(1)</sup> See Press Release No 11821/82 (Presse 193) of 13 and 14 December 1982.

The Council adopted in the official languages of the Communities a Decision on a financial contribution from the Community to the campaign against foot-and-mouth disease in South-East Europe.

The Council also adopted in the official languages of the Communities a Directive amending Directives 64/432/EEC and 72/461/EEC as regards certain measures relating to foot-and-mouth disease and swine vesicular disease. <sup>(1)</sup>

Finally, the Council adopted in the official languages of the Communities Regulations:

- determining the quantity of New Zealand butter which the United Kingdom is authorized to import in 1983 and revising the import levy for New Zealand butter (7250 tonnes - levy = 84.36 ECU/100 kg);
- amending Regulation (EEC) No 2099/82 in respect of the date on which the Italian intervention agency takes over the skimmed-milk powder (1 April 1983 instead of 1 January 1983);
- concerning the import system applicable to certain non-member countries in the sheepmeat and goatmeat sector.

#### Food aid

The Council adopted in the official languages of the Communities:

- a Decision concluding a Convention amending the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) on aid to refugees in the Middle East. The amended Convention is a response inter alia to UNRWA's request for a financial contribution by the Community to UNRWA's education programme for Palestine refugees;
- a Regulation on the supply of skimmed-milk powder as food aid to the United Nations Relief and Works Agency for Palestine Refugees in the Middle East (UNRWA);
- a Regulation amending Regulation (EEC) No 1040/82 on the supply of milk fats to certain developing countries and specialized bodies under the 1982 food aid programme.

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<sup>(1)</sup> See Press Release No 11821/82 (Presse 193) of 13 and 14 December 1982.

Commercial policy and customs union

The Council adopted in the official languages of the Communities,

- a Regulation on export arrangements for certain types of non-ferrous scrap;
- a Decision on the import quotas to be opened by the Member States in respect of State-trading countries in 1983.

The Council also adopted in the official languages of the Communities:

- Regulations:
  - = on temporary importation arrangements laying down the procedures and conditions whereby goods which are intended to remain temporarily in the customs territory of the Community and to be re-exported may be imported with total or partial relief from import duties;
  - = increasing the volume of the Community tariff quota opened by Regulation (EEC) No 1538/82 for certain eels falling within subheading ex 03.01 A II of the Common Customs Tariff,
- a Decision concerning the conclusion of the Agreement between the European Economic Community and the Republic of South Africa negotiated under Article XXVIII of the GATT.



Financial and technical aid to non-associated developing countries

The Council adopted in the official languages of the Communities a Decision determining the general guidelines for 1983 concerning financial and technical aid to non-associated developing countries.

These guidelines confirm that the requirements of the poorest countries and of the most needy sections of the population must form the basis for Community action and, in addition, that the Community must give priority to projects for agricultural and rural development, in particular those designed to improve the food situation, with a view to helping to combat hunger in the world.

Textiles

The Council adopted in the official languages of the Communities a Regulation making the importation into Greece of certain jute products originating in Bangladesh or India subject to quantitative limitations.

The Council also decided, subject to conclusion, to sign the Agreement between the European Economic Community and the Czechoslovak Socialist Republic on trade in textile products and the Agreement in the form of an exchange of letters.

Lastly, the Council decided, subject to conclusion, to sign the Additional Protocol to the Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia on trade in textile products consequent on the accession of the Hellenic Republic to the Community.

Relations with the EFTA countries

The Council adopted, in the official languages of the Communities, Regulations on the application of:

- Decisions Nos 1/82 of the EEC-EFTA countries Joint Committees amending, in relation to the heading No 84/59, list A annexed to Protocols Nos 3 concerning the definition of the concept of originating products and methods of administrative co-operation;
- Decisions Nos 2/82 of the EEC-EFTA countries Joint Committees supplementing Annexes II and III to Protocols Nos 3 concerning the definition of the concept of originating products and methods of administrative co-operation by the addition of alternative percentage rules for the products of Chapters 84 to 92 of the Customs Co-operation Council Nomenclature;
- Decision No 3/82 of the EEC/Norway Joint Committee amending protocols Nos 1 and 2 to the EEC/Norway Agreement.

Relations with the Mediterranean countries

The Council adopted, in the official languages of the Communities, a set of Regulations:

- concerning tariff quotas, ceilings or import arrangements for certain products originating in various Mediterranean countries (Turkey, Cyprus, Algeria, Morocco and Tunisia) (1983);
- introducing ceilings and Community supervision for certain products originating in Yugoslavia (1983);
- autonomously extending until 30 June 1983 the arrangements applicable to trade with Cyprus;
- extending until 30 June 1983 the arrangements applicable to trade with Malta;
- amending Regulation (EEC) No 2925/78 regarding the period of suspension of the application of the price condition to which imports into the Community of certain types of citrus fruit originating in Spain are subject.