

ECONOMIC AND SOCIAL CONSULTATIVE ASSEMBLY

# BULLETIN



The Bulletin reports every month (10 issues yearly) on the activities of the Economic and Social Committee, a Community consultative body. It is edited by the Secretariat-General of the Economic and Social Committee of the European Communities (2 rue Ravenstein, B-1000 Brussels) in the official Community languages.

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Catalogue number: ESC-90-025-EN

Luxembourg: Office for Official Publications of the European Communities, 1991

Catalogue number: EX-AA-90-010-EN-C

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*Printed in Belgium*

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## Inaugural session of 16 and 18 October 1990

During the first part of its inaugural session, presided over by the oldest Member present, Mr Manlio Gormozzi, the Economic and Social Committee of the European Communities installed the new Committee in office for a ninth four-year period, from 21 September 1990 to 30 September 1994.

In the course of the second part of its inaugural session, on Wednesday 17 October 1990, Mr François Staedelin (France, Workers' Group) was elected Chairman for two years. The ESC also elected its two Vice-Chairmen: Filotas Kazazis (Greece, Employers' Group) and Susanne Tiemann (Germany, Various Interests Group). The day before, the ESC's three groups each elected their Chairmen: Philip Noordwal (Netherlands) for the Employers' Group, Thomas Jenkins (United Kingdom) for the Workers' Group and Beatrice Rangoni-Machiavelli (Italy) for the Various Interests Group.

### **François Staedelin: The European Trade Unionist**

François Staedelin, 61, special adviser on European affairs with the French Democratic Labour Confederation (CFDT), was political secretary of the European Trade Union Confederation (ETUC) from 1976 to 1986. When he joined the ESC in October 1986, he was immediately elected Chairman of the Workers' Group.

François Staedelin was author of the ESC Opinion on the Committee's status in the institutional machinery provided for in the Single Act (June 1987) and on basic Community social rights (February 1989). He also played a leading role in the ESC Resolution of December 1988 on an action programme for the Community 1989-1992 and in drafting a memorandum in May 1989 on upgrading the role of the ESC by 1992.

François Staedelin was born in Kembs, France, on 9 December 1928 and still lives in Brunstatt, near Mulhouse. It was in Mulhouse that he started his working life on 1 May 1947 as an auxiliary with the French post office, the PTT. He soon became a member of the



*Inaugural session of the Economic and Social Committee — October 1990.*

French Christian Workers' Confederation (CFTC), and in 1951 he became departmental secretary of the CFTC unions in the PTT.

Becoming a full-time union official in May 1962, he joined the move towards the CFDT, where he sat on the national executive. He became president of the Haut-Rhin interprofessional departmental union and a member of the confederal committee on Europe. He also represented civil servants at the World Confederation of Labour (WCL).

In 1976, François Staedelin was elected political secretary of the ETUC, where he saw to it that ETUC policies gave greater prominence to environmental and consumer matters. He also fought for workers' trade unions to be given observer status by the Council of Europe.

### **Filotas Kazazis: Greek industry**

Filotas Kazazis was born on 1 January 1918 and lives in Panorama, Thessaloniki, Greece. He was a member of the European Parliament from 1981 to 1984. From 1977 to 1981 he was vice-president of the Federation of Greek Industries and president of the Federation of Industries of Northern Greece.

### **Susanne Tiemann: The professions**

Susanne Tiemann was born on 20 April 1947 and lives in Cologne, Germany, where she is a lawyer in the field of public and welfare law. Since May 1987 she has represented doctors and other professions on the ESC. In 1989 she became president of the Brussels-based European secretariat of the liberal, learned and social professions, SEPLIS.

### **Three Group chairmen**

On 16 October the ESC's three Groups (Employers, Workers and Various Interests) elected their chairmen.

The Employers re-elected Philip Noordwal (Netherlands), international affairs adviser with the Federation of Dutch Enterprises (VNO).

The Workers' Group elected Thomas Jenkins (United Kingdom), who was ESC Vice-Chairman from September 1988 to September 1990 and is assistant secretary of the international department of the British Trades Union Congress (TUC), to replace François Staedelin.

The Various Interests Group (farmers, cooperatives, small firms, the professions, consumers, environmentalists, family associations, etc.) elected as its chairman Beatrice Rangoni-Machiavelli (Italy), a journalist who is national secretary of the consumer protection committee and vice-president of the Italian Council of the European Movement. She replaces Nikolaos Vassilaras (Greece), who has left the ESC.

### **Extracts from the speeches given by the new chairman of the Committee and representatives of the Council, the Commission and the European Parliament**

*'An important political signal to the Economic and Social Committee of the European Communities.* This is how the ESC Chairman, Mr François Staedelin (France) described the presence of representatives of the three Community institutions at its inaugural session of 18 October: Franco Bonferroni, Italian Secretary of State for Industry, representing the President-in-office of the Council; Vasso Papandreou, Commissioner for social affairs and relations with the Economic and Social Committee, who attended the session in place of the Commission President Mr Delors; and Enrique Barón Crespo, President of the European Parliament. The new Committee was appointed by the Council on 24 September.

#### **François Staedelin calls for amendment of Article 4 of the EEC Treaty**

In his speech, the ESC Chairman made two fundamental points:

- (i) 'Europe has embarked on an era of peace where the risks of war — even cold war — would seem negligible';
- (ii) 'Political developments in Eastern Europe will undoubtedly lead to a transformation in our relations. Between a "common home" and a "confederation" despite the differing approach and concept, there is scope for an architecture combining pragmatic realism with a medium and long-term vision of the role of "continent" Europe.

Turning to the establishment of a European Economic Space (EES) with the EFTA nations, Mr Staedelin noted that the difficulties of concluding such a Treaty should not be underestimated; the Committee had often stated that he who pays the piper calls the tune.

As for the countries of Eastern Europe, 'one decisive step would be to join the Council of Europe and ratify the instruments of this





*From left to right: Mrs Vasso Papandreou, Commissioner responsible for social questions and relations with the Economic and Social Committee, Mr Enrique Barón Crespo, President of the European Parliament, Mr François Staedelin, new Chairman of the Economic and Social Committee and Mr Franco Bonferroni, President-in-office of the Council of the European Communities.*

intergovernmental institution, such as the European Convention on Human Rights and the European Social Charter’.

However, it was on the EC’s social dimension that Mr Staedelin dwelt at greatest length: ‘Without closer economic and monetary coordination, and the possibility of joint decisions, it will be impossible to fight the unemployment and increasing poverty which blight the lives of tens of millions of people and are a stain on any democracy. Apart from laying down basic principles, the Treaty of Rome has not endowed the institutions with the means to legislate on, or even regulate, social matters. I welcome Mr Delors’ announcement to the European Parliament that the Commission is to propose amplifying the social chapter in the context of political union, and provision will be made for qualified majority voting on such matters.’

Turning to the ESC’s future, Mr Staedelin had a simple question to put: ‘Does the Community need or want an institution which expresses the views of the national economic and social operators, and which is capable of combining and forging their individual national experience and attitudes into a European position? If we do want such an institution, all the necessary political and institutional conclusions must be drawn so as to enable this body to fulfil its role fully and exclusively. If all the political speeches which constantly talk of involving the man in the street in the building of Europe are matched by the political will to put this principle into practice, then the answer to my question must surely be overwhelmingly affirmative.’

In institutional terms, this would mean ‘recognition in Article 4 of the Treaty of the ESC’s institutional role — not a decision-making role, but rather a consultative one aimed at the Council, the Commission and the Parliament, provided that the latter — as we fervently hope — sees its decision-making role recognized and strengthened’. In practical terms, this would mean that the Committee would no longer be obliged to submit its Rules of Procedure (‘its working methods’) to the Council. The Committee would have its own annual budget, drawn up in accordance with the same rules as the other EC institutions, and subject to the scrutiny of the Court of Auditors. The Committee would have the power to appoint its own officials of all grades.

The Committee also claimed the right to speak at the inter-institutional conference (preparatory to the intergovernmental conferences to be held in December) which was to take place on 23 October: ‘Should this meeting produce a joint decision, backed

by the Council, the Commission and the European Parliament, to include a discussion of the Committee's role in the institutional machinery in the December conference agenda, a major step forward will have been accomplished.'

Deploring the fact that ESC members are not properly reimbursed 'for expenses incurred in the service of the Community, since it was undignified to have to pay one's own way' as in former times, the Chairman said: 'If we were able to convince the decision-makers that the Committee's members are not experts responsible for specific problems, but rather, as specified in Article 193 of the EEC Treaty, "representatives of the various categories of economic and social activity" capable of formulating European compromises for the decision-makers, the present situation would not continue'.

Stressing this point, he went on: 'The Committee is neither a negotiating body nor a conference of experts. To paraphrase Jean Monnet, I should like to say that the Committee is a body where, faced with real problems, we are condemned to propose solutions. From the standpoint of our countries of origin and our different walks of life we have to advise those responsible for Community policy on what is desirable, and far more importantly, what is feasible. The Opinions we have issued in the past have always been, and those we issue in the future will continue to be, pervaded with this concept of feasibility. This is why we feel that it should be compulsory for our Opinions to be discussed by the Council, the Commission and the European Parliament before any decision is taken. That is not to say that they would be forced to espouse our views, but we do need stronger guarantees that our work will be followed up.'

#### **Franco Bonferroni: Italy to raise the issue of the Committee**

In reply, Mr Bonferroni stressed that the Economic and Social Committee was 'one of the fundamental instruments' for the attainment of the Treaty's objectives. 'The arguments about political and economic and monetary union must not obscure the fact that those objectives have remained the same for forty years (since the establishment of the European Coal and Steel Community). A Europe advancing towards political and economic and monetary union in the absence of harmonized social policies is inconceivable'.

Returning to the question of the Committee's future, Mr Bonferroni said that 'whilst its consultative role prevented the Committee from exercising sufficient influence, the social forces represented could play a crucial part in the formulation of national policy on

Europe. This did not eliminate the need to remedy the social deficit resulting from the democratic deficit.'

More specifically, Mr Bonferroni stressed that the Social Charter and the Commission's plan of action on social affairs must not be taken as the last work on this issue. 'What had been wanted was a Community citizens' charter which took account of both the environment and consumption. The concept of citizens' rights must be developed and political, as well as economic and social, rights must be promoted'. These observations were completely in line with the Committee Opinion of February 1989 on basic social rights in the Community.

Lastly, Mr Bonferroni promised that Italy would raise the question of the Committee's role and responsibilities at the intergovernmental conference: 'It is recognized that the Committee must have a privileged role in the consultation of the two sides of industry and must enjoy greater internal autonomy'.

Before asking the Commissioner, Mrs Vasso Papandreou to speak, François Staedelin replied: 'By the end of the year we hope to know whether, thanks to your efforts, the Committee is wanted and will have the resources to perform its functions'.

#### **Mrs Vasso Papandreou: Full support for the Committee**

'The quality of our relations and of your work is excellent' said Mrs Papandreou referring, in particular, to the Committee's role in devising and implementing the Social Charter adopted by the European Council in December 1989. 'Your function must be reassessed and your influence among the institutions increased'.

The international situation must not obscure the need to complete the internal market and improve the Community's internal operation. In this connection, Mrs Papandreou announced that the Commission would organize a seminar within the framework of the Intergovernmental Conferences with a view to streamlining existing Community procedures, particularly in the social sphere that was affected by great problems. Whilst no one objected to the social dimension, things took a turn for the worse when decisions had to be taken.

'We must build a strong Community with concern for all its citizens, which wants social progress and is active in all spheres'. Referring to the Committee, Mrs Papandreou added: 'We in the Commission fully support the Committee's initiatives'.

Before inviting the President of the European Parliament to speak, Mr Staedelin praised Mrs Papandreou's part in improving relations between the Committee and the Commission, particularly by introducing genuine monitoring of the impact of Committee Opinions in the Community's decision-making process.

### **Enrique Barón Crespo**

Referring to Mr Bonferroni's comments, Enrique Barón Crespo said: 'I am extremely encouraged by what the President of the Council said with regard to the defence of citizens' rights'.

The time has now come to put forward concrete proposals, for example on voting rights'.

Replying to François Staedelin's request that the Economic and Social Committee be given the right to take the floor at the forthcoming inter-institutional meeting, Mr Barón Crespo said that it was 'difficult' to refuse such a request. However, the simple fact that the Committee would be present at such meetings was in itself 'a big institutional and political step forward'.

Regarding the preparation of the intergovernmental conferences due to be held in December 1990, Enrique Barón Crespo announced a new initiative of the European Parliament, namely an invitation to the twelve national parliaments to attend meetings in Rome between 26 and 30 November 1990.

Returning to the role of the Economic and Social Committee, the President of the European Parliament said that the construction of a united Europe was not simply an architectural task; those engaged in the actual construction work also had to be involved. 'Progress is not possible unless the views of all interested groups are heard. Because of the professionalism and effectiveness of its work, the ESC has increased in importance and influence. The right of initiative granted in 1972 was a major step forward although the Community as a whole needed to gain more influence. The emerging common front enables us to work together closely. It is my belief that the social dimension will be seen as a landmark of European Community history. Parliamentary democracy is one of the Community's pillars, but so is cooperation between the peoples of Europe. The social dimension is what makes us distinct from Japan and the United States'.

At this juncture the President of the European Parliament paid tribute to Mr Alberto Masprone (Employers, Italy), who had been Chairman of the Economic and Social Committee until September 1990, recalling that the latter had said: 'we all wish to prevent

the Single European Market from turning into a market of unfair competition and unequal social rights’.

‘The Economic and Social Committee is destined to consolidate its future as a body and as an institutional forum for the discussion of economic and social affairs. The European Parliament fully approves your moves in this direction. The European Parliament and the Economic and Social Committee have everything to gain from strengthening their cooperation since better cooperation will help ensure the smooth running of daily life and help satisfy the aspirations of ordinary citizens. If we succeed, we shall see with our own eyes the constant improvement in the living and working conditions of Europe’s citizens as targeted by the Treaty of Rome’.

**François Staedelin: elder and younger brothers**

‘We have always regarded the European Parliament as our elder brother’, replied François Staedelin. ‘We shall continue to offer you support in the hope of seeing the role of the European Parliament enhanced. We shall all have to row together in the same boat’. On a practical level, the Committee Chairman proposed that the European Parliament formally express its wish at a plenary session that ‘the younger ESC brother be allowed to put on its Sunday best and not always have to go about in jeans’.

The inaugural session was attended by the President of the Court of Auditors, Mr Angioi; the Vice-President of the European Investment Bank, Mr Meulemans; representatives of the EFTA Consultative Committee, the International Labour Office, the Consultative Committee of the European Coal and Steel Community, and the ACP (African, Caribbean and Pacific) Joint Committee; and ambassadors and permanent representatives to the Community.

## **280th Plenary Session — Working Session, Thursday 18 October 1990**

During its working session on Thursday 18 October 1990, chaired by its new Chairman, Mr François Staedelin, the Economic and Social Committee of the European Communities adopted the following Opinions:

### **1. AIR TRANSPORT — PASSENGER COMPENSATION**

**Proposal for a Council Regulation on common rules for a denied boarding compensation system in scheduled air transport**  
[COM(90) 99 final]

#### **Gist of the Commission proposal**

The Commission has sent the Council a proposal for a regulation laying down common rules concerning compensation for passengers not allowed on scheduled flights despite having a booking. This regulation will lay down common rules on the choices available to passengers left on the ground and the fixing of compensation in the event of overbooking.

The proposal is in two parts:

#### *(1) Rules governing who is to be left on the ground.*

The carrier must first establish whether any passengers are willing to give up their seats. If so, they will be transferred to another flight and receive financial compensation. In the absence of sufficient volunteers, a passenger hierarchy is proposed; passengers holding concessionary tickets (e.g. airline employees) will be asked to vacate their seats first. In deciding who is to remain on the plane, priority will be given to the elderly, the handicapped, unaccompanied children and those travelling because of illness or the death of a relative. Holders of tickets with special conditions (e.g. super-Apex) will also

enjoy priority, in so far as they would be seriously penalized by missing the flight.

(2) *Compensation for passengers left on the ground.*

To take account of the time lost by not allowing passengers to embark, the Commission proposes minimum compensation of 25% of the value of an economy-class ticket for a delay of 30 minutes to 1 hour within the Community and a delay of 30 minutes to 4 hours on flights outside the Community. Above these limits, the proposed compensation is 50%. The carrier must also provide all the facilities required by passengers as a result of the cancellation (telephone, meals, hotel). Compensation will be 100% if no alternative flight is available.

### **Gist of the Committee Opinion <sup>1</sup>**

The draft Council regulation on this subject lays down joint rules on compensation for passengers who are denied boarding on scheduled services.

The most common cause of denied boarding is overbooking. It is estimated that there are around one million 'no-shows' per year.

There are no official statistics on the exact number of cases where boarding is denied by airlines operating on routes to and from the EC.

Whatever the cause, denied booking constitutes a unilateral breach of contract.

By providing passengers on flights from an EC airport with basic protection against certain cases of overbooking and cancellations by airlines, the proposed regulation clearly constitutes a consumer protection measure in the air-transport sector. Also, and above all, it will help create an economic environment where airlines can be better equipped to deal with developments in air transport, especially the increased competition due to the liberalization decided on by the Council in December 1987 and endorsed by the Economic and Social Committee.

The Committee therefore considers the text proposed by the Commission as an interesting starting point that requires additional measures to limit the very practice of denied boarding.

<sup>1</sup> CES 1218/90.



The Committee wonders whether the Community authorities could not promote self-regulation by the airlines themselves, by asking them to draw up a complementary draft code of practice that would be submitted to the Commission for approval before it entered into force.

The code of practice would cover:

- (i) the establishment of objective rules on overbooking practices;
- (ii) measures to be taken in cases of unforeseen overbooking. This would make it possible to simplify at least certain points in the regulation, which the Committee in some respects finds rather cumbersome and difficult to implement.

The proposed regulation applies only to scheduled flights from an airport on the territory of an EC Member State, irrespective of the state where the carrier is established, the nationality of the passenger or the destination.

The Committee suggests that when a cancellation is anticipated, carriers should be obliged to notify passengers in advance and offer them alternative flights. If compensation is to be contemplated for cancellations, it should be the subject of a separate regulation.

The draft regulation provides for a passenger-compensation scheme based on the length of the flight and the delay caused to the passenger by denying him authorization to board. Payment of compensation does not affect the passenger's right to use his ticket subsequently or cancel his flight.

In the Committee's view the distinction between intra-Community and extra-Community flights for the purpose of calculating passenger compensation should be dropped.

The Committee considers that some of the conditions under which compensation may be refused are based on a legitimate concern for fairness (e.g. in the case of discount tickets).

Member States are to ensure that in their territories a rapid, efficient and inexpensive procedure is available to consumers in the event of complaints over their rights in the case of denied boarding.

Where boarding is denied, the airline must automatically provide:

- (i) a passenger to whom check-in has been denied with a certificate stating, where appropriate, that he checked in within the time-limits laid down;

- (ii) a passenger who has checked in but who has been denied boarding and who does not accept the flat-rate compensation provided under the regulation with a certificate to this effect;
- (iii) the names, addresses, etc., of the bodies responsible for handling complaints on such matters.

The Committee added a number of specific observations to the draft Opinion submitted to it.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Transport and Communications, chaired by Mr L.J. Smith (United Kingdom — Workers). Rapporteur: Mr Manuel Ataíde Ferreira (Portugal — Various Interests).*

## 2. RELATIONS BETWEEN AIRPORTS AND USERS

### **Proposal for a Council Regulation (EEC) on consultation between airports and airport users and on airport charging principles** [COM(90) 100 final]

#### **Gist of the Commission proposal**

The Commission proposal is aimed at organizing consultations between those who use an airport's facilities (particularly airlines) and the authorities who operate the airports. Only the airports that handle over a million travellers per year, i.e. about 50 in the EC, will be covered by this regulation.

The proposal aims to set up regular consultations between airport authorities and users, most notably as regards the procedures for allocating slots, and to organize for this purpose exchanges of information among all interested parties. Rents for airport facilities must respect a certain number of general well-defined criteria, especially to avoid discrimination, whether based on nationality or on the destination of aircraft using an airport in the Community. Thus it will be possible to codify the rights and duties of the principal Community airports with regard to their users in a harmonized way and with greater transparency.

The Commission proposal adopts the following principles on pricing:

- (a) fees paid for the provision of services or use of airport facilities must encourage sure, efficient and economical use of airport

facilities, while taking account of time fluctuations due to traffic congestion problems;

- (b) they must be applied on the basis of clear, comprehensible and non-discriminatory scales, and be in reasonable relation to the cost of the facilities provided, requested or used, while allowing the achievement of a reasonable remuneration on the capital and taking account of costs linked to environmental protection as well as the income generated by the commercial activities connected with airport activities;
- (c) the cost of services and facilities must be charged fairly and integrally, on the basis of economically sound trading principles. However, in the case of isolated regions with difficult access, regional policy requirements can be taken into consideration in compliance with the provisions of the Treaty. Thus, an airport can continue fulfilling a public service (likely to influence its tender specifications), particularly when it has to provide air links with distant, peripheral or ultra-peripheral regions in the Community.

### **Gist of the Committee Opinion <sup>1</sup>**

The Commission proposal has three main elements:

- (i) the provision of regular consultations between airport operators and users;
- (ii) the provision for sufficient and transparent exchange of information between airports and their users;
- (iii) the establishment of certain general principles to which charges for aeronautical services should conform.

The Committee does, however, believe that the proposal will have only limited impact on users, especially the travelling public as:

- (a) many airports already adopt most of the procedures proposed;
- (b) users will only have consultation rights; decision-making will remain mainly with the airports.

The Committee points out that the impact of the proposals on user charges is also limited because:

- (1) the subject of 'duty free' goods which has a major impact on many airports' accounts is ignored;

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<sup>1</sup> CES 1212/90.

- (2) the Commission offers no solution to the problem of how to make a fair comparison of accounts between airports.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Transport and Communications, chaired by Mr L.J. Smith (United Kingdom — Workers). Rapporteur: Mr Robert J. Moreland (United Kingdom — Various Interests).*

### 3. TRANSBOUNDARY MOVEMENTS' HAZARDOUS WASTES

**Proposal for a Council Decision on the conclusion, on behalf of the Community, of the Convention on the control of transboundary movements of hazardous wastes and their disposal**  
[COM(90) 362 final]

#### **Gist of the Commission proposal**

This is a proposal for a Decision requiring the Community and the Member States to ratify, by 1 January 1991, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes (1989).

#### **Gist of the Committee Opinion <sup>1</sup>**

In the light of the measures being proposed and the Committee's earlier Opinions <sup>2</sup> on the matter, the Committee recommends acceptance of the draft decision.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs, chaired by Mr Johannes Jaschick (Germany — Various Interests). Rapporteur-General: Mr Gerrit C. van Dam (Netherlands — Employers).*

<sup>1</sup> CES 1217/90.

<sup>2</sup> OJ C 176, 4.7.1983; OJ C 354, 31.12.1985; OJ C 112, 7.5.1990.

#### 4. ACNAT — EC ACTION IN THE FIELD OF NATURE CONSERVATION

**Proposal for a Council Regulation (EEC) on action by the Community relating to nature conservation (Acnat)**  
[COM(90) 125 final]

##### **Gist of the Commission proposal**

The proposal is in effect an extension of the so-called ACE-programme to provide financial support for the conservation of seriously threatened biotopes that are the habitat of endangered species and are of particular importance under the Bird's Directive 79/409.

The proposal is also linked to a proposal for the protection of habitats and of wild fauna and flora, on which the Committee has also issued an Opinion.

The Community funding proposed is for ECU 160 million over the five-year period 1991-95, representing an average of ECU 32 million per annum, to be matched by an equivalent sum from the Member States.

##### **Gist of the Committee Opinion <sup>1</sup>**

The Committee welcomes the Commission's proposal, subject to following reservations:

- (i) a proper management implementation plan needs to be drawn up;
- (ii) the proposed funding is inadequate, even grossly inadequate;
- (iii) several articles (notably Article 2) are too vague;
- (iv) some changes in the application and implementation procedures are needed.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs, chaired by Mr Johannes Jaschick (Germany — Various Interests). Rapporteur-General: Mrs Anne Robinson (United Kingdom — Various Interests).*

<sup>1</sup> CES 1211/90.

## 5. NON-NUCLEAR ENERGIES

**Proposal for a Council Decision adopting a specific research and technological development programme in the field of non-nuclear energies (1990-94)**  
[COM(90) 164 final — SYN 269]

### **Gist of the Commission document**

The proposed programme comes under the framework programme for Community activities in the field of research and technological development (1990-94), more specifically the line of action 'Energy', whose main aim is 'the development of sound, environmentally safe energy technologies designed to improve the Community's energy balance at reasonable expense within the large market'.<sup>1</sup>

The research and technological development programme in the fields of fossil and renewable energy sources, energy utilization and conservation (non-nuclear energies) forms the first part of that line of action. The specific objective of this programme is 'to contribute to the development of new energy options that are both economically viable and more environmentally safe, including energy-saving technologies, by means of joint activities to assist Member States in this direction'. In this connection, increased attention will be paid to work on those energy technologies which, despite their high potential and the fact that they have no adverse effects on the environment, cannot be used under satisfactory economic conditions at present as this work cannot yet be fully funded by industry.

This programme follows on from the Joule programme provided for in the framework programme (1989-92), although in this case the emphasis is on the environmental and single market aspects.

On 23 November 1988 the Economic and Social Committee issued an Opinion<sup>2</sup> on the aforementioned Joule programme in which it deplored the reduction in funding compared with the previous programme.

<sup>1</sup> OJ L 117, 8.5.1990, p. 28.

<sup>2</sup> OJ C 23, 30.1.1989.

The proposed new programme will cover four areas. Community financing is estimated at ECU 157 million divided up as follows:

	%
(1) Analysis of strategies and modelling	5- 8
(2) Minimum emission power production from fossil sources	20-30
(3) Renewable energy sources	30-40
(4) Energy utilization and conservation	30-40

ECU 1.57 million is earmarked for the centralized action for the dissemination and exploitation of the results of the specific and supplementary research programmes, as provided for in Article 4 of the Decision on the framework programme (1990-94).

The aim of the first area or subprogramme, analysis of strategies and modelling, is to carry out a horizontal study in which economic and social effects and effects on the environment and the single market are analysed.

The second subprogramme focuses on the problem of reducing emissions, and CO<sub>2</sub> capture and storage.

The third area, renewable energy sources, deals with the effort needed for such sources to penetrate the market, stressing the importance of solar energy and its use for heating and power in houses and in rural areas (less developed regions).

The fourth subprogramme, energy utilization and conservation, concentrates on improving energy efficiency, with special emphasis on non-polluting transport.

This programme will be implemented in the form of shared-cost research contracts and concerted actions. It also includes accompanying measures, the arrangements for which are set out in an annex to the Decision.

The proposal spells out the role and operating procedures of the Committee which is to assist the Commission in implementing the programme. It also provides for:

- (i) a review of the programme in 1992, together with proposals for any necessary changes, and an assessment of results at the end of the programme;
- (ii) the possibility of concluding agreements between the Community and third countries or international organizations enabling them to cooperate in achieving the aims of the programme;

- (iii) and lastly, the demand that ESC representatives be free to submit their comments and suggestions to the committee responsible for the programme's execution.

### **Gist of the Committee Opinion <sup>1</sup>**

The programme's priority areas are, in the Committee's view, not clearly defined.

The Committee thinks it is necessary to distinguish between areas where research still has to be carried out and areas where development has reached the marketing stage.

The Committee is of the opinion that the following points have not been explained adequately in the programme:

- (a) The breakdown of funds between the four areas of work does not reflect these areas' importance.
- (b) No survey has been carried out of models and projects designed to identify alternatives to oil as a source of fuel.
- (c) The role played by other greenhouse gases apart from CO<sub>2</sub> is also particularly important from the point of view of the environment.
- (d) The Committee is keeping a particularly close watch on work on the further development of combustion engines, with a view to reducing damage to the environment.
- (e) The analysis of weak links in the energy supply and demand structure would be one important point for the programme to focus on.
- (f) The programme's description of SOFC technology does not seem to the Committee to be true-to-fact.
- (g) Better insulation for windows seems to the Committee to be a worthy topic for research only in certain areas.
- (h) The procedures proposed by the Commission for participation in this programme are divided up into ordinary and exceptional procedures.
- (i) It must be specified that the representatives of employers, workers and consumers are also to be free to submit their comments and suggestions to the committee of Commission and Member State representatives involved in the programme's execution.

<sup>1</sup> CES 1214/90.



*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Energy, Nuclear Questions and Research chaired by Mr Aldo Romoli (Italy — Employers). The rapporteur was Mr Paul Flum (Germany — Workers).*

## 6. USE OF NATURAL GAS IN POWER STATIONS

**Proposal for a Council Directive revoking Council Directive No 75/404/EEC on the restriction of the use of natural gas in power stations**  
[COM(90) 306 final]

### **Gist of the Commission proposal**

Following the considerable increase in the prices of imported crude oil that occurred at the end of 1973, the Community adopted a set of measures to take account of the new situation prevailing on the world energy market and the changes in the conditions of energy supply.

These measures formed part of the new energy policy strategy for the Community adopted at that time by the Council,<sup>1</sup> which aimed in particular to:

- (i) reduce the Community's dependence on imported energy sources and enhance its security of supply by making more use of Community energy sources: solid fuels, natural gas and nuclear energy;
- (ii) encourage more rational use of the Community's own energy resources.

In this connection, the Directive on the restriction of the use of natural gas in power stations<sup>2</sup> adopted by the Council on 13 February 1975 had the aim of encouraging better use of the Community's natural gas — the deposits of which were regarded as modest — in the industrial and domestic sectors, by restricting its consumption in power stations.

<sup>1</sup> Cf. in particular the subsequent Council Resolutions on (i) the new energy policy strategy for the Community (17.9.1974); (ii) Community energy policy objectives for 1985 (17.12.1974); (iii) measures to be implemented to achieve the Community energy policy objectives adopted by the Council on 17.12.1974 (13.2.1975). (See OJ C 153, 9.7.1975).

<sup>2</sup> OJ L 178, 9.7.1975, p. 24.

This Directive was endorsed in principle by the Committee in two Opinions, dated 18 July 1974<sup>1</sup> and 29 October 1975<sup>2</sup>.

In practice, the Directive obliges Member States to specifically authorize, subject to the conditions laid down in the Directive, the conclusion of new contracts for the supply of natural gas to power stations, the extension of contracts upon expiry and the construction of new power stations using natural gas. All such authorizations must be notified to the Commission, with indications of the reasons for the authorizations.

The cases in which such authorizations can be issued are stipulated in the Directive, which also provides for exceptional derogations for economic or ecological reasons.

Since 1975, the natural gas market in the Community has fundamentally changed: the market share of natural gas in primary energy consumption is at present 18% of the total (as against 9% in 1971) and Community-produced gas accounts for more than 60% of total consumption. Natural gas reserves are estimated as very large.

Apart from the favourable position of the Community natural gas market and the increasing role which this energy source is called upon to play in Community use of energy, environmental protection requirements appear to be the main reason leading the Commission now to propose revocation of the 1975 Directive.

In its Communication of 8 February 1990 on 'Energy and the Environment' [COM(89) 369 final], the Commission stresses the positive consequences for the environment of greater use of natural gas for heating, for industrial applications or for electricity generation in the Community, in place of other fossil fuels.

Natural gas produces only negligible amounts of SO<sub>2</sub>, and only about half as much CO<sub>2</sub> as coal for the same amount of energy. However, the Commission points out that gas combustion produces significant NO<sub>x</sub> emissions, albeit lower than NO<sub>x</sub> emissions from coal or oil, and they are capable of being controlled technologically.

Since Community legislation<sup>3</sup> restricts emissions of SO<sub>2</sub> and NO<sub>x</sub> by large combustion plants including power stations, electricity

<sup>1</sup> OJ C 125, 16.10.1974, p. 58.

<sup>2</sup> OJ C 15, 22.1.1976, p. 21.

<sup>3</sup> Council Directive of 24 November 1988 on the limitation of emissions of certain pollutants into the air from large combustion plants (OJ L 336, 7.12.1988, p.1).

producers are induced to resort to natural gas to comply with it; a further incentive is that the latest technological developments, together with natural gas prices are competitive *vis-à-vis* other fossil fuels, make the use of this energy source to produce electricity more economic.

In view of the widespread and justified opposition to keeping the 1975 Directive — which is incompatible with current political developments — in force, the Commission holds that its revocation is necessary even before the result of the review of the Community's long-term energy objectives is available, since the Directive serves no useful purpose in either controlling or monitoring the use of natural gas in the Community.

There has clearly been a change in the attitude of the Commission, which at the time of the 'Energy' Council meeting of 11 May 1989 kept open the possibility of further thought on the use of natural gas in power stations in the context of long-term Community objectives related to the establishment of an internal market in energy (PR 6371/89 — Presse 73).

In its working document of 2 May 1988, the Commission regarded the 1975 Directive as a constraint that could affect the free movement of natural gas [see COM(88) 238 final].

At all events, the Commission states (in its present proposal) that, in the course of its review of long-term energy objectives, it will be examining the implications of the medium and long-term natural gas demand and supply situation for Community energy policy to the turn of the century and beyond.

### **Gist of the Committee Opinion <sup>1</sup>**

The Committee endorses the draft directive, which is designed to further diversification, efficient use of energy and greater flexibility, with regard to sources.

The Committee would, however, remind the Commission of the need to propose as promised, new medium and long-term energy objectives in the near future.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Energy, Nuclear Questions and*

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<sup>1</sup> CES 1222/90.

*Research chaired by Mr Aldo Romoli (Italy — Employers). Rapporteur-General: Mr Giuseppe Frandi (Italy — Workers).*

## 7. WILD FLORA AND FAUNA

### **Proposal for a Council Directive on the protection of natural and semi-natural habitats and of wild fauna and flora**

[COM(88) 381 final and the complementary annexes  
COM(90) 59 final]

### **Gist of the Commission proposal**

The EEC Environment Action Programmes make provision for measures regarding nature conservation, of which the protection of habitats and wild fauna and flora forms a part.

The fundamental aim of the present proposal is to establish by the year 2000 a network of protected wildlife areas throughout the Community, thus ensuring a more effective implementation of the Berne Convention on wildlife and natural habitats.

The proposal specifically covers the following:

- (i) protection of habitats, including the identification of the ten most important areas in the Community, and transfrontier management;
- (ii) environmental impact assessment;
- (iii) protection of species, particularly endangered species.

#### *Note*

The original proposal (August 1988) did not include the eight annexes listing principally the types of habitats and fauna and flora to be protected.

The Economic and Social Committee, as well as the European Parliament and the Council, has made it a pre-condition for consideration of this proposal that these annexes be provided. They were so provided in March 1990.

The Committee Opinion, therefore, is on the original proposal [COM(88) 381 final] plus the annexes [COM(90) 59 final].

## **Gist of the Committee Opinion**<sup>1</sup>

The Committee supports the aims of the Commission proposal but with a number of criticisms, principally the following:

- (i) the proposal does not contain a clear statement of aims and therefore risks being ineffective;
- (ii) the operation of the principle of subsidiarity in the context of habitats is not clear, and conflicts may arise with other Community measures, and national measures;
- (iii) there should be stronger emphasis on the European (including non-EEC) aspects of the habitats and species listed;
- (iv) the annexes should be shorter, and provision made for review;
- (v) many terms used in the proposal require definition to provide legal certainty;
- (vi) the financial implications have not been fully worked out.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs, chaired by Mr Johannes Jaschick (Germany — Various Interests). The Rapporteur-General was Mrs Anne Robinson (United Kingdom — Various Interests).*

## **8. MONETARY, FINANCIAL AND BALANCE-OF-PAYMENTS STATISTICS**

### **Proposal for a Council Decision establishing a Committee on monetary, financial and balance-of-payments statistics**

[COM(90) 355 final]

### **Gist of the proposal**

The purpose of the proposal is to set up a committee to take account of the establishment of the European financial area and the progress towards Economic and Monetary Union as it affects Member States' statistical systems. Closer cooperation between Member States with regard to the collection of statistics is thus vital and, according to the Commission, can be best achieved by setting up a committee composed of one to three representatives per Member State and three Commission representatives. One repre-

<sup>1</sup> CES 1210/90.

sentative of the Committee of the Central Banks of the Member States of the Community and one representative of the Monetary Committee will have observer status.

### **Gist of the Committee Opinion <sup>1</sup>**

The ESC, in its Opinions <sup>2</sup> on the introduction of the Intrastat system for intra-Community trade in goods, was concerned that if the statistical information and the data to be provided was too compressed, there would be such a deterioration in the quality of statistics that they would no longer fulfil the needs of users, the Member States and firms. It cannot help, therefore, but be pleased to see that its fears in this context are this time shared by the authors of the two proposals. The deterioration of the quality of statistical information in the areas concerned, the decline in the data produced and the problems of insufficient comparability with previous statistics, the growing irrelevance of the definitions used in measuring money supply at a time when new concepts will call for statistical back-up will come when the need for information will be increasing; the disappearance of barriers within the financial area and the increasingly unrestricted switching of financial flows may undermine the relevance of the statistical information gathered to date and the use of current concepts, which will become inadequate, may make it more difficult in the future to interpret monetary statistics. As far as balance-of-payments statistics are concerned, the abolition of frontier checks and exchange controls will bring about a change in the system for collecting statistics. Finally, the quality of statistics will deteriorate when capital circulates freely and financial transactions between non-residents within the Community become commonplace.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Economic, Financial and Monetary Questions, chaired by Mr Alfons Margot (Belgium — Various Interests). The Rapporteur-General was Mr Camille Giacomelli (Luxembourg — Employers).*

<sup>1</sup> CES 1215/90.

<sup>2</sup> CES 552/89 and CES 1022/90.

## 9. CEIES — STATISTICAL INFORMATION IN THE ECONOMIC AND SOCIAL SPHERES

**Proposal for a Council Decision establishing the European Advisory Committee on statistical information in the economic and social spheres (Ceies)**  
[COM(90) 324 final]

### **Gist of the proposal**

The purpose of this proposal is to set up an advisory committee to cater for the need for dialogue between information producers and users and thus to ensure that market demand in Europe is directed towards the producers of statistical information and make public the constraints and resources needed to meet this demand effectively.

The committee is to consist of four members representing the Commission, the 12 presidents of Member States' national statistical institutes and 24 members (two per Member State), appointed by the Council after consulting the Economic and Social Committee, from among leading representatives of the various economic and social categories and the world of science.

### **Gist of the Committee Opinion <sup>1</sup>**

It is surprising to note that the Economic and Social Committee was not consulted on the Statistical Programme of the European Communities (1989-92), currently in progress, although the document establishes priorities, objectives and guidelines, providing a basic framework of reference, in the field of statistical information.

The Committee supports the proposal to establish a European Advisory Committee on statistical information in the economic and social spheres (Ceies).

Another positive aspect is that in addition to assisting the Council and Commission in the coordination of objectives, the Ceies may act upon its own initiative, preparing Opinions or submitting reports 'whenever it considers this necessary for the fulfilment of its task'.

However, collaboration with the Statistical Programme Committee should not be in one direction only (forwarding of Ceies Opinions

<sup>1</sup> CES 1216/90.

or requests referring to new statistical activities): the Ceies should also be supplied with detailed up-to-date and regular information on statistics policy.

Under 'financial implications', Community funding of the Ceies is limited to 20% of the cost of an annual meeting (approximately ECU 20 000-26 000).

Unless these figures are revised, the difficulties already experienced by the national statistical institutes of the more remote and disadvantaged Member States in attending regular meetings of the various current working groups will become more acute.

According to the proposal, in addition to the four members representing the Commission and the 12 Presidents or Directors-General of the national statistical institutes of the Member States, the Ceies is to comprise 24 members (two per Member State) whom the Council shall appoint after consulting the Commission and the Economic and Social Committee, from among leading representatives of the various economic and social categories and the scientific field. With a view to the appointment of these members, each Member State shall provide the Council with a list containing four candidates. The Council shall take account of the need for the various categories to be adequately represented'.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Economic, Financial and Monetary Questions, chaired by Mr Alfons Margot (Belgium — Various Interests). The Rapporteur-General was Mr Vasco Cal (Portugal — Workers).*



## 10. BCR (METROLOGY) SWEDEN, FINLAND, SWITZERLAND

**Proposals for Council Decisions concerning the conclusion of Cooperation Agreements between the European Economic Community and the Republic of Finland, the Kingdom of Sweden and the Swiss Confederation on a research and development programme for the European Economic Community in the field of applied metrology and chemical analysis (BCR)**

[COM(90) 24 final — SYN 247]

[COM(90) 21 final — SYN 244]

[COM(90) 29 final — SYN 250]

### **Gist of the Commission Proposal**

By its Decision of 29 June 1988 the Council adopted a research and development programme for the EEC in the field of applied metrology and chemical analysis (BCR, 1988-92).<sup>1</sup> The programme has a budget of ECU 59.2 million.

The programme seeks to improve the reliability of chemical analyses and physical measurements (applied metrology) so as to achieve uniform results in all Member States.

The priority fields are:

- (a) analyses for food and agriculture;
- (b) analyses related to the environment;
- (c) biomedical analyses;
- (d) analyses of metals (essentially non-ferrous metals) and surface analysis of materials;
- (e) applied metrology. The emphasis will be on measurement and calibration of the most important parameters for test laboratories and industrial laboratories, in particular for quality control.

The ESC Opinion of 16 December 1987<sup>2</sup> welcomed the research programme, stressing the need to make sure that the research findings of the Community Bureau of References (BCR) were diffused as widely as possible among potential users.

<sup>1</sup> OJ L 206, 30.7.1988, p. 29.

<sup>2</sup> OJ C 35, 8.2.1988, p. 3.

The Commission took account of the Committee's concern when it amended the proposal in February 1988.<sup>1</sup>

Article 4 of the Council Decision authorizes the Commission, in accordance with Article 130n of the Treaty, to negotiate agreements with European countries that have concluded framework scientific and technical cooperation agreements with the EEC, with a view to associating them wholly or partially in the programme.

Sweden, Finland and Switzerland have concluded framework agreements with the Commission (approved by the Council on 9 February 1984<sup>2</sup>).

The three draft decisions which have now been referred to the Committee approve cooperation agreements associating the three countries with the implementation of the BCR programme. The Commission considers that this cooperation will be of mutual benefit and contribute to the improvement of European scientific and technological resources.

The cooperation agreements lay down:

- (i) A financial contribution from each of the three countries to work carried out under research contracts and to the administration and operating expenditure of the programme.

The rules governing this contribution are appended to the agreements. The contribution is a proportion of GDP. The Finnish contribution is put at ECU 1 063 240; the Swedish contribution at ECU 1 951 045; and the Swiss contribution at ECU 1 735 810.

- (ii) The entitlement of research and development bodies and persons of the three countries to submit research proposals and conclude contracts with the Commission.
- (iii) The circumstances under which R&D bodies and persons of the three countries can renegotiate or terminate contracts.

<sup>1</sup> OJ C 66, 11.3.1988.

<sup>2</sup> OJ L 71, 14.3.1987, p. 29.

## Gist of the Committee Opinion <sup>1</sup>

The Committee wishes to:

- (i) stress that one of the aims of the European Community is not simply to create synergy between the contracting parties but also, more important, to avoid duplication of research work;
- (ii) draw attention to the fact that the budgetary contribution of the three countries is spread over four years, instead of five as specified in the programme, bearing in mind the time-lag between the implementation of the Community programme and the signature of the agreements.

In this connection, the Committee wonders to what extent the budget of each of the three countries will remain unchanged, since cooperation proper can in principle only start after the end of 1990. The Committee thus wonders if the Commission intends to extend the timetable.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Energy, Nuclear Questions and Research chaired by Mr Aldo Romoli (Italy — Employers). Rapporteur-General: Mr Paul Flum (Germany — Workers).*

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<sup>1</sup> CES 1219/90.

## 11. SPES/FINLAND/SWEDEN/NORWAY/AUSTRIA/ SWITZERLAND

**Proposals for Council Decisions concerning the conclusion of Cooperation Agreements between the European Economic Community and the Republic of Finland, the Kingdom of Sweden, the Kingdom of Norway, the Republic of Austria and the Swiss Confederation on a European Stimulation Plan for Economic Science (SPES)**

[COM(90) 19 final — SYN 142]

[COM(90) 20 final — SYN 245]

[COM(90) 23 final — SYN 249]

[COM(90) 25 final — SYN 248]

[COM(90) 26 final — SYN 241]

### **Gist of the Commission proposal**

On 13 February 1989 the Council adopted a European stimulation plan for economic science (1989-92) (SPES).<sup>1</sup>

This trial plan, backed by an appropriation of ECU 6 million, is designed to set up a top-level cooperation and exchange network in the Community. It is one of a range of measures to make the scientific and technological capacity of the Community more effective, to the benefit of all Member States, and ultimately to establish a research-worker community in a frontier-free European space.

The purpose of SPES activities is to:

- (i) stimulate the mobility of Community economists and cooperation on joint research projects or networks by researchers of the Community Member States;
- (ii) improve training by encouraging doctoral students and researchers of the Community Member States to continue with their work in Community universities or research centres other than those of their country of origin;
- (iii) encourage young economists to return to the Community if they have been working for some time in centres of excellence of non-Community countries; and

<sup>1</sup> OJ L 44, 16.2.1989, p. 43.

- (iv) favour or support the exchange of knowledge and information between researchers in economic science of Community Member States.

SPES provides for support for research workers, teams and laboratories (research grants and scholarships, grants for multinational research networks and projects, grants for advanced training courses).

SPES was welcomed by the Committee Opinion of 28 September 1988,<sup>1</sup> which said that despite its limited objectives SPES should make a long-term contribution to strengthening Europe's economics capacity, thanks to a greater synergy of skills. The Committee recognized the justification of the proposed measures.

Article 5 of the Council Decision authorizes the Commission, in accordance with Treaty Article 130n, to negotiate SPES agreements with European countries which have concluded framework cooperation agreements with the Community.

The five countries have concluded framework agreements with the Commission (approved by the Council on 9 February 1987<sup>2</sup>).

The five draft decisions which have now been referred to the Committee approve cooperation agreements associating the five countries with the implementation of the SPES plan. The Commission considers that this cooperation will be of mutual benefit and contribute to the improvement of European scientific and technological resources.

The cooperation agreements lay down:

- (i) a financial contribution from each of the five countries to work carried out under research contracts and to the administration and operating expenditure of SPES.

The rules governing this contribution are appended to the agreements. The contribution is a proportion of GNP. The Finnish contribution is put at ECU 121 600; the Swedish contribution at ECU 215 400; the Norwegian contribution at ECU 114 600; the Austrian contribution at ECU 160 800; and the Swiss contribution at ECU 230 400.

- (ii) The entitlement of research and development bodies and persons of the five countries to submit research proposals and conclude contracts with the Commission.

<sup>1</sup> OJ C 318, 12.12.1988, p. 23.

<sup>2</sup> OJ L 71, 14.3.1987, p. 29.

- (iii) The circumstances under which R&D bodies and persons of the five countries can renegotiate or terminate contracts.

### **Gist of the Committee Opinion**<sup>1</sup>

The Committee approves the five proposals that are part of an already well-established scientific and technical cooperation policy with the EFTA countries. Such cooperation allows these countries to participate in certain specific R&TD programmes.

Referring more generally to its Opinion of 30 May 1990 on EC-EFTA relations, the Committee reiterates that it would be wrong to see the EES as an extension of the EC to EFTA.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Energy, Nuclear Questions and Research, chaired by Mr Aldo Romoli (Italy — Employers). The Rapporteur-General: Mr Javier Velasco Mancebo (Spain — Workers).*

## **12. SCIENCE PLAN/ICELAND**

**Draft Council Decision concerning the conclusion of a cooperation agreement between the European Economic Community and the Republic of Iceland on a programme plan to stimulate the international cooperation and interchange needed by European research scientists**

[COM(90) 241 final]

### **Gist of the Commission Proposal**

Pursuant to action line 8 (stimulation, enhancement and use of Community human research resources) of the framework programme in the field of research and technological development (1987-91),<sup>2</sup> the Council, on 29 June 1988, adopted a European stimulation plan for economic science (1988-92) (Science).<sup>3</sup>

This plan is designed to set up a progressively expanding top-level European cooperation and exchange network in the fields of the exact and natural sciences. It is one of a range of measures to enhance the scientific and technological capacity of the Community

<sup>1</sup> CES 1120/90.

<sup>2</sup> OJ L 302, 24.10.1987, p. 1.

<sup>3</sup> OJ L 206, 30.7.1988, p. 34.

to the benefit of all Member States, and ultimately to establish a research-worker community in a frontier-free European area.

The specific aims of the Science plan are:

- (i) to promote training through research and, by means of cooperation, the better use of high-level research in the Community;
- (ii) to improve the mobility of research scientists of the Member States of the Community;
- (iii) to develop and support intra-European scientific and technical cooperation on high-quality projects;
- (iv) to promote the setting-up of intra-European cooperation and interchange networks with a view to reinforcing the overall scientific and technical competitiveness of the Community, thereby strengthening its economic and social cohesion.

The Science programme offers support for research scientists, teams and laboratories in the form of research bursaries and grants, and provides for the twinning of laboratories, the development of multidisciplinary, multinational operations, and specific action to encourage the mobility of research workers (social security cover, retirement rights, etc.).

Article 5 of the Decision of 29 June 1988 authorizes the Commission, in accordance with Article 130n of the Treaty, to negotiate agreements with third countries and in particular with European countries having concluded framework agreements for scientific and technical cooperation with the Community, with a view to associating them wholly or partially with the programme plan.

Five countries (Austria, Finland, Norway, Sweden, Switzerland) with which the Community has concluded framework scientific and technical cooperation agreements<sup>1</sup> are currently associated in the implementation of the Science plan. The five agreements were approved by the Council on 12 February 1990.<sup>2</sup> The Committee Opinion of 27 November 1989<sup>3</sup> endorsed them and stated that they would further scientific knowledge.

These agreements lay down:

- (i) the rules for calculating the financial contribution of the individual countries to work carried out under contract and to

<sup>1</sup> OJ C 298, 27.11.1989, p. 30.

<sup>2</sup> OJ L 50, 26.2.1990.

<sup>3</sup> OJ C 298, 27.11.1989, p. 30.

the operating expenditure of the Science plan. This financial contribution is proportionate to the GNP of the countries concerned;

- (ii) the entitlement of persons and research bodies in the five countries to submit research proposals and conclude research contracts with the Commission;
- (iii) the enlargement of the Committee for the European Development of Science and Technology (which helps the Commission implement the Science programme) to include a representative from each of the five countries.

The draft Council decision now before the Committee approves a similar agreement with Iceland, another country which has a framework cooperation agreement with the Community (approved by the Council Decision of 29 September 1989<sup>1</sup> and endorsed by the Committee Opinion of 22 February 1987<sup>2</sup>).

The cooperation agreement appended to the draft decision is similar to that of the previous agreements and it suffices to note that the financial contribution of Iceland to the Science plan is put at ECU 108 000.

### **Gist of the Committee Opinion<sup>3</sup>**

The Committee endorses the draft Opinion, subject to a number of comments on the cooperation agreement.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Energy, Nuclear Questions and Research, chaired by Mr Aldo Romoli (Italy — Employers). The Rapporteur-General was Mr Robert J. Moreland (United Kingdom — Various Interests).*

<sup>1</sup> OJ L 14, 18.1.1990, p. 18.

<sup>2</sup> OJ C 102, 24.4.1989, p. 15.

<sup>3</sup> CES 1221/90.



### 13. LEADER — COMMUNITY INITIATIVE FOR RURAL DEVELOPMENT

**Notice from the Commission to Member States laying down guidelines for integrated global grants for which Member States are invited to submit proposals in the framework of a Community initiative for rural development — Leader**  
[SEC(90) 1602 final]

#### **Gist of the Commission notice**

The notice concerns the introduction by the Commission, acting under Article 11 of Council Regulation (EEC) No 4253/88, of a Community initiative known as Leader (Liaison entre Actions de Développement de l'Économie Rurale — Links between actions for the development of the rural economy), designed to improve the development potential of the Community's rural areas by acquiring and disseminating know-how relating to rural development.

The initiative basically involves setting up a network of Local Rural Development Action Groups in certain rural areas under Objectives 1 and 5b, to be selected in accordance with the need to ensure that the initiative serves as a model for all such areas. These groups are to use new information and communications technologies and will enjoy a substantial degree of flexibility in undertaking the delegated management of the global grants provided.

The groups thereby become the initiative's principal organizers, being responsible for the management of that part of the global grant allocated to them on the basis of local rural development programmes they have themselves prepared.

Grant-supported development initiatives which it is felt might be integrated into such programmes include the organization of rural development (studies, technical assistance, information, etc.), vocational training, the promotion of rural tourism, support for small firms and craft enterprises and the marketing of local agricultural products. Grants are also planned for the establishment of groups, provision of data-handling and transmission equipment and for initiatives to create group networks.

The Commission has decided to set an indicative financial allocation of ECU 400 million for 1990-93.

### **Gist of the Committee Opinion <sup>1</sup>**

The Committee supports the Commission's initiative, which fits in with its view on earlier programmes of the same kind. The Commission's attention is drawn to the need to secure the active participation of rural populations and their organizations and associations — particularly cooperatives — in implementing the programme.

The Committee also raises the question of the application of the programme to the territory of the former German Democratic Republic. If it is to be implemented in these areas, its budget must be expanded.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by Mr José Bento Gonçalves (Portugal — Various Interests) as Rapporteur-General.*

### **14. UNDESIRABLE SUBSTANCES IN FEEDINGSTUFFS**

**Proposal for a Council Directive amending Directive 74/63/EEC on the fixing of maximum permitted levels for undesirable substances and products in feedingstuffs**  
[COM(90) 321 final]

### **Gist of the Commission communication**

The draft directive is identical with Council Directive 87/519/EEC of 19 October 1987 amending Directive 74/63/EEC on undesirable substances and products in animal nutrition.

The Council adopted Directive 87/719/EEC on the basis of Treaty Articles 43 and 100. On 16 November 1989 the Court of Justice ruled that it was invalid since Article 100 was inapplicable.

The draft directive lays down maximum permitted levels of a group of active substances used in pesticides that are an indirect health hazard.

### **Gist of the Committee Opinion <sup>2</sup>**

The Committee endorses the draft directive and confirms its Opinion of 2 February 1978 (OJ C 84, 8.4.1978).

<sup>1</sup> CES 1223/90.

<sup>2</sup> CES 1224/90.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by Mr Hans-Jürgen Wick (Germany — Employers) as Rapporteur-General.*

## 15. BIOTECHNOLOGY

**Proposal for a Council Decision adopting a specific research and technological development programme in the field of biotechnology (1990-94)**  
[COM(90) 160 final — SYN 265]

### **Gist of the Commission proposal**

The proposed programme comes under research line of action 4 of the framework programme for Community activities in the field of research and technological development,<sup>1</sup> 'Life sciences and technologies', the long-term strategic objective of which is 'to contribute in a selective and integrated way to the development of Europe's potential for understanding and using the properties and structures of living matter'.

The specific aim of this programme — which, after the BEP,<sup>2</sup> BAP<sup>3</sup> and Bridge<sup>4</sup> programmes, is the fourth of its type — is 'to reinforce basic biological knowledge as the common and integrated foundation needed for applications in agriculture, industry, health, nutrition and the environment'.

In its Opinion of 7 April 1989 on the Bridge programme,<sup>5</sup> the Committee emphasized once again the importance of biotechnological research for the Community's economic and social objectives.

While endorsing the Bridge programme, the Committee reiterated the views expressed in other Opinions as regards:

- (i) the need to take account of the ethical and moral aspects of biotechnological research;

<sup>1</sup> OJ L 117, 8.5.1990, p. 28.

<sup>2</sup> Programme in the field of biomolecular engineering (1982-86), OJ L 375, 20.12.1981, p. 1, as amended by OJ L 305, 8.11.1983, p. 11.

<sup>3</sup> Action programme in the field of biotechnology (1985-89), OJ L 83, 23.3.1985, p. 1, as amended by OJ L 206, 30.7.1988, p. 38.

<sup>4</sup> Specific research and technological development programme in the field of biotechnology (1990-94), OJ L 360, 9.12.1989, p. 32.

<sup>5</sup> Opinion of 7 April 1989, OJ C 159, 26.6.1989, p. 26.

- (ii) the assessment of the possible risks associated with the release of genetically engineered organisms into the environment;
- (iii) the assessment of the social impact of biotechnology, which should be an integral part of the assessment of the results of the programme;
- (iv) the participation of SMEs and agricultural organizations in the programme, to be encouraged by appropriate measures and provisions;
- (v) the importance of training activities, in particular for their contribution to narrowing development gaps between Member States and hence to reinforcing economic and social cohesion.

In practice three areas will be covered by the proposed new programme, which will require an estimated contribution of ECU 164 million from the Community budget, broken down as follows:

	%
1. <i>Molecular approaches</i>	35-40
Structure and function of proteins	
Structure and function of genes	
Expression of genes	
2. <i>Cellular and organism approaches</i>	45-55
Cellular regeneration, reproduction and development of living organisms	
Metabolism of animals, plants and microbes; essential physiological tracts	
Communication systems within living matter	
3. <i>Ecology and population biology</i>	10-15
Ecological implications of biotechnology	
Conservation of genetic resources.	

It is planned to devote 1% of this ECU 164 million to the centralized action for the dissemination and exploitation of the results of the specific and supplementary research programmes, as provided for in Article 4 of the Decision on the framework programme (1990-94).

The present programme will be implemented through shared-cost research contracts and concerted actions, and will also include accompanying measures, the arrangements for which are annexed to the Decision.

The Commission's proposal also stipulates the role and operating procedures of the committee responsible for assisting it in the execution of the programme; it provides for:

- (i) a review of the programme in 1992, giving rise if necessary to proposals for changes; assessment of the results at the end of the programme;
- (ii) the possibility for third countries and international organizations to conclude agreements with the Community enabling them to cooperate in achieving the aims of the programme.

### **Gist of the Committee Opinion**<sup>1</sup>

The Committee also drew attention to certain questions connected with the implementation of the proposed programme and, more generally, with the development of modern biotechnology, including:

links between the proposed programme and the Bridge programme;

programme finance;

participation of industry and the agricultural sector in the programme;

training;

concerted actions;

ethical aspects of research in the field of biotechnology;

programme review and evaluation of results.

*This Opinion was drawn up in the light of the paper produced by the Section for Energy, Nuclear Questions and Research, chaired by Mr Aldo Romoli (Italy — Employers). Rapporteur: Mr André De Tavernier (Belgium — Various Interests).*

<sup>1</sup> CES 1213/90.



## **External activities**

### **Meetings attended by ESC Chairman and Secretary-General**

1 October, Paris: Meeting with Mr François Scheer, Secretary General of French Foreign Ministry, Mr Pierre de Boissieu, Director for Economic Affairs at the French Foreign Ministry, and Mr Jean Matteoli, President of the French Economic and Social Committee.

3 October, Montpellier (France): Congress of the European Public Enterprise Centre on public enterprise, the internal market and the regions.

5 October, Dublin: Meeting of Presidents and Secretaries-General of the ESC and Economic and Social Councils of the Community Member States.

8 October, Luxembourg: Second meeting of the Inter-Governmental Conference on Economic and Monetary Union.

11 October, Paris: Meeting with Mr Jacques Bonacossea, Secretary General of the French Economic and Social Council.

23 October, Strasbourg: Preparatory interinstitutional conference on political union.

29 October, Paris: Funeral of Émile Roche, former President of the French Economic and Social Council and former Chairman of the ESC.

## Fact-finding visits to the ESC

During the reference period the following groups visited the Economic and Social Committee:

- |                      |   |
|----------------------|---|
| 24 September 1990    | Associação Nacional dos Comerciantes de Veículos de Duas Rodas (Portugal)   |
| 24 September 1990    | Confederación Española de Organizaciones empresariales (Spain)  |
| 25 September 1990    | Kreishandwerkerschaft Ennepe-Ruhr (Germany) par l'EBAG — Europäische Bildungs- und Aktionsgemeinschaft e.V., Brussels |
| 25 September 1990    | Verband Berliner Verwaltungsjuristen (Germany)  |
| 25 September 1990    | Bund Deutscher Zollbeamten, Emmerich (Germany)  |
| 26-27 September 1990 | European 'Labour and Society' Centre, Maastricht (Netherlands)  |
| 28 September 1990    | Lycée agricole de Rennes-le-Rheu (Ingénieurs d'Agronomie) (France)  |
| 2 October 1990       | Metalskolen Jørlunde, Slangerup (Denmark)   |
| 4 October 1990       | The American University, Washington DC (USA)  |
| 5 October 1990       | Spanish young farmers   |
| 5 October 1990       | Miami University — John E. Dolibois European Center, Luxembourg (Undergraduate Students for International Economics)  |
| 8 October 1990       | Servizio Europa Umbria, Perugia (Italy)   |
| 8 October 1990       | Northern Ireland Solicitors' European Group, Belfast, Northern Ireland  |



- 8 October 1990 École supérieure de Commerce de Nantes (France)
- 8 October 1990 Étudiants du Riiskov Amtsgymnasium, Århus (Denmark)
- 8 October 1990 Comité économique et social d'Auvergne, Clermont-Ferrand (France)
- 9 October 1990 MPs from Navarra (Spain)
- 9 October 1990 Kreisverband der Jungen Liberalen Bielefeld (Germany)
- 9 October 1990 Europartner — S.K.T.F. — Swedish Association of Government officials (Sweden)
- 11 October 1990 Friedrich-Ebert-Stiftung, Brussels (Senior Cuban government official)
- 11 October 1990 Tilburg University — Katholieke Universiteit Brabant, Tilburg (European and American students)
- 12 October 1990 Advokatfirmæt Smith Knudsen, Struer (Denmark)
- 15 October 1990 UNAPL (Union nationale des Associations de professions libérales) de Midi-Pyrénées (France)
- 15 October 1990 Fachhochschule für öffentliche Verwaltung Nordrhein-Westfalen, Abt. Bielefeld (Germany)
- 17 October 1990 Juridisk Selskab i Århus (Århus Universitet) (Denmark)
- 19 October 1990 Bildungsdienst und Sozialwerk des Deutschen Beamtenbundes, Bonn (Germany)
- 19 October 1990 Politische Akademie Biggensee, Attendorn, (Germany)
- 19 October 1990 Verband der Beamten des gehobenen Dienstes der Deutschen Bundesbahn, Bezirk Saarbrücken

## LIST OF PUBLICATIONS AND BROCHURES

### Available from the ESC

#### *General documentation*

The other European Assembly (CES 89-003)

Leaflet on the ESC

#### *Opinions and studies*

Europe and the new technologies (1986) (ESC 89-004)

Disadvantaged island regions (July 1988) (ESC 88-009)

Basic Community social rights (Opinion) (February 1989)

Horizon 1992: The ESC supports the removal of fiscal frontiers (July 1988) (eight Opinions)

Target date 1992: The ESC supports 'the new-frontier Europe' (June 1988) (seven Opinions) (ESC 88-010)

### Available from Gower Publishing Co. Ltd, 1 Westmead, Farnborough, Hants GU1 47RU

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European interest groups and their relationship to the Economic and Social Committee (UKL 25)

### Available from Delta Publications, rue Scailquin 55, 1030 Brussels

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