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OPINIONS

of the committees asked for their opinions

for the Temporary Committee to consider the impact of the process of German unification on the European Community

on the proposal from the Commission to the Council for legislation concerning

'The Community and German unification'

(COM/90/400 final - Doc. C3-261 to 283/90)

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A Series. Reports - B series Motions for Resolutions, Oral Questions, Written Declarations, etc - C Series Documents received from other Institutions (e.g Consultations)

★ = Consultation procedure requiring a single reading

★★■ = Cooperation procedure (second reading) which requires the votes of the majority of the Members of Parliament

★★■ = Cooperation procedure (first reading)

★★★ = Parliamentary assent which requires the votes of the majority of the current Members of Parliament

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OPINION

(Rule 120 of the Rules of Procedure)

of the Political Affairs Committee

for the Temporary Committee to consider the impact of the
process of German unification on the European Community

Draftsman : Mrs CASSANMAGNAGO CERRETTI

At its meeting of 28 June 1990 the Political Affairs Committee appointed Mrs Cassanmagnago Cerretti draftsman.

At its meetings of 16 July and 20 September 1990 it considered the draft opinion.

At the latter meeting it adopted the conclusions by 12 votes to 1 with 2 abstentions.

The following took part in the vote : Crampton, acting chairman and first vice-chairman; Cassanmagnago Cerretti, draftsman; Bethell, Coates, Dillen, Ephremidis, Fernández Albor (for Ferrer pursuant to Rule 111(2)), Ford, Lagakos (for Pasmazoglou), Langer, Newton Dunn, Saby (for Cheysson), Sälzer (for Habsburg), Stavrou (for Klepsch) and Verde I Aldea.

Opinion by Mrs Cassanmagnago CERRETTI on behalf of the Political Affairs Committee for the Temporary Committee to consider the impact of the process of German unification on the European Community.

The Political Affairs Committee,

- having regard to the report by the Temporary Committee on the impact of the process of German unification on the European Community,

- A. whereas German unification represents an historic opportunity to overcome once and for all the division of Europe, to strengthen the political balance of Europe, the process of détente and peace and cooperation between European peoples and to consolidate democracy and pluralism throughout the European continent,
- B. having regard to the progress of the German unification process,
 1. Stresses the need for the process of German unification to coincide with the political strengthening of the European Community and its development towards a political union which includes foreign policy and security aspects;
 2. Stresses that German unification should take place on the basis of commitments to Atlantic solidarity as well as taking account of the legitimate goals of security and peace for all European countries, and welcomes the undertaking by the German authorities to confirm Germany's current eastern borders in a bilateral treaty with Poland;
 3. Welcomes the signing of the Treaty on German unification concluded in Moscow on 12 September 1990 between the two German states, the USA, the Soviet Union, France and the United Kingdom, as well as the spirit of openness and cooperation shown by Soviet President Mikhail Gorbachev and by the heads of state and plenipotentiaries of the negotiating states, which has made this agreement possible;
 4. Considers that within the framework of a European system of security and cooperation in which all the countries of Europe and the USA take part, the Conference on Security and Cooperation in Europe and the Atlantic Alliance will both play an essential part; at its current stage this role should be considered as complementary and not contradictory;
 5. Emphasizes that the decision for a unified Germany to belong to NATO should also be situated within the context of the significant process of transformation and adaptation of this alliance to the new international situation. To this end it regards as highly important the declaration made in London on 6 July 1990 by the Heads of State and Government of the Atlantic Alliance in which, as well as envisaging a change in the military doctrine of the Alliance, the following was proposed : the conclusion, within the framework of the CSCE, of negotiations to limit the offensive capacity of the armed forces in Europe, the adoption of a common declaration of non-aggression between NATO countries and current members of the Warsaw Pact and a request to the governments of the Soviet Union and other countries in Central and Eastern Europe to establish proper diplomatic relations with NATO;

6. Shares the prospect of development and institutionalization of the CSCE as a factor of stability and cooperation between the peoples of Europe and the United States; considers that the CSCE will be able to contribute to the strengthening of cooperation for peace and common security, in the interests of the freedom of all European peoples, through various forms of political cooperation, measures designed to protect human rights and the rights of minorities and the creation of a parliamentary forum for all member states of the CSCE which represent the democratically elected peoples of Europe;
7. Stresses that, whilst waiting for the intergovernmental conference to grant the European Community the necessary powers as regards foreign policy and security, EPC should form the most important part of the European Community's participation in everything affecting pan-European development, in close cooperation with the European Parliament;
8. Having regard to foreign relations, which the European Community will take over from the German Democratic Republic in most sectors which lie within its remit, underlines the political as well as economic importance of various agreements made by the German Democratic Republic within the framework of COMECON and in particular with the Soviet Union and with other countries and also notes that the majority of outline agreements concluded in the framework of COMECON and with other countries expire at the end of 1990. As a general principle it regards it as advisable that, following these agreements, the European Community and a unified Germany, in their respective areas of responsibility, apply a criterion aimed at reconciling the interests of the Community itself and a unified Germany with the interests of its various partners in accordance with those principles of solidarity and promotion of democracy which increasingly characterize the nature of the European Community and its international relations;
9. Having regard to the representation of citizens of the current German Democratic Republic within the European Parliament, draws attention to the proposal to grant observer status to representatives from the territories of the GDR after unification; recalls that the European Parliament has proposed that the question of the representation of East German citizens should be resolved 'in conjunction with the revision of the provisions of the relevant treaty, which should be undertaken before the next elections of the European Parliament'. In addition, it considers that, in so far as it is a European problem, democratic parliamentary representation for all citizens of Member States should be ensured by means of a uniform electoral law ensuring adequate representation of all European citizens in the European Parliament within the framework of the Community Treaties in force.

OPINION

(Rule 120 of the Rules of Procedure)

of the Committee on Agriculture, Fisheries and Rural Development

for the Temporary Committee to consider the impact of the
process of German unification on the European Community

Draftsmen : Mr COLINO SALAMANCA (Agriculture)
Mrs FERNEX (Fisheries)

At its meeting of 18/19 September 1990, the Committee on Agriculture, Fisheries and Rural Development appointed Mr Colino Salamanca draftsman for the regulations concerning agriculture and Mrs Fernex draftsman for the regulations concerning fisheries.

At its meeting of 18/19 September 1990 the Committee on Agriculture, Fisheries and Rural Development considered the draft opinions. At its meeting of 26/27 September 1990 it adopted the part concerning agriculture by 30 votes to 1 with 1 abstention and the part concerning fisheries unanimously.

The following were present for the vote: Colino Salamanca, chairman and draftsman; Borgo, vice-chairman; Fernex, draftsman (for Falqui); Böge (for Bocklet), Bourlanges, Domingo Segarra, Florenz (for Carvalho Cardoso), Friedrich (for Sonneveld), Funk, Görlach, Hoppenstedt (for Dalsass), Howell, Keppelhoff-Wiechert, McCubbin, Merz (for Saridakis), Morris (for Happart), Mottola, Partsch (for Graefe zu Baringdorf), Peijs (for Marck), Piquet, Rothe, Santos Lopez (for Blaney), Sanz Fernandez (for Livanos), Sboarina (for N. Pisoni), Sierra Bardaji, Simmonds, Stevenson, Thareau, Topman (for Woltjer), Vazquez Fouz, Verbeek, Wilson (for Gomes).

PART 1: AGRICULTURE

I. INTRODUCTION

1. The speed with which the German unification process has taken place and the tight deadlines that have been imposed have left little room for an in-depth study of the Commission proposals and the effects of integration.

However, when considering these proposals, our committee has been aware that a strong political will exists to achieve integration in as rapid and harmonious a manner as possible and to welcome over 800 000 farmers from the present GDR who will become part of the Community.

II. THE COMMISSION PROPOSALS: TRANSITIONAL MEASURES FOR A SPECIAL INTEGRATION PROCESS

2. The GDR has autonomously adopted a package of measures relating to agricultural prices and protection in respect of third countries. Together with the reciprocal liberalization of trade between the Community and the GDR, which has been in force since 1 August 1990, these measures mean that the Customs Union between the two parties has been achieved de facto, in the case of agricultural products, before German unification.
3. This somewhat anomalous situation was undoubtedly necessary, given that we are dealing with the problem of Community enlargement to include a territory in which the State will disappear on the day of German unification, and hence the former GDR will be unable to guarantee any transitional period. It will be up to newly unified Germany and its administration to take on these tasks.
4. By directly unifying prices and protection in respect of third countries, without passing through various stages, Germany will avoid the problem of having to administer two separate price areas. However, other problems will arise, such as supervising the many exceptions to the rules of the CAP which will be authorized in the territory of the GDR. It will also be of crucial importance to regulate inter-German trade in agricultural products until the end of the transitional period in order to avoid possible risks of distortion of competition arising from different treatment of feedingstuffs, seeds, plant health products, etc. and the use of certain inputs in the agri-foodstuffs industry.

In addition to this, other problems may arise from the possible movement of agricultural products from Eastern European countries imported into the GDR in order to fulfil international commitments entered into before unification.

5. The economic and agricultural situation of the former GDR is very different from that of the Community. The implementation of the CAP will entail many transitional adjustments. For example, it will be necessary, on the one hand, to offset, by means of compensatory measures, the reduction in income which will result from the application of common prices and, on the other hand, to adapt the Community's socio-structural policy to a country whose starting-point is very different to that of the Community.

III. THE SPECIAL SITUATION TO WHICH SUCH MEASURES MUST APPLY

6. The critical situation of agriculture in the GDR has worsened in recent weeks, particularly following monetary union. Serious difficulties and shortcomings have become apparent in the processing industry, distribution channels and, generally speaking, the organization of the agricultural sector. As far as production is concerned, the following sectors are particularly problematic:
- the dairy sector, in respect of which the transitional measures provide for a 20% reduction in production until 1 April 1991, after which the quota system will come into effect;
 - the beef and veal sector which, moreover, will be seriously affected by the scheme to reduce dairy production (the 15 000 tonne increase in the Community's minimum guaranteed quantity may prove to be insufficient);
 - the sugar sector, in respect of which a quota has been fixed based on production levels over the last five years; Germany will be authorized to grant special national aid in order to facilitate the adaptation of a totally obsolete processing industry.
7. At the structural level, it will be necessary to reorganize and rationalize all spheres of agricultural activity. In this connection, attention should be drawn to the following problems:
- the still unresolved question of determining the system of land ownership: access by farmers to land ownership in order to set up family farms, acquisition of land by cooperatives and a solution to the problem of the claims of former landowners;
 - the restructuring of cooperatives and the possible formation of associations;
 - the rationalization of farms in order to move away from the present system of rigid specialization and introduce mixed forms of agriculture which adopt better to market demand and also give rise to less intensive farming practices which are more environment-friendly.

IV. THE COMMITTEE ON AGRICULTURE'S COMMENTS ON THE COMMISSION PROPOSALS

8. The amendments to the Commission proposals are aimed at drawing attention to the following points:
- the need to guarantee a harmonious transition for farmers from the GDR which, at the same time, causes minimum disturbance to other Community farmers. To this end, it will be necessary to devise measures to ensure that the GDR does not suffer from social conflicts arising from excessively sudden changes and that, in the rest of the Community, the current crisis affecting various regions and sectors of Community agriculture is not exacerbated. This will require careful administration by the Commission and the German Government of the whole package of transitional measures as well as understanding and vigilance on the part of the other Member States and the Commission as regards the market situation;

- although national aid is necessary in order to back up the integration of GDR farmers into the EEC, it must be implemented on a transitional and degressive basis and affect intra-Community trade as little as possible;
- the integration of the GDR will mean that those Member States currently undergoing transitional periods will experience serious new problems (for example Spain, which has traditionally had a thriving trade in the fruit and vegetable sector with the GDR, will lose its export refunds and its citrus fruit exports will compete with those of other countries with market-promotion premiums). This may mean that it will be necessary to speed up the process of full integration or, failing this, in any case to adopt contingency compensatory measures which will make it possible to maintain the balances existing previously;
- concern at the effects which the costs of integrating the GDR may have on the resources of the EAGGF-Guarantee Section; it may perhaps be necessary to revise the current guideline or establish a special reserve in order to meet the costs of financing quantities which exceed the current agricultural budget line as a result of integration;
- it is essential to obtain accurate statistics on agriculture in the GDR, particularly production and consumption potential, with a view to the next general revision of the system of stabilizers;
- on the question of structural measures, concern has been expressed that the derogations to the general scheme proposed by the Commission, which establish an especially favourable scheme, may benefit the current GDR producers who practise farming as their main occupation;
- the European Parliament should be associated more closely in this process during the transitional period, notwithstanding the necessary major delegation of powers to the Commission. For example, where, depending on the development of the situation, the measures to be adopted may have major repercussions on agriculture in other EEC regions, the procedure provided for under Article 43 of the EEC Treaty should be applied. Parliament should also be informed, in accordance with the provisions already laid down by the Council, of the progress achieved by the implementation measures adopted. In view of the important role which will be played by socio-structural measures, discussions should be held before the end of 1992 on the implementation and development of such measures, on the basis of a report by the Commission which will propose, where appropriate, amendments aimed at increasing the effectiveness of those measures.

Part 2: FISHERIES

INTRODUCTION

The transitional phase starts with the formal unification of the two German states. Community law will then apply automatically and fully on the territory of the GDR. There may be no derogation from this principle unless the Council expressly decides otherwise, on a proposal from the Commission and after consulting the European Parliament (EP) (temporary derogations). Community waters will be extended to include the GDR fishing zone in the Baltic: the Community will have to take the decisions required for the 'Communitarization' of fishing agreements concluded between the GDR and third countries: the common organisation of the market in fisheries products will apply in its entirety, subject to certain technical adjustments regarding mechanisms and prices: the Community's structural policy (adaptation of the fleet and modernisation of marketing and processing undertakings) will start to be applied also subject to certain technical modifications: the same is true of the harmonisation of legislation governing the internal market in fisheries products, in particular as regards health requirements

INTERNAL AND EXTERNAL RESOURCES

Unification would mean a quite considerable expansion in the capacity of the Community's fleet - particularly as regards deep-sea fishing - for resources which are already very limited. The capacity of the GDR fleet is already out of all proportion to the resources to which it has access now. Unification could therefore aggravate the major problems already existing for the Community in the field of resource management.

Whereas economically utilisable resources are already insufficient for the present capacity of the GDR fleet, the internal and external fish stocks of the two German states are, taken together, much too scant for the present capacity of the two fleets. The shortfall is particularly marked in the case of the most marketable varieties, but also for pelagic species.

The pressure of this excess catch capacity would weigh principally on internal resources and secondly on external resources - and this explains the need for appropriate transitional measures.

There are other complications in connection with access to internal resources. In the Baltic, for example, Danish and FRG fishermen have access to each other's fishing zones up to a limit of three nautical miles. In accordance with present Community rules, it would not be possible to ban Danish fishermen reciprocal access up to three miles in territorial waters that the GDR has, however, set at twelve nautical miles. The result would be major difficulties for East German coastal fishing undertakings engaged in day fishing, particularly for pout which would be unable adapt rapidly to the new structural conditions. So the integration of the GDR into the Community must be accompanied by the adoption of specific measures for the management/conservation of stocks in this area, and to the adaptation of businesses which depend on them (perhaps by means of greater financial contributions from the Community for projects concerning the fleets and aquaculture under Regulation (EEC) No 4028/86 and/or an integrated Community regional activity). These measures will of necessity be pluriannual.

In order to ensure the survival of small fishermen from the ex-GDR it will be necessary to have a transitional Community derogation to maintain access to the territorial waters (12 miles) of the ex-GDR for local coastal vessels until 30 June 1991 at the earliest.

In the short term there is little possibility of converting fishing activities (reduced catch potential, archaic fleet structure, high costs). We must therefore expect an early, serious crisis of liquidity and profitability which will threaten the very survival of fishing businesses. Specialisation in the coastal regions, which depend the sea for their living and are structurally very weak, raises the spectre of acute social tensions as well. We should remember in this connection the excessive labour employed in the fishing sector in the GDR as compared with the FRG. Consequently - in parallel with the structural actions for fishing as such under Regulation (EEC) No 4028/856 - the northern part of the GDR should be added to the list of least-favoured areas of the Community and there should be a specific programme to be financed in the context of the reform of the structural funds. This common activity would have to be of a pluriannual type.

Meanwhile there should be publicly funded social flanking measures based on the GDR's social insurance scheme. For sea fishing, there should also perhaps be a temporary allowance paid by the social insurance fund for those who work at sea, by analogy with the early retirement and conversion schemes for those on land. These measures should be seen as being compatible with Articles 92-94 of the EEC Treaty. This also applies to the following cases:

The granting, by virtue of the regulations of the Community and the GDR, of national support aid when the decommissioning of certain boats becomes indispensable. The cutting-down process should start during the interim stage and extend for as long as possible. The detailed procedures regarding the allocation of Community aid and to whom it should be given would be laid down during the transitional period. The reassignment of certain vessels for development aid should be looked at in the context of projects conducted bilaterally by the FRG or even in coordination with Community projects (ACP countries, developing countries in Latin America and Asia, etc.)

Part of the GDR fleet would be provisionally laid up, which also implies the granting of national support aid both for deep-sea fishing and for coastal fishing which would have to cope with transition problems.

Aid to businesses (for instance, in the form of cash advances) would be necessary on a temporary and degressive basis, and this also implies certain derogations from Community provisions. The possibility of state aid could also be extended (at GDR national or 'Bezirk' level) to certain categories of consumer most affected by the increase in price of fisheries products. The duration of this period would depend on the price difference but should not really go beyond two or three years.

Your draftsman is sorry that it has not been possible to adopt 'pre-unification' aid measures, in view of the very short time involved. This makes the proposed transitional measures all the more necessary.

OPINION

(Rule 120 of the Rules of Procedure)

of the Committee on Budgets
for the Temporary Committee to consider the impact of the
process of German unification on the European Community

Draftsman: Mr COLAJANNI

At its meeting of 2 April 1990 the Committee on Budgets appointed Mr Colajanni draftsman of the opinion.

It considered the draft opinion at its meeting of 28 September 1990.

At that meeting it adopted the conclusions as a whole unanimously.

The following were present during the vote: von der Vring, chairman; Colajanni, draftsman; Cochet, Colom I Naval, Forte, Goedmakers, Langes, Miranda da Silva, Pasty, Samland, Tomlinson and Zavvos.

The following should be considered not as the draftsman's opinion but rather as a series of considerations concerning the financial implications of German unification. For, as we heard in the House, a week ago, on Tuesday, 11 September 1990, the President of the Commission stated, with his customary frankness, that the figures proposed by the Commission constituted a 'guesstimate'. 'These are only rough figures', he said. I therefore propose to express the opinion, or rather the considerations of our committee on these rough figures.

As we all know, the statistical offices of both West Germany and East Germany put the amount of capital which will be absorbed over the decade following economic unification at DM 1200 bn. This corresponds to approximately 57% of West Germany's GNP.

Some estimates from reliable sources put the cost of 'upgrading' the GDR, with its 17 million inhabitants, at over half the total Third World debt.

These figures also correspond to four years of investment by the FRG. These are the rough figures with which we are dealing, and it is important that we never lose sight of them.

However, we should not be alarmed by these figures. For we also have figures indicating the excellent state of the German economy. Only three years ago, the famous Padoa Schioppa report put forward the theory, subsequently incorporated in the official documents of the Commission of the European Communities at the end of 1989, that the large budget surpluses of some countries, particularly the Federal Republic of Germany, could destabilize the plan for economic and monetary union. (The FRG's trade surplus amounted to \$ 57 bn in 1989).

We can forecast that West Germany's economic capacity will enable it to absorb the impact of the costs set out above.

There is less call for optimism, however, concerning the 'social costs' of integrating the two economies. Unemployment in East Germany is rising at an alarming rate and the investment by private Western firms is still having no perceptible results, although it was the basis for some of the West German Government's optimistic forecasts.

We are aware of the importance of Germany's internal stability. The problem which arises, whether we like it or not, and whether West Germany is in agreement or not, is that the European Community should demonstrate its solidarity by sharing the costs. If the 'European spirit' is to prevail on both sides, the Community, and therefore Parliament as well, must play a full part in the political integration of the population of East Germany in the Community. This has so far not been the case, and the Kohl Government has instead given the impression of wanting to 'go it alone', with the emphasis on independent decision-making and the gradual isolation of German politics in contrast to European collaboration. Unless this fundamental political problem is resolved, it will be impossible to find adequate solutions to EEC expenditure.

The principle of Community participation entails certain consequences. The first must be to put a figure on the cost of the requisite social subsidies, assuming that there will be a steady average monthly rise in unemployment over the next six months. Similarly, we should be able to put a figure on the general costs of minimum investment in infrastructure (to German standards) for each of the five new Länder.

The Social and Regional Funds will have a role to play, if only a marginal one, in view of the enormous amounts in question. Nonetheless, it is important that the Community and the budgetary authority should be properly informed. To this end, a proposal could be made to enter separate amounts in the budget for the appropriations and payments earmarked for German integration.

Financial 'GLASNOST' is essential. It is only on the basis of mutual trust that we can construct the European Union, and this is the only approach which can help meet some of the many requirements of the new European order. Finally, we must be able to state clearly that the costs of this experiment represented by the Community process are matched by the benefits. We have a responsibility to the economically backward regions in both southern Europe and the southern hemisphere, and a responsibility to the countries of Eastern Europe.

In budget terms, this also means that the financial aid to the new Länder will be similar to that given to the present peripheral regions but, at the same time, no structural measures to benefit the new regions will be implemented to the detriment of the regions which already receive aid. Incidentally, I should like to point out that Parliament must be consulted on certain amendments to the regulation governing the Structural Funds.

The Commission also quotes other areas of Community competence, in addition to social, regional and agricultural policy, in which the budget could intervene.

These are the environment, energy, telecommunications, transport, fisheries, training and research. The level of investment needed is sufficiently well known, but is the degree of Community participation which is to be provided for and must be set out explicitly in the budget, significant or not in economic terms?

The Commission document does not provide a full reply to this question nor does it answer another political question which has clear implications for the budget. If, as is the case, the Community has sole competence in the field of external economic relations, what will be the level of financial commitment needed not only to take over but also, perhaps, to renew the present GDR's trade agreements with third countries?

I have found no trace of these figures in the Commission's document.

I should now like to quote the rough figures for the Community budget:

The Commission is providing for budgetary costs in 1991 of:

1 bn ECU for the Structural Funds
750-1250 m ECU for agricultural spending
150 m ECU for all other policies

The total of all foreseeable expenditure therefore amounts to 2400 m ECU.
Additional resources of 1500 m ECU are also forecast as revenue.

For the reasons mentioned above, I see little point in commenting on the validity of these figures. I should, however, like to point out that many of the proposed regulations lack the financial statement which is compulsory under Article 3 of the Financial Regulation. It is a serious matter when the institution which is the guardian of the Treaties infringes the regulations laid down. I propose inserting a model amendment, in the form of a final recital, for example, in every regulation which has financial implications.

OPINION

of the Committee on Economic and Monetary Affairs and Industrial Policy

Letter from Mr BEUMER, Chairman, to Mr. Gerardo FERNANDEZ ALBOR, Chairman of the Temporary Committee on German Unification

Brussels, 26 September 1990

Subject: German Unification (COM(90) 0400)

At its meetings of 19-21 September 1990 and 25-26 September 1990 the Committee on Economic and Monetary Affairs and Industrial Policy examined the Commission's proposals on the Community and German unification, and adopted a certain number of amendments to the legislative proposals in Volume II which have been transmitted to you separately. The committee also empowered me to transmit to you the following additional comments on the legislative proposals in Volume II and on the general explanatory memorandum in Volume I.

Firstly, the committee considered that the technique adopted by the Commission of proposing wide-ranging derogations for Eastern Germany has given relatively little scope to the Parliament to amend the legislative proposals. The committee believes, instead, that the emphasis should be placed on monitoring the process of adaptation of Eastern Germany to the European Community regime, to ensure that it is fairly and effectively administered, that Eastern Germany is able to become a full part of the Community without too many strains on its economic and social fabric and, at the same time, that the other member states of the Community are not unfairly disadvantaged in any way.

The committee believes that the application of the proposed derogations must be kept under close surveillance by the Community, and that the Parliament and its responsible specialized committees must be kept regularly informed (at least on a six-monthly basis) of progress in implementation, of any problems that have arisen and of any prolongation in the derogations that might appear necessary. Moreover, this information must be given to the Parliament in time for it to provide its comments.

The committee also emphasized the importance of providing adequate and legally binding control mechanisms which, without border controls with the other member states, ensure that any derogations given to Eastern Germany do not have negative consequences for other parts of the Community, and that products permitted to circulate within Germany that do not meet Community standards really do remain within Germany.

Another point emphasized by the committee was that the necessity to monitor implementation of the adaptation process applies as much for those fields described in Volume I of the package where no derogations are proposed as to those where derogations are put forward in Volume II. Examples of this in the fields of interest to the Economic Committee are public procurement, financial services, Community tax legislation and competition policy. In all of these fields Community law will be directly applicable after unification, and yet implementation could provide difficulties for the Community and for Eastern Germany.

those where derogations are put forward in Volume II. Examples of this in the fields of interest to the Economic Committee are public procurement, financial services, Community tax legislation and competition policy. In all of these fields Community law will be directly applicable after unification, and yet implementation could provide difficulties for the Community and for Eastern Germany.

In the specific area of competition policy the committee considered that the new problems posed for Community merger control and state aid policy, in particular, by German unification would make major new demands on the Commission's competition policy staff. As a result of this the committee has supported an amendment to the Community's 1991 budget that would reinforce the staff of the relevant Directorate-General of the Commission (DG IV), so that the Commission's new responsibilities can be met, and Parliament's responsible committee adequately informed.

As regards the more specific legislative proposals in Volume II the committee expressed particular concern about the Commission's proposal for a 3(a) Regulatory Committee in the draft Council Directive on transitional measures applicable in Germany in the context of the harmonization of technical rules. Amendments were thus tabled to turn this committee into either an Advisory Committee or a 2(a) Management Committee. At its meeting on 25/26 September 1990 the committee voted to support the latter procedure.

The committee also noted that the Commission has put forward proposals amending the existing Directive 87/167/EEC on aid for shipbuilding, and also the draft proposal for a seventh directive on the same subject. The committee believes that it is inappropriate to table amendments to a draft directive that has not yet been considered by the Parliament, and considers that any derogation for Eastern Germany should only be considered in the context of the sixth directive. Derogations for Eastern Germany within the scope of the seventh directive should be examined on the same footing as special arrangements for other disadvantaged shipbuilding areas within the Community. The proposed amendment to the seventh directive should thus be deleted from Volume II.

The committee noted finally that there has still not been a detailed analysis from the Commission on the impacts of the GDR's incorporation into the Community on the Community's budgetary revenue and expenditure, and reiterates Parliament's previous request (also reaffirmed by the Budgets Committee) to this effect.

Yours sincerely,



Bouke BEUMER

Members present: BEUMER (chairman), FUCHS (vice-chairman), BARTON, Peter BEAZLEY, BERNARD-REYMOND, BOFILL ABEILHE, CASSIDY, COLOM I NAVAL, COX, DE PICCOLI, de DONNEA, GASOLIBA I BÖHM (deputizing for VISENTI), HERMAN, LULLING, MERZ, PAPAYANNAKIS, PATTERSON, READ, ROGALLA, ROTH (deputizing for ERNST de la GRAETE), SBOARINA, SISO CRUELLAS, SPECIALE, STEVENS, TITLEY (deputizing for DESMOND).

OPINION

(Rule 120 of the Rules of Procedure)

of the Committee on Energy, Research and Technology
for the Temporary Committee to consider the impact of the
process of German unification on the European Community

Draftsman: Mrs BREYER

At its meeting of 17/18 September 1990 the Committee on Energy, Research and Technology appointed Mrs Breyer draftsman of the opinion.

At its meeting of 27 September 1990 the committee considered the draft opinion in the form of 15 amendments and adopted amendments 1 to 8, 13, and 14 by a majority. Amendments 9 to 12 and 15 were rejected or fell.

The following took part in the vote: La Pergola, chairman; Lannoye and Adam, vice-chairmen; Breyer, draftsman; Anger, Desama, Falqui (for Bettini), V. Garcia (for Larive), Görlach (for Ford), Linkohr, Pierros, Porrazzini, Quisthoudt-Rowohl, Rinsche, Robles Piquer, Roving and Sanz Fernandez.

OPINION

(Rule 120 of the Rules of Procedure)

Draftsman: Mr CHABERT

At its meeting of 18 September 1990 the Committee on External Economic Relations appointed Mr Chabert draftsman of the opinion.

At its meeting of 27 September 1990 the committee considered the draft opinion and adopted the conclusions unopposed with one abstention.

The following took part in the vote: de Clercq, chairman; Stavrou and Moorhouse, vice-chairmen; Chabert, draftsman; Aglietta, Ceyrac, da Cunha Oliveira (for Junker), Hindley, Izquierdo Rojo (for Randzio-Plath), Peijs, Porto, Rossetti, Sainjon, Titley and Tsimas.

The Committee on External Economic Relations has been asked to deliver an opinion on three Commission proposals concerning the external aspects of German unification.

1. Proposal from the Commission for a Council regulation on the introduction of transitional tariff measures for Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the USSR and Yugoslavia from 1 December 1990 to 31 December 1991 to take account of German unification

- 1.1. The aim is to take account, for the purposes of the CCT (Common Customs Tariff), of external commitments entered into by the GDR which provide for a yearly exchange of goods at a zero rate of duty.

Two types of agreement are involved:

- (a) agreements with Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the USSR and Yugoslavia, which expire on 31 December 1990,
- (b) long-term cooperation and investment agreements with Czechoslovakia, Poland and the USSR concluded 'for many years to come'; these agreements are due to be renegotiated in the near future.

With regard to agricultural products, the Commission proposal applies solely to 'products subject both to a customs duty and a system of reference prices or minimum prices'.

Products imported at a zero rate of duty into the former territory of the GDR are intended to be consumed in that country, and a special safeguard procedure provides for the measures in question to be suspended if they cause 'serious injury' to a branch of Community industry.

The measures are scheduled to apply until 31 December 1991, and a review procedure is included should further renewal become necessary.

- 1.2. It is impossible, on the basis of the information available to the European Parliament, to assess the impact of the proposal in question.

It covers 7 agreements in the first category (expiring on 31 December 1990) and 34 agreements in the second category (expiring at a later or unspecified date, to be renegotiated).

It is essential, therefore, for the Commission to provide additional information on the products and quantities involved.

The Commission and the German authorities should also give full information about the procedures to be introduced to ensure that there is satisfactory monitoring of the final destination of products imported at zero rates of duty.

It would be appropriate, also, for the Commission and the German authorities to submit to Parliament, before 30 June 1991, a report on the operation of the measures and progress made in renegotiating the agreements.

2. Draft recommendation for a Council decision authorizing the Commission to open negotiations with third countries having textile agreements with the Community with a view to adapting those agreements to take account of the German unification

The Committee on External Economic Relations, in its opinion on the impact of German unification (PE 141.135/fin.), has already mentioned the need, after unification, to adapt the textile agreements to take account of its enlarged market.

The Commission should supply additional information on the method of calculating the percentage increase in quantitative levels proposed in paragraph 3.A.(a) of the Negotiating Directives (+ 4.5%).

3. Proposal for a Commission decision on the introduction of transitional tariff measures for products covered by the Treaty establishing the ECSC for Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the USSR and Yugoslavia until 31 December 1991 to take account of German unification

The proposal in question provides for the same measures to be introduced with regard to the ECSC sector as those discussed above (paragraph 1) in relation to EEC products. The most important difference (from the European Parliament's point of view) is that the ECSC Treaty does not require the European Parliament to be consulted for the measure in question (based on Article 95 of the ECSC Treaty).

The points made in paragraph 1 apply to ECSC products also.

Conclusions

The Committee on External Economic Relations:

with regard to the proposal for a regulation and the proposal for a decision under consideration:

1. calls on the Commission to provide as soon as possible, and in any event before the European Parliament's opinion is put to the vote, information on the products concerned and the maximum quantities thereof;
2. considers that the Commission and the German authorities should provide, before the European Parliament's opinion is put to the vote, complete information concerning the procedures to be introduced to ensure that the final destination of products imported at a zero rate of duty is monitored in a satisfactory manner;
3. considers, also, that the Commission and the German authorities should report to Parliament, before 30 June 1991, on the operation of these measures and the state of play concerning the renegotiations of commitments;

with regard to the draft recommendation:

4. approves the proposed negotiating brief to be given to the Commission for the adaptation of textile agreements to take account of German unification.

OPINION

of the Committee on Legal Affairs and Citizens' Rights

Letter from the Chairman to Mr Gerardo FERNANDEZ ALBOR, Chairman of the Temporary Committee to consider the impact of the process of German unification on the European Community

Subject: The Community and German unification
Commission proposals for legislation
COM(90) 400 final

Dear Mr Fernandez Albor,

At its meeting of 18 September 1990 the Committee on Legal Affairs and Citizens' Rights considered the above Commission proposals - the 'legislative package' - and, at the suggestion of its draftsman, Mr Janssen van Raay, agreed on the following standpoint:

1. As regards the interim measures

In its opinion for the draft interim report of the Temporary Committee, the Committee on Legal Affairs proceeded from the premise (point 7.3.) that the problems of adaptation resulting from incorporation of the territory of the GDR into the jurisdiction of Community law could be resolved during a preparatory period - up to unification - by means of separate changes in the law of the EC and the GDR and subsequently, during a transitional period, by means of secondary Community legislation. The fact that the timetable for unification has been speeded up - independently of the Community's will - has created a need for a third phase, an interim period: if primary and secondary Community legislation enters into force in the present GDR on 3 October - the date now scheduled for unification - i.e. before the transitional arrangements deemed necessary by the Commission have been adopted under the normal legislative procedure, the result will be that numerous provisions, for example in the field of technical standards, will be impossible to observe. Alternatively, production lines will have to be brought to a standstill and factories closed in order to ensure compliance. The Commission's proposed solution to this problem takes the form of a two-tier delegation of legislative power coupled with a regulatory committee procedure: in areas where it proposes to lay down transitional measures, the Commission would be authorized in turn to empower Germany to retain GDR law that conflicts with Community law and would otherwise, on account of the supremacy of Community law, be superseded, until such time as the transitional arrangements enter into force or are rejected by the Council. At the same time, to avert any 'difficulties' that might arise from the continued existence of such law, as well as to take care of other details, the Commission would have the right to adopt implementing provisions under a type III(a) regulatory committee procedure as set out in Council Decision 87/373/EEC of 13 July 1987, the 'comitology decision' (OJ No. L 197, 18.7.1987, p. 33). In the case of the agricultural sector, implementing provisions are to be adopted under the

management committee procedure, since this is the type of procedure laid down in the market organizations. The necessary authorizations are provided for in a directive based on Articles 49, 57, 66, 100a, and 118a of the EEC Treaty, to be adopted in cooperation with the EP, and a regulation based on Articles 28, 42, 43, 75, 103, 113, 130s and 235 of that Treaty, to be adopted after consultation of the EP.

This way of proceeding and the distinction are in line with the legal bases of the legislative texts in respect of which transitional measures are proposed, and to that extent accord with the views of the Committee on Legal Affairs (point 5 of the opinion for the interim report).

That apart, the question arises as to whether sweeping authorizations to exercise legislative power are admissible under Community law. Article 155, fourth indent, of the EEC Treaty states that the Commission shall exercise the powers conferred on it by the Council for the implementation of the rules laid down by the latter. It is recognized that these powers are not of a purely executive type, but can also be of a legislative nature, and the limits which the constitutional law of the Member States has, to varying degrees, placed on the transfer of legislative powers to the executive are not applicable without further qualification to the Council-Commission relationship. On the other hand, the case law of the Court of Justice has imposed certain limits on the transfer of implementing powers to the Commission: for example, the Council may not transfer its powers 'en bloc' to the Commission and must lay down the criteria to be observed by the Commission (judgments of 17 December 1970 in Cases 25 and 30/70 (1970) ECR 1161).

Although the Committee on Legal Affairs considers it open to question whether the limits are being observed in this instance, there appears to be no imperative need to do so, since the matter in hand constitutes a special emergency not provided for in the Community Treaties. Given that, through no fault of their own, the Community bodies cannot complete the normal legislative procedures in due time, a legislative emergency must be assumed to exist, and this affords an unwritten legal basis for narrowly defined powers to be delegated temporarily first to the Commission and then by the Commission to a Member State. Such an interpretation is covered under the goal of 'harmonious development of economic activities' throughout the Community as charted in the Treaties (EEC Treaty, Article 2).

Even 'normal' accession procedures have provided for wide-ranging powers to be delegated to the Commission in order to enable it to tackle urgent situations (for instance the Commission's power under Article 379 of the Act of Spanish and Portuguese accession whereby it may approve protective measures even where contrary to the provisions of the Community Treaties and the accession Act proper).

The role of the EP, which is required merely to grant the authorization is not unproblematical from the point of view of the institutional balance, although pressures of time make any other course impossible. With regard to the adoption of the directive on interim measures under the cooperation procedure, the fact that the procedure has been telescoped into three days is bordering on the frivolous, especially if the Commission and Council prove unwilling to take over Parliament's amendments from first reading. Parliament might perhaps have been better advised to deal with the matter of German unification at a special part-session in September.

Irrespective of these considerations, however, the appropriate interinstitutional machinery should be put in place so as to ensure that the committees concerned are informed in good time of the interim measures taken.

Given that this is a special case, the Committee on Legal Affairs does not consider the regulatory committee procedure to be inappropriate.

2. As regards the external economic aspects

The Committee on Legal Affairs shares the Commission view that the treaties concluded by the Community will also apply, as being part of Community law, on the territory of the former GDR once unification has been effected. Regarding the Community's legal succession in respect of certain treaties concluded by the GDR which, by virtue of their subject matter, fall within the Community's sphere of competence, the Committee on Legal Affairs recognizes the fact that the law of state succession in respect of treaties is arguably the most contentious area of international law and consequently approves the Commission's pragmatic, 'sector-by-sector' approach, which will draw on instruments such as renegotiation, temporary authorization for Germany to uphold rights or honour obligations, restriction of territorial scope to the former GDR, and separate adaptation of Community law. The committee assumes that when these instruments are brought into play, the EP will be involved to the extent required by law.

3. As regards the internal market, in particular the recognition of diplomas in regulated professions

In the case of the seven professions (doctor, nurse (general nursing), dentist, veterinary surgeon, midwife, architect, and pharmacist) where diplomas are recognized automatically on the basis of a Community definition of the minimum qualification, the Commission is proposing to submit an adapting directive designed to protect the rights of German nationals who are practising their profession on the basis of a qualification obtained prior to unification.

The requirements to be laid down in this instance correspond to those set out in the directives on the recognition of diplomas awarded on completion of courses of training predating the entry into force of the directives. The only additional requirement is that the diplomas affording admission to the profession concerned must have been awarded under the same conditions as the certificates of qualifications issued by the appropriate German authorities, i.e. they must be recognized by the proper authorities in the Federal Republic. The idea is that the other EC Member States have no cause to be more liberal than the Federal Republic in terms of the rights they accord to citizens of the former GDR.

4. Conclusions

4.1. The arrangements (regulation and directive) for adopting 'interim measures' - two-tier delegation of legislative power combined with a regulatory committee procedure - are justifiable, given that the unique special case of German unification constitutes a legislative emergency.

4.2. The Committee on Legal Affairs and Citizens' Rights endorses the procedure for dealing with the foreign trade treaties concluded by the former GDR.

4.3. The committee approves the arrangements for safeguarding acquired rights in connection with diplomas in regulated professions.

These conclusions were adopted unanimously¹

Yours sincerely,

(sgd) Graf STAUFFENBERG

¹ The following took part in the vote: Graf Stauffenberg, chairman; Vayssade, first vice-chairman; Casini, Garcia Amigo, Hoon, Inglewood, Janssen van Raay, Marinho, McIntosh, Perreau de Pinninck, Sarlis, Simpson and Taradash

OPINION

(Rule 120 of the Rules of Procedure)

of the Committee on Social Affairs, Employment
and the Working Environment

for the Temporary Committee to consider the impact of the
process of German unification on the European Community

Draftsman: Mrs BURON

At its meeting of 17 September 1990 the Committee on Social Affairs, Employment and the Working Environment appointed Mrs Buron draftsman of the opinion.

At its meetings of 17 and 27 September 1990 it considered the draft opinion.

At the latter meeting it adopted the conclusions as a whole unopposed with one abstention.

The following were present during the vote: van Velzen, chairman; Buron, draftsman; Carniti, Catasta, Chanterie (for Deprez), Cramon Daiber, Ephremidis (for Barros Moura), Hadjigeorgiou, Marques Mendez, McCubbin (for Hughes), Menrad, Nianias, O'Hagan, Onur (for Megahy), Pagaropoulos, Peter, Pronk, Salisch, Sandbæk, Suarez Gonzalez and Zeller.

INTRODUCTION

The Committee on Social Affairs, Employment and the Working Environment considers that certain measures must be taken if the citizens of the former German Democratic Republic are to be successfully integrated into the Community. Since all expert opinion takes the view that economic and monetary union between the two German states, the antiquated condition of businesses and structures in the GDR and the East Germans' sudden craze for products from the West will hasten factory closures and large-scale redundancies, the committee's main concerns have naturally been:

- measures such as training and conversion schemes to alter the nature of employment in order to maintain it at a high level;
- improvements in working conditions (better safety and hygiene);
- the maintenance of a high standard of living and high levels of welfare and social services.

In pursuit of social and economic cohesion within the EC, the Committee on Social Affairs hopes to see the inhabitants of the five Länder successfully integrated into the Community. However, the least favoured regions of the Community must under no circumstances suffer as a result of German unification, and, to guard against this, the Committee calls for the utmost transparency in budgetary matters and for Parliament to be as closely involved as possible in the work of the Council and the Commission.

CONCLUSIONS

The Committee on Social Affairs, Employment and the Working Environment recommends the following measures in particular, and requests the temporary committee on German unification to take them into account in its report and its final resolution.

1. EMPLOYMENT

- full application of Community measures on collective redundancies;
- the rapid extension of public employment services and the setting up of a CEDOC office, together with an information service for workers;
- particular efforts to help women, who are even more affected by unemployment both in industry and in agriculture;
- in accordance with Article 118a (3) of the Treaty, the maintenance of more stringent measures to protect existing working conditions in the Länder (maternity or paternal leave, access to collective services), and consideration of whether they should be extended to other regions or States in the Community;
- the particular employment situation and the current restructuring in the former Länder of the GDR must under no circumstances be used as a pretext for social dumping.

2. FREEDOM OF MOVEMENT

- Article 48 of the Treaty must be fully respected, as regards both discrimination in employment and discrimination in remuneration and working conditions.

3. SOCIAL SECURITY

- The committee advocates adaptation of Regulations 1408/71 and 514/72. It would be desirable if, in a spirit of solidarity, the Council could act by a qualified majority in cooperation with Parliament so that, given the urgency of current needs, the Regulations can be suitably adapted as quickly as possible.

4. EQUAL TREATMENT

- The committee is strongly in favour of measures to give women access to vocational training, either through existing Community programmes or by other means yet to be developed, so that they are equipped for more highly-skilled jobs than those which they usually hold at present.

5. HEALTH AND SAFETY

- Although a number of administrative, technical and training problems make it difficult to apply the directives correctly and may, in certain cases, result in delayed implementation where existing companies are concerned, any companies established after the date of unification must comply with the directives on the protection of workers at the workplace.

6. EDUCATION AND TRAINING

- In addition to the adjustments to be made in primary and secondary education, the committee hopes to see pre- and post-school facilities maintained, and urges the German Government to retain the existing school allowances in the newly-acquired Länder.
- The European Social Fund must play a full part in vocational training and retraining and in conversion. Adjustments must be made without delay to the eligibility criteria for objectives 3 and 4. The criteria regarding long-term unemployment (not a problem at the moment for the population of the former GDR) must be revised so that account may be taken of priority groups, such as people affected by collective redundancies, or employment sectors in need of large-scale conversion (iron and steel, mining, shipbuilding, agriculture).
- Special provision must be made for the older unemployed, for whom retraining is not desirable.
- Special efforts must be made to assist in training and retraining the trainers.
- CEDEFOP must be involved in setting up these programmes.

7. THE EUROPEAN SOCIAL FUND

- The Community support framework determining the regions and areas covered by structural measures falling within objectives 1, 2 and 5b must also define,

for the duration of the transitional period, the methods of applying objectives 3 and 4 of the structural funds in order to achieve a suitable balance between the social and economic cohesion of the regions and the needs of the people living in them.

- The committee recommends that a substantial proportion of the 3 bn ECU released for the purposes of structural adjustment should be allocated to the ESF.
- The five new Länder must be fully involved in the projects affecting them.

8. ECSC

- Conversion plans for mining regions and the steel industry must be implemented without delay. Workers in these sectors who are suffering the full effects of current restructuring must be assisted by special vocational training or retraining programmes. A plan similar to the RECHAR programme is a possibility. The Committee on Social Affairs recommends that part of the ECSC budget should be used to fund such initiatives.

O P I N I O N

(Rule 120 of the Rules of Procedure)

of the Committee on Regional Policy and Regional Planning

for the Temporary Committee to consider the impact
of the process of German unification on the European Community

Draftsman: Mr HARRISON

At its extraordinary meeting of 13 September 1990, the Committee on Regional Policy and Regional Planning appointed Mr Harrison as draftsman.

It considered the draft opinion at its meeting of 26/27 September 1990.

At this meeting it adopted the following amendments unopposed with one abstention: I-09-001, I-09-012/mod., I-09-013/mod., I-09-002, I-09-003, I-09-004 modified by I-09-014, I-09-005, I-09-006, I-09-007, I-09-008, I-09-009, I-09-010 and I-09-011. The following amendments were rejected or fell: I-09-016, I-09-015, I-09-017, I-09-018 and I-09-019.

The amendments adopted were forwarded to the Temporary Committee and are published in Part A2 (PE 144.212/A2) of that committee's report.

The following were present at the time of the vote: Waechter, chairman; Maher, De Rossa, Alexandre, vice-chairmen; Harrison, draftsman; Anger (for Staes), Calvo Ortega, Cushnahan, Da Cunha Oliveira, David, Duarte, Fitzgerald, Guterrez Díaz, Hume, Izquierdo Rojo, Köhler, Lambrias, Maibaum, Melis, Musso, Onur, Pack, Peter (for Newman), Raffarin, Raggio, A. Smith and Stewart (for Rosmini).

O P I N I O N

(Rule 120 of the Rules of Procedure)

of the Committee on Transport and Tourism
for the Temporary Committee to consider the impact of the
process of German unification on the European Community

Draftsman: Mrs Mechthild von ALEMANN

At its meeting of 18 July 1990 the Committee on Transport and Tourism appointed Mrs von Alemann draftsman.

The committee considered the draft opinion at its meeting of 27 September 1990 and adopted the conclusions unanimously.

The following were present for the vote: Amaral, chairman; Topmann, C. Beazley, Christensen, vice-chairmen; von Alemann, draftsman; Bettini, Braun-Moser (for Bonetti), Coimbra Martins (for Denys), Defraigne (for Wijsenbeek), Joanny, Lüttge, McMillan-Scott, Müller, Porrazzino, Romera i Alcazar, Sarlis, Schodruch, Tauran, Visser and van der Waal.

Introduction

1. In its communication of 21 August 1990 on the Community and German unification², the Commission summarizes all the legal instruments for technical adjustments and transitional measures which it deems necessary for the smooth incorporation of the territory of the German Democratic Republic in the European Community. This opinion is confined to those proposals affecting areas for which the Committee on Transport and Tourism is normally competent. The relevant proposals are:
 - a proposal for a Council regulation amending, in view of German unification, certain Directives, Decisions and Regulations relating to transport by road, rail and inland waterway³ (hereinafter referred to as proposal A);
 - a proposal for a Council regulation amending, in view of German unification, Council Regulation (EEC) No. 4055/86 of 22 December 1986 applying the principle of freedom to provide services to maritime transport between Member States and between Member States and third countries⁴ (hereinafter referred to as proposal B);
 - a proposal for a directive laying down amendments for the purpose of implementing in the united Germany certain Community directives relating to statistics on the carriage of goods and statistics on gas and electricity prices⁵ (hereinafter referred to as proposal C).

Parliament's position

2. In its resolution of 12 July 1990 on the implications of German unification for the European Community (which took account of an opinion adopted by the Committee on Transport and Tourism on 21 June 1990⁶), the European Parliament called on the Commission 'to adopt transitional measures with time limits for bringing the transport sector in the territory of the GDR in line with the internal market, but without any long-term derogations'. Parliament referred to the major projects in transport infrastructure, and in particular welcomed the plans for a new high-speed rail network and the modernization of the air security system, and noted that the joint efforts by the two Germanies could be accompanied by complementary Community action based on the criteria applied for other regions of the Community. The Commission's proposals need to be evaluated in the light of this political programme.

Transport infrastructure

3. Although none of the proposed legal instruments refers to the substantial investments needed in transport infrastructure, as outlined in the Transport Committee's opinion of 21 June 1990, the Commission has not ignored this aspect. It is aware that infrastructural and environmental

² COM(90) 400 final, in particular Volume II

³ Op. cit., p. 152

⁴ Op. cit., p. 162

⁵ Op. cit., p. 80

⁶ A3-183/90/Part C, pp. 66-71

problems could prove a major impediment to private investment in the GDR⁷. The Commission's assumption is that by the year 2010 there will be a tenfold increase in the volume of goods transported between the two Germanies (which was only 24.6 million t in 1988), and that DM 200 billion will be needed for modernizing roads and railways alone. Its conclusion is that in future the Community will need to keep a watchful eye on the development of the infrastructure of the East-West axis so that the goal of integration of the two economic areas and the resulting trade flows are not hindered by bottlenecks of transport⁸.

4. The Commission has set out in a proposal for a regulation⁹ the prospects for intervention by the structural funds in the territory of what is now the GDR; this will be considered in greater detail by the Committee on Regional Policy and Regional Planning. Provided the conditions are satisfied, transport infrastructure projects may also qualify for financial assistance. Attention also needs to be paid to the seaports in the territory of the GDR, since they are in a particularly difficult situation. Since a special grant of about 1 bn ECU will be payable annually for the period 1991-93 from these funds for the territory of the GDR the transport infrastructure sector could benefit appreciably¹⁰.
5. The Commission should also give serious consideration to utilizing other Community aid programmes to enable the Community to play an appropriate part in overcoming the backwardness of the GDR. Fostering the creation of a network of small businesses in the transport sector in the territory of the GDR would be a particularly important step. The present trend is for state-controlled firms in the GDR to be taken over by major transport firms. The Commission should consider what Community financial instruments could be used to provide start-up assistance, possibly in the form of soft loans, to small businesses in the transport sector in the territory of the GDR.
6. At the end of October 1990 the Council will announce the legal basis for a multiannual programme for the financial instrument specific to transport policy (currently budget heading 2-700). This programme could therefore automatically include projects in the territory of the GDR, should the German Government make appropriate applications. However, the endowment of this instrument is very limited¹¹, with only a limited additional amount provided for in connection with German unification¹²; hence, only projects of a symbolic nature will be considered.

Transitional measures relating to overland transport

7. The transitional measures in proposal A relate to the following areas:
 - (a) road transport: access to the profession, tachographs and driving licences;

⁷ COM(90) 400 final, Volume I (Explanatory Memorandum), p. 10

⁸ Op.cit., p. 91

⁹ COM(90) 400 final, Volume II, p. 170

¹⁰ COM(90) 400 final, Volume III (Financial Aspects), pp. 2 and 3

¹¹ 60 million ECU for 1990 and 80-118 million ECU for 1991

¹² An additional 150 million ECU for research, environment, energy, telecommunications, fisheries, education and transport (op. cit. p.3, fn 8)

(b) rail transport: incorporation of the 'Deutsche Reichsbahn' into Community legislation on railways, in particular the time limits for the application of rules on costing principles and the commercial independence of railways;

(c) inland waterways: inclusion of the inland waterways fleet of the GDR in the scrapping programme.

8. It is interesting that, contrary to the express wishes of Parliament at the end of paragraph 39 of the resolution of 12 July 1990, the Commission provides for no transitional measures for the allocation of Community authorizations for the transport of goods. The Commission states in this respect¹³ that, using the standard formula, it intends to propose raising the authorizations for international transport by 310 (to a total of 47 404) and for cabotage by 296 (to a total of 15 296), since there is in any case a need to increase both quotas. The Commission is proceeding on the basis that the EC authorizations for international transport and cabotage will apply to the provision of services throughout Germany once German unification becomes a reality. In practice, then, the absence of any transitional measures means that firms from EC Member States will be able to provide transport services in the territory of what is now the GDR from Day One of German unification, whereas GDR firms will have to wait until the next increase in quotas before they can receive Community authorizations. This is rather unsatisfactory, particularly since the inclusion of an article concerning the precise increases in the quotas would not have made the transitional scheme any more complex.
9. As far as weights and dimensions used in road transport are concerned, it appears that no general derogations are required, despite the poor conditions of the roads; there will, of course, be local restrictions at places where dangers could arise.
10. With regard to access to the occupation of road haulier and road transport passenger operator, Articles 1 and 2 of proposal A provide that established operators will be exempt from the requirement to furnish proof that they satisfy the provisions of Community directives on financial standing and vocational training; operators who have become established in the GDR in the two years preceding German unification can furnish the appropriate proof by a deadline extended to 1 January 1992. Article 3 of proposal A provides that tachographs must be fitted in new vehicles in the territory of the GDR with effect from 1 January 1991 and that have already been registered must be converted no later than 1 January 1994. Article 4 of proposal A extends the obligation to exchange licences pursuant to the currently valid Directive 80/1263 to driving licences issued by the GDR authorities.
11. As far as railways are concerned, Articles 7 and 8 of proposal A provide for application of Community rules on costing principles on 1 January 1992 and for deferral until 1 January 1993 of application of the rules on the public service, pricing international freight and passenger services and the financial relations between railway undertakings and the state.

¹³COM(90) final, Volume I, p. 93

12. With regard to inland waterways, Article 6 of proposal A provides that, with effect from 1991, contributions towards the Community scrapping fund must be paid in respect of vessels registered in the GDR on the date of unification and that the Commission may decide on a scrapping programme for such vessels if, within six months following German unification, the German Government submits a proposal to this effect.
13. A general clause in Article 9 of proposal A provides that, if unforeseen difficulties arise, the necessary amendments may be made in accordance with a management committee procedure laid down in Article 10.
14. Article 1 of proposal B states, with regard to maritime transport, that agreements concluded by the GDR must be adjusted as soon as possible, and in any event not later than 1 January 1995, to Community legislation on freedom to provide services in maritime transport.
15. With regard to air transport, transitional measures will be essential in the light of German unification on 3 October 1990 since the more stringent limit values for noise emissions in Directive 89/629/EEC cannot be applied to aircraft registered in a Member State on 1 November 1990.
16. The scheme for adjusting transport statistics provided for in Article 1 of proposal C is purely technical in nature and should be implemented prior to German unification.
17. In the opinion of the Commission, there are no Community rules on tourism calling for transitional measures.

Conclusions

18. As far as the area of competence of the Committee on Transport and Tourism is concerned, the conclusions are that the unification of Germany will necessitate relatively few transitional and adjustment measures, that they will be of very limited duration and that they should not cause any distortion of competition on the transport markets. There is nothing to prevent the Community making what contribution it can towards modernizing the transport infrastructure of the GDR. The Committee on Transport and Tourism therefore approves the Commission's proposals.

O P I N I O N

(Rule 120 of the Rules of Procedure)

of the Committee on the Environment, Public Health and Consumer Protection
for the Temporary Committee to consider the impact of the process of
German unification on the European Community

Draftsman: Mrs Caroline JACKSON

At its meeting of 17 July 1990 the Committee on the Environment, Public Health and Consumer Protection appointed Mrs Jackson draftsman.

At its meetings of 13 and 17-18 September 1990 it considered the draft opinion and adopted the conclusions as a whole unanimously.

The following took part in the vote: Collins, chairman; Schleicher, Scott-Hopkins and Iversen, vice-chairmen; Caroline Jackson, draftsman; Bowe, de la Camara Martinez, Caudron (for Bombard), Diez de la Rivera Icaza, Di Rupo, Florenz, Green, Hadjigeorgiou (for Gaibisso), Muntingh, Partsch, Pereira, Plumb (for Seligman), Pollack, Reymann (for Douste-Blazy), Roth-Behrendt, Vernier, Vittinghoff and Vohrer.

INTRODUCTION

1. THE LEGAL SITUATION

The imminent reunification of the German Federal and Democratic Republics is a unique situation for the European Community. The speed with which the changes are taking place is unprecedented, and it is likely that de facto imports of goods have come into the Community from East Germany as border controls were relaxed.

As soon as unification takes place, the Treaties and existing Community law will apply within the former GDR. Secondary legislation cannot be immediately applied because of the need for economic adjustment and reform of existing GDR laws. Transitional arrangements must be agreed to allow for the necessary socio-economic and legal changes to take place.

2. THE COMMISSION PROPOSALS

The Commission has reviewed existing legislation sector by sector to see where derogations from existing laws are necessary. In general, derogations will end on 31 December 1992 but in some sectors extended derogations up to 31 December 1995 are proposed to allow the necessary technical changes to be made in the new Länder. The Commission is seeking delegated powers to adapt existing legislation during the transitional period to take account of the special needs of the former GDR. It has proposed Directives on the transitional measures applicable in Germany in the context of the harmonization of technical rules. These incorporate regulatory and management committee procedures based on current practice in the relevant product sectors.

The Commission suggests that no temporary derogations are necessary with regard to the customs union, in technical areas where procedures for compliance are left up to manufacturers, in notification procedures for technical standards, or with regard to new proposals due to be implemented by 1993. The main difficulties will arise in the agriculture, food, chemicals, environment and product safety areas.

In its explanatory statement the Commission refers to those sectors in which Community legislation can be applied almost without problems (Vol. I p. 57). The optional approach directives, for example, allow industry either to produce in conformity with the standards laid down in the directives, or not. If products are in conformity, they can be marketed in the whole Community; if not, they can only be sold in the territory of origin. This means that in the specific case of non-conforming products produced in the German Democratic Republic, they can only be marketed in the territory of unified Germany but not exported to other Member States.

At least one directive (toys) does lay down minimum standards which must be respected for internal trade. It is not mentioned in the Commission document. It came into force EC-wide on 1 January 1990. The committee understands that it will apply immediately to East German products as well. The committee's concern is that East German industry is being asked to produce to the new EC-standard without a long run-in time and without

any system of verifying that East German products will meet the new standards.

Most of the new approach directives (for example machines, personal protective equipment, etc.) will come into force by the end of 1992, so in these cases derogations are not deemed to be necessary.

3. THE CONSUMER INTEREST

Consumer groups in the Community have been seeking contact with existing organizations in Eastern Europe. They support measures to facilitate the early integration of the GDR into the Community in response to the wishes of the people; to raise the standards of living of all citizens in the EC and reduce inequality; to protect public health and safety; and to provide a wide choice of goods and services at reasonable prices.

The main concerns arising from the reunification of Germany are:

- (a) that products produced to lower standards of safety and quality will enter the Community through Germany following the removal of the borders;
- (b) that unscrupulous suppliers will use the GDR as a base for releasing products which do not conform with Community regulations and standards on to the Community market;
- (c) that proposals for the mutual recognition of technical standards will result in safety standards being set at the lowest level operating within the Community including the new Länder;
- (d) that enforcement arrangements are insufficient to cope with a system which relies on control when goods are first placed on the market or offered for sale and not at the point of production.

4. SAFEGUARDS

The derogations proposed during the transitional period are intended to be temporary and will apply only to products produced and used within the former GDR. The Commission will require the FRG to take steps to ensure that products which do not conform with Community laws will not reach the rest of the Community and the requirements of Articles 30-36 of the Treaty will apply. It has said that penalties for non-compliance should be imposed if illegal products are found on the Community market other than in the territory of the new Länder.

The accelerated procedures will apply to derogations agreed only until the end of 1992. If extensions are felt to be necessary, proposals will have to be put before the Council and decided by majority vote.

5. COMMITTEE PROCEDURE

The committee considers that the committee procedure proposed by the Commission is neither appropriate nor feasible. Instead, it suggests applying the committee procedure laid down in the corresponding directives and regulations in the case of further adaptations of the directives listed in the annex or any other directives and regulations. These existing committees are best able to judge whether and to what extent derogations are possible or necessary.

6.1. CONCLUSIONS

The Committee on the Environment, Public Health and Consumer Protection offers the following conclusions on the Commission's proposals, and asks that the Temporary Committee to consider the impact of the process of German unification on the European Community incorporate them into its own final report.

(i) The Committee welcomes the Commission's proposals for directives outlining transitional measures applicable in Germany following reunification and congratulates the Commission on the speed with which it has acted. The Commission's conclusion that derogations will not be necessary for legislation currently under discussion but due to be adopted before the end of 1992 may be premature and should be reconsidered before 1992.

(ii) The committee accepts that derogations will be necessary for a transitional period to allow changes to be made in the former GDR so that industry can adapt its processes and practices to comply with Community law. The proposed deadline of 31 December 1992 for compliance with existing secondary law imposes a very tight timescale. Every effort should be made by the Commission and the German Government so that this deadline can be met for the majority of sectors. The Commission should state the criteria on which derogations will be permitted.

(iii) The Commission and Member States should offer technical help to facilitate the structural and economic changes which will be necessary so that the new Lander are able to comply with Community legislation and compete on the Community market by 1993. Such help should include training personnel in environmental health and hygiene, product safety and its enforcement.

(iv) The committee welcomes the requirement (Article 3) to report on the control measures introduced by Germany at the time of unification, and for annual reports on the application of measures taken under the directive. The Commission is asked to make these reports available to the Parliament on receipt and to publish details of the control measures for informations.

(v) The major weakness in the proposals is the dependence upon the German authorities to ensure that the products which are subject to derogations and which do not comply with Community legislation do not move from the former territory of GDR into the rest of Germany and, in the absence of border controls, throughout the Community market.

In order to forestall any suspicions as to the final destination of products manufactured in the former GDR which do not comply with Community marketing standards, the Federal Republic of Germany has introduced an additional legislative measure. Under this measure, the placing on the market in the rest of Germany or in other Member States of goods which do not comply with Community marketing standards or of goods from CMEA countries whose final destination is supposed to be the former GDR is considered an administrative offence subject to large fines. The committee welcomes this measure.

Consumers will be particularly concerned about the possible import of fresh meat containing excessive levels of hormones or antibiotic residues; fruit and vegetables contaminated by pesticides and foods which may have been irradiated. The lack of facilities in East Germany for testing the quality standards of foodstuffs, and the lack of a test for irradiated food, underlines the need for adequate checks in the FRG.

So that other Member States have confidence in the FRGs ability to control the movement of products between the new Lander and the rest of Germany, it is suggested that the Commission nominate inspectors from its own service or from the enforcement agencies in Member States to carry out peer group appraisal of the controls introduced in Germany, and offer advice and assistance on how they can be improved so that the new territories can comply with Community rules after 1992.

(vi) Protection of the health and safety of all Community citizens is a priority. Derogations which would allow the continued use of substances known to be hazardous to human health should not be permitted.

6.2 AMENDMENTS

The amendments adopted by the Committee on the Environment, Public Health and Consumer Protection in line with the conclusions set out above will be forwarded separately to the Temporary Committee to consider the impact of the process of German unification on the European Community.

O P I N I O N

(Rule 120 of the Rules of Procedure)

of the Committee on the Environment, Public Health and Consumer Protection
for the Temporary Committee to consider the impact of the process of German
unification on the European Community

Draftsman: Mrs Dagmar ROTH-BEHRENDT

At its meeting of 17 July 1990 the Committee on the Environment, Public Health and Consumer Protection appointed Mrs Roth-Behrendt draftsman.

At its meetings of 13 and 17-18 September it considered the draft opinion and adopted the conclusions unanimously.

The following took part in the vote: Collins, chairman; Schleicher, Scott-Hopkins and Iversen, vice-chairmen; Roth-Behrendt, draftsman; Bowe, de la Camara Martinez, Caudron (for Bombard), Diez de Rivera Icaza, Di Rupo, Florenz, Green, Hadjigeorgiou (for Gaibisso), C. Jackson, Muntingh, Partsch, Pereira, Plumb (for Seligman), Pollack, Reymann (for Douste-Blazy), Vernier, Vittinghoff and Vohrer.

INTRODUCTION

1. Those who are familiar with the environmental situation in the GDR may be surprised to learn that derogations and/or transitional measures are provided for in respect of only 15 directives. However, these 15 directives cover the key areas for improving the environment in the GDR as regards soil, air and water.

The Commission envisages transitional periods from 1992 to 1996 for the implementation of these directives.

As far as some directives are concerned (e.g. Quality of surface water), this deadline appears over-optimistic. However, since any attempt to improve the environment of the GDR within such a period must be welcomed, this opinion endeavours to avoid tabling any amendments which would stifle such optimism.

2. The ninth recital and Article 17 leave the Commission the option of making supplementary amendments where necessary to the directives amended by this directive - and also to any further directives.

The Commission's intention of using the existing committee procedures of the amended directives as the means of making adaptations should supplementary amendments to this directive be required seems perfectly acceptable.

However, it is surely not acceptable for any further amendments which may be needed to other directives to be referred to an ad hoc committee which would take decisions in accordance with procedure IIIa (= regulatory committee), as this would constitute an infringement of Community legislative procedure. This opinion proposes instead, as a logical consequence of Article 17(1), that the committee procedures provided for in each of these directives be used where such directives require subsequent adaptation. This would cover 90% of all directives. Two amendments relating to this point are attached.

3. The question arises as to whether adaptation or transition periods/rules should also be laid down for the GDR in any further directives and regulations. Because of the short time available, only a limited number of problems in this extensive legal area could be considered. The conclusions were as follows:

- Toxic emissions from cars and lorries

The rules can be implemented immediately, as the directives apply only to new registrations and thus even the 'Trabant' will enjoy a period of grace up to 1992.

- Quality of fuel and heating oil

As of the fourth quarter of 1990, when existing stocks have been used up, Community standards will apply to sales of motor fuel and heating fuel.

- Waste from the titanium oxide industry

The two existing producers in the GDR are to cease production. Remaining stocks will be disposed of in waste disposal plants in the FRG.

- Disposal of PCB/PCT

The administrative rules laid down in the present directive can be complied with immediately. The new draft directive currently being considered by the Environment Committee (SCHMID report) may have to include a derogation for the GDR, if this cannot be dealt with under the committee procedure.

- Montreal CFC protocol

The FRG will provide final production figures for CFCs in early October. Only then will it be possible to decide whether adaptation is needed (probably not, since this sector has suffered a major fall in production in recent months - e.g. in the refrigerator and foam materials industries - and these industries have either already halted production or are converting their products with cooperation from the West).

- Wildlife protection

Article 5 proposes 31 December 1992 as the deadline for the implementation of the directive on wild birds. While this is unsatisfactory it does reflect the situation in GDR nature reserves: many of these exist only on paper and on closer inspection very few are found to be still intact. The situation therefore needs to be reassessed. The same applies to the biotopes of other species. Wildlife protection policy must therefore be considered in close connection with the directive on environmental impact assessment: only the immediate and direct implementation of the latter - as envisaged by the Commission - can ensure that designated protected areas are not entirely sacrificed to economic progress.

In addition, it should be pointed out that further guarantees can be incorporated under the 'habitat directive' (MUNTINGH report) currently under consideration in committee, assuming that no derogation for the GDR is provided for in the directive.

- CITES

The GDR was a signatory to this convention and has also implemented it, so that the relevant Community regulations can be implemented immediately.

4. A key factor for achieving progress in environmental policy in the GDR will be the implementation of the directive on environmental impact assessment in respect of which the Commission has provided for no derogations. However, the Commission's first task will have to be to consider whether the directive, as transposed into the law of the FRG, actually meets all requirements. In addition, the Commission must take great care to ensure that this directive is then correctly implemented in the territory of the present GDR.

5. Restoring the environment of the GDR will cost around DM 100-125 bn (50-60 bn ECU). Even if a large proportion of these funds come from private investment in the home and industry, a considerable amount will still have to be found by public bodies. The Community will have to share these costs, particularly in cases of cross-border problems or those which will be seen to

set a precedent. Two of the many possible examples are as follows:

- (a) The Baltic Sea is at least as badly polluted as the North Sea - in some places even worse. The accession of the GDR means that work to improve the environment can now move ahead more rapidly, although this will clearly require huge investment for cleaning up rivers, installations located on coasts and rivers, etc. A programme with Community participation (COZEA) is planned for the North Sea and should be extended to the Baltic.
- (b) With the accession of the GDR, the Community will include both of the most westerly reserves of the great bustard (*Otis Tarda L.*), the largest bird species in Europe. At the turn of the century this species was still found in France, Belgium and Holland but the mechanization of agriculture has driven it further and further to the east. Both reserves in the GDR were already under threat and are now coming under even greater pressure. According to current estimates, around 2 m ECU is needed to ensure the continued existence of the two reserves, in addition to which the annual maintenance costs will be around 300 000 - 500 000 ECU (depending on the level of compensatory payments for agriculture and forestry). However, if the hawksbill tortoise could be saved using funds from the Community budget with the active financial support of Parliament, why should the same not be true of the great bustard in the GDR?

6. This leads back to the view already expressed by the committee on numerous occasions, that a Community environment fund should be set up immediately, partly in order to bring together the available funds in a rational manner and partly to make it possible to push new urgent measures rapidly forward.

CONCLUSIONS

- (a) The committee agrees with the measures proposed by the Commission and hopes that the optimism embodied therein can be accommodated to the political realities within the envisaged timetable.
- (b) The committee rejects the adaptation procedure envisaged for any further directives and instead proposes the amendments annexed to this opinion.
- (c) The committee considers it absolutely essential that the Commission use all instruments available to it to ensure the full and immediate application of the directive on environmental impact assessment to the territory of the GDR.
- (d) The committee believes that the integration of the 'GDR ecological disaster zone' into Community territory makes the establishment of an environment fund at Community level even more urgent than before.

AMENDMENTS

The amendments adopted in accordance with the above conclusions by the Committee on the Environment, Public Health and Consumer Protection are being forwarded separately to the Temporary Committee to consider the impact of the process of German unification on the European Community.

O P I N I O N

(Rule 120 of the Rules of Procedure)

of the Committee on the Environment, Public Health and Consumer Protection
for the Temporary Committee to consider the impact of the process of
German unification on the European Community

Draftsman: Mr John IVERSEN

At its meeting of 17 July 1990 the Committee on the Environment, Public Health and Consumer Protection appointed Mr Iversen draftsman.

The committee considered the draft opinion at its meetings of 13 and 17/18 September 1990 and unanimously adopted the conclusions contained therein.

The following took part in the vote: Collins, chairman; Schleicher and Scott-Hopkins, vice-chairmen; Iversen, vice-chairman and draftsman; Bowe, de la Camara Martinez, Caudron (for Bombard), Diez de Rivera Icaza, Di Rupo, Florenz, Green, Hadjigeorgiou (for Gaibisso), Caroline Jackson, Muntingh, Partsch, Pereira, Plumb (for Seligman), Pollack, Reymann (for Douste-Blazy), Roth-Behrendt, Vernier, Vittinghoff, Vohrer.

INTRODUCTION

1. In the course of a day-long excursion organized during a meeting of the Temporary Committee to consider the impact of the process of German unification on the European Community held in June 1990 in East Berlin, your draftsman was able to gain an impression of the state of the health service in the GDR. That impression was that the service is lagging between 10 and 30 years behind developments in the EC Member States. This applies both to medical equipment, including some of the buildings, and patient care and standards of hygiene.

2. In addition, across broad areas of the GDR people are exposed, at home and at the workplace, to environmental pollution which is damaging to their health, and their daily consumption of 3800 calories gives them the unhealthiest diet of all the Western industrialized nations.

3. The combination of these three factors, inadequate medical care, the severe strains on health and an unhealthy way of life, results in a life expectancy, according to the region concerned, between three and five years lower than the French or Danish average.

4. The European Community has no powers to enact specific legislation governing the health services. It is no surprise, therefore, that the 'package' submitted by the Commission contains no corresponding proposals.

5. However, following the division of work within the committee, your draftsman has been allocated two topics:

- Directive 90/239/EEC on the maximum tar yield of cigarettes (part of the 'internal market' package)
- consideration of how far derogations might be granted from other directives broadly connected with health matters.

6. The cigarettes manufactured in the GDR or imported into that country from third countries do not comply with the requirements of the directive on cigarettes.

The Commission proposes that Germany to be allowed to continue marketing these cigarettes on the territory of the GDR for a transitional period. A central, irrefutable argument is that the GDR is bound by contracts, some reaching into the medium term, to take deliveries of raw tobacco and tobacco products from former trading partners and, furthermore, that its cigarette industry requires an adjustment period.

A counter-argument might be that higher priority should be given to public health protection.

Your draftsman is in the happy position of not having to solve this problem entirely on his own: within the space of a few weeks, consumers in the GDR have made their decision in favour of Western cigarettes, with the result that in July the share of sales made up by GDR cigarettes, including imports from Eastern Europe, had fallen from 95% to less than 20%.

As it is clear that the refusal to grant a derogation will not eradicate smoking and the resulting dangers to health in the GDR, your draftsman will not table an amendment to that effect.

7. The following are two of the directives which your draftsman has examined with a view to determining whether derogations might be granted:

- Directive 87/18/EEC on the principles of good laboratory practice. Germany applied for a derogation, but this was rejected by the Commission on ethical grounds. As of 3 October, therefore, animal experiments in the GDR will have to be carried out in accordance with the provisions of this directive.
- Directive 76/579/EURATOM (including subsequent amendments) on the health protection of the general public and workers against the dangers of ionizing radiation. Here, your draftsman has yet to obtain precise information as to why the Commission has not made provision for derogations, even though doctors have stated that were the directive to be implemented, 90% of all X-ray and other ionizing radiation equipment in the GDR would immediately have to be taken out of service.

8. In your draftsman's view, educational measures represent a much more important means of improving the health situation in the former GDR than does legislation. It is vital that immediately after its incorporation into the EC the former GDR should participate in all the Community health education campaigns, with the emphasis on cancer, drugs, AIDS and alcohol and tobacco abuse.

The following additional measures should also be taken immediately:

- promotion of a network of consumer protection bodies providing information on healthy diets,
- environmental improvements,
- improved standards of occupational hygiene,
- incorporation of medical institutions, including the remaining research institutes, into Community exchange and R&D programmes.

CONCLUSIONS

- (a) The committee sees no need for further health policy-related derogations and endorses the Commission proposal in this respect.
- (b) The committee sees a pressing need for the immediate implementation, on the territory of the former GDR, of all existing Community health education campaigns in priority areas, and calls on the Commission to take the requisite measures.
- (c) The committee also sees a pressing need for the following measures:
 - the promotion of a network of consumer protection bodies providing information on healthy diets,
 - environmental improvements,
 - improved standards of occupational hygiene,
 - the integration of medical institutions, including the remaining research institutes, in Community exchange and R&D programmes.

OPINION

(Rule 120 of the Rules of Procedure)

of the Committee on Budgetary Control
Draftsman: Mr Martin HOLZFUSS

At its meeting of 23 April 1990 the Committee on Budgetary Control appointed Mr Martin HOLZFUSS draftsman.

At its meeting of 19/21 September 1990 the committee considered the draft opinion. It adopted the conclusions unanimously on 20 September 1990.

The following were present: Price, chairman; Wynn, vice-chairman; Holzfuss, draftsman; Goedmakers, Langes, Sarlis and Schodruch.

I. BACKGROUND AND GENERAL ASSESSMENT OF THE LEGISLATIVE PROPOSALS

1. On 21 August 1990 the Commission adopted a series of legislative proposals, which it submitted to the European Parliament and the Council, on arrangements for the transitional period that will follow formal unification of Germany; these 'transitional' measures should remain effective until the full integration of former GDR Länder into the Community (COM(90) 400 of 21 August 1990). From that date onwards i.e. from 3 October 1990, the Commission's sole interlocutor will be the Federal Republic of Germany.

2. The European Parliament has already delivered its opinion (September part-session) on two basic legislative proposals seeking to grant the Commission the power to adopt 'provisional' measures even prior to the adoption of the 'transitional' measures so as to avoid creating a legal vacuum immediately following unification. Clearly, the 'provisional' measures will not affect the substance of the transitional measures to be established by the legislative authority.

3. The Commission's package of legislative proposals comprises a set of measures to deal with a gradually evolving situation, of which the details are as yet unknown and future developments difficult to predict. The Commission acknowledges this fact in a number of sections of its proposal (regarding agriculture, structural policies etc.).

4. Thus the questions raised by the Committee on Budgetary Control in its interim opinion as to whether the Commission had sufficient basic information to draw up general legislation remain unanswered.

5. The proposed legislation is therefore fragmentary and incomplete, particularly as regards budgetary management and supervision:

- own resources: there is no legislative proposal despite the fact that the effective collection of resources as a whole may be jeopardized by the absence of statistical information and the need to train public officials responsible for customs controls and the implementation of VAT regulations;
- structural policies: the legislative proposal instructs the FRG to define not only the development plan and Community support framework but also the areas requiring intervention; this is due to the lack of detailed information on the GDP of the annexed Länder; there is no proposal to introduce more subtle intervention systems entailing greater responsibility on the part of the Commission (e.g. integrated programmes, etc.);
- common agricultural policy: the proposal for a regulation contains transitional measures (on stocks, national aid and a series of agricultural products) that are incomplete: the Commission is therefore obliged to request a derogation in order to take measures to complete the legislation. There is no proposal for legislation to integrate aspects specific to East German agriculture into the more general framework of budgetary discipline in the agricultural sector.

6. In this connection, the analysis given below proposes introducing a number of legislative adjustments to fill a number of loopholes concerning budgetary management and control, particularly with regard to:

- the need for legislative provisions on budgetary management and control;
- the need to introduce new legal bases that are essential to the effective management of the budget.

7. The questions put to the Commission in the interim opinion submitted to the temporary committee on 28 June 1990 (PE 141.170/fin.) will be taken into account in this opinion since the Commission's legislative proposals must be considered as answers to those questions.

II. LACK OF LEGISLATIVE PROVISIONS ON BUDGETARY CONTROL

8. Certain provisions contained in the legislative package proposed by the Commission, though justified as such, are liable to be improperly applied and thus have an adverse effect on the Community budget. In other cases, the Commission proposal is not accompanied by the special monitoring provisions required as a result of the exceptional nature of the measures proposed and the East German economy's special needs. Amendments are therefore necessary to complete these legislative proposals with appropriate budgetary control provisions. This applies to the following areas:

A. External relations

9. A proposal for a Council regulation and a proposal for a Commission decision provide for transitional tariff measures relating to imports from Bulgaria, the Czech and Slovak Federative Republic, Hungary, Poland, Romania, the USSR and Yugoslavia; the proposals concern general imports and products covered by the ECSC Treaty.

10. The two proposals provide for the suspension of common customs tariff duties in respect of products from the above countries to comply with the long-term cooperation and investment treaties concluded by the GDR and providing for the application of zero duties. This would only be a temporary suspension (until 31 December 1991) to enable the treaties to be renegotiated at Community level.

11. However, the two proposals recognize the need to confine the impact of the derogation to the Federal Republic of Germany and state that the suspension of the common customs tariff shall be applicable only if 'the goods in question are released for free circulation in the part of the Federal Republic corresponding to the territory of the former German Democratic Republic and are consumed there or undergo processing conferring Community origin there'.

12. Who will monitor the application of this restrictive provision? The two proposals contain no provisions for minimum inspection despite the obvious difficulty of preventing the movement of goods from one region of Germany to the other in the absence of internal frontiers.

13. There is always the danger that trade will be deflected across Eastern Europe and the German border into other Community Member States, thereby depriving the Community budget of a significant share of its traditional own resources.

14. The fear expressed in the interim opinion of the Committee on Budgetary Control that transitional problems might be more complex than those that have arisen with previous accessions may therefore prove justified. The amendment in Annex A seeks to introduce a compulsory system of special monitoring measures by the German and/or Community authorities, under the supervision of the European Court of Auditors. Although the amendment only concerns the proposal for a Council regulation, it is to be hoped that the Commission will also make a similar amendment to its proposal for a decision.

B. Common Agricultural Policy

15. The package also contains a proposal for a regulation on the transitional measures and adjustments required in the agricultural sector as a result of the integration of the ex-GDR territories into the Community.

16. The proposal seeks to introduce adjustments and transitional measures concerning a series of agricultural products (cereals, sugar, meat, fruit and vegetables, wine, tobacco and hops) and special arrangements for national aids and taking over stocks held by the GDR's intervention body.

17. Given the extremely complex nature of the derogation system, attempts to apply effective controls may be hampered by the lack of information about farming in the GDR, as acknowledged by the Commission in the sixteenth recital of the proposal for a regulation. An obvious example of this is to be found in the agricultural stocks and the need for the Commission to check that the GDR intervention agency has a 'normal' quota at the time of unification before the Community takes over these stocks.

18. However, the Commission has made no provision for the introduction of a monitoring system geared to the special situation of agriculture in the former GDR.

III. COMPLETING THE PROPOSED LEGISLATIVE PACKAGE

19. The legislation proposed by the Commission represents a derogation from the current provisions since it seeks to adjust the existing legislation to meet the needs of the East German economy and structures.

20. However, it is difficult to accept that the speedy and harmonious full integration of the East German Länder, as called for by the European Council in Dublin on 28 April 1990, could disregard the original legislation and establish new legislative and institutional structures whenever the special nature of the situation so required.

21. Special legislation would be required for the following areas relating to budgetary management and control:

Statistical information

22. The Commission recognizes that statistics in the GDR are in a poor state, and that it is unable to supply details of the overall and per capita GDP requested in the interim opinion. The Commission even points out that the GDR's system of official statistics is not in a position to supply the necessary type and quality of data to compare with Community statistics.

23. However, statistical data are vital to a series of Community policies (e.g. identifying the regions affected by structural policies) and to determining the 'additional resource' based on the sum of the Member States' GNP (Article 2(d)) of Council Decision 88/376/EEC, EURATOM on the Communities own resources.

24. Given that the Commission asserts that the most serious problems do not concern the application of the 50 existing directives, regulations and decisions but are in fact organizational problems, it should propose a legal basis that will enable structures and methods to be adjusted rapidly and provide a definitive guarantee of reliable data.

Indirect taxation and customs; training of officials

25. A customs and tax administration similar to the FRG structure has been set up and VAT, excise and customs legislation is almost identical.

26. However, a legal basis is required to ensure that the new structures, and particularly the level of training for tax and customs officials (necessary for guaranteeing proper collection of traditional own resources and VAT) are effective. In this connection, the Committee on Budgetary Control intends to enter a new line into the 1991 budget to provide resources for the training of public officials; if a legal basis was found, it would thus have a source of finance.

Loans

27. The policy of loans to undertakings in the GDR will soon be launched at a number of different levels: ECSC and EURATOM loans, the PHARE programme, etc. Faced with a state of near bankruptcy, East German undertakings have requested loans mainly to pay wages and have advised the 'Treuhandanstalt' (public law institute responsible for privatizing 8,000 state companies) to cover a percentage of the funds requested (41%). The exact financial situation of companies is at present difficult to assess.

28. The above considerations suggest that caution is necessary and that the Commission should propose a general legal basis for the whole range of loans in the GDR, methods of allocation and necessary guarantees. It should be pointed out that the general budget remains the final guarantee for a large number of Community loans.

IV. CONCLUSIONS

29. The Committee on Budgetary Control considers that the package of legislative proposals put forward by the Commission to deal with the transitional period following Germany's formal unification is fragmentary and incomplete. The existing gaps are partly due to the lack of information and the rapid changes in the GDR's economic and institutional position.

30. However, it is possible to improve the legislation, in particular by setting up a more general system of budgetary management and control.

31. The Committee on Budgetary Control therefore calls on the temporary committee to consider the impact of German unification to take account of the need to fill the gaps, as far as budgetary management and control are concerned, in the legislative package proposed by the Commission:

1. by proposing the amendment to the Commission texts which appear in annex A (see part II);
2. by calling on the Commission not merely to propose derogations from the existing legislation but to draw up more comprehensive legislation in order to deal with the many structural adjustment problems raised by the special nature of the East German economy and institutions. The Commission should, in the field of budgetary management and control, establish legal bases in respect of statistics, indirect taxation and customs, the training of public officials and granting of loans (see part III).

32. It was also considered that an assessment should be made of the decision-making procedures proposed by the Commission for the adoption of these measures¹⁴. The Committee on Budgetary Control should consider whether these procedures do not limit the Commission's responsibility with respect to the implementation of the budget.

¹⁴ See Annex B

Amendment to the proposal for a Council regulation on the introduction of transitional tariff measures for Bulgaria, the Czech and Slovak Federative Republic, Hungary, Poland, Romania, the USSR and Yugoslavia from 1 December 1990 to 31 December 1991 to take account of German unification

Article 1(2): after the second indent, add the following new indent:

- '- a system of inspection to be set up to ensure that goods released for free circulation are actually consumed or processed on the territory of the former GDR and that the Commission and Court of Auditors of the European Communities may be involved in such inspections at their request;'

PROPOSED BY THE COMMISSION FOLLOWING GERMAN UNIFICATION
AND COMPRISING BUDGETARY CONTROL ASPECTS

Proposed legislation	Adoption of legislation only	The main legislation may be supplemented by the Commission assisted by			The power to grant derogations is delegated to the Commission, which is assisted by		
		a regulatory committee	a management committee	an advisory committee	a regulatory committee	a management committee	an advisory committee
I.1 (p.16) Regulation Transitional tariff measures Bulgaria, Czechoslovakia Hungary, Poland, Romania, USSR and Yugoslavia	X						
I.2 (p.24) Recommendation authorizing the Commission to negotiate textile agreements							X
I.3 (p.28) Decision Transitional tariff measures ECSC	X						
III.1 (p.88) Regulation Transitional measures in the agricultural sector			X				
IV.1 (p.146) Regulation Measures concerning the common fisheries policy	X						
VII. (p.169) Regulation Activities of the structural funds in German territories	X						

O P I N I O N

(Rule 120 of the Rules of Procedure)

of the Committee on Women's Rights
for the Temporary Committee to consider the impact of the process
of German unification on the European Community
Draftsman: Mrs Dagmar ROTH-BEHRENDT

At its meeting of 19 April 1990 the Committee on Women's Rights appointed Mrs Roth-Behrendt draftsman.

At its meetings of 13 and 19 and 20 September 1990 it considered the draft opinion.

At the latter meeting it adopted the conclusions as a whole by 8 votes to 4, with 4 abstentions.

The following took part in the vote: Crawley, chairman; Domingo Segarra, vice-chairman, Roth-Behrendt, vice-chairman and draftsman; Belo, Catasta (for Napoletano), van Dijk, Hadjigeorgiou, Killilea, Lenz, Nordmann (for Larive), Oddy (for Pollack), Randzio-Plath (for Maibaum), Read (for Dury), Rønne, Tzadit (for Ernst de la Graete) and van Hemeldonck (for van der Brink).

A.

PRELIMINARY REMARK

The figures and statistics contained in this report are largely drawn from GDR sources, primarily the 1989 GDR Statistical Yearbook published in spring 1990, but some are extrapolations from empirical research. They do not claim to be definitive, therefore, and cannot be checked by us.

When assessing the position of women in the GDR, it should not be forgotten that provisions which at first sight appear exemplary, in particular the state measures to encourage women to take up employment, were not only politically motivated, in the context of the economic independence of women and the desire to secure equality between the sexes, but were also of vital importance to the economy.

One key factor, in economic terms, was the serious shortage of labour following the population losses in the Second World War and the exodus from the country in the period to 1961; the result was a surplus of women. This was compounded by the need to increase productivity, which was seen as having a decisive bearing on the success of the new social order. Low wage levels still often force both parents in a family to go out to work, with the result that women contribute around 44% to family incomes. The twin burden of employment and motherhood also creates problems. Despite the fact that numerical equality has been achieved, the traditional image of women has continued to hold sway, and they retain responsibility for family and household matters.

1. Living and working conditions of women in the GDR

- Employment:

Some 91% of women of employment age (including apprentices and students) work (FRG: 52%). Despite the far-reaching integration of women into professional life, sex-based differences can still be found. For example, 72.9% of employees in the trade sector, 61.4% in the services sector and 72.2% in scientific, cultural, health and social institutions are women.

In the industrial sector, the highest proportions of women employees are found in light industry, the textile and clothing industry and in electrical and electronic manufacturing. In general, therefore, women are found in typical 'women's occupations'.

Around 27% of women work part-time (roughly 30 hours per week), primarily in postal and telecommunications services, craft industries and the distributive trades. Paragraph 160 of the Labour Code stipulates that part-time work may only be carried out by pensioners and women with family responsibilities. Unlike in the FRG, part-time employees enjoy the same legal rights as full-time employees in respect of social insurance and safeguards.

Wages:

Despite the constitutional claim of 'equal work for equal pay', income disparities between the sexes still exist. Average women's wages of DM 762 net are roughly 25% lower than men's (DM 1010). This is mainly because the majority of women (57%, but only 22% of men) are employed in low-paid sectors (wage brackets 4 and 5, e.g. the textile and manufacturing industries) which demand few qualifications and offer little responsibility. The ratio is precisely reversed in higher wage brackets embracing more demanding jobs.

- Training, qualifications:

Improving women's qualifications was one of the noblest aims of the former GDR leadership. In purely nominal terms, they succeeded. 87% of women (58.4% skilled workers, 1.2% master craftswomen, 18.1% technical diploma and 6.4% university degree) have completed professional training, a much higher figure than in the EC Member States.

With a view to ensuring that women employees received further training, firms were required to draw up annual women's advancement plans. In addition, special women's classes and courses were set up in technical colleges and universities, primarily to enable working mothers to improve their qualifications. Today, the figures for those undergoing training still break down along traditional sex-based lines: women make up 96.1% of those training for sales and secretarial work and 83.4% of those training for the distributive trades, catering and the services sector. The figure for traditional male occupations such as mechanical or civil engineering is only 8.5%. In further education, where they make up 50% of the student population, women are in the majority in the following subjects: teacher training, literature, linguistics and medicine.

- Managerial positions:

Surveys have revealed that contrary to government statements women are primarily represented in junior and middle management positions in commerce, administration and industry. The proportion of women in top positions is 2 - 3% at most. This applies to all areas of society, including politics. Even in medicine and teaching, where women account for at least half of the employees, it is very rare to find them in leading managerial positions.

- Provisions to foster women's employment:

Many regulations have been issued and measures taken to ease the twin burden on women. Mention should be made of the following: creation of an all-embracing system of works and state-run child-care facilities (almost 100% care from the age of 1), provision of hot meals for children, extension of cafeterias and canteen kitchens, efforts to farm out housework by setting up service firms (laundries, sewing and ironing shops, shops at the workplace and with longer opening hours). As a result of the poor equipment and shortages affecting these firms, the attempt to farm out housework must be regarded as a failure, however, so that the twin burden of work and family has barely been reduced. This causes stress and exhaustion in many women, which is reflected in poorer performance at work and high occupational accident rates.

With regard to the many exemplary maternity benefits stipulated by the Family Law Code, such as paid leave with the job held open, shorter working hours and relaxed arrangements with regard to sick leave, the reader is referred to the annex.

- Family life, abortion:

Despite propagation of the ideals of marriage and family life, the number of divorces in the GDR is exceptionally high (1988: 50 000 compared with 137 000 marriages = a divorce rate of 36.2%). One reason is the relative economic independence of women, which makes a divorce easier. The number of single mothers is also high (20% of families with children; FRG 11%). In 1988, 33% of new-born children were born to unmarried mothers. Single mothers receive the same financial support, with the exception of the marriage loan, and enjoy the same rights as married women.

Paragraph 154 of the GDR Civil Code provides for abortion on demand, at the women's own responsibility, during the first three months of pregnancy (80 000 abortions in 1988). Criticisms of the law include lack of information and advice and, in some cases, the way operations are carried out.

2. Repercussions of German unification

The primary fear is that women will account for a disproportionate share of the unemployment figures. Between 1 May 1990 and 21 July 1990, the proportion of women among those registered as unemployed (in total 280 000, or 3.2%) rose from 42% to 51%.

There are many reasons why women are more likely to be made redundant than men:

- Firms with a high proportion of female employees suffer a high rate of working days lost as a result of the many provisions releasing women from work. Since costs will henceforth be calculated on a market economy basis, this will make it much more expensive to employ women.
- A further cost factor for firms is represented by the child-care facilities which they run. Closures began in spring 1990. The direct result is that if these works creches are not taken over by the state, many women who can find no one to look after their children during working hours will be forced to give up their jobs. For this reason, it is very likely that many women will not register as unemployed but will form a hidden reserve workforce.
- Women are very strongly represented in the consumer goods manufacturing industries (e.g. textiles). Many of these products cannot compete on the market, with the inevitable result that firms will close and employees, predominantly women, will be laid off.
- It is likely that male unemployment will fall much more than quickly than female unemployment. The boom sectors, construction, mechanical engineering and craft industries, will primarily offer jobs to men, so that the future long-term unemployed in the GDR will largely be women.
- The discontinuation of social provisions will place women at a

considerable disadvantage when seeking a return to work, since their flexibility and mobility will be reduced. Women will therefore be forced to turn more to unskilled and part-time work.

In order to give mothers time to take up employment and to forestall social selection processes, consideration could be given to the following measures and the retention of social provisions in force in the GDR:

1. Provision of state funds to maintain creches and kindergartens; facilities of precisely this kind are completely inadequate in the Federal Republic, despite considerable demand (for figures see annex).
2. Retention of rights to release from work for family reasons in conjunction with compensation for loss of wages, accompanying measures to foster the reintegration of women into professional life (further training, retraining, etc.) in the light of the very rapidly changing professional demands following the introduction of a market economy.
3. Retention of selective arrangements on working hours for employees in particularly arduous jobs and the linking of these arrangements to a general reduction in working hours.
4. Retention of special rights of protection against dismissal having regard to social situation (single parents, parents in general, etc.).
5. The incorporation of rules on equality (women's advancement plans) in works constitutions, wage agreements and state structural policy, establishment of equal rights tribunals. (Hitherto the GDR has had neither labour nor social courts to enforce claims against discriminatory measures and protect rights.)
6. Better social protection for part-time workers, their rights being brought into line with those of full-time workers.

A further problem of relevance to women will be the future uniform legislation on abortion. Initially, no attempt should be made to alter the right of self-determination offered to women in the GDR by the liberal provisions governing abortion on demand. The forthcoming negotiations present the opportunity to carry out the long overdue revision of Paragraph 218 of the Federal German Civil Code.

3. The EC and the German unification process

It should not be difficult to adapt the existing directives on matters relevant to women in secondary Community law, since GDR law is considerably more progressive in this respect.

- Directive (1975) on 'equal work for equal pay' for men and women (right enshrined in the GDR Constitution)
- Directive (1976) on equal treatment for men and women in respect of access to the labour market, training and further training and promotion
- Directive on equal treatment for men and women in the sphere of social

security (the extension, almost en bloc, of the Federal German social security system to cover the GDR should rule out problems of adjustment in this sphere as well).

On the other hand, the discussion as to whether GDR social provisions can be employed throughout the future united Germany could offer a unique opportunity to take the initiative once again at Community level and move towards the adoption of appropriate directives.

In this connection, particular emphasis should be placed on provisions releasing mothers from work with the guarantee of a job on their return (one year's maternity leave, care of sick children, relaxed provisions on sick leave). A Commission proposal for a directive on this subject has been submitted to the Council for consideration (parental leave, COM(84) 361 final). In addition, important projects could be implemented as part of the programme to promote equal opportunities for women in economic and professional life (Council Resolution of 26 June 1986). Particular thought should be given to establishing adequate child-care facilities, the most serious problem in connection with women's employment. (The European Parliament has several times called for a directive on child care: PE 138.803 = Doc. B 3-312/90 of 14 February 1990; Doc. A 3-16/90 = OJ No. C 60/155, 19.03.90.) The relevant facilities in the GDR could be seen as exemplary, since there is a considerable need for action and regulations throughout the Community (no more than 40% of women are employed in the EC).

The European Parliament has pointed to the European Social Fund as a means of financing such measures.

Practical programmes and resources already available under the European Social Fund and the structural Funds could be used to deal with the problems in store for women in particular (long-term unemployment, the extensive need for retraining and fresh qualifications) on the former territory of the GDR following the unification of the two German states under international law.

Finally, it is also possible that during the current transitional period special Community financial aid may be provided, on the basis of political agreements, with a view to easing the social problems which emerge in the GDR in connection with the expected increase in unemployment. Aid for establishing modern training and retraining facilities geared to a market economy would be particularly important.

4. Situation in the health sector

The GDR health service is in deep crisis. The most serious problems relate to medical equipment and the structural state of clinics and hospitals and the plants producing drugs, instruments and suture material (the GDR once held the lead in Germany in this field).

Many buildings are rotten and fit for demolition, medical equipment is largely outdated and in desperately poor condition. The GDR is now dependent on outside aid for the most basic items such as syringes, bandages or rubber gloves. Disposable materials are often used several times, a potential cause of serious medical complications. Medical staff are also in short supply, although the problems differ from area to area. According to official GDR statistics, in 1989 there were roughly 37 000 doctors and 11 000 dentists for 16.2 m inhabitants. Around 5000 doctors employed in health administration and the roughly 2200 doctors who have moved to West Germany must be subtracted from this figure, so that the GDR has roughly 30% fewer doctors per head of population than the FRG. The training and further training of doctors in the GDR is marked by serious shortcomings vis-à-vis their Western colleagues, above all in the sphere of technical know-how. The situation is similar with regard to ancillary medical staff (1989: roughly 340 000 employees, 85% of them women). Emigration (some 6% of staff) has given rise to shortages of nursing staff, some of them insurmountable. At present, the GDR has some 540 hospitals with roughly 165 000 beds, the trend being downward (200 000 beds in 1960). Although the state of health of the GDR population has improved over the last four decades, the GDR still stands only 27th among the 34 developed countries. Life expectancy in the GDR is six years less than in other leading industrialized countries (1989: men 70 years, women 76 years). The GDR has succeeded in reducing its infant and child mortality rate from 18.5 per thousand in 1970 to 7.6 per thousand in 1989 by means of a strictly implemented state vaccination programme and by making various forms of financial support contingent upon medical examinations for pregnant women and infants.

The state of health of the GDR population is burdened by the 6 m or so cases of acute, infectious respiratory disease which occur each year - the main cause being the high level of air pollution - and the number of cases of infectious intestinal disease, which has now risen to roughly 1 m per year.

CONCLUSIONS

The Committee on Women's Rights recommends to the committee responsible that it incorporate the following conclusions into its motion for a resolution:

1. The incorporation of the territory of the GDR into the EC raises very few legal difficulties in areas relevant to women, since the formal, legal status of women in the GDR to some extent goes beyond the requirements of Community directives.
2. The committee calls on the Commission to take the provisions to aid women in the GDR, which make for a high level of female employment and better access to professions, as a justification to review its position and take fresh initiatives in the sphere of women's rights (e.g. proposal for a directive on child care).

3. It also calls on the Commission, even before the unification of the two German states under international law, to release Community resources from the structural Funds and the European Social Fund with a view to alleviating, as of now, the social repercussions of unification on women in the GDR who will, in all likelihood, be disproportionately affected by unemployment. There is a particular need for financial support to build up a retraining and further training system geared to a market economy and the provision of resources to maintain the state child-care system.
4. The committee sees a need for the Community to lend active support, for example by means of loans from the structural Funds and assistance in training staff at all levels. Large-scale exchanges at Community level involving nursing and technical staff and doctors could be envisaged.
5. It recommends that the fundamental human right to abortion recognized by the GDR be extended to cover the new unified Germany.

Statistiken: Frauen zu Erwerbsleben

Quelle: Statistisches Jahrbuch der DDR 1989

Erwerbstätige nach Wirtschaftsbereichen in der DDR und in der BRD
im Jahre 1988

Wirtschaftsbereich		insgesamt in 1 000	Erwerbstätige ¹⁾ davon Frauen in 1 000		Anteil der Frauen in vH	
DDR						
1	Insgesamt	8 594	4 204		48,9	
2	Industrie	3 216	1 320	1 418	41,1	
3	Produzierendes Handwerk ²⁾	266	97		36,6	
4	Bauwirtschaft	567	96		17,0	
5	Land- und Forstwirtschaft	928	350		37,7	
6	Verkehr-, Post- und Fernmeldewesen	636	224		35,2	
7	Handel	883	636		72,0	
8	Sonstige produzierende Zweige ³⁾	256	143		55,7	
9	Nichtproduzierende Bereiche ⁴⁾	1 842	1 337	1 480	72,6	
BRD						
1	Insgesamt	27 366	10 607		38,8	
2+3	Produzierendes Gewerbe	9 371	2 505		26,7	
4	Baugewerbe	1 872	193		10,3	
5	Land- und Forstwirtschaft	1 155	517		44,8	
6	Verkehr und Nachrichtenübermittlung	1 556	367		23,6	
7	Handel	3 330	1 873		56,2	
8+9	Kreditinst. und Versicherungsgew., Dienstleistungsunternehmen, Org. ohne Erwerbszw. u. priv. Haush., Gebietskörpersch. u. Sozialvers.	10 082	5 152		51,1	

1) DDR: Berufstätige ohne Auszubildende. - 2) Ohne Bauhandwerk. - 3) Leistungen der Forschungs- und Entwicklungszentren sowie der Projektierungsbetriebe, produktive Leistungen der Anlagebaubetriebe, Warenproduktion der geologischen Untersuchungsbetriebe; Umsatz der Verlage; Leistungen der Textilreinigungsbetriebe sowie der hauswirtschaftlichen Reparaturkombinate und -betriebe; Leistungen der Rechenbetriebe, produktive Leistungen der Filmstudios; produktive Leistungen der Wohnungswirtschaft. - 4) Nicht zu den Bereichen der „materiellen Produktion“ zählen u. a. die Kreditinstitute und das Versicherungsgewerbe, die Wohnungsvermittlung, das dienstleistende Handwerk und alle sonstigen zuvor nicht genannten Dienstleistungsunternehmen, ferner der Staat, die privaten Organisationen ohne Erwerbszweck und die häuslichen Dienste.

Bestandene Facharbeiterprüfungen in der DDR

Jahr	Lehrlinge und Werk­tätige			Lehrlinge			Werk­tätige		
	insgesamt Anzahl	davon weiblich Anzahl	vH	insgesamt Anzahl	davon weiblich Anzahl	vH	insgesamt Anzahl	davon weiblich Anzahl	vH
1965	197 756	85 318	43,1	108 284	48 123	44,4	89 472	37 195	41,6
1970	260 495	128 029	49,1	159 368	74 387	46,7	101 127	53 642	53,0
1975	257 261	128 304	49,9	172 122	80 793	46,9	85 139	47 511	55,8
1980	264 793	125 153	47,3	208 610	94 575	45,3	56 183	30 578	54,4
1985	229 579	105 843	46,1	182 567	81 427	44,6	47 012	24 416	51,9
1986	218 328	100 671	46,1	173 923	76 576	44,0	44 405	24 095	54,3
1987	213 071	98 685	46,3	168 874	74 260	44,0	44 197	24 425	55,3
1988	203 930	96 626	47,4	160 424	72 402	45,1	43 506	24 224	55,7

Aufnahme von Schulabgänger in die Berufsausbildung nach ausgewählten Berufsgruppen und Geschlecht in der DDR 1988

Berufsgruppen	Auszubildende		
	insgesamt Anzahl	davon weiblich Anzahl	in vH
Chemie	3 089	2 554	82,7
Maschinen-, Apparate- und Anlagenbau	31 053	2 474	8,0
Fertigungs- und Verfahrenstechnik	10 716	1 850	17,3
Elektrotechnik, Elektronik	13 800	2 255	16,3
Automatisierungstechnik	4 556	2 020	44,3
Textil, Bekleidung	7 656	6 919	90,4
Leder, Kunstleder	1 414	1 212	85,7
Lebensmittelindustrie	5 819	2 991	51,4
Handel, Gastronomie, Dienstleistungen	23 603	19 684	83,4
Land-, Forst- und Fischwirtschaft	15 305	6 681	43,7
Bauwesen	18 448	1 620	8,8
Verkehr und Transport	5 776	2 784	48,2
Wirtschaft und Verwaltung ¹⁾	15 890	15 263	96,1

Erwerbsbeteiligung von Frauen in der DDR

Jahr	Erwerbstätige ¹⁾ in 1 000		Frauenanteil an den Erwerbs- tätigen in vH	Frauen im erwerbs- fähigen Alter ²⁾ in 1 000	Erwerbs- quote der Frauen in vH
	insgesamt	darunter Frauen			
1950	7 196	2 880	40,0	6 528	44,1
1960	7 686	3 456	45,0	5 581	61,9
1970	7 769	3 750	48,3	5 011	74,8
1975	7 948	3 946	49,6	5 015	78,7
1980	8 225	4 106	49,9	5 257	78,1
1985	8 539	4 209	49,3	5 238	80,4
1986	8 548	4 200	49,1	5 226	80,4
1987	8 571	4 200	49,0	5 217	80,5
1988	8 594	4 204	48,9	5 187	81,0

1) Berufstätige ohne Lehrlinge. - 2) Frauen im Alter von 15 bis 60 Jahren zuzüglich 5/12 der weiblichen Personen des Altersjahres von 14 bis unter 15 Jahren.

Studierende im Fach- und Hochschulstudium in der DDR

Jahr	Studierende ¹⁾ an Fachschulen			Studierende ¹⁾ an Hochschulen		
	insgesamt Anzahl	davon weiblich Anzahl	vH	insgesamt Anzahl	davon weiblich Anzahl	vH
1960	126 018	36 000	28,6	99 860	25 213	25,2
1970	167 158	81 176	48,6	143 163	50 689	35,4
1980	171 825	123 549	71,9	129 970	63 266	48,7
1985	162 221	117 695	72,6	129 885	65 079	50,1
1986	160 379	114 975	71,7	131 560	66 228	50,3
1987	158 777	112 034	70,6	132 602	66 560	50,2
1988	157 513	110 719	70,3	132 423	65 152	49,2

1) Einschließlich Fern- und Abendstudium

Synoptische Gegenüberstellung sozialrechtliche Regelungen mit Frauenbezug → Rechtsquellen AGB, FGB, SVV und verschiedene Verordnungen

BRD	DDR
IV. Mutterschaft/Geburt/Familie	Mutterschaft/Geburt/Familie
	<ul style="list-style-type: none"> - Geburtshilfe <ul style="list-style-type: none"> - 1 000 M bei der Geburt jedes Kindes - Zahlung in Teilbeträgen: <ul style="list-style-type: none"> - 150 M nach der 28. Schwangerschaftswoche - 750 M nach der Geburt - je 25 M in den ersten 4 Monaten Geburtenhilfe wird aus dem Staatshaushalt gezahlt; Voraussetzung ist der regelmäßige Besuch der Schwangerschafts-/Mütterberatungsstelle - Familiengründungs-Kredit (seit Mai 1972) <ul style="list-style-type: none"> - Zinsloser Kredit bis zur Höhe von 5 000 M (an Arbeiter, Angestellte, Genossenschafts-Mitglieder, die sich bis zum Alter von 26 Jahren verheiratet) - Kredit ist zweckgebunden (Wohnungsbau/-anteile/-einrichtung) - Laufzeit 8 Jahre, Tilgung setzt nach spätestens drei Jahren ein - Erlassen bzw. zurückerstattet werden: <ul style="list-style-type: none"> - bei Geburt des ersten Kindes: 1 000 M - bei Geburt des zweiten Kindes: 1 500 M - bei Geburt des dritten Kindes: 2 500 M - Ist die Restschuld geringer als der Nachlaß: Zahlung des Differenzbetrages an die Ehepaare

Kindergeld

- Kindergeld wird bis zum Ende des 16. Lj. des Kindes gezahlt (bei Schul-/Berufsausbildung bis zum 27. Lj., bei arbeitslosen Kindern bis zum 21. Lj.)

Das ab dem 2. Kind einkommensabhängig gezahlte Kindergeld beträgt:

	DM/Monat	in vH des Durchschnittseinkommens (1990: rd. 3 300 DM)	dito kumuliert
1. Kind	50	1,5	1,5
2. Kind	70-100	2,1-3,0	3,6- 4,5
3. Kind	140-220	4,2-6,7	7,8-11,2
4. u. weitere Kinder	140-240	4,2-7,3	12,0-18,5
Ab 1. 7. 1990:			
1. Kind	50	1,5	1,5
2. Kind	70-130	2,1-3,9	3,6- 5,4
3. Kind	140-220	4,2-6,7	7,8-12,1
4. u. weitere Kinder	140-240	4,2-7,3	12,0-19,4

- Steuerliche Kinderfreibeträge (Steuerentlastung je nach Steuersatz zwischen 45 und 134 DM im Monat)
- Kindergeldzuschlag von bis zu maximal 48 DM im Monat bei denjenigen, die die Freibeträge nicht in voller Höhe erhalten
- Kinderzuschläge in der RV in Höhe des Kindergeldes

Kinderkrippen/-gärten/-horte

- Kinderkrippen
 - gegenwärtig rd. 54 000 Krippen- und Tagespfleceplätze - auf 36 Kinder der Altersgruppe bis zu 3 Jahren entfällt damit ein Platz
 - Alleine Berlin u. Hamburg stellen allerdings 30 vH der Plätze

Kindergärten

- 1986 rd. 1,4 Mill. Plätze d.h. für rd. 2/3 der Kinder unter 6 Jahren.

Kindergeld

- Kindergeld wird bis zur Beendigung der 10. Klasse, in Ausnahmefällen bis zum 18. Lj. gezahlt. Seit Mai 1987 gelten folgende Beträge:

Ordnungszahl der Kinder	Höhe des Kindergeldes	in vH des Durchschnittseinkommens (1990: rd. 1 300 M)	dito kumuliert
1.	50	3,8	3,8
2.	100	7,7	11,5
3.	150	11,5	23,1
4. und weitere	150	11,5	34,6

Ab 1. 1. Zuschläge zum Kindergeld als Kompensation für entfallene Subventionen (Kinderbekleidung und -schuhe)

- 45 M je Kind bis zu 12 Jahren
- 65 M je Kind ab 13 Jahren

Für Lehrlinge, Schüler der Klassen 11 und 12 sowie für Studenten entfällt das Kindergeld; sie erhalten Lehrlingsentgelte, Ausbildungsbeförderungen und Stipendien *280 Mark*

- Der Steuermachlaß für Kinder ist abhängig von der Höhe des Einkommens und beträgt - verglichen mit einem kinderlosen verheirateten Steuerpflichtigen - bei Verdiensten über 300 M/Monat für jedes Kind zwischen 7 und 17 Mark

- Kinderzuschläge zur Rente bis zum vollendeten 16. Lj. des Kindes bzw. bis zum Ende der Schulausbildung

Kinderkrippen/-gärten/-horte

Kinderkrippen

1982 wurden rd. 64 vH der Kinder bis zu 3 Jahren in Krippen betreut. 1988/89 rd. 355 000 Kleinkinder, etwa 80 vH gegenwärtig, in Krippenbetreuung in der DDR.

Kindergärten

- 1982 wurden rd. 91 vH der 3- bis 6jährigen Kindergärten betreut. 1988/89 über 700 000 Kinder.

- Öffnungszeiten i.d.R. nur vormittags, Kindertagesstätten sind rar (Öffnungszeiten bis längstens 17 (X) Uhr)
- Kinderhorte
 - für 6- bis 13-Jährigen gab es 1986 rd. 103 000 Hortplätze - viel zu wenig, um wenigstens den Alleinerziehenden einen Platz für ihre Kinder zu gewährleisten

Schwangerschaftsunterbrechung

- Fristenlösung ist verfassungswidrig, Indikationslösung

Schwangerschafts-/Wochenurlaub

- Während der Schutzfristen von
 - 6 Wochen vor
 - 8 (12) Wochen nach
 der Entbindung erhalten Mütter, die in der GKV versichert sind, Mutterschaftsgeld (3,50 DM bis maximal 25 DM/Tag) plus eine Ausgleichszahlung des Arbeitgebers. Die Gesamthöhe beläuft sich auf das aus den letzten 3 Monaten ermittelte durchschnittliche Nettoarbeitsentgelt
- Frauen, die zu Beginn der Schutzfrist Anspruch auf Krankengeld, ALG, ALHI oder UHG haben, erhalten während der Schutzfrist Mutterschaftsgeld in Höhe des Krankengeldes.
- Mutterschaftsgeld für:
 - mitversicherte erwerbstätige Frauen: höchstens 400 DM für die gesamte Schutzfrist plus AG-Zuschuß in Höhe des Differenzbetrages zwischen 25 DM/Tag und kalendertäglichem Nettoarbeitsentgelt;
 - versicherte nichterwerbstätige Frauen: 150 DM
 - mitversicherte Frauen: zwischen 35 bis 150 DM
- Erziehungsgeld und Erziehungsurlaub
 - alle Mütter/Väter haben Anspruch auf Erziehungsgeld in Höhe von 600 DM für 15 Monate (ab Mitte 1990: 18 Monate). Ab dem 7. Monat wird Erziehungsgeld in Abhängigkeit vom Einkommen gezahlt. Mutterschaftsgeld wird auf das Erziehungsgeld angerechnet, so daß Erziehungsgeld für berufstätige Mütter/Väter faktisch erst ab der 9. (13.) Woche gezahlt wird.
 - Erziehungsurlaub bis zum vollendeten 15. (ab Mitte 1990: 18.) Lebensmonat des Kindes (mit Kündigungsschutz)
- Pro Kind erhalten Mütter/Väter ein Kindererziehungsjahr in der RV im Wert von 75 vH des Durchschnittsverdienstes aller Versicherten angerechnet (für Geburt ab 1992: 3 Jahre). Im 1. Hj. 1990 beträgt der Bruttoerwerbtswert für ein Kind im Monat: 28,79 DM, den allerdings nur die während der Kindererziehung nicht erwerbstätigen Frauen tatsächlich zusätzlich erhalten
- Freistellung bei kranken Kindern, maximal 3 Arbeitstage im Jahr je Elternteil, für Kinder unter 8 Jahren. Zahlung von Krankengeld

- und Milch (20 Pf.)
- Öffnungszeiten i.d.R. 6.00 bis 19.00 Uhr

- Verpflichtung der Betriebe
 - zusammen mit den Kommunalbehörden haben sie dafür zu sorgen, daß Kinderkrippen/-gärten/-tagesstätten in ausreichendem Maße geschaffen u. unterhalten werden; dies gilt insbesondere für Kinder von Belegschaftsangehörigen
 - Gewährung von Hilfen bei der Pflege erkrankter Kinder (bekannt sind u. a.: Bereitstellung von Pflegeplätzen in betrieblichen Gesundheitseinrichtungen, Abstellung einer Pflegekraft aus dem betrieblichen Gesundheitsdienst; Beihilfen zur Kostendeckung stundenweiser Betreuungskräfte)

Schwangerschaftsunterbrechung

- In eigener Verantwortung der Frau bis zur 12. Schwangerschaftswoche (Fristenlösung)

Schwangerschafts-/Wochenurlaub

- Während der Schutzfristen von
 - 6 Wochen vor
 - 20 (22) Wochen nach
 der Entbindung zahlt die Sozialversicherung den Nettoverdienst weiter
 - Für Selbständige, mithelfende Ehefrauen, Mitglieder von Rechtsanwaltskollegien: maximal 1 200 M/Monat
- Vom ersten Kind an hat die Mutter Anspruch auf bezahlte Freistellung bis zum Ende des 1. Lj. des zuletzt geborenen Kindes (bei dritten und weiteren Kindern bis zum Ende des 18. Lebensmonats)
- Die Mütterunterstützung beläuft sich in dieser Zeit auf
 - den ab der 7. Krankheitswoche gegebenen Krankengeldanspruch
 - mindestens bei einem Kind: 250 M, 2 Kindern: 300 M, 3 u.m. Kindern: 350 Mark
 - Die Rückkehr auf den alten Arbeitsplatz nach der Freistellungszeit ist garantiert
- Alleinstehende berufstätige Mütter, denen nach dem Wochenurlaub kein Krippenplatz zur Verfügung gestellt werden kann, erhalten für die Dauer der Freistellung Unterstützung in Höhe des Krankengeldes (ab der 7. Woche); mindestens 250 M/1 Kind, 300 M/2 Kinder, 350 M/3 Kinder
- Allen anderen Müttern mit einem Kind bis zu 3 Jahren, die wegen der Geburt dieses Kindes vorübergehend ihre Berufstätigkeit unterbrechen mußten, weil kein Krippenplatz zur Verfügung gestellt werden konnte, steht bei der Geburt eines weiteren Kindes bis zum Ende des 1. Lj. des zuletzt geborenen Kindes ein monatlicher Zuschuß zum Familienaufwand in Höhe von 200 M zu
- Für die Zeit der Schwangerschaft, des Wochenurlaubs sowie der Freistellung besteht Kündigungsverbot
- Die Zeit der Freistellung wird als Beitragszeit in der SV angerechnet - darüber hinaus wird Müttern für jedes Kind eine Zurechnungszeit von einem weiteren Jahr gewährt. Von der bezahlten Freistellung machen über 90 vH der Frauen Gebrauch
- Alleinerziehende grundsätzlich sowie verheiratete berufstätige Mütter mit 2 Kindern werden zur Pflege erkrankter Kinder von der Arbeit freigestellt
 - Für die Dauer von 2 Tagen erstattet die SV 90 vH des Nettoverdienstes
 - Bei längerer Freistellung wird Unterstützung in Höhe des Krankengeldanspruchs (ab 7. Woche) gewährt. Bei einem Kind (Alleinstehende) für längstens 4 Wochen - bei 5 u.m. Kindern 13 Wochen im Kalenderjahr
 - Bei Erkrankung des Ehegatten, der normalerweise die Kinder versorgt, Freistellung für maximal 4 Wochen und Unterstützung in Höhe des Krankengeldanspruchs (ab der 7. Woche), wenn der Partner nicht berufstätig ist und der AN selbst die Betreuung der Kinder übernehmen muß

1) Kündigungsschutz

- Allgemeiner Kündigungsschutz nur gilt für AN
 - in Betrieben mit mindestens 6 Beschäftigten
 - deren Arbeitsverhältnis länger als 6 Monate bestanden hat
 - Kündigungen sind rechtswirksam, wenn sie sozial zulässig sind.
 - personenbedingte K.
 - verhaltensbedingte K.
 - betriebsbedingte K.
- Besonderer Kündigungsschutz
 - Mutterschutz: der Arbeitnehmerin darf während der Schwangerschaft und bis zu 4 Monate nach der Entbindung nicht gekündigt werden
 - Schwerbehinderte, die mindestens 6 Monate beschäftigt sind, darf nur mit Zustimmung der Hauptfürsorgestelle gekündigt werden
 - Betriebsratsmitglieder können nur in besonderen Fällen gekündigt werden

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2) Befristete Arbeitsverträge

- sachlicher Grund
- BeschfG: bis zu 18 Monate

3) Arbeitszeitschutz

- Nach AZO 48 Std./Woche – Abweichungen nach oben sind möglich
- durchschnittliche tarifliche Wochenarbeitszeit: 38,55 Std.
- durchschnittlicher Urlaub: 30 Tage
- Nachtarbeitsverbot für Arbeiterinnen zwischen 20.00 und 6.00 Uhr (in Mehrschichtbetrieben bis 23.00 Uhr)
- Für Jugendliche beträgt die maximale Wochenarbeitszeit 40 Std.; Beschäftigung nur von 6.00 bis 20.00 Uhr (in Mehrschichtbetrieben bis 22.00 Uhr)

1) Kündigungsschutz

- Kündigungen sind nur möglich
 - aus betriebsbedingten Gründen
 - bei Ungeeignetheit des AN für die vereinbarte Arbeitsaufgabe
 - Vor der Kündigung muß eine andere zumutbare Arbeit im selben Betrieb (Änderungsvertrag) oder einem anderen Betrieb (Überleitungsvertrag) angeboten werden; beide Verträge müssen spätestens drei Monate vor dem Stellenwechsel abgeschlossen sein. Eine Kündigung setzt also ein Ersatzarbeitsplatzangebot voraus
 - Kündigungsschutz gilt ab Beginn des Arbeitsverhältnisses (keine Probearbeitsverhältnisse)
 - Kündigungsfrist: mindestens 2 Wochen; jede Kündigung bedarf der Zustimmung der BGL
 - Bei „schwerwiegender Verletzung der sozialistischen Arbeitsdisziplin oder staatsbürgerlicher Pflichten“ sind fristlose Entlassungen ohne Überleitung in ein neues Arbeitsverhältnis möglich
- Besonderer Kündigungsschutz:

Personengruppe	Bezüglich fristgemäßer K. Kündigungsschutz
- Kämpfer gegen Faschismus und Verfolgte des NS-Regimes	absoluter Kündigungsschutz
- Schwangere	Kündigungsverbot
- Mütter mit einem Kind nach Ende des Wochenurlaubs	1 Jahr Kündigungsverbot
- Alleinstehende mit Kindern bis zu 3 Jahre	Kündigungsverbot
	Bezüglich fristgemäßer u. fristloser K.
- Schwerbehinderte, Tbc-Kranke u. -rekonvaleszenten sowie Rehabilitanden	K. nur mit Zustimmung des Rates des Kreises
- AN ab 5 Jahre vor Erreichen des Rentenalters	nur mit einer zusätzlichen Genehmigung des Rates des Kreises
- Jugendliche, die keine Lehrlinge sind, und Facharbeiter im 1. Jahr nach Lehrabschluß	nur mit besonderer Genehmigung des Rates des Kreises

2) Befristete Arbeitsverträge

- bis zur Dauer von 6 Monaten bei zeitweilig höherem Arbeitskräftebedarf des Betriebes
- für die selbe Zeit als Aushilfskräfte für freigestellte Werkstätige; diese Aushilfskräfte haben einen Weiterbeschäftigungsanspruch – bzw. einen Anspruch auf betriebliche Unterstützung bei/für Arbeitsaufnahme in einem anderen Betrieb

3) Arbeitszeitschutz

- Wochenarbeitszeit

AZ	Personengruppe	in vH d. Beschäftigten
43, 75 Std.		rd. 75 vH
42 Std.	Jugendliche unter 16 J. und AN im 2-Schicht-Betrieb	rd. 7 vH
40 Std.	Mütter mit 2 u m Kindern und AN im 3-Schicht-Betrieb	rd. 19 vH

- generelles Nachtarbeitsverbot für
 - Jugendliche unter 16 J. zwischen 18.00 und 6.00 Uhr
 - Schwangere u. stillende Mütter zwischen 22.00 und 6.00 Uhr
 - Nachtarbeit ablehnen können u. a. Mütter mit Kindern unter 6 Jahren sowie AN, die pflegebedürftige Haushaltsangehörige zu betreuen haben
- Überstunden sind nur in Ausnahmefällen und mit Zustimmung der BGL möglich
- Grundurlaub 20-26 Tage

