

# Bulletin of the European Communities

Commission



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# **Bulletin of the European Communities**

**Commission**

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## References in the text

References to other parts of the same issue of the Bulletin are given in parentheses in text, thus (→ point 2.1.53).

### Standardized abbreviations for the designation of certain monetary units in the different languages of the Community:

ECU	=	European currency unit
BFR	=	Belgische frank / Franc belge
DKR	=	Dansk krone
DM	=	Deutsche Mark
DR	=	Greek drachma
ESC	=	Escudo
FF	=	Franc français
HFL	=	Nederlandse gulden (Hollandse florijn)
IRL	=	Irish pound / punt
LFR	=	Franc luxembourgeois
LIT	=	Lira italiana
PTA	=	Peseta
UKL	=	Pound sterling
USD	=	United States dollar

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# **PART ONE**

**ACTIVITIES  
IN JULY/AUGUST  
1991**

# News in brief

## The single market and the Community economic and social area

### *Internal market*

The Commission adopts a proposal for a Directive on the type-approval of motor vehicles and their trailers (→ point 1.2.2).

The Council agrees four proposals for Directives on medicinal products for human use relating respectively to legal status for supply, labelling and package leaflets, wholesale distribution and advertising (→ points 1.2.3 to 1.2.6).

The Commission adopts a proposal for a Directive concerning medical devices (→ point 1.2.7).

### *Enterprise policy, industrial policy and services*

The Commission adopts a proposal for a Directive on the coordination of certain rules concerning copyright and neighbouring rights applicable to satellite broadcasting and cable retransmission (→ point 1.2.76).

### *Transport*

The Commission adopts three proposals for Regulations relating to the third stage in the liberalization of air transport (→ point 1.2.102).

The Commission adopts a proposal for a Regulation on access to the market for the carriage of goods by road in the Community (→ point 1.2.103).

### *Social dimension*

The Commission adopts a proposal for a recommendation concerning employee participation in profits and enterprise results (→ point 1.2.127).

The Commission approves a recommendation on the protection of the dignity of women and men at work (→ point 1.2.128) and Parliament adopts a resolution on equal opportunities for women and men (→ point 1.2.130).

The Commission adopts a proposal for a Council recommendation on child care (→ point 1.2.129).

The Commission adopts its annual report on employment in Europe (→ point 1.2.131).

### *Agriculture*

The Commission adopts a communication on the development and future of the common agricultural policy (→ point 1.2.163).

The Commission adopts a proposal for a Regulation establishing a support system for soya beans, rapeseed and sunflowerseed (→ point 1.2.164).

*Audiovisual media, information, communication and culture*

The Commission adopts a communication on encouraging audiovisual production in the context of the strategy for high-definition television (→ point 1.2.291).

The Commission adopts a communication on the Community and sport (→ point 1.2.292).

**Role of the Community in the world**

Confronted with the political upheavals and events in the Soviet Union, Yugoslavia and Albania, the Community is involved in intense activity (→ point 1.3.1).

*European Free Trade Association*

The Commission adopts an opinion on Austria's application for accession (→ point 1.3.2).

Sweden submits an application for accession (→ point 1.3.3).

*The Soviet Union and the countries of Central and Eastern Europe*

The Council adopts measures to assist the Soviet Union in the form of a Regulation concerning the provision of technical assistance for economic reform and recovery, a Decision in the form of an exchange of letters on a credit guarantee for exports of agricultural products and foodstuffs, and a Regulation liberalizing quantitative restrictions applying to imports of certain products originating in the USSR (→ points 1.3.5 to 1.3.7).

The Commission adopts financing decisions as part of the coordinated aid to Central and Eastern Europe and the first annual report on the implementation of such aid up to 31 December 1990 (→ points 1.3.8 and 1.3.9).

The Commission takes steps to promote the development of Community relations with Albania: Mr Andriessen visits Tirana; and the Commission adopts a recommendation for a Decision on the negotiation of a trade and cooperation agreement, a proposal for a Regulation on the supply of certain agricultural products to Albania, and a decision granting emergency aid (→ points 1.3.10 to 1.3.13).

*United States, Japan and other industrialized countries*

The Western Economic Summit is held in London (→ point 1.3.32).

An EEC-Japan joint declaration is issued (→ point 1.3.33).

A transitional arrangement is adopted for imports of Japanese motor cars into the Community (→ point 1.3.34).

*ACP countries and overseas countries and territories*

The Council adopts a Decision on the association of the overseas countries and territories with the Community and the Representatives of the Governments of the Member States adopt a decision on the arrangements for trade in ECSC products (→ point 1.3.46).

# 1. Towards European union

## Follow-up to the Luxembourg European Council

1.1.1. Parliament resolution on the European Council meeting in Luxembourg on 28 and 29 June 1991.

- **References:**

Conclusions of the Rome I European Council: Bull. EC 10-1990, point I.4

Conclusions of the Rome II European Council: Bull. EC 12-1990, points I.4 to I.9

Conclusions of the Luxembourg European Council: Bull. EC 6-1991, points I.1 to I.47

*Adopted on 10 July.* Parliament regrets that the Luxembourg European Council has postponed a number of crucial questions to the Maastricht European Council and takes the view that the basis for the future work of the Intergovernmental Conferences can only be the *acquis communautaire* and its development towards a federal-type European union. In particular it considers that political union must be based on a single institutional framework, on the principles of subsidiarity and economic and social cohesion, and on European citizenship. It reaffirms its position on the need to eliminate the democratic deficit and on the fundamental elements of the common foreign and security policy. In the case of economic and monetary union, it considers that the Treaty must be finalized in line with the conclusions of the Rome I European Council on the move to Stage II, the creation of a European system of central banks enjoying the powers necessary to attain the objectives laid down in the Treaty, the introduction of a single currency and progress on economic and monetary convergence. Lastly, Parliament calls on the Dutch presidency to make completion of the internal market a top priority, without jeopardizing the move to give a new impetus to the achievement of a social Europe.

OJ C 240, 16.9.1991

## Economic and monetary union

### Implementation of Stage I of economic and monetary union

#### *Multilateral surveillance*

1.1.2. Six-monthly multilateral surveillance exercise.

- **References:**

Council Decision 90/141/EEC: OJ L 78, 24.3.1990; Bull. EC 3-1990, point 1.1.1

Previous exercise: Bull. EC 1/2-1991, point 1.1.5

Conclusions of the Luxembourg European Council: Bull. EC 6-1991, point I.12

*Communication adopted by the Commission on 3 July.* The Commission's analysis, based essentially on three indicators, namely inflation, public finances and external accounts, shows that the situation varies considerably from Member State to Member State. There is therefore an urgent need to give a new impetus to moves towards greater convergence by strengthening multilateral surveillance and by obtaining specific commitments from the Member States, possibly in the form of communications to their Community partners on the medium-term strategies they intend to pursue to achieve or maintain economic convergence. Initially, Community participation would consist of assessing and approving their merits and, subsequently, of monitoring their implementation and results. The Commission therefore suggests that the Council invite the Member States to communicate their medium-term strategies as soon as possible, and by October at the latest, for approval by the end of the year. However, in advance of Community endorsement, Member States should start implementing the necessary convergence policies as soon as overall strategy has been finalized at national level so that the first results will be visible in 1992.

*Conclusions adopted by the Council on 8 July.*

'The Council has carried out the regular biannual examination of the economic situation in the Community (multilateral surveillance). This exercise has shown that, over the last two years, there has been a clear absence of progress towards the necessary degree of convergence and that the present level of convergence in a large number of Member States is substantially inadequate.

The Council agreed that convergence will be more difficult to achieve against a background of a relatively unfavourable economic situation. However, the policy orientations required to strengthen growth fundamentals are also the same as those needed to improve convergence: an improved resource allocation to foster sustainable, non-inflationary growth in the medium term.

In line with the conclusions of the June meeting of the European Council, the Council has agreed

that for Stage I of economic and monetary union exceptional and determined efforts are required to resume progress towards convergence. Therefore, Member States have been asked where necessary to develop and communicate to the Community medium-term adjustment programmes. These strategies, which will reflect the individual countries' needs and positions, would represent a tangible sign of the Member States' commitment to the EMU process and would address the main convergence problems, i.e. prices and costs, public finances and external positions.

Programmes will be communicated as soon as possible and in any case before the end of October 1991, so that they can be reviewed before the end of the year. Future multilateral surveillance exercises will monitor the implementation and results of these convergence strategies.'

## 2. The single market and the Community economic and social area

### Economic and monetary policy

#### Economic situation

##### *Annual economic report 1990-91*

1.2.1. Council Decision adopting the revised annual economic report 1990/91 on the economic situation in the Community and the economic policy orientation for the Community in 1991.

- Adoption by the Commission: OJ C 53, 28.2.1991; Bull. EC 12-1990, point 1.3.1
- Economic and Social Committee opinion: OJ C 102, 18.4.1991; Bull. EC 1/2-1991, point 1.2.2
- Initial Parliament opinion: OJ C 106, 22.4.1991; Bull. EC 3-1991, point 1.2.2
- Examination by the Council: Bull. EC 3-1991, point 1.2.3
- Adoption by the Commission of a revised report: COM(91) 185; Bull. EC 5-1991, point 1.2.1

- Second Parliament opinion: OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.2.1

*Second Economic and Social Committee opinion adopted on 4 July.* Referring to the opinion which it adopted on 28 February, the Committee endorsed the revised version of the annual economic report, agreeing with the Commission's analysis of the economic situation after the Gulf War and the proposed economic policy guidelines.

*Agreed by the Council on 8 July.*

*Adopted by the Council on 29 July.*

OJ L 252, 7.9.1991

### Internal market

#### I

#### Type-approval of motor vehicles

1.2.2. Proposal for a Council Directive amending Directive 70/156/EEC on the

type-approval of motor vehicles and their trailers.

- **Directive to be amended:** Council Directive 70/156/EEC: OJ L 42, 23.1.1970, as last amended by Council Directive 87/403/EEC: OJ L 220, 8.8.1987; Bull. EC 6-1987, point 2.1.12

*Adopted by the Commission on 31 July.* The purpose of this proposal is to replace the type-approval procedures in the Member States with a single Community system based on uniform technical requirements so as to speed up and simplify pre-marketing administrative procedures. According to the Commission's proposal, it will be permitted, as from 1 January 1993, for a vehicle which has undergone the full type-approval process in a single Member State to be registered throughout the Community. Provision has been made for a transitional period, ending on 31 December 1995, during which manufacturers will be able to opt for a national type-approval procedure; approvals granted under this type of procedure before 1 January 1996 will remain valid until 31 December 1987. The proposal stipulates, however, that no derogation from the separate Directives involving total harmonization (particularly those concerning exhaust emissions) may be granted by Member States.

COM(91) 279

## Medicinal products for human use

1.2.3. Proposal for a Council Directive concerning the legal status for the supply of medicinal products for human use.

- **Commission proposal:** OJ C 58, 8.3.1990; COM(89) 607; Bull. EC 1/2-1990, point 1.1.24
- **Economic and Social Committee opinion:** OJ C 225, 10.9.1990; Bull. EC 7/8-1990, point 1.3.30
- **Parliament opinion (first reading):** OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.2.25

*Amended proposal adopted by the Commission on 18 July.*

OJ C 207, 8.8.1991; COM(91) 245

*Common position agreed by the Council on 22 July.* The aim of this proposal is to

enable individuals to move around within the Community with reasonable quantities of medicinal products lawfully obtained for their personal use or to have such products sent to them from one Member State to another. Medicinal products will be subject to medical prescription where they are likely to present a danger to health. Furthermore, Member States may apply a special classification to medicinal products containing substances classified as narcotic or psychotropic and those subject to restricted prescription. The competent national authorities will be responsible for specifying the legal status for the supply of medicinal products and for drawing up lists of the medicinal products subject to medical prescription on their territory.

1.2.4. Proposal for a Council Directive on the labelling of medicinal products for human use and on package leaflets.

- **Commission proposal:** OJ C 58, 8.3.1990; COM(89) 607; Bull. EC 1/2-1990, point 1.1.24
- **Economic and Social Committee opinion:** OJ C 225, 10.9.1990; Bull. EC 7/8-1990, point 1.3.31
- **Parliament opinion (first reading):** OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.2.26

*Amended proposal adopted by the Commission on 18 July.*

OJ C 207, 8.8.1991; COM(91) 245

*Common position agreed by the Council on 22 July.* The purpose of this proposal is to harmonize the information supplied to the user of a medicinal product. As regards labelling, the outer packaging or immediate packaging will have to bear a set of particulars concerning, *inter alia*, the name of the product, its ingredients, the method of administration and the expiry date. The package leaflet will have to include, *inter alia*, the name of the medicinal product, a full statement of its ingredients, the therapeutic indications, instructions as to use and a description of possible side-effects.

1.2.5. Proposal for a Council Directive on the wholesale distribution of medicinal products for human use.

- **Commission proposal:** OJ C 58, 8.3.1990; COM(89) 607; Bull. EC 1/2-1990, point 1.1.24
- **Economic and Social Committee opinion:** OJ C 225, 10.9.1990; Bull. EC 7/8-1990, point 1.3.32
- **Parliament opinion (first reading):** OJ C 183, 15.6.1991; Bull. EC 6-1991, point 1.2.27

*Amended proposal adopted by the Commission on 18 July.*

OJ C 207, 8.8.1991; COM(91) 245

*Common position agreed by the Council on 22 July.* The aim of this proposal is to ensure that there is control over the wholesale distribution of medicinal products. Wholesale distribution will in future be subject to authorization. In order to obtain such authorization, the applicant will have to meet certain special requirements (qualified staff, adequate premises). Holders of an authorization will have to have an emergency plan for ensuring rapid and efficient withdrawal of the medicinal products they distribute from the market. They will also have to keep accurate records for a period of five years of products received and supplied.

1.2.6. Proposal for a Council Directive on advertising of medicinal products for human use.

- **Commission proposal:** OJ C 163, 4.7.1990; COM(90) 212; Bull. EC 5-1990, point 1.2.7
- **Economic and Social Committee opinion:** OJ C 60, 8.3.1991; Bull. EC 12-1990, point 1.3.37
- **Parliament opinion (first reading):** OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.2.28

*Amended proposal adopted by the Commission on 18 July.*

OJ C 207, 8.8.1991; COM(91) 245

*Common position agreed by the Council on 22 July.* Separate arrangements are envisaged for advertising to health professionals and to the general public. In general, the advertising of a medicinal product must not be misleading and must encourage its rational use by presenting it objectively and without exaggerating its properties. Advertising to the general public of products which are available only on medical prescription is prohibited. Advertising will

have to be set out in such a way that it is clear that it is advertising; similarly, the product will have to be clearly identified as a medicinal product. Precise ethical rules governing the forms that advertising may take will also apply. Advertising to health professionals will have to include information compatible with the product's characteristics. In addition, the proposal contains provisions concerning pursuit of the occupation of medical sales representative, promotional campaigns and the supply of free samples.

## Safety of medical devices

1.2.7. Proposal for a Council Directive concerning medical devices.

- **Reference:** Council resolution on a new approach to technical harmonization and standards: Bull. EC 5-1985, point 1.3.1.

*Adopted by the Commission on 25 July.* The aim of this proposal is to harmonize national provisions for the health and safety protection of patients and users with regard to the marketing and use of medical devices. The proposal, which covers both disposable products and electro-medical equipment, stipulates that products placed on the market must bear the EC mark certifying compliance with Community law and making reference to the European standards to be drawn up with the help of the European Committee for Standardization and the European Committee for Electrotechnical Standardization.

The proposal provides for the Directive to be applied from July 1994; in the case of products subject to third-party approval, there is to be a transitional period up to July 1997 during which products may be marketed either under the procedure laid down by the Directive or in accordance with existing national laws.

OJ C 237, 12.9.1991; COM(91) 287

## II

### Removal of physical frontiers

#### Checks on goods

##### General legislation

1.2.8. Commission Regulation (EEC) No 2485/91 amending Regulation (EEC) No 2561/90 laying down provisions for the implementation of Council Regulation (EEC) No 2503/88 on customs warehouses and Regulation (EEC) No 2562/90 laying down provisions for the implementation of Council Regulation (EEC) No 2504/88 on free zones and free warehouses.

- **Basic Regulations:**
  - Council Regulation (EEC) No 2503/88: OJ L 225, 15.8.1988; Bull. EC 7/8-1988, point 2.1.46
  - Council Regulation (EEC) No 2504/88: OJ L 225, 15.8.1988; Bull. EC 7/8-1988, point 2.1.46
- **Regulations amended:**
  - Commission Regulation (EEC) No 2561/90: OJ L 246, 10.9.1990; Bull. EC 7/8-1990, point 1.3.11
  - Commission Regulation (EEC) No 2562/90: OJ L 246, 10.9.1990; Bull. EC 7/8-1990, point 1.3.12

*Adopted by the Commission on 29 July.* The purpose of this Regulation is to amend implementing Regulations (EEC) No 2561/90 and No 2562/90 in order to bring the prescribed forms into line with the United Nations standard formats and to fill a gap in the procedure to be followed after certain usual forms of handling have been carried out.

OJ L 228, 17.8.1991

1.2.9. Commission Regulation (EEC) No 2164/91 laying down provisions for the implementation of Article 5(2) of Council Regulation (EEC) No 1697/79 on the post-clearance recovery of import duties or export duties which have not been required of the person liable for payment on goods entered for a customs procedure involving the obligation to pay such duties.

- **References:**
  - Council Regulation (EEC) No 1697/79: OJ L 197, 3.8.1979; Bull. EC 7/8-1979, point 2.1.27
  - Commission Regulation (EEC) No 2380/89 laying down provisions for the implementation of Article 5(2) of Council Regulation (EEC) No 1697/79: OJ L 225, 3.8.1989; Bull. EC 7/8-1989, point 2.1.25

*Adopted by the Commission on 23 July.* The purpose of this Regulation is to make permanent the decision-making procedure introduced for a temporary period of two years by Commission Regulation (EEC) No 2380/89.

OJ L 201, 24.7.1991

1.2.10. Commission Decision 91/453/EEC setting up an Advisory Committee on Customs and Indirect Taxation.

- **Reference:** Commission Decision 73/351/EEC: OJ L 321, 22.11.1973; Bull. EC 11-1973, point 2101

*Adopted by the Commission on 30 July.* This Decision sets up an Advisory Committee on Customs and Indirect Taxation to replace the Advisory Committee on Customs Matters which has existed since 1973.

OJ L 241, 30.8.1991

#### Common Customs Tariff and Combined Nomenclature

1.2.11. Commission Regulation (EEC) No 2587/91 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.

- **Regulation to be amended:** Council Regulation (EEC) No 2658/87: OJ L 256, 7.9.1987; Bull. EC 7/8-1987, point 2.1.80

*Adopted by the Commission on 26 July.* In accordance with Article 12 of Regulation (EEC) No 2658/87, the Commission has carried out a complete updating of the combined nomenclature together with the corresponding autonomous and conventional rates of duty of the Common Customs Tariff, to reflect the measures adopted by the Council or by the Commission.

OJ 259, 16.9.1991



## Simplification of customs formalities

1.2.12. Proposal for a Council Regulation (EEC) repealing Regulations (EEC) No 3690/86 concerning the abolition within the framework of the TIR Convention of customs formalities on exit from a Member State at a frontier between two Member States and (EEC) No 4283/88 on the abolition of certain exit formalities at internal Community frontiers — introduction of common border posts.

- **Regulations to be repealed:**  
 Council Regulation (EEC) No 3690/86: OJ L 341, 4.12.1986; Bull. EC 12-1986, point 2.1.81  
 Council Regulation (EEC) No 4283/88: OJ L 382, 31.12.1988; Bull. EC 12-1988, point 2.1.87  
 Commission proposal: OJ C 143, 1.6.1991; COM(91) 146; Bull. EC 5-1991, point 1.2.4

*Endorsed by the Economic and Social Committee on 3 July.*

## International cooperation

1.2.13. Commission Regulation (EEC) No 2365/91 laying down the conditions for use of the ATA carnet for the temporary importation of goods into the customs territory of the Community or their temporary exportation from that territory.

- **References:**  
 Council Regulation (EEC) No 754/76 on the customs treatment applicable to goods returned to the customs territory of the Community: OJ L 89, 2.4.1976; Bull. EC 3-1976, point 2104  
 Council Regulation (EEC) No 3599/82 on temporary importation arrangements: OJ L 376, 31.12.1982; Bull. EC 12-1982, point 2.1.31  
 Commission Regulation (EEC) No 1751/84 laying down certain provisions for the application of Council Regulation (EEC) No 3599/82: OJ L 171, 29.6.1984; Bull. EC 6-1984, point 2.1.28

*Adopted by the Commission on 31 July.* This Regulation lays down the conditions for use of an ATA carnet for the temporary importation or exportation of goods, particularly as regards the details to be included on the carnet and the formalities to be com-

pleted at customs offices on entry into and on exit from the Community's customs territory.

OJ L 216, 3.8.1991

1.2.14. Decisions No 2/91, No 3/91, No 4/91, No 5/91 and No 6/91 of the EEC-Andorra Joint Committee relating, respectively, to:

- (i) the laws, regulations and administrative provisions applicable to customs matters in the Community to be adopted by the Principality of Andorra;
- (ii) amendments to Annex I and the Appendix to the Agreement;
- (iii) certain methods of administrative cooperation for implementation of the Agreement and the procedure for forwarding goods to the Principality of Andorra;
- (iv) the procedures for making available to the Andorran Treasury import duties collected by the Community on behalf of the Principality of Andorra;
- (v) the arrangements for the application of the mutual assistance provided for in Article 15 of the Agreement between the Community and Andorra.

- **Reference:** Agreement in the form of an exchange of letters between the European Economic Community and the Principality of Andorra: Bull. EC 11-1990, point 1.4.18

*Adopted by the EEC-Andorra Joint Committee on 12 July.*

*Adopted by the Commission on 31 July.* These Decisions implement the provisions necessary for the proper functioning of the customs union between the European Economic Community and the Principality of Andorra.

OJ L 250, 7.9.1991

## Temporary importation

1.2.15. Commission Regulation (EEC) No 2249/91 laying down provisions for the implementation of Council Regulation

(EEC) No 1855/89 for the temporary importation of means of transport.

- **Basic Regulation:** Council Regulation (EEC) No 1855/89 on the temporary importation of means of transport: OJ L 186, 30.6.1989; Bull. EC EC 6-1989, point 2.1.31

*Adopted by the Commission on 25 July.* This Regulation lays down provisions for the implementation of Council Regulation (EEC) No 1855/89, particularly as regards the conditions under which means of transport may be covered by the temporary importation procedure and the arrangements for the use of such means of transport during the period in which they are in the customs territory of the Community.

OJ L 204, 27.7.1991

### *Free movement of persons*

#### **Elimination of controls**

1.2.16. Proposal for a Council Regulation concerning the elimination of controls and formalities applicable to the cabin and checked baggage of passengers taking an intra-Community flight and the baggage of passengers making an intra-Community sea-crossing.

- **Commission proposal:** OJ C 212, 25.8.1990; COM(90) 370; Bull. EC 7/8-1990, point 1.3.9
- **Economic and Social Committee opinion:** OJ C 60, 8.3.1991; Bull. EC 12-1990, point 1.3.11
- **Parliament opinion (first reading):** OJ C 106, 22.4.1991; Bull. EC 3-1991, point 1.2.9
- **Council agreement on a common position:** Bull. EC 6-1991, point 1.2.10

*Common position formally adopted by the Council on 22 July.*

#### **Removal of technical frontiers**

##### *Standardization*

1.2.17. Parliament resolution on European standardization, certification and testing.

##### • **References:**

Commission communication on a global approach to certification and testing: OJ C 267, 19.10.1989; COM(89) 209; Bull. EC 7/8-1989, point 2.1.22

Commission Green Paper on the development of European standardization: OJ C 20, 28.1.1991; COM(90) 456; Bull. EC 10-1990, point 1.3.4

Council Decision 90/683/EEC concerning the modules for the various phases of the conformity assessment procedures which are intended to be used in the technical harmonization directives: OJ L 380, 31.12.1990; Bull. EC 12-1990, point 1.3.39

*Adopted by Parliament on 11 July.* Recalling the difficulties encountered in seeking to introduce European standards by means of direct harmonization at Community level, Parliament reiterates its support for the 'new approach' based on mutual recognition of national standards. It nevertheless points out that the increasing number of framework directives has led to greatly increased demand for European standards. It also proposes a number of measures likely to promote the standardization process, involving the efficiency of Community procedures, policy coordination, the participation of industry and information. Parliament also stresses the central importance of the conformity assessment procedures to be used in technical harmonization directives. It calls on the Commission to be vigilant in applying them and in preventing any divergence likely to endanger public safety and health. Parliament sees a need to develop and reinforce certification and testing infrastructures and to encourage mutual recognition agreements under EOTC auspices.

OJ C 240, 16.9.1991

### *Free movement of goods*

#### **Industrial products**

1.2.18. Commission Directive 91/442/EEC on dangerous preparations the packaging of which must be fitted with child-resistant fastenings.

- **Reference:** Commission Directive 90/35/EEC defining the categories of preparations the packaging of which must be fitted with child-resistant fastening and/or carry a tactile warning of danger: OJ L 19, 24.1.1990; Bull. EC 12-1989, point 2.1.28

*Adopted by the Commission on 23 July.* This Directive requires certain preparations not falling within the categories of dangerous preparations set out in Commission Directive 90/35/EEC to be clearly identified and their packaging to be equipped with child-resistant fastenings.

OJ L 238, 27.8.1991

## Motor vehicles

- **Basic Directive:** Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers: OJ L 42, 23.2.1970, as last amended by Council Directive 87/403/EEC: OJ L 220, 8.8.1987; Bull. EC 6-1987, point 2.1.12

1.2.19. Proposal for a Council Directive relating to the masses and dimensions of certain categories of motor vehicles and their trailers.

*Adopted by the Commission on 8 July.* This proposal, which covers all motor vehicle categories with the exception of private cars, is designed to introduce requirements regarding, *inter alia*, the engine power/maximum mass ratio of motor vehicles and road trains. It also contains rules relating to the maximum authorized towable mass.

OJ C 230, 4.9.1991; COM(91) 239

1.2.20. Proposal for a Council Directive relating to speed limitation devices of certain categories of motor vehicles.

- **Reference:** proposal for a Council Directive on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community: COM(91) 291; point 1.2.112 of this Bulletin

*Adopted by the Commission on 18 July.* This proposal provides for certain rules regarding the type-approval of heavy goods

vehicles in connection with the compulsory installation of speed limitation devices.

OJ C 229, 4.9.1991; COM(91) 240

1.2.21. Proposal for a Council Directive relating to the external projections forward of the cab's rear panel of motor vehicles of category N.

*Adopted by the Commission on 8 July.* The aim of this proposal is to lay down certain technical requirements in order to reduce the risk of injury in the event of an accident.

OJ C 230, 4.9.1991; COM(91) 238

1.2.22. Commission Directive 91/422/EEC adapting to technical progress Council Directive 71/320/EEC on the approximation of the laws of the Member States relating to the braking devices of certain categories of motor vehicles and their trailers.

- **Directive amended:** Council Directive 71/320/EEC: OJ L 202, 6.9.1971, as last amended by Commission Directive 88/194/EEC: OJ L 92, 9.4.1988; Bull. EC 3-1988, point 2.1.14

*Adopted by the Commission on 15 July.* This Directive provides for medium and heavy motor vehicles and heavy trailers to be fitted with devices which automatically compensate for wear in brake linings. It also provides for a new, more exacting additional test of service brakes for all categories of motor vehicle and for the introduction of a number of other technical changes.

OJ L 233, 22.8.1991

## Pharmaceutical products

1.2.23. Commission communication on the future system for the free movement of medicinal products in the European Community, comprising:

(i) a proposal for a Council Regulation laying down Community procedures for the authorization and supervision of medicinal products for human and veterinary use and establishing a European Agency for the Evaluation of Medicinal Products;

(ii) a proposal for a Council Directive amending Directives 65/65/EEC, 75/318/

EEC and 75/319/EEC in respect of medicinal products;

(iii) a proposal for a Council Directive amending Directives 81/851/EEC and 81/852/EEC in respect of veterinary medicinal products;

(iv) a proposal for a Council Directive repealing Directive 87/22/EEC on the approximation of national measures relating to the placing on the market of high-technology medicinal products particularly those derived from biotechnology.

• **Directives to be amended:**

Council Directive 65/65/EEC: OJ 22, 9.2.1965

Council Directive 75/318/EEC: OJ L 147, 9.6.1975

Council Directive 75/319/EEC: OJ L 147, 9.6.1975

Council Directive 81/851/EEC: OJ L 317, 6.11.1981; Bull. EC 9-1981, point 2.1.63

Council Directive 81/852/EEC: OJ L 317, 6.11.1981; Bull. EC 9-1981, point 2.1.63

• **Directive to be repealed:** Council Directive 87/22/EEC: OJ L 15, 17.1.1987; Bull. EC 12-1986, point 2.1.30

• **Commission proposals:** OJ C 330, 31.12.1990; COM(90) 283; Bull. EC 11-1990, point 1.3.1

• **Parliament opinion (first reading):** OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.2.23

*Endorsed by the Economic and Social Committee on 4 July.* The Committee nevertheless proposes a number of amendments involving, *inter alia*, the authorization procedures. It calls for the centralized procedure to be extended as a surer means of protecting consumers. It would also like to see better guarantees that Member States cannot misuse the decentralized procedure for protectionist purposes.

1.2.24. Commission Directive amending Council Directive 75/318/EEC on the approximation of the laws of the Member States relating to analytical, pharmacotoxicological and clinical standards and protocols in respect of the testing of medicinal products.

• **Directive amended:** Council Directive 75/318/EEC: OJ L 147, 9.6.1975, as last amended by Council Directive 89/341/EEC: OJ L 142, 25.5.1989; Bull. EC 5-1989, point 2.1.30

*Adopted by the Commission on 18 July.*

The purpose of this Directive is to amend the Annex to Directive 75/318/EEC to take account of the increased scope of Community pharmaceutical legislation. It also introduces a procedure for assembling reference dossiers and lays down the basic principles of good clinical practice in the conduct of trials.

1.2.25. Commission Directive 91/412/EEC laying down the principles and guidelines of good manufacturing practice for veterinary medicinal products.

• **Reference:** Council Directive 81/851/EEC concerning the approximation of the laws of the Member States relating to veterinary medicinal products: OJ L 317, 6.11.1981, as last amended by Council Directive 90/677/EEC: OJ L 373, 31.12.1990; Bull. EC 12-1990, point 1.3.36

*Adopted by the Commission on 23 July.*

This Directive lays down the principles and guidelines of good manufacturing practice with which manufacturers and importers are required to comply.

OJ L 228, 17.8.1991

1.2.26. Commission Decision approving the framework contract of cooperation with the Council of Europe on the standardization of biological substances for pharmaceutical use.

*Adopted by the Commission on 22 July.*

Purpose: to provide for the Commission to conclude a framework contract of cooperation with the Council of Europe with a view to the elaboration of a European Pharmacopoeia.

## Foodstuffs

1.2.27. Proposal for a Council Directive amending Directive 89/396/EEC on indications or marks identifying the lot to which a foodstuff belongs, accompanied by a Commission communication on the implementation of Directive 89/396/EEC on indications or marks identifying the lot to which a foodstuff belongs.

- **Directive to be amended:** Council Directive 89/396/EEC: OJ L 186, 30.6.1989; Bull. EC 6-1989, point 2.1.20

*Adopted by the Commission on 25 July.*  
Purpose: to postpone by one year the deadline for implementing Council Directive 89/396/EEC because of technical difficulties encountered by manufacturers in purchasing the appropriate marking equipment.

OJ C 219, 22.8.1991; COM(91) 297

1.2.28. Commission communication to the Council and the European Parliament on amendments to Annex I to the communication of 13 September 1990 on the official monitoring of foodstuffs.

- **Basic Directive:** Council Directive 89/397/EEC on the official monitoring of foodstuffs: OJ L 186, 30.6.1989; Bull. EC 6-1989, point 2.1.20
- **Communication amended:** Commission communication on official control of foodstuffs: application of Council Directive 89/397/EEC: COM(90) 392; Bull. EC 9-1990, point 1.2.22

*Adopted by the Commission on 22 July.*  
Purpose: to amend the annex relating to the basic training currently required by Member States for public food inspectors in response to requests for more detailed information or amendments submitted by certain Member States.

COM(91) 274

### *Public procurement*

1.2.29. Proposal for a Council Directive relating to the coordination of procedures on the award of public service contracts.

- **Commission proposal:** OJ C 23, 31.1.1991; COM(90) 372; Bull. EC 9-1990, point 1.2.7
- **Parliament opinion (first reading):** OJ C 158, 17.6.1991; Bull. EC 5-1991, point 1.2.13
- **Economic and Social Committee opinion:** OJ C 191, 22.7.1991; Bull. EC 5-1991, point 1.2.13

*Amended proposal adopted by the Commission on 28 August.*

COM(91) 322

### *Common market in services*

1.2.30. Proposal for a Council Directive setting up an Insurance Committee.

- **Commission proposal:** OJ C 230, 15.9.1990; COM(90) 344; Bull. EC 7/8-1990, point 1.3.38
- **Economic and Social Committee opinion:** OJ C 102, 18.4.1991; Bull. EC 1/2-1991, point 1.2.34

*Endorsed by Parliament (first reading) on 10 July, subject to a technical amendment.*

OJ C 240, 16.9.1991

*Council common position adopted on 22 July.* This proposal provides for the setting-up of an Insurance Committee composed of representatives of the Member States and chaired by a representative of the Commission. The Committee will assist the Commission in exercising its implementing powers in the field of direct insurance and in drawing up new proposals.

1.2.31. Proposal for a Council Directive implementing Directive 89/299/EEC on the own funds of credit institutions.

- **Basic Directive:** Directive 89/299/EEC: OJ L 124, 5.5.1989; Bull. EC 4-1989, point 2.1.10

*Adopted by the Commission on 31 July.* This proposal provides for the 'Fund for General Banking Risks' (FGBR) to be included, together with capital and disclosed reserves, within the category of original own funds.

OJ C 239, 14.9.1991; COM(91) 284

### **Removal of tax frontiers**

1.2.32. Proposal for a Council Directive amending Directive 76/308/EEC on mutual assistance for the recovery of claims resulting from operations forming part of the system of financing the European Agricultural Guidance and Guarantee Fund, and of agricultural levies and customs duties and in respect of value-added tax.

- **Directive to be amended:** Council Directive 76/308/EEC: OJ L 73, 19.3.1976; Bull. EC 3-1976, point 2103
- **Commission proposal:** OJ C 306, 6.12.1990; COM(90) 525; Bull. EC 11-1990, point 1.3.18
- **Economic and Social Committee opinion:** OJ C 102, 18.4.1991; Bull. EC 1/2-1991, point 1.2.37

- **Parliament opinion (first reading):** OJ C 158, 17.6.1991; Bull. EC 5-1991, point 1.2.18

*Amended proposal adopted by the Commission on 19 July.* This amendment is designed to extend the scope of the proposal to include levies and other duties collected under the market organization for sugar.

COM(91) 235

## Competition

### General rules applying to businesses

#### *Anti-competitive practices in air transport*

1.2.33. Proposal for a Council Regulation amending Regulation (EEC) No 3975/87 laying down the procedure for the application of the rules on competition to undertakings in the air transport sector.

- **Reference:** Proposal for a Council Regulation (EEC) on access for air carriers to intra-Community air routes (third package): COM(91) 275; point 1.2.102 of this Bulletin
- **Regulation to be amended:** Council Regulation (EEC) No 3975/87; OJ L 374, 31.12.1987; Bull. EC 12-1987, point 2.1.280
- **Amended proposal:** OJ C 248, 29.9.1989; COM(89) 417; Bull. EC 9-1989, point 2.1.43

*Adopted by the Commission on 17 July.* On 8 September 1989 the Commission proposed that the Council should extend the scope of the Commission's powers to enforce the competition rules to include domestic air transport routes and routes between the Community and non-member countries; the Council has not acted on that proposal, but it has committed itself to laying down rules on cabotage as part of the third package of air transport liberalization measures, so that measures have to be adopted along with that package which enable the Commission to enforce the competition rules where transport takes place within a single Member State.

The Commission accordingly withdraws its earlier proposal in so far as it applies to domestic transport, and submits a new proposal which would delete the limitation of Regulation No 3975/87 to international transport within the Community, so that domestic transport entirely within a single Member State would now be covered. As far as routes between the Community and non-member countries are concerned the earlier proposal remains on the table.

OJ C 225, 30.8.1991; COM(91) 272

1.2.34. Proposal for a Council Regulation amending Regulation (EEC) No 3976/87 on the application of Article 85(3) of the Treaty to certain categories of agreements and concerted practices in the air transport sector.

- **Regulation to be amended:** Council Regulation (EEC) No 3976/87; OJ L 374, 31.12.1987; Bull. EC 12-1987, point 2.1.280
- **Amended proposal:** OJ C 248, 29.9.1989; COM(89) 417; Bull. EC 9-1989, point 2.1.43

*Adopted by the Commission on 17 July.* Regulation No 3976/87 would be extended to cover domestic transport entirely within a Member State, and the time-limit on its application would be removed; provision would be made for the possible exemption of joint operations between airlines; and a standard clause would be included dealing with the duration and review of the Commission's implementing regulations. The Commission withdraws its earlier proposal here.

OJ C 225, 30.8.1991; COM(91) 272

#### *Application of the competition rules in the telecommunications sector*

1.2.35. Commission guidelines on the application of EEC competition rules in the telecommunications sector.

- **References:**  
Green Paper on the development of the common market for telecommunications services and equipment: COM(87) 290; Bull. EC 6-1987, point 1.4.1  
'Towards a competitive Community-wide telecommunications market in 1992 —

Implementing the Green Paper on the development of the common market for telecommunications services and equipment', Commission communication to the Council, 9 February 1988: COM(88) 48; Bull EC 2-1988, point 2.1.43

*Adopted by the Commission on 26 July.* Intended for the information of public telecommunications operators, other telecommunications service and equipment suppliers and users, the legal profession, and interested members of the public, the guidelines seek to clarify the general legal and economic principles followed by the Commission in applying the competition rules to businesses in the telecommunications industry in the light of experience gained in individual cases and of the rulings of the Court of Justice. The Commission will continue to apply these principles flexibly in future cases, taking the particular context of the case into account. As the Commission promised in its communication on implementing the Green Paper, the guidelines set out the general principles of the competition rules which apply to telecommunications organizations (Articles 85 and 86 of the EEC Treaty) and explain how those provisions tie in with the competition rules which apply to States (Article 90) and with other Community rules, such as those on open network provision.

OJ C 233, 6.9.1991

## **Application of the competition rules: specific cases**

### *Permissible forms of cooperation*

#### *Amadeus and Sabre*

1.2.36. Commission decision under Article 85(3) of the EEC Treaty.

*Adopted by the Commission on 31 July.* The Commission authorizes a cooperation agreement between Amadeus and Sabre, two computer reservation systems (CRSs) for air transport and other travel. Amadeus is a joint venture in which Lufthansa, Air France, Iberia and SAS are the main share-

holders. Sabre is owned by American Airlines. The Commission has obtained a series of detailed and comprehensive undertakings from Amadeus, Sabre and their principal associated carriers, the effect of which will be to open the Amadeus 'home markets' to greater competition from other CRSs. The Commission accepts that these undertakings should prevent any danger to effective competition in a significant part of the common market.

#### *IATA*

1.2.37. Commission decision under Article 85(3) of the EEC Treaty.

*Adopted by the Commission on 24 August.* The Commission grants exemptions from the ban on restrictive practices to two resolutions concerning the International Air Transport Association (IATA). These are the passenger agency programme and the cargo agency programme, two collective systems of agencies. Except for a particular provision, the exemptions have been granted until May and July 1998.

### *Dominant positions*

#### *British Steel*

1.2.38. European Parliament resolution on the closure of British Steel plants in Scotland and Community competition policy in the steel industry.

- Reference: Commission Decision rejecting the complaint made by the Scottish Steel Campaign Trust against British Steel: Bull. EC 6-1991, point 1.2.49

*Adopted on 11 July.* Parliament says that British Steel's decision to close a number of plants in Scotland is likely to result in the complete destruction of the steel industry there; it calls upon the Commission and the UK Government to re-examine the social, economic and political implications of this decision, and asks the Commission for a detailed report. The House congratulates the Scottish Steel Campaign Trust on bringing a complaint before the Commission,

and demands that the Commission compel British Steel to offer the Ravenscraig plant for sale. It disagrees with the definition of the 'relevant market' that the Commission has applied in its decision rejecting the complaint. It calls on the Commission to concentrate additional regional and social spending in the area around Ravenscraig.

OJ C 240, 16.9.1991

### *Tetra Pak*

1.2.39. Commission Decision under Article 86 of the EEC Treaty.

*Adopted by the Commission on 24 July.* The Commission condemns the Tetra Pak group for abusing its dominant position, in breach of Article 86 of the EEC Treaty, in the market for liquid and semi-liquid packaging machinery and cartons. Acting on a complaint from Elopak, one of Tetra Pak's main competitors, the Commission concludes that Tetra Pak has carried out a deliberate policy aimed at eliminating actual or potential competitors in the aseptic and non-aseptic markets in machinery and cartons, in persistent breach of the EEC Treaty. The infringements involve almost all products manufactured by Tetra Pak, and have had a damaging impact on competition in all Member States. In view of the number, the gravity and in several cases the long duration of the infringements committed on the Community market, and of their serious effects on competition throughout the industry, the Commission imposes a fine of ECU 75 million on the company.

### *Mergers*

#### *Takeover of ICI*

1.2.40. European Parliament resolution on the possible takeover of ICI.

*Adopted on 11 July.* Parliament is alarmed that Hanson plc may in early August make a takeover bid for ICI, the largest manufacturing company in the UK, and is concerned that Hanson might invest less in R&D than ICI has done; it calls on the Commission to

evaluate and report on the likely effects of a takeover, not just on competition as it is today but also upon future technological and economic progress in the Community and the UK. Parliament calls on the Commission not to permit any takeover on the basis of one month's summary review.

OJ C 240, 16.9.1991

### **Decisions under the Merger Control Regulation**

- **Reference:** Council Regulation (EEC) No 4064/89 on the control of concentrations between undertakings: OJ L 395, 30.12.1989 (corrected version: OJ L 257, 21.9.1990); Bull. EC 12-1989, point 2.1.78; Supplement 2/90 — Bull. EC

#### *Lyonnaise des eaux Dumez and Hans Brochier*

1.2.41. *Adopted by the Commission on 11 July.* The Commission has completed its examination of the acquisition by Lyonnaise des eaux Dumez of a controlling interest in Hans Brochier GmbH & Co KG, a medium-sized German company active in the field of pipeline construction; it finds that the concentration does not create a dominant position, and cannot be expected to have any substantial impact on the market position of Lyonnais des eaux Dumez. The Commission accordingly decides not to object to the transaction.

#### *EDS and SD-Scicon*

1.2.42. *Adopted by the Commission on 17 July.* Electronic Data Systems Corporation (EDS), the US-based information technology services company, has announced a takeover bid for SD-Scicon. SD-Scicon is a UK-based company operating mainly in the same markets as EDS. The increase of EDS's market shares as a result of the takeover is not sufficient to give rise to any concern that a dominant position would be created. The Commission authorizes the takeover.

OJ C 237, 12.9.1991



*ICL and Nokia Data*

1.2.43. *Adopted by the Commission on 17 July.* ICL plc, the UK-based computer manufacturer, in which Fujitsu of Japan has a majority stake, intends to buy Nokia Data, the information systems arm of Oy Nokia AB of Finland. The Commission here decides that there is no serious doubt as to the compatibility of the takeover with the common market.

OJ C 236, 11.9.1991

*Alfa-Laval and Tetra Pak*

1.2.44. *Adopted by the Commission on 19 July.* In a final decision the Commission declares the bid made by Tetra Pak of Switzerland for Alfa-Laval of Sweden compatible with the common market. Tetra Pak manufactures carton packaging machines and carton blanks, and Alfa-Laval produces a wide range of processing equipment.

*Elf, Ertoil and Cepsa*

1.2.45. *Adopted by the Commission on 24 July.* The Commission authorizes Société nationale Elf Aquitaine to increase its equity stake in Cepsa, and Cepsa to acquire Ertoil SA. The two transactions have been treated together as a single case under the Merger Control Regulation. After examining each of the markets affected, the Commission concludes that the concentration does not create or strengthen a dominant position liable to impede effective competition in the common market or in a significant part of it.

*Elf and Enterprise Oil*

1.2.46. *Adopted by the Commission on 24 July.* Société nationale Elf Aquitaine and Enterprise Oil plc have jointly notified the Commission of their intention to set up a joint venture operation in the UK sector of the North Sea. The Commission here finds that the joint venture is not a 'concentration' within the meaning of the Merger Control Regulation, as it is cooperative in nature, and in particular because both par-

ent companies will remain active in the market where the joint venture is to operate. The transaction has now to be examined under Article 85 of the EEC Treaty.

*Petromed and BP*

1.2.47. *Adopted by the Commission on 29 July.* The Commission authorizes the acquisition of Petromed, the smallest Spanish oil refiner, by the Spanish subsidiary of British Petroleum, one of the major oil refining companies world-wide. After examining the various markets affected by the merger, and taking into account the strength of competitors, the Commission concludes that the acquisition does not create or strengthen a dominant position in the common market or in a substantial part of it.

*Finbieticola and Eridania*

1.2.48. *Adopted by the Commission on 30 July.* The Commission decides not to oppose the acquisition by Eridania of shares in Finbieticola, which will take Eridania's holding in ISI from 50% to 65%; this will enable Eridania to exercise sole control over ISI's commercial activities. The Commission finds that there is no serious doubt as to the compatibility of the concentration with the common market.

*Varta and Bosch*

1.2.49. *Adopted by the Commission on 31 July.* The Commission approves the Varta/Bosch merger in the field of starter batteries, subject to compliance with specific obligations which the decision imposes on Varta.

*Kelt Energy and Purbeck Petroleum*

1.2.50. *Adopted by the Commission on 20 August.* As part of a financial restructuring operation a syndicate of eight banks, led by American Express Ltd, is to acquire the whole of the share capital of Kelt Exploration Ltd, a subsidiary of Kelt Energy plc,

along with certain other Kelt assets; the syndicate is acting through a jointly-owned company set up for the purpose, Purbeck Petroleum Ltd. After examination, the Commission here declares the transaction compatible with the common market.

*Banque nationale de Paris  
and Dresdner Bank*

1.2.51. *Adopted by the Commission on 26 August.* The Commission finds that a joint venture formed under Czechoslovak law by Banque nationale de Paris and Dresdner Bank is compatible with the common market, and accordingly authorizes it.

**Decisions under Article 66(2)  
of the ECSC Treaty**

*Sollac and Sidmed*

1.2.52. *Adopted by the Commission on 26 July.* The Commission authorizes Sollac SA, the Usinor-Sacilor group's leading flats producer, to take a 32.5% holding in Sidmed SA, a subsidiary of Ensidesa.

*Thyssen Handelsunion  
and Metallurgiehandel*

1.2.53. *Adopted by the Commission on 30 July.* The Commission authorizes Thyssen Handelsunion AG, Dusseldorf, acting through its newly established subsidiary Thyssen Handel GmbH, Berlin, to acquire holdings in a number of distributors of ECSC products from Metallurgiehandel GmbH, Berlin, which was VEB Metallurgiehandel under the German Democratic Republic.

**State aid**

*Decisions to raise no objection*

**Germany**

1.2.54. Commission decision approving a Federal Government measure allowing a

rate of R&D aid which is 10% higher in the five new *Länder* and East Berlin up to 31 March 1991. The German Government undertakes to abolish the 10% higher rate in West Berlin. A condition of the decision, however, is that the areas continue to satisfy the tests of eligibility for regional aid.

OJ C 181, 12.7.1991

1.2.55. Commission decision approving Federal Government aid for 'Joint memory', a data processing research project; the aid, amounting to ECU 29.3 million in 1990 and 1991, is to assist basic research by Siemens under Eureka project EU-127, 'Jessi'. The aid intensity is 50%; the project is an important project of common European interest, so that the aid qualifies for exemption under Articles 92(3)(b) of the EEC Treaty.

OJ C 181, 12.7.1991

**Spain**

1.2.56. Commission decision approving seven aid schemes notified by the Spanish Government which form a 'technological action plan' with a budget of some ECU 450 million for the period 1991-93. Action under the plan will focus essentially on the financing of R&D projects, the improvement of workforce skills and research infrastructures, the protection of industrial property and various information and awareness campaigns. Grants may amount to a maximum of 25% of the cost of applied research or development projects, and one of 50% for basic industrial research projects.

OJ C 171, 2.7.1991

1.2.57. Commission decision approving several investment aid measures by which the Spanish authorities have assisted Pyrsa to build and equip a new foundry in Monreal del Campo, Teruel. The Commission takes the view that the aid will support an investment programme in one of Spain's least-favoured regions.

OJ C 178, 9.7.1991

1.2.58. Commission decision approving three programmes drawn up by the Government of the Region of Aragon, which provides for the setting-up of a public corporation to market the craft products of the region, the acquisition of minority public shareholdings in companies engaging in innovative activities, and the acquisition of a public holding in the guarantee corporation Sociedad Aragonesa de Avals. The budget set aside for the period 1990 and 1991 amounts to some PTA 1 599 million (ECU 12.3 million); some joint financing on the part of the ERDF is planned.

OJ C 192, 23.7.1991

### France

1.2.59. Commission decision approving a French Government grant of ECU 366 million to Thomson over the period 1990 to 1995, in the form of aid towards research and development in the field of high-definition television (HDTV). In view of the exceptional importance of the introduction of HDTV for the European electronics industry, the Commission takes the view that the assistance qualifies for exemption under Article 92(3)(b) of the EEC Treaty.

OJ C 181, 12.7.1991

1.2.60. Commission decision authorizing the grant by the French Government of ECU 80.5 million in aid to the firms Thomson, Philips, Angenieux, Nokia and CCETT, as part of the second stage of Eureka project EU-95 (high-definition television). The aid is for the period from July 1990 to December 1992; it will cover 50% of the firm's costs and will be paid in the form of taxable direct grants. The project is an important project of common European interest within the meaning of Article 92(3)(b) of the EEC Treaty.

OJ C 203, 2.8.1991

### Greece

1.2.61. Commission decision approving planned aid for an investment programme

undertaken by the Greek steel company Halypourgia Thessalias. The Commission finds the aid compatible with the common market, as it satisfies the tests laid down by the Community rules on aid to the steel industry.

OJ C 178, 9.7.1991

### Italy

1.2.62. Commission decision authorizing the Italian Government to grant a loan from the Technological Innovation Fund to the Italian subsidiary of the Philips group for the development of new recording and reproduction technology for high-definition images as part of Eureka project EU-95. Philips will receive aid equivalent to 46.8% gross of the eligible costs. The project is an important one of common European interest within the meaning of Article 92(3)(b) of the EEC Treaty.

OJ C 181, 12.7.1991

1.2.63. Commission decision authorizing aid schemes provided for by regional legislation in Campania; the assistance will total ECU 16.2 million for 1990-91, and is intended to promote tourism and crafts. Some ERDF funding is also provided for (IMP-Campania).

OJ C 197, 26.7.1991

### Netherlands

1.2.64. Commission decision authorizing the Dutch Government to extend the investment premiums scheme for shipping ('investeringspremieregeling zeescheepvaart'), which was to expire at the end of 1990, for a further two years. The scheme provides a grant to Dutch shipowners of five annual payments of 2% of the amount invested in the ship, and applies to the building or conversion of all normal commercial sea-going ships.

OJ C 178, 9.7.1991

1.2.65. Commission decision approving the renewal for the three years 1991, 1992 and 1993 of the shipbuilding subsidies

scheme ('subsidieregeling zeescheeps-nieuwbouw'). The scheme provides a grant to Dutch shipyards of between 7 and 14%, depending on the value of the contract, for contracts signed in 1990 and between 6 and 10% for contracts signed in 1991.

OJ C 178, 9.7.1991

*Decisions to initiate proceedings under Article 93(2) of the EEC Treaty*

**Belgium**

1.2.66. Commission decision on investment aid granted to Siemens.

*Adopted by the Commission on 3 July.* Without the Commission being informed, the Brussels regional authorities have taken 17 decisions granting a total of BFR 336 million (ECU 8.4 million) towards investment by Siemens in the manufacture of data-processing equipment. The Commission believes the aid is unlawful under Community law. The Belgian Court of Auditors too has questioned the legality of the aid under Belgian law, arguing that it infringes the Act of 17 July 1959, which is the legal basis invoked by the Brussels authorities.

**Germany**

1.2.67. Commission decision on shipbuilding aid.

- Reference: Council Directive 90/684/EEC of 21 December 1990 on aid to shipbuilding: OJ L 380, 31.12.1990; Bull. EC 12-1990, point 1.3.64

*Adopted by the Commission on 31 July.* The German Government has notified 15 planned aid measures providing for operating aid, investment aid and R&D aid to the shipbuilding industry; the Commission has examined the measures to establish whether they are in conformity with the Shipbuilding Aid Directive, and here decides to initiate proceedings in respect of just one of them, under which the

*Länder* would be able to provide grants for the construction, conversion or purchase of cutter vessels.

**Denmark, Netherlands and the United Kingdom**

1.2.68. Commission decision on possible Dutch aid to a Danish shipbuilding contract.

*Adopted by the Commission on 24 July.* The Commission asks the Dutch Government for information on any assistance it proposes to grant towards a contract for the construction of a dredger for the authorities in Esbjerg, Denmark. The Commission makes it clear that in cases of competition for the same contract between Community yards it will authorize only the lowest level of aid.

**Italy**

1.2.69. Commission decision concerning proposed aid to the alkaline salts industry in Sicily.

*Adopted by the Commission on 3 July.* The Italian Government has notified the Commission of a plan for the resumption and development of mining activities which had previously been closed owing to the poor financial situation of the Ente Minerario Siciliano (Sicilian Mining Corporation) and the lack of an adequate water supply. Given the level of competition and trade in alkaline salts in the Community, the Commission considers that the planned assistance, totalling LIT 238 000 million (ECU 180 million) is liable to distort competition to an appreciable extent.

OC L 213, 15.8.1991

1.2.70. Commission decision on a plan to grant aid to the pharmaceutical company Sigma-Tau Industrie Farmaceutiche Riunite.

*Adopted by the Commission on 17 July.* The Italian authorities have notified the Commission of their intention to grant

R&D assistance, from the Special Fund for Applied Research, to the Sigma-Tau pharmaceutical company. The total investment would amount to LIT 46.16 billion (ECU 30 million), and the aid intensity would be 38.7%.

The Commission takes the view that the intensity is too high for an applied R&D project (the project breaks down into 90.6% applied R&D and 9.4% basic industrial research), especially as research is vital to business competitiveness in this market, where intra-Community competition is very intense, and the rate normally approved for applied research is 25%.

### *Decisions to terminate proceedings under Article 93(2) of the EEC Treaty*

#### **Belgium and the Netherlands**

1.2.71. Commission decision to terminate proceedings initiated in respect of assistance to shipyards envisaged by the Belgian and Dutch Governments.

- Reference: Proceedings initiated: Bull. EC 1/2-1991, point 1.2.64

*Adopted by the Commission on 31 July.* The Dutch authorities have stated that they have no plans to assist the construction of the vessel in question, a 15 000-tonne dredger. Possible Belgian support will be confined to the Belgian shipowner, and will not exceed the authorized aid ceiling.

#### **Greece**

1.2.72. Commission decision to terminate proceedings in respect of aid granted to Heracles, the largest manufacturer of cement in Greece.

- Reference: Proceedings initiated: Bull. EC 2-1988, point 2.1.65

*Adopted by the Commission on 31 July.* The Greek Government has abolished the fixed cement price, and Heracles has undertaken additional investment which has helped it to restructure and for which no

aid was granted. The Government has decided not to grant DR 3 billion regional aid, and announced its intention to sell its stake in Heracles. These steps enabled the Commission to withdraw its objections.

#### **Italy**

1.2.73. Commission decision to terminate the proceedings initiated in respect of aid to cover losses on a shipbuilding contract in the Fincantieri shipyards.

*Adopted by the Commission on 31 July.* The Commission also authorized aid to cover losses on 16 other shipbuilding contracts completed in 1987, 1988 and 1989: the losses involved, combined with other losses covered out of public funds, did not exceed the successive ceilings which the Commission had laid down for those years.

### *Negative decision under Article 93(2) of the EEC Treaty*

#### **United Kingdom**

1.2.74. Negative final Commission decision against aid granted to Toyota by Derbyshire County Council.

- Reference: Proceedings initiated: Bull. EC 7/8-1990, point 1.3.63

*Adopted by the Commission on 31 July.* Derbyshire County Council sold a 280-acre site to Toyota Motor Company for UKL 9.9 million (ECU 14.3 million), although the site had been valued by the district valuer at UKL 12.6 million (ECU 18.3 million). The Commission requested that an independent valuation of the site together with an adjoining site also sold to Toyota be carried out on the same basis as that performed on the initial 280-acre site. This valuation would represent a proxy for the market value; it was carried out by the district valuer, who reported in May 1991 that he valued the total site at UKL 22.5 million (ECU 32.6 million).

The Commission, having considered all the relevant circumstances and conditions and the full contents of the District Valuer's report, concludes that the difference of UKL 4.2 million (ECU 6.1 million) between the valuation of the site and the total price of UKL 18.3 million (ECU 26.5 million) paid by Toyota constitutes State aid.

## Public enterprises

### *The transparency of financial relations between Member States and public undertakings*

1.2.75. Commission communication on the application of Articles 92 and 93 of the EEC Treaty and of Article 5 of Commission Directives 80/723/EEC and 85/413/EEC to public undertakings in the manufacturing sector.

#### • References:

Commission Directive 80/723/EEC of 25 June 1980 on the transparency of financial relations between Member States and public undertakings: OJ L 195, 29.7.1980; Bull. EC 6-1980, point 2.1.34

Commission Directive 85/413/EEC of 24 July 1985 amending Directive 80/723/EEC: OJ L 229, 28.8.1985; Bull. EC 7/8-1985, point 2.1.71

*Adopted by the Commission on 24 July.* The Commission has decided to introduce a new reporting system designed to identify when aid is present in financial flows between public authorities and publicly-owned companies. Public companies in the manufacturing sector with an annual turnover exceeding ECU 250 million will be required to submit annual reports to the Commission. The Commission is taking this step under the Transparency Directive, Directive 80/723/EEC.

The Community has a mixed economy in which public and private companies compete in the same markets. The Treaty of Rome (Article 222) clearly establishes that each Member State is entitled to decide on the most appropriate form for property ownership. The Commission has therefore

never taken any position on the question of public ownership and has always scrupulously ensured neutrality in its dealings with companies with different forms of ownership. However, the Treaty also provides that, subject to the carrying out of certain public service obligations, public companies are subject to the competition rules and must be treated on an equal footing with private companies. The relationship between public authorities and public companies, where the State may be acting as an investor or may be providing aid, is not always transparent.

In recent years, the Commission has had to deal with a number of cases involving unnotified aid to public companies, in violation of the Community's State aid rules. It has therefore decided that a more systematic approach to the provision of information on financial flows to public companies is needed if public and private companies are to be treated equally.

Member States will be required to provide copies of the balance sheets and profit and loss accounts for all companies covered by its decision for the 1989 and 1990 financial years within two months of receipt of the Commission's communication. In addition to providing each company's annual accounts and for the 1991 financial year and following years, Member States will be required to provide information on the provision of capital, non-refundable grants, loans, guarantees, dividends, retained profits, forgoing of debt repayment, etc. This information is to be provided, in so far as it is not contained in the annual accounts, within six months of the end of the previous financial year.

The Commission recognizes that when the State decides to exercise its right to public ownership, commercial objectives are not always the essential motivation. Public enterprises are sometimes expected to fulfil non-commercial functions alongside or in addition to their basic commercial activities. However, this aiding of the provision of public services can, in certain circumstances, distort competition and, unless one

of the derogations of the Treaty is applicable, public companies are not exempted from the rules of competition.

The Commission's decision deals only with the identification of aid. Once aid has been identified, it will be examined in accordance with the normal State aid rules, which also apply to private companies, to see whether it is compatible with the Treaty. No changes are currently envisaged in respect of the rules on aid compatibility.

## Enterprise policy, industrial policy and services

### I

#### Copyright

1.2.76. Proposal for a Council Directive on the coordination of certain rules concerning copyright and neighbouring rights applicable to satellite broadcasting and cable retransmission.

- **References:**

Council Directive 89/552/EEC concerning the pursuit of television broadcasting activities: OJ L 298, 17.10.1989; Bull. EC 10-1989, point 2.1.18

Proposal for a Council Directive on the adoption of standards for satellite broadcasting of television signals: OJ C 194, 25.7.1991; COM(91) 242; point 1.2.98 of this Bulletin

Commission communication on encouraging audiovisual production in the context of the strategy for high-definition television: point 1.2.291 of this Bulletin

*Adopted by the Commission on 17 July.* This proposal is designed to complete the regulatory framework established by the 'Television without frontiers' Directive 89/552/EEC by laying down rules on the exercise of copyright and neighbouring rights.

The proposal covers two distinct areas: satellite broadcasting and cable retransmission. Satellite broadcasting is by nature transnational and poses the problem of

appropriate amendments to national legislation. The legal uncertainty about where and when copyright applies and about the relevant procedures for applying it has seriously hampered the development of satellite broadcasting. This situation is prejudicial not only to broadcasters wishing to transmit programmes by satellite, but also to right owners such as authors, performers and the producers of phonograms who wish to exploit their rights through satellite broadcasting. The proposal seeks to close the legal gap by defining, at Community level, what constitutes the act of satellite broadcasting for copyright purposes and requires authorization from the right holders. In order to ensure that no distortions arise from the laws of the different Member States, provision is made for a common level of protection for authors, performers, producers of phonograms and broadcasters.

With regard to cable retransmission, which is an act covered by copyright, the proposal seeks to overcome the problems caused by cable operators' inability to acquire the necessary rights in advance. The Commission's proposal, modelled on current contractual practice in a number of Member States, is that cable retransmission rights should be negotiated only through collecting societies representing the various groups of right owners.

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### II

#### Enterprise policy

##### *A propitious legal and tax environment for businesses*

#### Company law

1.2.77. Proposal for a Council Directive amending Directive 77/91/EEC on the formation of public limited liability companies and the maintenance and alteration of their capital.

- **Directive to be amended:** Council Directive 77/91/EEC; OJ L 26, 31.1.1977; Bull. EC 12-1976, point 2.1.19
- **Commission proposal:** OJ C 8, 12.1.1991; COM(90) 631; Bull. EC 12-1990, point 1.3.172

*Endorsed by the Economic and Social Committee on 3 July*, subject to a number of amendments aimed primarily at safeguarding the interests of minority shareholders.

*Endorsed by Parliament (first reading) on 10 July*, subject to a number of technical amendments.

OJ C 240, 16.9.1991

1.2.78. Proposal for a Fifth Council Directive based on Article 54 of the EEC Treaty concerning the structure of public limited companies and the powers and obligations of their organs.

- **Commission proposal:** OJ C 131, 13.12.1972; COM(72) 887; Supplement 10/72 — Bull. EC
- **Economic and Social Committee opinion:** OJ C 109, 19.9.1974; Bull. EC 5-1974, point 2436
- **Parliament opinion:** OJ C 149, 14.6.1982; Bull. EC 5-1982, point 2.1.8
- **First amended Commission proposal:** OJ C 240, 9.9.1983; COM(83) 185; Bull. EC 7/8-1983, points 1.2.1 to 1.2.4; Supplement 6/83 — Bull. EC
- **Second amended Commission proposal:** OJ C 7, 11.1.1991; COM(90) 629; Bull. EC 12-1990, point 1.3.173

*Endorsed by the Economic and Social Committee on 3 July*, subject to a number of amendments. In particular, the Committee would like to see a requirement that shareholders and employees should be informed about the existence and the course of a takeover bid.

*Endorsed by Parliament (first reading) on 10 July*, subject to a number of technical amendments.

OJ C 240, 16.9.1991

## Intellectual and industrial property

1.2.79. Proposal for a Council Decision concerning the accession of the Member States to the Berne Convention for the Protection of Literary and Artistic Works, as

revised by the Paris Act of 24 July 1971, and the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention) of 26 October 1961.

- **Commission proposal:** OJ C 53, 28.2.1991; COM(90) 582; Bull. EC 12-1990, point 1.3.169

*Endorsed by the Economic and Social Committee on 3 July*. The Committee urges the Commission to add to its proposal a provision to prevent Member States from using the reservations in Article 16(1)(a)(i) and (ii) of the Rome Convention. This would rule out the possibility of denying performers and producers the right to receive remuneration when their work is broadcast or otherwise communicated to the public for commercial purposes.

1.2.80. Proposal for a Council Directive on rental right, lending right, and on certain rights related to copyright.

- **Commission proposal:** OJ C 53, 28.2.1991; COM(90) 586; Bull. EC 12-1990, point 1.3.170

*Endorsed by the Economic and Social Committee on 3 July*. However, the Committee would like clarification of certain points relating to the right owners' share of remuneration from lending rights and of the provisions concerning exclusive lending rights. The Committee also suggests that proposals should be submitted for harmonization of legislation on secondary use.

1.2.81. Commission recommendation for a Council decision on the Community's participation in preparatory work and in a future diplomatic conference on the settlement of intellectual property disputes between States under the auspices of the World Intellectual Property Organization (WIPO).

*Adopted by the Commission on 24 July*. Purpose: Community participation in negotiations for a treaty laying down procedures for the settlement of disputes with a view to helping to ensure compliance with international obligations in the intellectual prop-



erty field and uniform interpretation and application of the international rules relating to those obligations.

## Industrial policy

### General questions

1.2.82. Parliament resolution on Community industrial policy in an open and competitive environment.

- **References:**

Commission communication to the Council and Parliament on industrial policy in an open and competitive environment: COM(90) 556; Bull. EC 11-1990, point 1.3.109

Council's conclusions regarding the Commission communication on industrial policy in an open and competitive environment: Bull. EC 11-1990, point 1.3.110

Commission communication on the European electronics and information technology industry: Bull. EC 3-1991, point 1.2.50

*Adopted by Parliament on 11 July.* Parliament wishes to see the development of a coherent European industrial policy which, while upholding the requirement of competitiveness, takes greater account of interdependencies and objectives, and is socially and environmentally acceptable. It expresses concern that the Community's insufficiently active industrial policies are at variance with the moves to complete the internal market.

Parliament stresses the importance of strategic enabling technologies to the future of the Community and supports the Commission's effort to promote high technology industries in Europe. In this context, Parliament is concerned at the shortcomings of Community research, and proposes the development of Community programmes encouraging such research. It also stresses the importance of small and medium-sized businesses for industrial development and insists on the need for competition policy to take account of a number of regional and social factors.

More generally, Parliament underscores the need for coherence between the strategies

employed, particularly in relation to commercial policy and improvement of the financial and monetary environment. Lastly, it wishes to see consolidation and democratization at all levels of the decisionmaking process in respect of Community industrial policy.

OJ C 240, 16.9.1991

## Research and technology

### Framework programme for R&TD 1987-91

- **Basic Decision:** Council Decision 87/516/Euratom, EEC on a framework programme for Community activities in the field of research and technological development (1987-91): OJ L 302, 24.10.1987; Bull. EC 9-1987, point 2.1.32

1.2.83. Proposals for Decisions concerning adjustments to the framework programme for research and technological development (1987-91).

- **Reference:** Council Decision 89/236/EEC on a new research and technological development programme on non-nuclear energy and the rational use of energy (1989-92) (Joule): OJ L 98, 11.4.1989; Bull. EC 3-1989, point 2.1.48
- **Commission proposals:** OJ C 53, 28.2.1991; COM(91) 13; Bull. EC 1/2-1991, point 1.2.79

*Endorsed by the Economic and Social Committee on 3 July,* subject to various observations. The Committee stressed that the speedier implementation of the second framework programme provided for by these proposals should not affect the conditions for project selection (criteria related to scientific and technical quality). It proposed that immediate account be taken in the selection process of the objectives and priorities set in the third framework programme. Regarding the increase in the amount deemed necessary to implement the Joule specific programme, it asked that the additional funds be allocated as a matter of priority to the field of renewable energies.

## Framework programme for R&TD 1990-94

- **Basic Decision:** Council Decision 90/221/Euratom, EEC on a framework programme for Community activities in the field of research and technological development (1990-94): OJ L 117, 8.5.1990; Bull. EC 4-1990, point 1.1.54

### *Industrial and materials technologies*

1.2.84. Proposal for a Council Decision adopting a specific research and technological development programme in the field of industrial and materials technologies (1990-94).

- **Commission approval:** Bull. EC 4-1990, point 1.1.59
- **Formal adoption by the Commission:** OJ C 174, 16.7.1990; COM(90) 156; Bull. EC 5-1990, point 1.2.96
- **Economic and Social Committee opinion:** OJ C 41, 18.2.1991; Bull. EC 11-1990, point 1.3.71
- **Parliament opinion (first reading):** OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.128
- **Amended Commission proposal:** OJ C 14, 22.1.1991; COM(90) 673; Bull. EC 12-1990, point 1.3.128
- **Council agreement on a common position:** Bull. EC 4-1991, point 1.2.43
- **Formal adoption of a Council common position:** Bull. EC 5-1991, point 1.2.54

*Endorsed by Parliament (second reading) on 10 July*, subject to amendments relating, in particular, to the allocation of 10% of the total programme budget to 'feasibility premiums'.

OJ C 240, 16.9.1991

### *Agriculture*

1.2.85. Proposal for a Council Decision adopting a specific research and technological development programme in the field of agriculture and agro-industry (1990-94).

- **Commission proposal:** OJ C 174, 16.7.1990; COM(90) 161; Bull. EC 5-1990, point 1.2.101
- **Economic and Social Committee opinion:** OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.73
- **Parliament opinion (first reading):** OJ C 48, 25.2.1991; Bull. EC 1/2-1991, point 1.2.81

- **Amended Commission proposal:** OJ C 77, 22.3.1991; COM(91) 64; Bull. EC 3-1991, point 1.2.59
- **Council agreement on a common position:** Bull. EC 4-1991, point 1.2.44
- **Formal adoption of a Council common position:** Bull. EC 5-1991, point 1.2.57

*Endorsed by Parliament (second reading) on 10 July*, subject to a technical amendment.

OJ C 240, 16.9.1991

*Re-examined proposal adopted by the Commission on 24 July.*

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### *Biomedicine and health*

1.2.86. Proposal for a Council Decision adopting a specific research and technological development programme in the field of biomedicine and health (1990-94).

- **Commission approval:** Bull. EC 4-1990, point 1.1.65
- **Formal adoption by the Commission:** OJ C 174, 16.7.1990; COM(90) 162; Bull. EC 5-1990, point 1.2.102
- **Economic and Social Committee opinion:** OJ C 41, 18.2.1991; Bull. EC 11-1990, point 1.3.75
- **Parliament opinion (first reading):** OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.132
- **Amended Commission proposal:** OJ C 11, 17.1.1991; COM(90) 676; Bull. EC 12-1990, point 1.3.132
- **Council common position:** Bull. EC 4-1991, point 1.2.45

*Endorsed by Parliament (second reading) on 10 July*, subject to an amendment relating to the breakdown of appropriations between the various parts of the programme. Parliament proposed in particular that a greater share be allocated to AIDS research.

OJ C 240, 16.9.1991

*Re-examined proposal adopted by the Commission on 24 July.*

COM(91) 306

### *Non-nuclear energy*

1.2.87. Proposal for a Council Decision adopting a specific research and technologi-

cal development programme in the field of non-nuclear energies (1990-94).

- **Commission proposal:** OJ C 174, 16.7.1990; COM(90) 164; Bull. EC 5-1990, point 1.2.104
- **Economic and Social Committee opinion:** OJ C 31, 6.2.1991; Bull. EC 10-1990, point 1.3.66
- **Parliament opinion (first reading):** OJ C 48, 25.2.1991; Bull. EC 1/2-1991, point 1.2.83
- **Amended Commission proposal:** OJ C 76, 21.3.1991; COM(91) 50; Bull. EC 3-1991, point 1.2.60
- **Council agreement on a common position:** Bull. EC 4-1991, point 1.2.46
- **Formal adoption of a Council common position:** Bull. EC 5-1991, point 1.2.59

*Endorsed by Parliament (second reading) on 10 July*, subject to amendments relating, in particular, to the use of 'integrated projects' to ensure coordination with other specific programmes.

OJ C 240, 16.9.1991

*Re-examined proposal adopted by the Commission on 24 July.*

COM(91) 305

### **Nuclear fission**

1.2.88. Proposal for a Council Decision adopting a specific research and technological development programme in the field of nuclear fission safety (1990-94).

- **Commission proposal:** OJ C 247, 2.10.1990; COM(90) 343; Bull. EC 7/8-1990, point 1.3.115
- **Economic and Social Committee opinion:** OJ C 69, 18.3.1991; Bull. EC 1/2-1991, point 1.2.84

*Endorsed by Parliament on 12 July*, subject to various amendments stressing, in particular, environmental protection and safety. Parliament emphasized that the ultimate goal was to limit nuclear risk and asked that the programme provide for analysis of the decommissioning of nuclear installations. It also insisted on the importance of basic research and on cooperation with non-member countries, especially those of Central and Eastern Europe.

OJ C 240, 16.9.1991

### **Joint Research Centre**

1.2.89. Commission communication relating to the 1992-94 programme for the Joint Research Centre (JRC), including:

(i) a proposal for a Council resolution concerning activities to be undertaken by the Joint Research Centre;

(ii) a proposal for a Council Decision adopting specific research programmes to be implemented by the Joint Research Centre for the European Economic Community (1992-94);

(iii) a proposal for a Council Decision adopting specific research programmes to be implemented by the Joint Research Centre for the European Atomic Energy Community (1992-94);

(iv) a proposal for a Council Decision adopting a supplementary research programme to be implemented by the Joint Research Centre for the European Atomic Energy Community.

- **Reference:** Council resolution concerning activities to be undertaken by the JRC: OJ C 197, 27.7.1988; Bull. EC 6-1988, point 2.1.60

*Adopted by the Commission on 22 July.*

These proposals are designed to maintain JRC operations over the period 1992-94, the current programme being due to expire at the end of 1991. The JRC will take part in the specific programmes 'industrial and materials technologies', 'measurement and testing', 'environment', 'human capital and mobility', 'nuclear fission safety' and 'controlled thermonuclear fusion' under the third framework programme, and in a supplementary programme on the use of the Petten reactor. Total JRC expenditure for the period 1992-94 is estimated at ECU 871.5 million.

OJ C 234, 7.9.1991; COM(91) 281

### **Support for Community R&TD policy and other activities**

#### **Technical coal research**

1.2.90. Draft Commission Decision on the granting of financial aid for coal research projects in 1991.

- **Reference:** Medium-term guidelines for technical coal research (1990-95): OJ C 52, 1.3.1989; Bull. EC 2-1989, point 2.1.33

*Adopted by the Commission on 5 July.* Purpose: granting of aid totalling ECU 48.5 million to 128 technical coal research projects and to a programme to adapt coke-making techniques to environmental requirements.

### *Technical steel research*

1.2.91. Draft Commission Decision on the granting of financial aid for steel research projects in 1991.

- **Reference:** Medium-term guidelines for technical steel research and pilot-demonstration projects (1991-95): OJ C 252, 6.10.1990; Bull. EC 9-1990, point 1.2.78

*Adopted by the Commission on 11 July.* Purpose: granting of aid totalling ECU 62 million to 142 technical steel research projects and to 12 pilot/demonstration projects and to a programme to adapt production techniques to environmental requirements.

*Assent given by the Council on 29 July.*

### *Dissemination of research results*

1.2.92. Parliament resolution on the creation of an effective system for the dissemination and exploitation of the results of Community scientific research.

- **Reference:** Special report of the Court of Auditors on the exploitation of the results of Community research: OJ C 133, 23.5.1991; Bull. EC 3-1991, point 1.7.18

*Adopted by Parliament on 12 July.* Parliament felt that the dissemination and use of research results had a vital part to play in making Europe more competitive and asked that they be better funded and coordinated.

OJ C 240, 16.9.1991

## **International cooperation**

### *COST*

1.2.93. Proposal for a Council Decision concerning the conclusion of a multilateral

Community-COST Cooperation Agreement on five concerted action projects in the field of research in biotechnology (Bridge programme) between the European Economic Community and COST third States.

- **Basic Decision:** Council Decision 89/621/EEC adopting a specific research and technological development programme in the field of biotechnology: OJ L 360, 9.12.1989; Bull. EC 11-1989, point 2.1.50

*Adopted by the Commission on 25 July.* Purpose: to associate non-member countries taking part in European scientific and technical cooperation (COST) in the implementation of concerted action projects under the Bridge programme.

COM(91) 290

1.2.94. Proposal for a Council Decision concerning the conclusion of a multilateral Community-COST Cooperation Agreement on 11 concerted action projects in the field of food science and technology (Flair programme) between the European Economic Community and COST third States.

- **Basic Decision:** Decision 89/411/EEC adopting a specific research and technological development programme in the field of food science and technology: OJ L 200, 13.7.1989; Bull. EC 6-1989, point 2.1.58.

*Adopted by the Commission on 25 July.* Purpose: to associate non-member countries taking part in European scientific and technical cooperation (COST) in the implementation of concerted action projects under the Flair programme.

COM(91) 289

### *Turkey*

1.2.95. Proposal for a Council Decision concerning the conclusion of a Cooperation Agreement between the European Economic Community and the Republic of Turkey in the field of medical and health research.

- **Commission proposal:** OJ C 76, 21.3.1991; COM(90) 573; Bull. EC 1/2-1991, point 1.2.90

*Endorsed by the Economic and Social Committee on 3 July.* The Committee hoped that cooperation with the countries taking part in European scientific and technical cooperation (COST), and in particular with Turkey, would continue after 1991 under subsequent framework programmes.

## Telecommunications and information services

### Information technology and telecommunications

#### *Information technology*

1.2.96. Council Decision adopting a specific research and technological development programme in the field of information technology (1990-94).

- Commission approval: Bull. EC 4-1990, point 1.1.56
- Formal adoption by the Commission: OJ C 174, 16.7.1990; COM(90) 153; Bull. EC 5-1990, point 1.2.93
- Economic and Social Committee opinion: OJ C 41, 18.2.1991; Bull. EC 11-1990, point 1.3.68
- Parliament opinion (first reading): OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.125
- Amended Commission proposal: OJ C 30, 6.2.1991; COM(90) 679; Bull. EC 12-1990, point 1.3.125
- Council common position: Bull. EC 4-1991, point 1.2.47
- Parliament opinion (second reading): OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.2.76

*Adopted by the Council on 8 July.* This programme, with a budget of ECU 1 338.48 million, covers the following fields: micro-electronics, information processing systems and software, advanced business and home systems and peripherals, computer integrated manufacturing, engineering and basic research.

#### *Development of telematic systems in areas of general interest*

1.2.97. Council Decision 91/385/EEC establishing the second phase of the Tedis programme.

- Commission proposal: OJ C 311, 12.12.1990; COM(90) 475; Bull. EC 11-1990, point 1.3.79
- Economic and Social Committee opinion: OJ C 102, 18.4.1991; Bull. EC 1/2-1991, point 1.2.91
- Parliament opinion: OJ C 106, 22.4.1991; Bull. EC 3-1991, point 1.2.66

*Adopted by the Council (internal market) on 22 July.* The purpose of the second stage of the Tedis programme, which has a budget of ECU 25 million for 3 years, is to promote the establishment of electronic data interchange (EDI) systems. The programme provides for measures in the following main areas: the standardization of EDI messages, specific EDI needs as regards telecommunications, legal aspects of EDI, analysis of the impact of EDI on company management, security of EDI messages, information campaigns and multi-sector and Europe-wide projects.

OJ L 208, 30.7.1991

### Telecommunications policy

1.2.98. Proposal for a Council Directive on the adoption of standards for satellite broadcasting of television signals.

- Commission approval: Bull. EC 6-1991, point 1.2.73

*Formally adopted by the Commission on 9 July.*

OJ C 194, 25.7.1991 and COM(91) 242

1.2.99. Proposal for a Council Directive on the application of open network provision to leased lines.

- Commission proposal: OJ C 58, 7.3.1991; COM(91) 30; Bull. EC 1/2-1991, point 1.2.92

*Endorsed by the Economic and Social Committee on 3 July.* The Committee pointed out that the network termination point should not be included in the leased line offering, that the supply conditions for leased lines should not differ significantly from one Member State to another and that the tariffs for international leased lines should be calculated on the same basis as those for

domestic leased lines. It also commented on a number of technical points.

1.2.100. Proposal for a Council Decision on the harmonization of the international telephone access code in the European Community.

- Commission proposal: OJ C 157, 15.6.1991; COM(91) 165; Bull. EC 5-1991, point 1.2.63

*Endorsed by the Economic and Social Committee on 3 July.*

### Development of an information services market.

1.2.101. Proposal for a Council Decision setting up a programme for an information services market (Impact 2).

- Commission proposal: OJ C 53, 28.2.1991; COM(90) 570; Bull. EC 1/2-1991, point 1.2.94
- Economic and Social Committee opinion: OJ C 156, 17.6.1991; Bull. EC 4-1991, point 1.2.50

*Endorsed by Parliament on 11 July*, subject to amendments concerning, in particular, an increase in the programme's budget from ECU 100 to ECU 150 million and the association of non-Community European countries, in particular those in Central and Eastern Europe, with the programme.

OJ C 240, 16.9.1991

## Transport

### I

### Third stage in the liberalization of air transport

1.2.102. Proposals for Council Regulations on:

- (i) the licensing of air carriers;
- (ii) access for air carriers to intra-Community air routes;
- (iii) fares and rates for air services.

### • Regulations to be repealed:

Council Regulation (EEC) No 2343/90 on access for air carriers to scheduled intra-Community air service routes and on the sharing of passenger capacity between air carriers on scheduled air services between Member States: OJ L 217, 11.8.1990; Bull. EC 7/8-1990, point 1.3.288

Council Regulation (EEC) No 2342/90 on fares for scheduled air services: OJ L 217, 11.8.1990; Bull. EC 7/8-1990, point 1.3.288

Council Regulation (EEC) No 294/91 on the operation of air cargo services between Member States: OJ L 36, 8.2.1991; Bull. EC 1/2-1991, point 1.2.102

*Adopted by the Commission on 17 July.*

These three proposals constitute the third and final stage in the liberalization of Community air transport in the run-up to the completion of the single market. Their main objectives are the freedom to provide services within the Community, technical and economic harmonization and free price formation.

The proposal on licensing defines the technical and economic requirements which airlines must meet in order to obtain national licences authorizing them to operate on Community territory without restrictions on the ground of nationality. The licences in question are:

- (i) the air operator's certificate (AOC), which affirms the technical quality and competence of the airline concerned;
- (ii) the operating licence, granted to undertakings which comply with certain conditions regarding nationality and place of establishment, which meet certain economic criteria (a minimum start-up capital of ECU 100 000) and which are covered by a suitable insurance scheme.

The proposal on access to intra-Community routes provides for the unrestricted exercise of the 'fifth freedom' (the right to pick up passengers in a Member State other than that in which the airline is registered and disembark them in a third Member State), authorizes carriers to undertake cabotage operations (to pick up passengers in a Member State other than that in which the airline is registered and disembark them in that

same Member State) and abolishes the sharing of passenger capacity between airlines.

The proposal on fares and rates deals with new fares and cargo rates for scheduled air services and charter flights. It defines the system of 'double disapproval' (whereby a new fare or rate may not be disapproved unless both Member States concerned disapprove it) and the arrangements for the examination of new fares and rates by the Member States. It also provides for safeguard clauses should a new fare or rate be disputed by a Member State.

COM (91) 275

### Access to the market for the carriage of goods by road

1.2.103. Proposal for a Council Regulation on access to the market for the carriage of goods by road in the European Community to or from the territory of a Member State or passing across the territory of one or more Member States.

- **Reference:** Council Directive 74/561/EEC on admission to the occupation of road haulage operator in national and international transport operations (OJ L 308, 19.11.1974), as last amended by Directive 89/438/EEC (OJ L 212, 22.7.1989; Bull. EC 3-1989, point 2.1.151)
- **Regulation to be repealed:** Council Regulation (EEC) No 3164/76 on the Community quota for the carriage of goods by road between Member States: OJ L 357, 29.12.1976
- **Directives to be repealed:**

First Council Directive on the establishment of certain common rules for international transport (carriage of goods by road for hire or reward: OJ 70, 6.8.1962

Council Directive 65/269/EEC concerning the standardization of certain rules relating to authorizations for the carriage of goods by road between Member States: OJ 88, 24.5.1965

Council Directive 75/130/EEC on the establishment of common rules for certain types of combined road/rail carriage of goods between Member States: OJ L 48, 22.2.1975
- **Decision to be repealed:** Council Decision No 80/48/EEC on the adjustment of capacity for the carriage of goods by road for hire or reward between Member States: OJ L 18, 24.1.1980; Bull. EC 12-1979, point 2.1.128

*Adopted by the Commission on 24 July.* The purpose of the proposal is to open up

the market for the international carriage of goods by road, replacing the existing quantitative restrictions by qualitative conditions (regarding taxation and technical and safety standards) which Community hauliers carrying goods for hire or reward must satisfy before they can obtain a Community haulier's authorization. The main source of those qualitative rules is Directive 74/561/EEC, as amended by Directive 89/438/EEC. They concern the good repute, financial standing and professional competence of hauliers. The authorization is valid for six years, but the conditions for its issue must be verified at least every three years. The authorization may be withdrawn if the haulier fails to comply with the conditions or is guilty of serious infringements of the rules. The system of Community authorizations is to enter into force on 1 January 1993.

OJ C 238, 13.9.1991; COM(91) 293

## II

### Infrastructure

1.2.104. Parliament resolution on a Community policy on transport infrastructure.

*Adoption by Parliament on 9 July.* Parliament called on the Commission to draw up overall plans for the infrastructure networks of the various forms of transport and to define the European networks of Community interest which are to be completed or built so as to cope with the foreseeable increase in traffic and ensure social and economic cohesion. In particular it called on the Commission to establish an overall plan for transport safety and environmental protection and to set up a European Road Safety Council and a European Infrastructure Fund with adequate financial resources.

OJ C 240, 16.9.1991

### Multimodal transport

1.2.105. Proposal for a sixth Council Directive on summer time arrangements.

- **Reference:** Fifth Council Directive 89/47/EEC: OJ L 17, 21.1.1989; Bull. EC 12-1988, point 2.1.340

*Adopted by the Commission on 9 July.* To avoid disrupting Community transport and communications, the proposal aims to harmonize the dates and times for the beginning and end of the summer time period throughout the Community for 1993 and 1994, as follows:

summer time is to begin on the last Sunday in March;

it is to end on the last Sunday in September, except in Ireland and the United Kingdom where summer time is to end on the last Sunday in October.

OJ C 219, 22.8.1991; COM(91) 253

1.2.106. Proposal for a Council Regulation amending Regulation (EEC) No 4060/89 on the elimination of controls performed at the frontiers of Member States in the field of road and inland waterway transport.

- **Regulation to be amended:** Council Regulation (EEC) No 4060/89: OJ L 390, 30.12.1989; Bull. 12-1989, point 2.1.12
- **Commission proposal:** OJ C 117, 1.5.1991; COM (91) 105; Bull. EC 4-1991, point 1.2.53

*Endorsed by the Economic and Social Committee on 3 July.* However, the Committee proposed introducing a provision obliging a Member State to accept a certificate of conformity issued by the competent authorities of another Member State. This would obviate the need for repeated random checks.

1.2.107. Parliament resolution on combined transport in the EEC — an evolving situation.

- **Reference:** Council Directive 75/130/EEC on the establishment of common rules for certain types of combined road/rail carriage of goods between Member States: (OJ L 48, 22.2.1975), as last amended by Council Directive 86/544/EEC (OJ L 320, 15.11.1986; Bull. EC 11-1986, point 2.1.231)

*Adopted by Parliament on 9 July.* Parliament stressed the urgent need to promote

the development of combined transport by setting up a European network of lines and terminals for road/rail/inland waterway transport, taking account of shipping connections. It called for sufficient financing for infrastructure projects and urged that steps be taken to study and improve the competitiveness of combined transport *vis-à-vis* road haulage. It also underscored the pressing need to develop combined transport on trans-Alpine routes and link outlying regions and the Eastern European countries to the network.

OJ C 240, 16.9.1991

## Inland transport

### Rail transport

1.2.108. Council Directive 91/440/EEC on the development of the Community's railways.

- **Commission proposal:** OJ C 34, 14.2.1990; COM(89)564; Bull. EC 11-1989, point 2.1.183
- **Economic and Social Committee opinion:** OJ C 225, 10.9.1990; Bull. EC 7/8-1990, point 1.3.285
- **Parliament opinion:** OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.282
- **Amended Commission proposal:** COM(91) 84; Bull. EC 3-1991, point 1.2.71
- **Council Agreement:** Bull. EC 6-1991, point 1.2.83

*Formally adopted by the Council on 29 July.*

OJ L 237, 24.8.1991

### Road transport

1.2.109. Proposal for a Council Directive amending Directive 77/143/EEC on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers (brakes).

- **Directive to be amended:** Council Directive 77/143/EEC (OJ L 47, 18.2.1977; Bull. EC 12-1976, point 2287), as last amended by Council Directive 88/449/EEC (OJ L 222, 12.8.1988; Bull. EC 7/8-1988, point 2.1.224)

*Adopted by the Commission on 4 July.* The purpose of this proposal is to define better the components of the braking system that



need to be inspected and the probable causes of the failure of those items.

OJ C 189, 20.7.1991; COM(91) 243

**1.2.110.** Proposal for a Council Directive amending Directive 77/143/EEC on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers (exhaust emissions).

- **Directive to be amended:** Council Directive 77/143/EEC (OJ L 47, 18.2.1977; Bull. EC 12-1976, point 2287), as last amended by Council Directive 88/449/EEC (OJ L 222, 12.8.1988; Bull. EC 7/8-1988, point 2.1.224)

*Adopted by the Commission on 4 July.* The purpose of this proposal is to define better the limit values for acceptable levels of gaseous emissions for spark ignition (petrol) and smoke opacity for compression ignition (diesel) engine motor vehicles.

OJ C 189, 20.7.1991; COM(91) 244

**1.2.111.** Proposal for a Council Directive on the approximation of the laws of the Member States relating to the compulsory wearing of safety belts in vehicles of less than 3.5 tonnes.

- **Commission proposal:** OJ C 298, 23.11.1988; COM(88) 544; Bull. EC 10-1988, point 2.1.183
- **Parliament opinion:** OJ C 96, 17.4.1989; Bull. EC 3-1989, point 2.1.153
- **Economic and Social Committee opinion:** OJ C 159, 26.6.1989; Bull. EC 4-1989, point 2.1.174
- **Amended Commission proposal:** OJ C 308, 8.12.1990; COM(90) 524; Bull. EC 11-1990, point 1.3.183
- **Economic and Social Committee opinion:** OJ C 159, 17.6.1991; Bull. EC 4-1991, point 1.2.55

*Endorsed by Parliament on 9 July,* subject to an amendment authorizing Member States to introduce more stringent measures.

OJ C 240, 16.9.1991

**1.2.112.** Proposal for a Council Directive on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community.

- **Reference:** Proposal for a Council Directive relating to speed limitation devices for certain categories of motor vehicles: OJ C 229,

4.9.1991; COM(91) 240; point 1.2.20 of this Bulletin

*Adopted by the Commission on 25 July.* The proposal concerns the installation and compulsory use of speed limitation devices, set at certain harmonized maximum speeds, for heavy goods vehicles weighing more than 12 tonnes and coaches and buses weighing more than 5 tonnes which were registered after 1 January 1985. The proposal does not apply to military and civil defence motor vehicles only used for public services in urban areas.

OJ C 225, 30.8.1991; COM(91) 291

### *Inland waterways*

**1.2.113.** Parliament resolution on inland navigation.

*Adopted by Parliament on 9 July.* Parliament urged the Commission to draw up a comprehensive transport plan based on cooperation between the various modes of transport and to implement the regulations and directives needed to complete the internal market in the inland waterway sector. It called on the Member States to give priority to maintaining and improving their network of waterways and urged the Commission to include in its cofinancing proposals a number of priority infrastructure projects such as east-west transport (improving the Rhine-Main-Danube link, and the navigability of the Elbe, etc.), north-south transport (the Seine-Scheldt link, completion of the Rhine-Rhône link, etc.) and improving the navigability of the Tagus, the Douro and the Po. The Commission should lay down the minimum technical standards applicable on EC waterways, based on the Rhine navigation regulations. Parliament also called on the industry and/or the authorities to take a number of measures in the fields of safety and environmental protection.

OJ C 240, 16.9.1991

## State aids

### *Decision to terminate the procedure*

#### Belgium

1.2.114. Commission decision on aid to Sabena.

*Adopted by the Commission on 24 July.* Acting on a proposal from Mr Karel Van Miert, Member of the Commission with special responsibility for transport policy, the Commission informed the Belgian Government that the State aid notified on 5 April was compatible with Article 92 of the Treaty on condition that:

- (i) the Belgian State grants no further aid to Sabena;
- (ii) it gives the company no preferential treatment;
- (iii) it ensures that the company's preference shares are converted into ordinary shares;
- (iv) it sends the Commission the company's new statute once it has been adopted;
- (v) it adheres to the restructuring plan communicated to the Commission.

## International cooperation

1.2.115. Proposal for a Council Decision concerning an Agreement between the European Economic Community, the Kingdom of Norway and the Kingdom of Sweden on civil aviation.

- **Reference:** Draft aviation agreement between the Community, Norway and Sweden: Bull. EC 12-1990, point 1.3.286

*Adopted by the Commission on 24 July.* The proposal provides for the full application in Norway and Sweden of existing Community legislation on air transport, including competition law and the rules governing State aid. The proposal also pro-

vides that future Community legislation on air transport be included in the Agreement.  
COM(91) 299

1.2.116. Parliament resolution on relations between the European Community and the members of EFTA in the transport sector.

*Adopted by Parliament on 10 July.* Parliament urged that the transit agreements with Austria and Switzerland be concluded. It identified the major transport infrastructure projects which should enjoy the same favourable terms as purely Community projects—notably the Scanlink project, east-west main lines and base-level Alpine tunnels. It also suggested that the development of an additional north-south route through Czechoslovakia, Hungary and Yugoslavia should be studied.

In more general terms it called for negotiations with the EFTA member countries, and in particular the Scandinavian countries, with a view to integrating the various modes of transport in a pan-European transport system, taking specific account of technical and safety aspects. In all negotiations between the Community and EFTA, the highest level of protection should be given to the environment and, for the carriage of goods, priority should be given to combined transport.

OJ C 240, 16.9.1991

## Energy

### European Energy Charter

- **References:**
  - Paris CSCE Summit in November 1990: Bull. EC 11-1990, point I.1
  - Rome European Council: Bull. EC 12-1990, points I.1 and I.8
- **Commission communication to the Council:** COM(91) 36; Bull. EC 1/2-1991, point 1.2.106
- **Council conclusions on participation in the European Energy Charter:** Bull. EC 6-1991, point 1.2.95

### 1.2.117. Preparatory meeting.

*Held in Brussels from 15 to 19 July.* Representatives from 35 countries invited to the conference — all the European countries and the non-European members of the OECD — and observers from several Maghreb and Gulf States and many international organizations (ERBD, EIB, IAEA, IEA, OECD, World Bank, UN-ECE) attended a meeting chaired by Mr Rutten (Netherlands). The Commission was represented by Mr Cardoso e Cunha. All the delegations reacted very positively towards the creation of the European Energy Charter. The Commission's proposal of 13 February 1991, as adapted following consultations between the Community authorities, will serve as the basis for the negotiations on the drafting of the Charter, which should be adopted at the closing conference on 16 and 17 December 1991 in The Hague. Five working parties were set up for the negotiations and a timetable was fixed for meetings up to December. The working parties, two of which set to work immediately, will share the following tasks: preparation of the text of the Charter, finalization of a basic protocol dealing with institutional and structural issues, energy efficiency and environmental aspects, oil and gas and nuclear energy, including safety. The three working parties due to start work in the autumn will be chaired by the representatives from Hungary, Norway and Canada.

### 1.2.118. Commission communication concerning a European Energy Charter.

*Endorsed by the Economic and Social Committee on 4 July.* The Committee drew attention to the balance to be achieved between rights and obligations in the principles of the Charter and to the importance of allowing for the particularities of each country within the framework of a market economy. It felt there was a need to include the principle of the sovereignty of producer countries over energy reserves in their territory. It stressed the expediency of providing a mechanism to ensure that the principles

and provisions of the Charter are complied with by the signatory countries. The Committee felt an assessment should be made of the European energy sector up to the year 2010 and believed it should take part in the international conference responsible for drawing up the Charter and in the follow-up meetings.

### 1.2.119. Parliament resolution on the proposal for a European Energy Charter.

*Adopted on 12 July.* Parliament, considering that at the level of individual States Europe is still energy-dependent and particularly vulnerable during major political and economic crises, gave its full backing to the initiative to set up a European Energy Charter based on a pooling of European resources and know-how. It recommended that account be taken of the diversity of the Member States' energy strategies and stressed the need for the social partners of the Twelve and those of the Central and East European States to be included in the negotiations, at which it too sought representation. Parliament felt the Commission should play a major role in implementing and managing the Charter, which should be considered an integral part of an effective common energy policy.

It asked that the Charter and its Additional Protocols be signed by the Community on behalf of the Member States.

OJ C 240, 16.9.1991

## Community energy strategy

### Energy efficiency

1.2.120. Proposal for a Regulation concerning the promotion of energy efficiency in the Community (SAVE programme).

- **Commission proposal:** OJ C 301, 30.11.1990; COM(90) 365; Bull. EC 10-1990, point 1.3.202
- **Economic and Social Committee opinion:** OJ C 120, 6.5.1991; Bull. EC 3-1991, point 1.2.74

*Endorsed by Parliament on 12 July*, subject to amendments relating to protection for low-income consumers, the granting of

appropriations and the assessment of results. Parliament annexed to its opinion a list of technical, financial and tax measures which it felt should be included in the programme.

OJ C 240, 16.9.1991

1.2.121. Proposal for a Directive on the indication by labelling and standard product information of the consumption of energy and other resources of household appliances.

- **Reference:** Proposal for a Regulation concerning the promotion of energy efficiency in the Community (SAVE programme): OJ C 301, 30.11.1990; COM(90) 365; Bull. EC 10-1990, point 1.3.202

*Adopted by the Commission on 26 July.* The Directive, which is part of the SAVE programme for improved energy efficiency, and the Community labelling scheme for household appliances which it sets up have the twin objectives of encouraging energy saving through greater consumer understanding and of ensuring that measures taken in this area by the Member States do not hinder trade.

OJ C 235, 10.9.1991; COM(91) 285

### *Energy and environment*

1.2.122. Economic and Social Committee own-initiative opinion on energy and the environment.

*Adopted on 4 July.* Purpose: to give priority to the problem of climatic change connected with the greenhouse effect and to define strategies and practical preventive measures for application at Community level. The Committee also looked at regional problems outside the Community, particularly in Central and Eastern Europe and in the Mediterranean basin. Lastly, it advocated development aid for the poorest countries in the form of know-how, technical assistance and capital to prevent wood being used as an energy source.

### *Promotion of energy technology*

1.2.123. Commission Decision on the provision of financial support to projects for

the promotion of energy technology (Thermie programme) in the following fields: the rational use of energy, renewable energy sources, solid fuels and hydrocarbons.

- **Basic Regulation:** Regulation (EEC) No 2008/90 concerning the Thermie programme for the promotion of energy technology: OJ C 185, 17.7.1990; Bull. EC 6-1990, point 1.3.256
- **Commission invitation to submit projects:** OJ C 215, 30.8.1990; Bull. EC 7/8-1990, point 1.3.301

*Adopted by the Commission on 6 August.* Purpose: financial support totalling ECU 89 580 360 for 128 projects or project phases in the following fields: the rational use of energy (54 projects), renewable energy sources (44), solid fuels (5) and hydrocarbons (25). The Decision provides for the use of a reserve list of 30 alternative projects, provided that the limit set is not exceeded.

## **Sectoral aspects**

### *Solid fuels*

1.2.124. Commission authorization for Germany and Portugal to grant aid to the coal industry in accordance with Decision No 2064/86/ECSC.

- **Reference:** Commission Decision No 2064/86/ECSC establishing Community rules for State aid to the coal industry: OJ L 177, 1.7.1986; Bull. EC 6-1986, point 2.1.236

*Authorized by the Commission on 17 July:* granting by Germany, for 1991, of aid to the coal industry totalling DM 3 805.53 million, broken down as follows:

- (i) aid for the delivery of coal and coke to the Community steel industry: DM 3 398.13 million;
- (ii) aid under the arrangements for maintaining the underground workforce ('Bergmannsprämie'): DM 137 million;
- (iii) aid towards social assistance in the coal industry: DM 270.4 million.

This aid will contribute to the restructuring, modernization and streamlining of the German coal industry.

Granting by Portugal, for 1990, of aid to the Portuguese coal industry totalling ESC 828 290 000 to cover part of the industry's operating losses. The aid will facilitate and ensure the implementation of the strategic modernization plan for the industry.

## International dimension

### *Nuclear fusion*

1.2.125. Agreement in the form of an exchange of letters between Euratom and the Government of Canada amending the Agreement between Euratom and the Government of Canada for cooperation in the peaceful uses of atomic energy of 6 October 1959.

- **Reference:** Euratom/Canada Agreement: OJ C 60, 24.11.1959
- **Commission proposal:** Bull. EC 1/2-1990, point 1.1.267
- **Council Decision with a view to the negotiation of an amendment to the Agreement:** Bull. EC 4-1990, point 1.1.156
- **Commission proposal concerning the amendment to the Agreement:** COM(91) 21; Bull. EC 1/2-1991, point 1.2.110
- **Council Decision approving the conclusion of the exchange of letters:** Bull. EC 5-1991, point 1.2.74

*Agreement published by the Commission on 17 August* in the form of an exchange of letters.

OJ C 215, 17.8.1991

## Coordination of structural policies

### Reform of the structural Funds

1.2.126. Parliament resolution on the Commission's Annual Report on the implementation of the reform of the structural Funds — 1989.

Bull. EC 7/8-1991

- **Reference:** Annual Report on the reform of the structural Funds — 1989: COM(90) 516; Bull. EC 10-1990, point 1.3.54

*Adopted by Parliament on 12 July.* Parliament welcomed the report, drawing attention to its clarity and sincerity. It requested a better programming of EAGGF Guidance Section measures in order to improve their integration with other non-agricultural structural policies. Parliament proposed introduction of a new objective specifically for fishing and the processing of fishery products. With regard to the Social Fund, Parliament stressed the importance of developing human resources and asked for other instruments in this field (Force, Comett, Petra etc.) to be taken into account when operational programmes were negotiated and implemented. On a more general front, Parliament asked for an increase in the total appropriation for Community initiatives. Turning to budgetary control, it requested an in-depth analysis of the operation of the reform of the structural Funds in view of the difficulties which occurred in 1990 and asked the Member States to institute suitable rules and bodies for managing the correct implementation of the Funds.

OJ C 240, 16.9.1991

## Social dimension

### I

### Employee participation in profits and enterprise results

1.2.127. Proposal for a Council recommendation concerning the promotion of employee participation in profits and enterprise results (including equity participation).

- **Reference:** Commission communication concerning its action programme relating to the implementation of the Community Charter of the Fundamental Social Rights of Workers: COM(89) 568; Bull. EC 11-1989, point 2.1.80

*Adopted by the Commission on 9 July.* The proposal, announced in the Community Charter of the Fundamental Social Rights of Workers, sets out to promote the various forms of employee participation in profits and enterprise results, more particularly profit-sharing, employee share ownership and stock option schemes. It is proposed that Member States make provision for adequate legal structures, consider the possibility of according fiscal or other financial advantages, supply information to all relevant parties, taking account of experience acquired by the other Member States, and offer the social partners a sufficiently wide range of options to ensure that choice can be made at a level which is close to the employee and to the enterprise.

The Commission feels that the key issues to be considered when new financial participation schemes are being prepared or when existing schemes are being reviewed are:

- (i) calculation of employee benefits to be linked to enterprise performance (not fixed in advance), according to an unequivocal and predetermined formula;
- (ii) regularity (at least once a year);
- (iii) voluntary participation;
- (iv) the risk factor and the possibility of taking out insurance;
- (v) no substitute for wage negotiations;
- (vi) enterprise type, bearing in mind administrative and financial constraints, particularly for small and medium-sized firms;
- (vii) information and training for all employees concerned.

COM(91) 259

## Equal opportunities

### • References:

Commission communication concerning its action programme relating to the implementation of the Community Charter of the Fundamental Social Rights of Workers: COM(89) 568; Bull. EC 11-1989, point 2.1.80

Commission communication concerning the third action programme on equal oppor-

tunities for men and women (1991-95): COM(90) 449; Bull. EC 10-1990, point 1.3.46

1.2.128. Commission recommendation, accompanied by a code of practice on the protection of the dignity of women and men at work.

- Reference: Council resolution on the protection of the dignity of women and men at work: Bull. EC 5-1990, point 1.2.67

*Approved by the Commission on 3 July.* The Commission recommends that the Member States take action to promote awareness that sexual harassment, defined as 'conduct of a sexual nature, or other conduct based on sex affecting the dignity of women and men at work, including conduct of superiors and colleagues', is unacceptable if such conduct is unwanted, unreasonable and offensive to the recipient, if a person's rejection of, or submission to, such conduct on the part of employers or workers (including superiors or colleagues) is used explicitly or implicitly as a basis for a decision which affects that person's rights in relation to employment, promotion, pay or vocational training, and/or if such conduct creates an intimidating, hostile or humiliating work environment for the recipient. The recommendation is accompanied by a code of practice which the Member States are asked to implement. It seeks to provide employers, trade unions and workers with practical guidelines on how to prevent sexual harassment and, where necessary, how to deal with the problem and ensure that it does not recur. More particularly, it recommends that employers issue a policy statement on the subject, provide training for managers and supervisors, appoint — with the agreement of the unions — 'counsellors' to help employees subjected to sexual harassment, and set up an official complaints procedure.

COM(91) 232

1.2.129. Proposal for a Council recommendation on child care.

*Adopted by the Commission on 3 July.* The proposal is intended, in accordance with Article 16 of the Community Charter of the

Fundamental Social Rights of Workers, to enable women and men to reconcile their occupational and family obligations. The Commission thus wishes to encourage the development of affordable, good-quality child-care services, and to institute flexible leave arrangements and a fairer sharing of parental responsibilities between men and women.

To this end, it recommends that Member States develop measures in the following four fields:

- (i) provision of accessible and good-quality child-care services;
- (ii) leave arrangements for employed parents;
- (iii) measures regarding the environment, structure and organization of the workplace, to make it responsive to the needs of workers with children;
- (iv) the sharing of family responsibilities between women and men.

OJ C 242, 17.9.1991; COM(91) 233

1.2.130. Parliament resolution on the third medium-term Community action programme on equal opportunities for women and men.

• **References:**

Council resolution on the protection of the dignity of women and men at work: Bull. EC 5-1990, point 1.2.67

Communication from the Commission laying down guidelines for operational programmes/global grants which Member States are invited to establish within the framework of Community initiatives for strengthening human resources — Euroform, NOW, Horizon: OJ C 327, 29.12.1990; Bull. EC 12-1990, point 1.3.97

*Adopted by Parliament on 12 July.* Parliament deplored the fact that the Council resolution contained neither an undertaking to provide adequate financing nor a binding procedure for its implementation, and called for the provision of adequate funds to finance the third action programme, with special reference to the structural Funds.

It stressed the importance of vocational training and particularly the need for proper

funding for the NOW programme, and emphasized the importance of awareness training and information for women and their representative organizations.

OJ C 240, 16.9.1991

**Annual report on employment in Europe**

1.2.131. Commission report on employment in Europe — 1991.

- **Previous report:** COM(90) 290; Bull. EC 7/8-1990, point 1.3.79

*Adopted by the Commission on 17 July.* The report notes an average increase in employment in the period 1985-90 of 1.5% per year and a high rate of job creation, particularly in the services sector. On the other hand, there was a marked slowdown in 1990-91 (increase of no more than 0.25% in 1990) and the rate of unemployment still gave cause for concern (8% at the end of 1990), something which affected the less developed regions more than others.

Looking at the various employment sectors, jobs in agriculture were declining by 2.8% on average per year. Attempts to tackle the problem of rural underdevelopment by the creation of leisure activities had failed to create long-term employment in the sector. In industry, the employment distribution pattern was very uneven, but there were particularly large job losses in the United Kingdom and Spain.

The report also brings out the shortage of skilled workers, which is clearly linked to weaknesses in the vocational training and education systems. Finally, employment for women is very much on the increase, but is still hampered by a persistently high level of unemployment (above 11% in June 1991).

COM(91) 248

II

**Employment**

*Report on employment in Europe (1990)*

1.2.132. Economic and Social Committee opinion on the Commission report on employment in Europe (1990).

- **Reference:** Commission report on employment in Europe — 1990: Bull. EC 7/8-1990, point 1.3.79

*Adopted on 4 July.* The Committee welcomed the Commission's report as being a useful source of information and assessment of the situation. It did, however, regret the absence of a full-scale Community strategy. The Committee called for a guaranteed right for all workers to initial and further training, the implementation of positive action to maintain employment and help workers to acquire new skills, and for a guide to good practice in respect of job creation. It asked the Commission to consider the case for a European employment investment instrument as part of the reinforcement of the structural Funds.

### *Free movement of workers*

1.2.133. Communication from the Commission on the comparability of vocational training qualifications between the Member States of the European Community established in implementing Council Decision 85/368/EEC, 'Metal'.

- **Reference:** Council Decision 85/368/EEC on the comparability of vocational training qualifications between the Member States of the European Community: OJ L 199, 31.7.1985; Bull. EC 7/8-1985, point 2.1.88

*Published by the Commission on 25 July.*  
OJ C 196, 25.7.1991

1.2.134. Proposal for a Council Regulation (EEC) amending Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71.

- **Regulations to be amended:**  
Council Regulation (EEC) No 1408/71: OJ L 149, 5.7.1971  
Council Regulation (EEC) No 574/72: OJ L 74, 27.3.1972

*Adopted by the Commission on 12 July.* The proposal sets out to adapt current Community legislation by taking account of changes made to national legislation and, more particularly, changes needed in the wake of German unification.

OJ C 219, 22.8.1991; COM(91) 247

### *Industrial relations*

1.2.135. Proposal for a Council Directive on a form of proof of an employment relationship.

- **Commission proposal:** OJ C 24, 31.1.1991; COM(90) 563; Bull. EC 11-1990, point 1.3.42
- **Economic and Social Committee opinion:** OJ C 159, 17.6.1991; Bull. EC 4-1991, point 1.2.66

*Endorsed by Parliament on 8 July,* subject to amendments relating principally to the legal basis, the scope of the proposal and to information for the parties concerned.

OJ C 240, 16.9.1991

*Amended proposal adopted by the Commission on 24 July.*

OJ C 222, 27.8.1991; COM(91) 294

## **European Social Fund and other structural measures**

### *European Social Fund*

1.2.136. Aid for operational programmes and projects supporting Objectives 3 and 4 of the structural Funds.

- **References:**  
Council Regulation (EEC) No 4253/88 laying down provisions for implementing Regulation (EEC) No 2052/88: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200  
Council Regulation (EEC) No 4255/88 laying down provisions for implementing Regulation (EEC) No 2052/88: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

*Commission decision.* See Table 1.



Table 1 — *Funding of programmes and projects (ESF)*

Region/purpose (Objectives 3 and 4)	Total aid (million ecus)
<i>Belgium</i>	
All regions (3 and 4)	134.8
<i>Spain</i>	
All regions (3 and 4)	0.8
Basque country (3 and 4)	0.3
<i>Luxembourg</i>	
Direct employment aid (4)	0.4
New technologies (3 and 4)	1.8
Disabled people (3 and 4)	2.5

## Community initiatives

1.2.137. Aid for the operational programmes Horizon, NOW and Euroform for Spain.

- **Basic Regulation:** Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200
- **Reference:** Communication from the Commission laying down guidelines for operational programmes/global grants which Member States are invited to establish within the framework of Community initiatives for strengthening human resources — Euroform, NOW, Horizon: OJ C 327, 29.12.1990; Bull. EC 12-1990, point 1.3.97

*Commission decisions.* Purpose: to grant ESF aid, for technical assistance measures, of ECU 590 000 (Euroform), ECU 660 000 (NOW) and ECU 610 000 (Horizon).

## Social security

### Supplementary pension schemes

1.2.138. Communication from the Commission to the Council on supplementary social security schemes: the role of occupational pension schemes in the social pro-

tection of workers and their implications for freedom of movement.

- **Reference:** Commission communication concerning its action programme relating to the implementation of the Community Charter of the Fundamental Social Rights of Workers: COM(89) 568; Bull. EC 11-1989, point 2.1.80

*Adopted by the Commission on 17 July.* The aim of the communication is to start a discussion at Community level on supplementary pension schemes. It examines the role of such schemes in respect of the social protection of workers and their implications for freedom of movement for workers, and sets out the main characteristics of such schemes in the Member States.

## Health and safety at work

### Safety signs

1.2.139. Proposal for a Council Directive concerning the minimum requirements for the provision of safety and/or health signs at work (ninth individual directive within the meaning of Directive 89/391/EEC).

- **Reference:** Council Directive 89/391/EEC on the introduction of measures to encourage improvements in the safety and health of workers at work: OJ L 183, 29.6.1989; Bull. EC 6-1989, point 2.1.105
- **Commission proposal:** OJ C 53, 28.2.1991; COM(90) 664, Bull. EC 12-1990, point 1.3.102
- **Economic and Social Committee opinion:** OJ C 159, 17.6.1991; Bull. EC 4-1991, point 1.2.68

*Endorsed by Parliament (first reading) on 10 July,* subject to amendments relating to the protection of workers with a visual handicap or hearing impairment, the exemption criteria for the use of certain types of signs in certain categories of undertakings, and various technical aspects.

OJ C 240, 16.9.1991

### Safety in the ECSC industries

1.2.140. Commission financial decision concerning one research project under the

first joint research programme on safety in the ECSC industries.

- **Reference:** First joint research programme on safety in the European Coal and Steel Community (ECSC) industries: OJ C 325, 29.12.1989; Bull. EC 12-1989, point 2.1.60

*Adopted by the Commission on 2 July.* Purpose: to allocate ECSC financial aid of ECU 224 400.

### *European Year*

1.2.141. Council Decision 91/388/EEC on an action programme for the European Year of Safety, Hygiene and Health at Work (1992).

- **Commission proposal:** OJ C 293, 23.11.1990; COM(90) 450; Bull. EC 11-1990, point 1.3.48
- **Economic and Social Committee opinion:** OJ C 60, 8.3.1991; Bull. EC 12-1990, point 1.3.101
- **Parliament opinion:** OJ C 158, 17.6.1991; Bull. EC 5-1991, point 1.2.83
- **Amended Commission proposal:** OJ C 175, 6.7.1991; COM(91) 204; Bull. EC 6-1991, point 1.2.114
- **Council agreement:** Bull. EC 6-1991, point 1.2.114

*Additional opinion of the Economic and Social Committee on 3 July.* The Committee urged that the European Year launch date be reconsidered and that extra provision be made for the preparatory stages. It also proposed that the promotion of new health and safety measures be made an integral part of the objectives.

*Formally adopted by the Council on 29 July.*  
OJ L 214, 2.8.1991

## **Working conditions**

### *Subsidized housing*

1.2.142. Commission financial decision on studies on requirements and strategies with regard to workers' housing in coal and steel industry areas.

- **Reference:** Commission Decision No 3681/90/ECSC fixing the rate of the levies for the 1991

financial year and amending Decision No 3/52/ECSC on the amount of and methods for applying the levies provided for in Articles 49 and 50 of the ECSC Treaty: OJ L 357, 20.12.1990; Bull. EC 12-1990, point 1.6.6.

*Adopted by the Commission on 29 July.* The decision relates to ECSC financial aid of ECU 2 000 000 for the funding of a programme of studies to produce an inventory of the existing subsidized housing stock, particularly as regards renovation requirements, and to define priorities for future action and the economic and social costs involved.

### *Industrial relations*

1.2.143. Proposal for a Council Directive on the establishment of a European Works Council in Community-scale undertakings or groups of undertakings for the purposes of informing and consulting employees.

- **Commission proposal:** OJ C 39, 15.2.1991; COM(90) 581; Bull. EC 12-1990, point 1.3.93
- **Economic and Social Committee opinion:** OJ C 120, 6.5.1991; Bull. EC 3-1991, point 1.2.79

*Endorsed by Parliament on 10 July,* subject to amendments relating principally to the legal basis of the proposal, the composition, operation and form of election of the European Works Council, and the circumstances in which it is to be consulted and asked to deliver an opinion.

Parliament also stressed that such Works Councils should supplement the work of similar bodies already in existence at national level, and not take their place.

OJ C 240, 16.9.1991

## **Human resources**

### *Vocational training*

1.2.144. Council Decision 91/387/EEC amending Decision 87/569/EEC concerning an action programme for the vocational training of young people and their preparation for adult and working life (Petra).

- **Decision amended:** Council Decision 87/569/EEC: OJ L 346, 10.12.1987; Bull. EC 12-1987, point 2.1.143
- **Commission proposal:** OJ C 322, 21.12.1990; COM(90) 467; Bull. EC 10-1990, point 1.3.52
- **Economic and Social Committee opinion:** OJ C 102, 18.4.1991; Bull. EC 1/2-1991, point 1.2.123
- **Parliament opinion:** OJ C 158, 17.6.1991; Bull. EC 5-1991, point 1.2.89
- **Amended Commission proposal:** OJ C 181, 12.7.1991; COM(91) 206; Bull. EC 6-1991, point 1.2.105
- **Council agreement:** Bull. EC 6-1991, point 1.2.105

*Formally adopted by the Council on 22 July.*

OJ L 214, 2.8.1991

1.2.145. Proposal for a Council Decision amending Decision 89/657/EEC establishing an action programme to promote innovation in the field of vocational training resulting from technological change in the Community (Eurotecnet) and Decision 90/267/EEC establishing an action programme for the development of continuing vocational training in the European Community (Force) in order to establish the Advisory Committee for continuing education and training embracing Force and Eurotecnet.

- **Decisions to be amended:**  
Council Decision 89/657/EEC: OJ L 393, 30.12.1989; Bull. EC 12-1989, point 2.1.128  
Council Decision 90/267/EEC: OJ L 156, 21.6.1990; Bull. EC 5-1990, point 1.2.62
- **Commission proposal:** OJ C 24, 31.1.1991; COM(90) 648; Bull. EC 12-1990, point 1.3.106
- **Economic and Social Committee opinion:** OJ C 120, 6.5.1991; Bull. EC 3-1991, point 1.2.81

*Endorsed by Parliament on 12 July*, subject to amendments relating essentially to the composition of the Advisory Committee.

OJ C 240, 16.9.1991

### **Measures to help young people**

1.2.146. Council Decision 91/395/EEC adopting the 'Youth for Europe' programme (second phase).

- **Reference:** Council Decision of 16 June 1988 adopting an action programme for the promo-

tion of youth exchanges in the Community — 'Youth for Europe' programme: OJ L 158, 25.6.1988; Bull. EC 6-1988, point 2.1.149

- **Commission proposal:** OJ C 308, 8.12.1990; COM(90) 470; Bull. EC 10-1990, point 1.3.220
- **Economic and Social Committee opinion:** OJ C 159, 17.6.1991; Bull. EC 4-1991, point 1.2.75
- **Parliament opinion:** OJ C 158, 17.6.1991; Bull. EC 5-1991, point 1.2.90
- **Amended Commission proposal:** OJ C 175, 6.7.1991; COM(91) 216; Bull. EC 6-1991, point 1.2.106
- **Council agreement:** Bull. EC 6-1991, point 1.2.106

*Formally adopted by the Council on 29 July.*

OJ L 217, 6.8.1991

## **Regional policies**

### **Development and implementation of regional policies**

1.2.147. Parliament resolution on the regional development plan, the regional and social conversion plans and the Community support framework for Spain (Objectives 1 and 2).

- **References:**

Community support frameworks for regions whose development is lagging behind (Objective 1): Bull. EC 10-1989, point 2.1.102

Commission Decision concerning the Community support framework for Spain (Objective 2): Bull. EC 3-1990, point 1.1.62

*Adopted by Parliament on 9 July.* Parliament asked for investments under the programme for Spain to be concentrated on productive activities (industry, crafts and services) rather than on infrastructure, for a larger number of structural policy measures to be managed at regional level and for the introduction of a regional planning policy.

OJ C 240, 16.9.1991

## The reform of the Funds and regional objectives

### Financial instruments

#### ERDF

##### Pilot projects

1.2.148. Financing decision on a pilot project for cooperation — Andalusia, Bari, Montpellier.

- **Basic Regulation:** Regulation (EEC) No 4254/88 on the European Regional Development Fund: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

*Adopted by the Commission on 25 July.*  
Grants assistance worth ECU 680 000.

##### Studies

1.2.149. Financing decision on a methodological study to assess the impact of the national programme of Community interest on the part-financing of aid schemes in Portugal.

*Adopted by the Commission on 11 July.*  
Grants assistance worth ECU 209 000.

1.2.150. Financing decision on a study concerning a cooperation project between Andalusia and Bavaria.

*Adopted by the Commission on 11 July.*  
Grants the Spanish authorities assistance worth ECU 179 000.

### Community initiatives

#### Envireg

- **Basic Regulation:** Council Regulation (EEC) No 4253/88: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

1.2.151. Financing decision on a programme in Northern Ireland.

*Adopted by the Commission on 11 July.*  
Grants assistance worth ECU 16 million.

1.2.152. Financing decisions on a programme in Spain and a programme in Italy.

*Adopted by the Commission on 25 July.*  
Grants assistance worth ECU 137 million to Spain and ECU 163 million to Italy.

#### Interreg

1.2.153. Financing decisions on a programme in Greece and a joint programme in Ireland and Northern Ireland.

- **Basic Regulation:** Council Regulation (EEC) No 2052/88: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.1.159

*Adopted by the Commission on 25 July.*  
Grants assistance worth ECU 227 million to Greece and ECU 76 million to Ireland and Northern Ireland.

#### Rechar

1.2.154. Financing decisions on programmes in Germany (Saarland), Spain (Asturias, Catalonia, Castile-Leon and Aragon), France (Alès) and Portugal.

- **Basic Regulation:** Council Regulation (EEC) No 4253/88: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

*Adopted by the Commission on 25 July.*  
Grants assistance worth ECU 9.6 million (Germany), ECU 24 million (Spain), ECU 1.5 million (France) and ECU 3.3 million (Portugal).

#### Renaval

- **Basic Regulation:** Council Regulation (EEC) No 2506/88: OJ L 225, 15.8.1988; Bull. EC 7/8-1988, point 2.1.98

1.2.155. Financing decision on a French programme for Seine-Maritime.

*Adopted by the Commission on 25 July.*  
Grants assistance worth ECU 4.85 million.

1.2.156. Financing decision on a Portuguese programme for Setubal.

*Adopted by the Commission on 20 August.*  
Grants assistance worth ECU 15 million.

### Resider

- **Basic Regulation:** Council Regulation (EEC) No 328/88: OJ L 33, 5.2.1988; Bull. EC 2-1988, point 2.1.92

1.2.157. Financing decision on an Italian programme for Tuscany.

*Adopted by the Commission on 20 August.*  
Grants assistance worth ECU 5.35 million.

1.2.158. Financing decision on an Italian programme for Umbria.

*Adopted by the Commission on 20 August.*  
Grants assistance worth ECU 4.58 million.

### Stride

1.2.159. Financing decisions on programmes in Belgium (Limburg, Turnhout and Wallonia), Greece, Spain, France (17 regions), Ireland, Italy (Mezzogiorno), Netherlands and Portugal.

- **Basic Regulation:** Council Regulation (EEC) No 2052/88: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.1.159

*Adopted by the Commission on 25 July.*  
Grants assistance worth ECU 4.4 million (Belgium), ECU 56 million (Greece), ECU 147 million (Spain), ECU 17.3 million (France), ECU 13 million (Ireland), ECU 86 million (Italy), ECU 4.3 million (Netherlands) and ECU 50 million (Portugal).

## Regional operational programmes

### Less-developed regions

1.2.160. Financing of operational programmes.

- **Reference:** Council Regulation (EEC) No 4253/88: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

*Commission decisions:* see Table 2.

Table 2 — *Financing of operational programmes (Objective 1)*

Country/purpose	Fund	Total assistance (million ecus)
<i>Greece</i>		
Environment	ERDF	26
Technical assistance	ERDF	0.46
Land registration	ERDF	0.1
Technical assistance	ESF	0.8
<i>Spain</i>		
	ESF	13.54
<i>Italy</i>		
Industry and services	ERDF	205
Apulia (urban infrastructure, production techniques, tourism, rural development, environment)	ERDF/ ESF/ EAGGF	400
Sardinia (communications, environment, tourism, rural development)	ERDF/ ESF/ EAGGF	145
Global grant	ERDF	1.4
Mezzogiorno	ESF	16.64
<i>Portugal</i>		
Technical assistance	ESF	4.24

### Declining industrial areas

1.2.161. Financing of operational programmes.

- **Reference:** Council Regulation (EEC) No 4253/88 implementing Regulation (EEC) No 2052/88: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

*Commission decisions:* see Table 3.

Table 3 — *Financing of operational programmes (Objective 2)*

Country/purpose	Fund	Total assistance (million ecus)
<i>Belgium</i> Technical assistance	ESF	1.08
<i>France</i> Industrial conversion (Upper Normandy)	ESF	6.3

## Most remote regions

### *Regis*

1.2.162. Financing decision on a programme in Spain.

- **Basic Regulation:** Council Regulation (EEC) No 2052/88: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.1.200

*Adopted by the Commission on 25 July.* Grants assistance worth ECU 74 million.

## Agriculture

### I

### Development and future of the common agricultural policy

1.2.163. Commission communication on the development and future of the common agricultural policy.

- **Reference:** Commission communication on the development and future of the CAP: COM(91) 100; Bull. EC 1/2-1991, point 1.2.131

*Adopted by the Commission on 9 July.* This communication, being the follow-up to the reflections paper of February 1991, presents proposals for solving the problems of the fall in farm incomes, market imbalances and the build-up of surpluses, the increase

in budgetary costs and the damage inflicted on the environment by intensive farming. These proposals provide for:

(i) major price reductions, spread over three years (cereals: -35%, milk: -10%, butter: -15%, skimmed milk powder: -5%, beef/veal: -15%; further cuts for pigmeat, poultrymeat, eggs and processed agricultural products);

(ii) measures to limit production (set-aside in the cereals sector, reduction of milk quotas, introduction of quotas in the tobacco sector, a ceiling for sheep premiums, premiums for the sale of calves for slaughter);

(iii) compensation in the form of aid for small and medium-sized farmers (exemption from set-aside obligations for small cereal growers (less than 20 ha), no reduction of quotas for small milk producers (less than 200 tonnes per year)) and premiums for extensive cattle rearing;

(iv) accompanying measures, including an agri-environmental programme making the granting of aid conditional upon the use of extensive production methods, programmes to reduce the damage caused to the environment and to protect the countryside, fauna and flora, a speeded-up programme to encourage the afforestation of agricultural land, and measures to encourage the retirement of farmers aged over 65 (Community part-financing which could be as high as ECU 10 000 per year).

The Commission proposes to introduce these measures from 1993, so that they can become fully operational in 1996. It estimates agricultural expenditure in 1997 at ECU 38 800 million, i.e. 10% up on 1992, if these proposals are applied, as against ECU 42 000 million if the present system is extended.

COM(91) 258

### Support for oilseed producers

1.2.164. Proposal for a Council Regulation establishing a support system for soya beans, rapeseed and sunflowerseed.

- **References:**

Council Regulation (EEC) No 136/66 on the establishment of a common organization of the market in oils and fats (OJ L 172, 30.9.1966), as last amended by Regulation (EEC) No 2902/89: OJ L 280, 29.9.1989; Bull. EC 9-1989, point 2.1.106

Council Regulation (EEC) No 1491/85 laying down special measures in respect of soya beans: OJ L 151, 10.6.1985.

Report by the GATT panel on Community premiums and subsidies paid to processors of oilseeds and related proteins for use in animal feed: Bull. EC 1/2-1990, point 1.2.100

Commission communication on the development and future of the common agricultural policy: COM(91) 258; point 1.2.163 of this Bulletin

*Adopted by the Commission on 31 July.* This proposal, which is in keeping with the general policies set out in the Commission communication on the development and future of the common agricultural policy, is aimed in particular at bringing the Community oilseed support system into line with GATT rules. It provides for the abolition of the present system of guaranteed prices with payment of an amount per tonne to the processing industry and its replacement by a system of direct support to producers in the form of compensatory payments per hectare, calculated on the basis of the average yields per region and world market prices, so that oilseed producers can expect to achieve, on average, incomes comparable to those of cereal producers. The Commission proposes to fix a projected reference price of ECU 163 per tonne (corresponding to a medium-term estimate of the equilibrium price on the world market). The compensatory payments initially calculated on this basis will be re-examined in the light of world price developments, so that these developments are reflected partially in producers' incomes. (Adjustments will only be made if there is a variation of more than 8%.) The Community reference amount (a compensatory payment to be granted in regions where yields correspond to the Community average), which is proposed on the basis of the abovementioned calculations, is ECU 384 per hectare. In addition, the Commission proposes to maintain stabilizer mechanisms by means of a maximum

guaranteed area (with the exception of Spain and Portugal until the end of their transitional period). It is planned to implement this new system as from the 1992/93 marketing year.

COM(91) 318

## II

## Agricultural structure and rural development

1.2.165. Council Regulation (EEC) No 2328/91 on improving the efficiency of agricultural structures.

- **Regulation consolidated:** Council Regulation (EEC) No 797/85: OJ L 93, 30.3.1985; Bull. EC 3-1985, point 2.1.113
- **Commission proposal:** Bull. EC 1/2-1991, point 1.2.134
- **Economic and Social Committee opinion:** OJ C 168, 10.7.1991; Bull. EC 4-1991, point 1.2.80
- **Parliament opinion:** OJ C 158, 17.6.1991; Bull. EC 5-1991, point 1.2.99

*Adopted by the Council on 15 July.*

OJ L 218, 6.8.1991

1.2.166. Council Directive 91/465/EEC amending Directive 86/466/EEC concerning the Community list of less-favoured farming areas within the meaning of Directive 75/268/EEC.

- **Basic Directive:** Council Directive 75/268/EEC on mountain and hill farming and farming in certain less-favoured areas (OJ L 128, 19.5.1975), as last amended by Regulation (EEC) No 797/85: OJ L 93, 30.3.1985; Bull. EC 3-1985, point 2.1.113
- **Directive amended:** Council Directive 86/466/EEC: OJ L 273, 24.9.1986; Bull. EC 9-1986, point 2.1.100
- **Commission proposal:** OJ C 176, 8.7.1991; COM(91) 101; Bull. EC 5-1991, point 1.2.100

*Endorsed by Parliament on 12 July.*

OJ C 240, 16.9.1991

*Adopted by the Council on 22 July.*

OJ L 251, 7.9.1991

1.2.167. Council Directive 91/466/EEC amending Directive 85/350/EEC concerning the Community list of less-favoured farming areas within the meaning of Directive 75/268/EEC.

- **Basic Directive:** Council Directive 75/268/EEC on mountain and hill farming and farming in certain less-favoured areas (OJ L 128, 19.5.1975), as last amended by Regulation (EEC) No 797/85: OJ L 93, 30.3.1985; Bull. EC 3-1985, point 2.1.113
- **Directive amended:** Council Directive 85/350/EEC: OJ L 187, 19.7.1985
- **Commission proposal:** OJ C 176, 8.7.1991; COM(91) 178; Bull. EC 5-1991, point 1.2.101

*Endorsed by Parliament on 12 July.*

OJ C 240, 16.9.1991

*Adopted by the Council on 22 July.*

OJ L 251, 7.9.1991

1.2.168. Commission Decision amending Decision 91/100/EEC approving the German programme of agricultural income aid for farmers in general in Baden-Württemberg.

- **Decision amended:** Commission Decision 91/100/EEC: OJ L 52, 27.2.1991; Bull. EC 1/2-1991, point 1.2.139

*Adopted by the Commission on 22 July.*  
Amends the timetable for the Community's financial contribution.

1.2.169. Aid for operational programmes under Objective 5b.

- **Reference:** Council Regulation (EEC) No 4253/88 laying down provisions for implementing Regulation (EEC) No 2052/88: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

*Commission decisions:* see Table 4.

Table 4 — *Financing of operational programmes*

Member State/region	Contribution (million ecus)
<i>Belgium</i>	
Hageland	11.43
Wallonia	8.05
<i>Germany</i>	
Schleswig-Holstein	32.19
<i>Spain</i>	
Aragon	71.23
Balearic Islands	17.73
Catalonia	24.67
<i>France</i>	
Ain	7.24
Northern Aquitaine	54.36
Aquitaine Pyrénées	19.45
Auvergne (vocational training)	21.74
Centre	22.32
Jura	19.83
Midi-Pyrénées	92.7
Loire Region	18.63
Poitou-Charentes	25.69
Provence-Alpes-Côte d'Azur	62.23
<i>Italy</i>	
Bolzano	29
Veneto	68.23
<i>Luxembourg</i>	
	2.69
<i>United Kingdom</i>	
Devon and Cornwall (vocational training)	6.08

### *EAGGF Guidance Section*

1.2.170. Proposal for a Council Regulation amending, as regards operations financed by the EAGGF Guidance Section, Regulation (EEC) No 1676/85 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy and repealing Regulation (EEC) No 129/78.



- **Regulation to be repealed:** Council Regulation (EEC) No 129/78 on the exchange rates to be applied for the purposes of the common agricultural structures policy: OJ L 20, 25.1.1978
- **Regulation to be amended:** Council Regulation (EEC) No 1676/85 (OJ L 164, 24.6.1985), as last amended by Regulation (EEC) No 2205/90: OJ L 201, 31.7.1990; Bull. EC 7/8-1990, point 1.3.173

*Adopted by the Commission on 12 July.* Provides for use, in the case of measures for which Community funding is the sole responsibility of the EAGGF Guidance Section, of the accounting rate (and not the agricultural rate) for the conversion of amounts fixed in ecus by the Council and adjustments thereto by the Commission.

OJ C 211, 13.8.1991; COM(91) 256

## Legislation

### General aspects

1.2.171. Proposal for a Council Regulation on the protection of geographical indications and designations of origin for agricultural products and foodstuffs.

- **Commission proposal:** Bull. EC 12-1990, point 1.3.166

*Endorsed by the Economic and Social Committee on 3 July.* The Committee thinks the protection provided for should prevent prestigious names becoming generic designations.

### Veterinary and zootechnical legislation

1.2.172. Commission Decision 91/398/EEC on a computerized network linking veterinary authorities (Animo).

- **Basic Directive:** Council Directive 90/425/EEC concerning the veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market (OJ L 224, 18.8.1990; Bull. EC 6-1990, point 1.3.140), as last amended by Directive 91/68/

EEC: OJ L 46, 19.2.1991; Bull. EC 1/2-1991, point 1.2.143

*Adopted by the Commission on 19 July.* Establishes the basic principles for the general structure of the Animo computerized network provided for in Directive 90/425/EEC.

OJ L 221, 9.8.1991

1.2.173. Commission Decision 91/426/EEC laying down the details of the Community's financial contribution to the setting up of a computerized network linking veterinary authorities (Animo).

- **Basic Decision:** Council Decision 90/424/EEC on expenditure in the veterinary field (OJ L 224, 18.8.1990; Bull. EC 6-1990, point 1.3.141), as last amended by Decision 91/133/EEC: OJ L 66, 13.3.1991; Bull. EC 3-1991, point 1.2.102
- **Reference:** Commission Decision 91/398/EEC on a computerized network linking veterinary authorities (Animo): OJ L 221, 9.8.1991; point 1.2.172 of this Bulletin

*Adopted by the Commission on 22 July.* Provides for the Community's financial contribution to the setting up of the Animo computerized network.

OJ L 234, 23.8.1991

1.2.174. Commission Decision 91/447/EEC on the organization by Germany of refresher courses for personnel working in the veterinary field.

- **Basic Decision:** Council Decision 90/424/EEC on expenditure in the veterinary field (OJ L 224, 18.8.1990; Bull. EC 6-1990, point 1.3.141), as last amended by Decision 91/133/EEC: OJ L 66, 13.3.1991; Bull. EC 3-1991, point 1.2.102

*Adopted by the Commission on 29 July.* Lays down detailed rules for training courses for veterinary personnel in Germany and provides for a Community financial contribution to these courses.

OJ L 239, 28.8.1991

1.2.175. Council Directive laying down the principles governing the organization of veterinary checks on animals entering the

Community for third countries and amending Directives 89/662/EEC and 90/425/EEC.

- **Directives amended:**  
 Council Directive 89/662/EEC concerning veterinary checks in intra-Community trade: OJ L 395, 30.12.1989; Bull. EC 12-1989, point 2.1.196  
 Council Directive 90/425/EEC concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market (OJ L 224, 18.8.1990; Bull. EC 6-1990, point 1.3.140), as last amended by Directive 91/68/EEC: OJ L 46, 19.2.1991; Bull. EC 1/2-1991, point 1.2.143
- **Commission proposal:** OJ C 89, 6.4.1991; COM(91) 75; Bull. EC 3-1991, point 1.2.98
- **Parliament opinion:** OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.2.133
- **Council agreement:** Bull. EC 6-1991, point 1.2.133

*Endorsed by the Economic and Social Committee on 3 July.*

*Formally adopted by the Council on 15 July.*

1.2.176. Commission report on the classical swine fever situation, accompanied by:

- (i) a proposal for a Council Directive amending Directive 80/217/EEC introducing Community measures for the control of classical swine fever;
- (ii) a proposal for a Council Decision amending Directive 80/1095/EEC and Decision 80/1096/EEC as regards certain measures relating to classical swine fever;
- (iii) a proposal for a Council Directive amending Directive 64/432/EEC, 72/461/EEC and 80/215/EEC as regards certain measures relating to classical swine fever;
- (iv) a proposal for a Council Directive amending Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat or meat products from third countries.

- **Decision to be amended:** Council Decision 80/1096/EEC (OJ L 325, 1.12.1980; Bull. EC 11-1980, point 2.1.67), as last amended by Directive 87/488/EEC: OJ L 280, 3.10.1987; Bull. EC 9-1987, point 2.1.153

- **Directives to be amended:**  
 Council Directive 64/432/EEC (OJ 121, 29.7.1964), as last amended by Commission Decision 91/13/EEC: OJ L 8, 11.1.1991; Bull. EC 12-1990, point 1.3.219  
 Council Directive 72/461/EEC (OJ L 302, 31.12.1972), as last amended by Directive 91/266/EEC: OJ L 134, 29.5.1991; Bull. EC 5-1991, point 1.2.106  
 Council Directive 72/462/EEC (OJ L 302, 31.12.1972), as last amended by Directive 91/266/EEC: OJ L 134, 29.5.1991; Bull. EC 5-1991, point 1.2.106  
 Council Directive 80/215/EEC (OJ L 47, 21.12.1980), as last amended by Directive 89/662/EEC: OJ L 395, 30.12.1989; Bull. EC 12-1989, point 2.1.196  
 Council Directive 80/217/EEC (OJ L 47, 21.12.1980; Bull. EC 11-1980, point 2.1.67), as last amended by Directive 87/486/EEC: OJ L 280, 3.10.1987; Bull. EC 9-1987, point 2.1.153  
 Council Directive 80/1095/EEC (OJ L 325, 1.12.1980; Bull. EC 11-1980, point 2.1.67), as last amended by Directive 87/487/EEC: OJ L 280, 3.10.1987; Bull. EC 9-1987, point 2.1.153
- **Reference:** Decision 90/424/EEC on expenditure in the veterinary field (OJ L 224, 18.8.1990; Bull. EC 6-1990, point 1.3.141), as last amended by Decision 91/133/EEC: OJ L 66, 13.3.1991; Bull. EC 3-1991, point 1.2.102

*Adopted by the Commission on 19 July.* The report, provided for in Directive 64/432/EEC, describes developments in the swine fever situation. It is accompanied by proposals for amendments to existing procedures for combating this disease, taking into account the experience gained, the improved health status of pig stocks in the Community and the completion of the single market. The purpose of the proposal for a Decision is, in particular, to add classical swine fever to the list of diseases referred to in Decision 90/424/EEC on expenditure in the veterinary field.

OJ C 226, 31.8.1991; COM(91) 270

1.2.177. Commission Decision 91/378/EEC recognizing Portugal as an officially swine-fever-free Member State within the context of eradication, and amending for the fifth time Decision 81/400/EEC establishing the status of Member States as regards classical swine fever with a view to its eradication.

- **Basic Directive:** Council Directive 80/1095/EEC (OJ L 325, 1.12.1980; Bull. EC 11-1980,

point 2.1.67), as last amended by Directive 87/487/EEC: OJ L 280, 3.10.1987; Bull. EC 9-1987, point 2.1.153

- **Decision amended:** Commission Decision 81/400/EEC (OJ L 152, 11.6.1981), as last amended by Decision 90/251/EEC: OJ L 143, 6.6.1990; Bull. EC 5-1990, point 1.2.183

*Adopted by the Commission on 1 July.*

OJ L 203, 26.7.1991

1.2.178. Commission Decision 91/413/EEC approving amendments to the plan for the eradication of classical swine fever presented by Belgium.

- **Basic Decision:** Commission Decision 88/529/EEC approving the plan for the eradication of classical swine fever presented by Belgium: OJ L 291, 25.10.1988; Bull. EC 10-1988, point 2.1.155

*Adopted by the Commission on 24 July.* Reinforces the plan for the eradication of swine fever in Belgium to take account of the development of the disease during the 1990 epidemic.

OJ L 228, 17.8.1991

1.2.179. Commission Decision 91/332/EEC amending Decision 91/237/EEC concerning certain protection measures relating to a new pig disease.

- **Decision amended:** Commission Decision 91/237/EEC: OJ L 106, 26.4.1991; Bull. EC 4-1991, point 1.2.92

*Adopted by the Commission on 8 July.* Takes account of the appearance of the new pig disease in the United Kingdom.

OJ L 183, 9.7.1991

1.2.180. Commission Decision 91/420/EEC approving the programme for the eradication of bovine brucellosis presented by Ireland and fixing the level of the Community's financial contribution.

*Adopted by the Commission on 16 July.*

OJ L 232, 21.8.1991

1.2.181. Commission Decision 91/434/EEC approving the programme for the eradication of bovine brucellosis presented

by Spain and fixing the level of the Community's financial contribution.

*Adopted by the Commission on 17 July.*

OJ L 236, 24.8.1991

1.2.182. Commission Decision 91/433/EEC approving the programme for the eradication of bovine tuberculosis presented by Spain and fixing the level of the Community's financial contribution.

*Adopted by the Commission on 17 July.*

OJ L 236, 24.8.1991

1.2.183. Commission Decision 91/435/EEC approving the programme for the eradication of enzootic bovine leucosis presented by Spain and fixing the level of the Community's financial contribution.

*Adopted by the Commission on 17 July.*

OJ L 236, 24.8.1991

1.2.184. Commission Decision 91/436/EEC approving the programme for the monitoring of enzootic bovine leucosis presented by Ireland and fixing the level of the Community's financial contribution.

*Adopted by the Commission on 18 July.*

OJ L 236, 24.8.1991

1.2.185. Commission Decision 91/437/EEC approving the programme for the eradication of enzootic bovine leucosis presented by France and fixing the level of the Community's financial contribution.

*Adopted by the Commission on 19 July.*

OJ L 236, 24.8.1991

1.2.186. Commission Decision 91/438/EEC approving the programme for the eradication of enzootic bovine leucosis presented by Greece and fixing the level of the Community's financial contribution.

*Adopted by the Commission on 24 July.*

OJ L 236, 24.8.1991

1.2.187. Commission Decision 91/415/EEC approving the programme for the eradication of contagious bovine pleuro-

pneumonia presented by Spain and fixing the level of the Community's financial contribution.

- **Basic Decision:** Commission Decision 91/70/EEC on financial contributions from the Community for the eradication of contagious bovine pleuropneumonia in Spain: OJ L 39, 13.2.1991; Bull. EC 1/2-1991, point 1.2.158

*Adopted by the Commission on 17 July.*  
OJ L 231, 20.8.1991

1.2.188. Commission Decision 91/421/EEC approving the plan for the eradication of brucellosis in sheep and goats presented by Italy.

- **Basic Decision:** Council Decision 90/242/EEC introducing a Community financial measure for the eradication of brucellosis in sheep and goats: OJ L 140, 1.6.1990; Bull. EC 5-1990, point 1.2.173

*Adopted by the Commission on 19 July.*  
OJ L 232, 21.8.1991

1.2.189. Proposal for a Council Regulation introducing Community measures for the control of avian influenza.

- **Basic Directive:** Council Directive 90/539/EEC on animal health conditions governing intra-Community trade in and imports from third countries of poultry and hatching eggs: OJ L 303, 31.10.1990; Bull. EC 10-1990, point 1.3.141

*Adopted by the Commission on 30 July.* Provides for uniform Community measures in the event of outbreaks of avian influenza. These measures are based on systematic slaughter and on strict control of the movements of poultry, poultry products and other substances capable of transmitting the virus of this disease.

OJ C 231, 5.9.1991; COM(91) 304

1.2.190. Commission Decision 91/416/EEC on financial contributions from the Community for the eradication of Newcastle disease in the United Kingdom.

*Adopted by the Commission on 18 July.* Provides for a financial contribution by the Community of 50% of the costs incurred.

OJ L 231, 20.8.1991

1.2.191. Commission Decisions 91/427/EEC and 91/428/EEC approving measures to set up pilot projects for the control of rabies with a view to its eradication or prevention presented by the Netherlands and Belgium respectively.

- **Basic Decision:** Council Decision 89/455/EEC introducing Community measures to set up pilot projects for the control of rabies with a view to its eradication or prevention: OJ L 223, 2.8.1989; Bull. EC 7/8-1989, point 2.1.172

*Adopted by the Commission on 26 July.* These pilot projects are for the distribution of vaccinal baits for foxes in the countries concerned and in the border areas of the adjacent countries.

OJ L 234, 23.8.1991

1.2.192. Commission Decisions 91/429/EEC, 91/430/EEC, 91/431/EEC and 91/432/EEC approving measures to set up pilot projects for the control of rabies with a view to its eradication or prevention presented by Germany, Luxembourg, France and Italy respectively.

- **Basic Decision:** Council Decision 89/455/EEC introducing Community measures to set up pilot projects for the control of rabies with a view to its eradication or prevention: OJ L 223, 2.8.1989; Bull. EC 7/8-1989, point 2.1.172

*Adopted by the Commission on 29 July.* These pilot projects are for the distribution of vaccinal baits for foxes in the countries concerned and in the border areas of the adjacent countries.

OJ L 234, 23.8.1991

1.2.193. Council Directive amending Directive 64/433/EEC on health problems affecting intra-Community trade in fresh meat to cover also its production and placing on the market.

- **Directive amended:** Council Directive 64/433/EEC: OJ 121, 29.7.1964
- **Commission proposal:** OJ C 84, 2.4.1990; COM(89) 673; Bull. EC 1/2-1990, point 1.1.226
- **Economic and Social Committee opinion:** OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.156
- **Parliament opinion:** OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.2.137

- **Council agreement:** Bull. EC 6-1991, point 1.2.137

*Formally adopted by the Council on 29 July.*

1.2.194. Council Decision on the conditions for granting temporary and limited derogations from specific Community health rules on the production and marketing of fresh meat.

- **Commission proposal:** OJ C 84, 2.4.1990; COM(89) 670; Bull. EC 1/2-1990, point 1.1.230
- **Parliament opinion:** OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.127
- **Economic and Social Committee opinion:** OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.155
- **Council agreement in part:** Bull. EC 6-1991, point 1.2.138

*Formally adopted by the Council on 29 July.*

The part of the Commission's proposal adopted relates to fresh meat, whereas the proposal as a whole concerns all products of animal origin and its other aspects have still to be examined by the Council.

1.2.195. Commission Decisions 91/445/EEC and 91/446/EEC concerning the importation by Member States of fresh meat from Israel and El Salvador respectively.

- **Basic Directive:** Council Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries (OJ L 302, 31.12.1972) as last amended by Directive 91/266/EEC: OJ L 134, 29.5.1991; Bull. EC 5-1991, point 1.2.106

*Adopted by the Commission on 26 July.*  
Suspends the importation of fresh meat from Israel and El Salvador.

OJ L 239, 28.8.1991

1.2.196. Commission Decision 91/433/EEC amending Decision 90/610/EEC on health protection measures in respect of Zimbabwe.

- **Basic Directive:** Council Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries (OJ L 302, 31.12.1972), as last amended by Directive 91/

266/EEC: OJ L 134, 29.5.1991; Bull. EC 5-1991, point 1.2.106

- **Decision amended:** Commission Decision 90/610/EEC: OJ L 324, 23.11.1990; Bull. EC 11-1990, point 1.3.151

*Adopted by the Commission on 26 July.*  
Extends the area free from foot-and-mouth disease from which fresh de-boned meat may be imported into the Community.

OJ L 238, 27.8.1991

1.2.197. Proposal for a Council Regulation laying down the health rules for the production and placing on the market of meat products.

- **Commission proposal:** OJ C 84, 2.4.1990; Bull. EC 1/2-1990, point 1.1.228
- **Economic and Social Committee opinion:** OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.154

*Endorsed by Parliament on 9 July,* subject to various amendments regarding in particular treatment with ionizing radiation (which Parliament wished to exclude), Committee procedures and various technical aspects. Parliament requested the Commission to submit a proposal for a framework directive on food hygiene and safety as soon as possible and requested the Council to adopt before the end of the year a decision concerning the incorporation into meat products of starch or proteins of animal or vegetable origin.

OJ C 240, 16.9.1991

1.2.198. Commission Decision 91/449/EEC laying down the specimen animal health certificates in respect of meat products imported from third countries.

- **Basic Directive:** Council Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries (OJ L 302, 31.12.1972), as last amended by Directive 91/266/EEC: OJ L 134, 29.5.1991; Bull. EC 5-1991, point 1.2.106

*Adopted by the Commission on 26 July.*

OJ L 240, 29.8.1991

1.2.199. Commission Decision 91/479/EEC concerning animal health conditions and veterinary certification for the importation of bovine semen from the United States of America.

- **Basic Directive:** Council Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species: OJ L 194, 22.7.1988; Bull. EC 6-1988, point 2.1.233

*Adopted by the Commission on 29 July.* Lists the animal health conditions applicable to imports of bovine semen from the United States and introduces a standard animal health certificate to be used in respect of these imports.

OJ L 258, 16.9.1991

1.2.200. Council Directive laying down health conditions for the production and the placing on the market of fishery products.

- **Commission proposal:** OJ C 84, 2.4.1990; COM(89) 645; Bull. EC 1/2-1990, point 1.1.234
- **Economic and Social Committee opinion:** OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.148
- **Parliament opinion:** OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.2.146
- **Council agreement:** Bull. EC 6-1991, point 1.2.146

*Formally adopted by the Council on 22 July.*

1.2.201. Council Directive laying down the health conditions for the production and the placing on the market of live bivalve molluscs.

- **Commission proposal:** OJ C 84, 2.4.1990; COM(89) 648; Bull. EC 1/2-1990, point 1.1.233
- **Economic and Social Committee opinion:** OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.149
- **Parliament opinion:** OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.2.147
- **Council agreement:** Bull. EC 6-1991, point 1.2.147

*Formally adopted by the Council on 15 July.*

1.2.202. Commission Decision 91/393/EEC amending Decision 91/146/EEC con-

cerning protective measures against cholera in Peru.

- **Decision amended:** Commission Decision 91/146/EEC: OJ L 73, 20.3.1991; Bull. EC 3-1991, point 1.2.99

*Adopted by the Commission on 30 July.* The purpose of this Decision is to permit the importation into the Community of rainbow trout from a farm in a region which has been declared free of cholera by the Peruvian health authorities.

OJ L 209, 31.7.1991

### *Plant health*

1.2.203. Council Directive 91/414/EEC concerning the placing of plant protection products on the market.

- **Commission proposal:** OJ C 212, 9.9.1976; COM(76) 427; Bull. EC 7/8-1976, point 2.2.56
- **Initial Parliament opinion:** OJ C 30, 7.2.1977; Bull. EC 1-1977, point 2.1.37
- **Initial Economic and Social Committee opinion:** OJ C 114, 11.5.1977; Bull. EC 3-1977, point 2.3.78
- **Amended Commission proposal:** OJ C 89, 10.4.1989; COM(89) 34; Bull. EC 2-1989, point 2.1.120
- **Second Economic and Social Committee opinion:** OJ C 53, 5.3.1990; Bull. EC 11-1989, point 2.1.160
- **Addendum to the amended proposal:** COM(90) 298
- **Second Parliament opinion:** OJ C 72, 18.3.1991; Bull. EC 1/2-1991, point 1.2.167
- **Second amended Commission proposal:** OJ C 93, 11.4.1991; COM(91) 87; Bull. EC 3-1991, point 1.2.113
- **Council agreement:** Bull. EC 6-1991, point 1.2.154

*Formally adopted by the Council on 15 July.*

OJ L 230, 19.8.1991

1.2.204. Proposal for a Council Directive amending Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products.

- **Directive to be amended:** Council Directive 77/93/EEC (OJ L 26, 31.1.1977), as last amended by Directive 91/27/EEC: OJ L 16, 22.1.1991

- **Commission proposal:** OJ C 31, 9.2.1990; COM(89) 647; Bull. EC 12-1989, point 2.1.201
- **Economic and Social Committee opinion:** OJ C 168, 10.7.1990; Bull. EC 4-1990, point 1.1.133
- **Parliament opinion:** OJ C 106, 22.4.1991; Bull. EC 3-1991, point 1.2.109

*Amended proposal adopted by the Commission on 17 July.*

OJ C 205, 6.8.1991; COM(91) 246

1.2.205. Proposal for a Council Regulation on the marketing of young plants and propagating material other than seeds, of vegetables.

- **Commission proposal:** OJ C 46, 27.2.1990; COM(89) 649; Bull. EC 12-1989, point 2.1.202
- **Economic and Social Committee opinion:** OJ C 182, 23.7.1990; Bull. EC 5-1990, point 1.2.191

*Endorsed by Parliament on 11 July*, subject to amendments concerning in particular the scope of the proposal.

OJ C 240, 16.9.1991

1.2.206. Proposal for a Council Regulation on the marketing of ornamental plant propagating material and ornamental plants.

- **Commission proposal:** OJ C 52, 3.3.1990; COM(89) 650; Bull. EC 12-1989, point 2.1.202
- **Economic and Social Committee opinion:** OJ C 182, 23.7.1990; Bull. EC 5-1990, point 1.2.192

*Endorsed by Parliament on 11 July*, subject to amendments concerning in particular the scope of the Regulation and the drawing up of a Community register of varieties accepted for certification.

OJ C 240, 16.9.1991

1.2.207. Proposal for a Council Regulation on the marketing of fruit plant propagating material and fruit plants intended for fruit production.

- **Commission proposal:** OJ C 54, 6.3.1990; COM(89) 651; Bull. EC 12-1989, point 2.1.202
- **Economic and Social Committee opinion:** OJ C 182, 23.7.1990; Bull. EC 5-1990, point 1.2.193

*Endorsed by Parliament on 11 July*, subject to amendments concerning in particular the scope of the regulation and the drawing up of a Community register of varieties accepted for certification.

OJ C 240, 16.9.1991

1.2.208. Proposal for a Council Regulation adopting protective measures in respect of imports of fruit and vegetables from certain countries affected by cholera.

- **Reference:** Commission Decision 91/147/EEC adopting protective measures against cholera affecting imports of fruit and vegetables from Peru: OJ L 73, 20.3.1991; Bull. EC 3-1991, point 1.2.111

*Adopted by the Commission on 30 July.* The purpose of this proposal is to replace the emergency measures provided for under Decision 91/147/EEC by a more general regulation permitting constant adjustment of the measures to be taken as the cholera epidemic develops. The South American regions concerned are not only the whole of Peru but also certain regions of Ecuador and Colombia.

COM(91) 311

## Prices and related measures

1.2.209. Council Regulation amending Regulation No 790/89 as regards the maximum amount applied to aid for quality and marketing improvements in the nut and locust bean-growing sector.

- **Commission approval:** Bull. EC 1/2-1991, point 1.2.132
- **Formal adoption by the Commission:** OJ C 104, 19.4.1991; COM(91) 72; Bull. EC 3-1991, point 1.2.93
- **Economic and Social Committee opinion:** OJ C 159, 17.6.1991; Bull. EC 4-1991, point 1.2.96
- **Parliament opinion:** OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.2.158

*Adopted by the Council on 15 July.* The purpose of this Regulation is to make restructuring measures more attractive in relation to crop improvement measures by offering different amounts of aid for each. The amounts fixed for aid per hectare are:

ECU 475 per year for 5 years for grubbing operations followed by replanting or changing to different varieties;

ECU 200 per year for the remaining years in which this work is carried out;

ECU 200 per year for 10 years for other operations.

The proposal, introduced by the Commission as part of the 1991-92 price packet, was the only one in the packet not yet adopted.

1.2.210. Commission Regulation (EEC) No 2059/91 amending Regulation (EEC) No 3775/90 laying down transitional measures applicable to trade in certain agricultural products originating in the former German Democratic Republic.

- **Basic Regulation:** Council Regulation (EEC) No 3577/90 on the transitional measures and adjustments required in the agricultural sector as a result of German unification: OJ L 353, 17.12.1990; Bull. EC 12-1990, point 1.2.1
- **Regulation amended:** Commission Regulation (EEC) No 3775/90: OJ L 364, 28.12.1990

*Adopted by the Commission on 13 July.* Extends the validity of export licences issued by the authorities of the former German Democratic Republic so as to ensure the fulfilment of contracts concluded before unification.

OJ L 187, 13.7.1991

## Market organization

### Cereals

1.2.211. The Commission adopted:

Regulation (EEC) No 1931/91, 2.7.1991: OJ L 174, 3.7.1991 — refunds;  
 Regulation (EEC) No 1993/91, 8.7.1991: OJ L 183, 9.7.1991 — Supplies to the Azores and Madeira;  
 Regulation (EEC) No 1994/91, 8.7.1991: OJ L 183, 9.7.1991 — supplies to the Azores and Madeira;  
 Regulation (EEC) No 1995/91, 8.7.1991: OJ L 183, 9.7.1991 — supplies to the overseas departments;  
 Regulation (EEC) No 1996/91, 8.7.1991: OJ L 183, 9.7.1991 — supplies to the overseas departments;  
 Regulation (EEC) No 1999/91, 9.7.1991: OJ L 184, 10.7.1991 — maximum moisture content;

Regulation (EEC) No 2012/91, 10.7.1991: OJ L 185, 11.7.1991 — Spanish import ceiling;  
 Regulation (EEC) No 2050/91, 12.7.1991: OJ L 187, 13.7.1991 — intervention (Greece);  
 Regulation (EEC) No 2069/91, 11.7.1991: OJ L 191, 16.7.1991 — set-aside of arable land;  
 Regulation (EEC) No 2102/91, 17.7.1991: OJ L 195, 18.7.1991 — special arrangements for small producers;  
 Regulation (EEC) No 2123/91, 18.7.1991: OJ L 196, 19.7.1991 — refunds;  
 Regulation (EEC) No 2144/91, 20.7.1991: OJ L 197, 20.7.1991 — aid for private storage (Greece);  
 Regulation (EEC) No 2207/91, 23.7.1991: OJ L 203, 26.7.1991 — intervention centres;  
 Regulation (EEC) No 2273/91, 29.7.1991: OJ L 208, 30.7.1991 — refunds.

### Rice

1.2.212. Proposal for a Council Regulation amending Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety.

- **Regulation to be amended:** Regulation (EEC) No 3877/86: OJ L 361, 20.12.1986

*Adopted by the Commission on 17 July.* Extends for five years (to 30 June 1996) the import arrangements for Basmati rice from Pakistan introduced by Regulation (EEC) No 3877/86.

COM(91) 264

1.2.213. The Commission adopted:

Regulation (EEC) No 2100/91, 17.7.1991: OJ L 195, 18.7.1991 — intervention;  
 Regulation (EEC) No 2149/91, 22.7.1991: OJ L 200, 23.7.1991 — threshold price;  
 Regulation (EEC) No 2151/91, 22.7.1991: OJ L 200, 23.7.1991 — intervention (paddy rice);  
 Regulation (EEC) No 2163/91, 23.7.1991: OJ L 201, 24.7.1991 — accession compensatory amounts (Portugal);  
 Regulation (EEC) No 2292/91, 30.7.1991: OJ L 209, 31.7.1991 — supplementary trade mechanism (Portugal);  
 Regulation (EEC) No 2351/91, 30.7.1991: OJ L 214, 2.8.1991 — food aid.

### Sugar

1.2.214. The Commission adopted:

Decision 91/350/EEC, 15.7.1991: OJ L 191, 16.7.1991 — refining aid (Portugal);



Regulation (EEC) No 2062/91, 12.7.1991: OJ L 187, 13.7.1991 — minimum stock;  
Regulation (EEC) No 2071/91, 15.7.1991: OJ L 191, 16.7.1991 — refining aid.

### *Oils and fats*

1.2.215. Proposal for a Council Regulation amending Regulation (EEC) No 2262/84 laying down special measures in respect of olive oil.

- **Regulation to be amended:** Council Regulation (EEC) No 2262/84 (OJ L 208, 3.8.1984; Bull. EC 7/8-1984, point 2.1.222), as last amended by Regulation (EEC) No 200/90: OJ L 22, 27.1.1990; Bull. EC 1/2-1990, point 1.1.200

*Adopted by the Commission on 17 July.* Sets financing arrangements for expenditure incurred by inspection agencies and makes other changes designed to improve their operation.

OJ C 206, 7.8.1991; COM(91) 269

1.2.216. The Commission adopted:

Regulation (EEC) No 2091/91, 12.7.1991: OJ L 194, 17.7.1991 — average yields of olives and olive oil;  
Regulation (EEC) No 2396/91, 29.7.1991: OJ L 223, 12.8.1991 — standard yields of olives and olive oil;  
Regulation (EEC) No 2568/91, 11.7.1991: OJ L 248, 5.9.1991 — characteristics of and analysis methods for olive oil.

### *Peas and field beans*

1.2.217. The Commission adopted:

Regulation (EEC) No 2607/91, 29.8.1991: OJ L 243, 31.8.1991 — estimated production 1991/92 and actual production 1990/91.

### *Fresh fruit and vegetables*

1.2.218. The Commission adopted:

Regulation (EEC) No 1951/91, 3.7.1991: OJ L 175, 4.7.1991 — supplementary trade mechanism (Spain);  
Regulation (EEC) No 1967/91, 4.7.1991: OJ L 177, 5.7.1991 — supplementary trade mechanism (Portugal);

Regulation (EEC) No 1968/91, 4.7.1991: OJ L 177, 5.7.1991 — exemption from intervention purchase obligation;

Regulation (EEC) No 2210/91, 25.7.1991: OJ L 203, 26.7.1991 — basic and buying-in prices for apples;

Regulation (EEC) No 2286/91, 29.7.1991: OJ L 209, 31.7.1991 — nuts and locust beans;

Regulation (EEC) No 2400/91, 5.8.1991: OJ L 220, 8.8.1991 — consumption of apples and citrus fruit.

### *Processed fruit and vegetables*

1.2.219. The Commission adopted:

Regulation (EEC) No 1989/91, 5.7.1991: OJ L 178, 6.7.1991 — preserved mushroom imports;

Regulation (EEC) No 2033/91, 11.7.1991: OJ L 186, 12.7.1991 — pineapples;

Regulation (EEC) No 2034/91, 11.7.1991: OJ L 186, 12.7.1991 — pineapples;

Regulation (EEC) No 2035/91, 11.7.1991: OJ L 186, 12.7.1991 — grain legumes;

Regulation (EEC) No 2036/91, 11.7.1991: OJ L 186, 12.7.1991 — tomatoes;

Regulation (EEC) No 2037/91, 11.7.1991: OJ L 186, 12.7.1991 — tomatoes;

Regulation (EEC) No 2038/91, 11.7.1991: OJ L 186, 12.7.1991 — prunes;

Regulation (EEC) No 2039/91, 11.7.1991: OJ L 186, 12.7.1991 — dried figs;

Regulation (EEC) No 2152/91, 22.7.1991: OJ L 200, 23.7.1991 — red fruit imports;

Regulation (EEC) No 2162/91, 23.7.1991: OJ L 201, 24.7.1991 — cultivated mushroom imports;

Regulation (EEC) No 2211/91, 25.7.1991: OJ L 203, 26.7.1991 — supply of tomato concentrate to the Soviet Union;

Regulation (EEC) No 2244/91, 26.7.1991: OJ L 204, 27.7.1991 — dried grapes;

Regulation (EEC) No 2245/91, 26.7.1991: OJ L 204, 27.7.1991 — dried grapes;

Regulation (EEC) No 2246/91, 26.7.1991: OJ L 204, 27.7.1991 — dried grapes;

Regulation (EEC) No 2268/91, 29.7.1991: OJ L 208, 30.7.1991 — dried grapes;

Regulation (EEC) No 2269/91, 29.7.1991: OJ L 208, 30.7.1991 — dried grapes;

Regulation (EEC) No 2288/91, 30.7.1991: OJ L 209, 31.7.1991 — peaches;

Regulation (EEC) No 2289/91, 30.7.1991: OJ L 209, 31.7.1991 — pears;

Regulation (EEC) No 2290/91, 30.7.1991: OJ L 209, 31.7.1991 — dried grapes;

Regulation (EEC) No 2291/91, 30.7.1991: OJ L 209, 31.7.1991 — dried grapes.

### *Wine*

1.2.220. Council Regulation (EEC) No 2356/91 amending for the second time

Regulation (EEC) No 2392/89 laying down general rules for the description and presentation of wines and grape musts; Regulation (EEC) No 2357/91 amending for the fifth time Regulation (EEC) No 3309/85 laying down general rules for the description and presentation of sparkling wines and aerated sparkling wines.

• **Regulations amended:**

Council Regulation (EEC) No 3309/85: OJ L 320, 29.11.1985; Bull. EC 11-1985, point 2.1.133

Council Regulation (EEC) No 2392/89: OJ L 232, 9.8.1989; Bull. EC 7/8-1989, point 2.1.150

• **Commission proposal:** OJ C 84, 28.3.1991; COM(90) 554; Bull. EC 3-1991, point 1.2.124

*Adopted by the Council on 29 July.* Prohibits the use of capsules containing lead from 1 January 1993.

OJ L 216, 3.8.1991

1.2.221. Council Regulation (EEC) No 2199/91 amending for the fourth time Regulation (EEC) No 2390/89 laying down general rules for the import of wines, grape juice and grape must; Council Regulation (EEC) No 2200/91 amending for the fifth time Regulation (EEC) No 1873/84 authorizing the offer or disposal for direct consumption of certain imported wines which may have undergone oenological processes not provided for in Regulation (EEC) No 822/87.

• **Basic Regulation:** Council Regulation (EEC) No 822/87: OJ L 84, 27.3.1987; Bull. EC 3-1987, point 2.1.168

• **Regulations amended:**

Council Regulation (EEC) No 1873/84 (OJ L 176, 3.7.1984), as last amended by Regulation (EEC) No 3888/89: OJ L 378, 29.12.1989; Bull. EC 12-1989, point 2.1.180

Council Regulation (EEC) No 2390/89 (OJ L 232, 9.8.1989; Bull. EC 7/8-1989, point 2.1.150), as last amended by Regulation (EEC) No 2179/90: OJ L 198, 28.7.1990; Bull. EC 7/8-1990, point 1.3.180

*Proposals adopted by the Commission on 9 July.*

COM(91) 255

*Adopted by the Council on 22 July.* Extend to 31 October 1991 and 31 July 1992 respect-

ively the derogating provisions of Regulations (EEC) Nos 2390/89 and 1873/84.

OJ L 203, 26.7.1991

1.2.222. Council Regulation (EEC) No 2201/91 amending Regulation (EEC) No 3677/89 with regard to the total alcoholic strength by volume of certain quality wines imported from Hungary.

• **Basic Regulation:** Council Regulation (EEC) No 822/87: OJ L 84, 27.3.1987; Bull. EC 3-1987, point 2.1.168

• **Regulation amended:** Council Regulation (EEC) No 3677/89 (OJ L 360, 9.12.1989), as last amended by Regulation (EEC) No 2180/90: OJ L 198, 28.7.1990; Bull. EC 7/8-1990, point 1.3.181

*Commission proposal adopted on 15 July.*

COM(91) 267

*Adopted by the Council on 22 July.* Extends to 31 August 1992 the derogation authorizing Hungary to export to the Community wine with an alcoholic strength above the 15% maximum normally permitted under Community rules.

OJ L 203, 26.7.1991

1.2.223. Proposal for a Council Regulation amending Regulation (EEC) No 1442/88 on the granting of permanent abandonment premiums in respect of wine-growing areas and amending Regulation (EEC) No 2239/86 on a specific common measure to improve wine-growing structures in Portugal.

• **Regulations to be amended:**

Council Regulation (EEC) No 2239/86: OJ L 196, 18.7.1986; Bull. EC 7/8-1986, point 2.1.165

Council Regulation (EEC) No 1442/88 (OJ L 132, 28.5.1988; Bull. EC 5-1988, point 2.1.117), as last amended by Regulation (EEC) No 1327/90: OJ L 132, 23.5.1990; Bull. EC 5-1990, point 1.2.142

*Adopted by the Commission on 1 July.* Extends to Portugal the general Community scheme for permanent abandonment of wine-growing areas. The premium levels currently applicable in Portugal are unchanged.

COM(91) 241

**1.2.224. The Commission adopted:**

Decision 91/461/EEC, 13.8.1991: OJ L 245, 3.9.1991 — quality wines (Germany);  
 Regulation (EEC) No 2055/91, 12.7.1991: OJ L 187, 13.7.1991 — concentrated must;  
 Regulation (EEC) No 2056/91, 12.7.1991: OJ L 187, 13.7.1991 — grape juice;  
 Regulation (EEC) No 2070/91, 15.7.1991: OJ L 191, 16.7.1991 — compulsory distillation;  
 Regulation (EEC) No 2081/91, 16.7.1991: OJ L 193, 17.7.1991 — reference prices 1991/92;  
 Regulation (EEC) No 2083/91, 16.7.1991: OJ L 193, 17.7.1991 — grape juice;  
 Regulation (EEC) No 2101/91, 17.7.1991: OJ L 195, 18.7.1991 — calculation of alcoholic strength by volume;  
 Regulation (EEC) No 2181/91, 24.7.1991: OJ L 202, 25.7.1991 — voluntary distillation;  
 Regulation (EEC) No 2182/91, 24.7.1991: OJ L 202, 25.7.1991 — compulsory distillation;  
 Regulation (EEC) No 2183/91, 24.7.1991: OJ L 202, 25.7.1991 — grape juice;  
 Regulation (EEC) No 2208/91, 25.7.1991: OJ L 203, 26.7.1991 — storage contracts;  
 Regulation (EEC) No 2209/91, 25.7.1991: OJ L 203, 26.7.1991 — intervention;  
 Regulation (EEC) No 2241/91, 26.7.1991: OJ L 204, 27.7.1991 — compulsory distillation;  
 Regulation (EEC) No 2271/91, 29.7.1991: OJ L 208, 30.7.1991 — description of wines (Portugal);  
 Regulation (EEC) No 2276/91, 29.7.1991: OJ L 208, 30.7.1991 — wine acidity (Spain);  
 Regulation (EEC) No 2287/91, 30.7.1991: OJ L 209, 31.7.1991 — preventive distillation;  
 Regulation (EEC) No 2347/91, 29.7.1991: OJ L 214, 2.8.1991 — Community databank;  
 Regulation (EEC) No 2348/91, 29.7.1991: OJ L 214, 2.8.1991 — Community databank;  
 Regulation (EEC) No 2375/91, 5.8.1991: OJ L 217, 6.8.1991 — refunds;  
 Regulation (EEC) No 2384/91, 31.7.1991: OJ L 219, 17.8.1991 — transitional provisions (Portugal);  
 Regulation (EEC) No 2471/91, 12.8.1991: OJ L 237, 15.8.1991 — compulsory distillation;  
 Regulation (EEC) No 2472/91, 12.8.1991: OJ L 227, 15.8.1991 — regulatory amounts (imports from Spain).

**Cotton****1.2.225. The Commission adopted:**

Regulation (EEC) No 2606/91, 29.8.1991: OJ L 243, 31.8.1991 — estimated production 1991/92 and actual production 1990/91.

**Tobacco****1.2.226. The Commission adopted:**

Regulation (EEC) No 2267/91, 29.7.1991: OJ L 208, 30.7.1991 — prices and premiums payable (1990 harvest);  
 Regulation (EEC) No 2376/91, 5.8.1991: OJ L 217, 6.8.1991 — leaf tobacco premium;  
 Regulation (EEC) No 2436/91, 7.8.1991: OJ L 222, 10.8.1991 — intervention sales (Germany, Greece and Italy).

**Hops**

**1.2.227. Proposal for a Council Regulation laying down, in respect of hops, the amount of aid to producers for the 1990 harvest.**

- **Basic Regulation:** Council Regulation (EEC) No 1696/71 on the common organization of the market in hops (OJ L 175, 4.8.1971), as last amended by Regulation (EEC) No 3577/90: OJ L 353, 17.12.1990; Bull. EC 12-1990, point 1.2.1

*Adopted by the Commission on 16 July.*  
 The amount proposed is ECU 340 per hectare for all varieties.

OJ C 206, 7.8.1991; COM(91) 262

**1.2.228. Proposal for a Council Regulation amending Regulation (EEC) No 1696/71 on the common organization of the market in hops.**

- **Regulation to be amended:** Council Regulation (EEC) No 1696/71 (OJ L 175, 4.8.1971), as last amended by Regulation (EEC) No 3577/90: OJ L 353, 17.12.1990; Bull. EC 12-1990, point 1.2.1

*Adopted by the Commission on 12 July.*  
 Amends rules covering definition of hop powder, preparation of extracts therefrom and minimum characteristics of products subject to certification.

OJ C 204, 3.8.1991; COM(91) 263

**1.2.229. The Community adopted:**

Regulation (EEC) No 2238/91, 26.7.1991: OJ L 204, 27.7.1991 — attestations of equivalence (Austria);  
 Regulation (EEC) No 2239/91, 26.7.1991: OJ L 204, 27.7.1991 — certification (former GDR);  
 Regulation (EEC) No 2264/91, 26.7.1991: OJ L 208, 30.7.1991 — imports;

Regulation (EEC) No 2265/91, 26.7.1991: OJ L 208, 30.7.1991 — certification.

## Seeds

1.2.230. The Commission adopted:

Regulation (EEC) No 1969/91, 4.7.1991: OJ L 177, 5.7.1991 — varieties of *Lolium perenne*.

## Milk and milk products

1.2.231. The Commission adopted:

Decision 91/369/EEC, 17.7.1991: OJ L 200, 23.7.1991 — suspension of buying-in of butter;  
Decision 91/459/EEC, 6.8.1991: OJ L 243, 31.8.1991 — supply of whole-milk powder to the Soviet Union;

Decision 91/460/EEC, 7.8.1991: OJ L 245, 3.9.1991 — minimum selling price of butter;

Decision 91/462/EEC, 16.8.1991: OJ L 245, 3.9.1991 — supply of whole-milk powder to the Soviet Union;

Regulation (EEC) No 1970/91, 4.7.1991: OJ L 177, 5.7.1991 — supply of skimmed-milk powder to Romania;

Regulation (EEC) No 2011/91, 10.7.1991: OJ L 185, 11.7.1991 — intervention purchasing of butter;

Regulation (EEC) No 2061/91, 12.7.1991: OJ L 187, 13.7.1991 — additional levy;

Regulation (EEC) No 2130/91, 19.7.1991: OJ L 197, 20.7.1991 — latest date of entry of butter into storage;

Regulation (EEC) No 2212/91, 25.7.1991: OJ L 203, 26.7.1991 — supply of butter to Romania;

Regulation (EEC) No 2263/91, 26.7.1991: OJ L 208, 30.7.1991 — supply of whole-milk powder to the Soviet Union;

Regulation (EEC) No 2266/91, 29.7.1991: OJ L 208, 30.7.1991 — promotional and publicity measures;

Regulation (EEC) No 2270/91, 29.7.1991: OJ L 208, 30.7.1991 — storage of skimmed-milk powder;

Regulation (EEC) No 2321/91, 31.7.1991: OJ L 213, 1.8.1991 — supply of butter and skimmed-milk powder to Bulgaria;

Regulation (EEC) No 2349/91, 31.7.1991: OJ L 214, 2.8.1991 — definitive discontinuation of production;

Regulation (EEC) No 2350/91, 31.7.1991: OJ L 214, 2.8.1991 — intervention purchasing of butter;

Regulation (EEC) No 2450/91, 12.8.1991: OJ L 225, 13.8.1991 — supply of butter to Romania;

Regulation (EEC) No 2451/91, 12.8.1991: OJ L 225, 13.8.1991 — supply of butter and skimmed-milk powder to Bulgaria;

Regulation (EEC) No 2503/91, 19.8.1991: OJ L 233, 22.8.1991 — latest date of entry of butter into storage;

Regulation (EEC) No 2535/91, 22.8.1991: OJ L 236, 24.8.1991 — sale of intervention butter.

## Beef and veal

1.2.232. Council Regulation opening for 1991, as an autonomous measure, a special import quota for high quality fresh, chilled or frozen beef falling within headings 0201 and 0202 as well as products under subheadings 0206 10 95 and 0206 29 91 of the combined nomenclature.

• Commission proposal: OJ C 46, 22.2.1991; COM(91) 17

*Endorsed by Parliament on 12 July*, subject to an amendment stating the need for overall organization and review of the Community beef market.

OJ C 240, 16.9.1991

*Adopted by the Council on 25 July.*

1.2.233. The Commission adopted:

Regulation (EEC) No 1932/91, 2.7.1991: OJ L 174, 3.7.1991 — minimum selling prices;

Regulation (EEC) No 1933/91, 2.7.1991: OJ L 174, 3.7.1991 — sale from intervention;

Regulation (EEC) No 2058/91, 12.7.1991: OJ L 187, 13.7.1991 — transitional support measures (Spain);

Regulation (EEC) No 2085/91, 16.7.1991: OJ L 193, 17.7.1991 — minimum selling prices;

Regulation (EEC) No 2161/91, 22.7.1991: OJ L 201, 24.7.1991 — refunds;

Regulation (EEC) No 2237/91, 26.7.1991: OJ L 204, 27.7.1991 — classification of carcasses of adult bovine animals;

Regulation (EEC) No 2243/91, 26.7.1991: OJ L 204, 27.7.1991 — suckler cow premium;

Regulation (EEC) No 2320/91, 31.7.1991: OJ L 213, 1.8.1991 — aid to the Soviet Union;

Regulation (EEC) No 2322/91, 31.7.1991: OJ L 213, 1.8.1991 — aid to Bulgaria;

Regulation (EEC) No 2345/91, 31.7.1991: OJ L 214, 2.8.1991 — intervention sale (Brazil);

Regulation (EEC) No 2352/91, 31.7.1991: OJ L 214, 2.8.1991 — high-quality beef imports;

Regulation (EEC) No 2363/91, 2.8.1991: OJ L 216, 3.8.1991 — intervention sale to the Soviet Union;

Regulation (EEC) No 2364/91, 2.8.1991: OJ L 216, 3.8.1991 — intervention sale;

Regulation (EEC) No 2368/91, 2.8.1991: OJ L 216, 3.8.1991 — Community recording of market prices;  
 Regulation (EEC) No 2369/91, 2.8.1991: OJ L 216, 3.8.1991 — intervention;  
 Regulation (EEC) No 2457/91, 12.8.1991: OJ L 226, 14.8.1991 — intervention;  
 Regulation (EEC) No 2546/91, 26.8.1991: OJ L 239, 28.8.1991 — supply of canned beef to the Soviet Union.

### ***Sheepmeat and goatmeat***

1.2.234. The Commission adopted:

Regulation (EEC) No 2060/91, 12.7.1991: OJ L 187, 13.7.1991 — submission of premium applications (Greece);  
 Regulation (EEC) No 2082/91, 16.7.1991: OJ L 193, 17.7.1991 — fattening of lambs;  
 Regulation (EEC) No 2099/91, 15.7.1991: OJ L 195, 18.7.1991 — premium per ewe and female goat;  
 Regulation (EEC) No 2385/91, 6.8.1991: OJ L 219, 7.8.1991 — producer groups;  
 Regulation (EEC) No 2425/91, 8.8.1991: OJ L 221, 9.8.1991 — producer groups.

### ***Pigmeat***

1.2.235. The Commission adopted:

Regulation (EEC) No 2013/91, 10.7.1991: OJ L 185, 11.7.1991 — weighting coefficients;  
 Regulation (EEC) No 2240/91, 26.7.1991: OJ L 204, 27.7.1991 — product nomenclature;  
 Regulation (EEC) No 2242/91, 26.7.1991: OJ L 204, 27.7.1991 — definition of cuts.

### **State aid**

#### ***Decisions to raise no objections***

##### **Germany**

1.2.236. Commission Decision. Approves aid for areas bordering rivers and for environmental protection. The objective of the aid, of an amount varying from ECU 194 to ECU 437 per hectare, is to offset losses suffered by farmers as a result of the introduction of restrictions on the use of agricultural land.

OJ C 223, 28.8.1991

1.2.237. Commission Decision. Approves aid designed to enable horticultural farmers in Saxony to obtain short-term financing, in the form of one-year loan securities, provided that the funds are needed to cover expenditure up to the 1991 harvest.

OJ C 223, 28.8.1991

##### **Spain**

1.2.238. Commission Decision. Approves regional aids for the setting up and development of cooperatives and the improvement of distribution networks. The Commission has taken note, however, of the Spanish authorities' undertaking to abide by the criteria laid down in Community rules concerning aid of this type.

OJ C 223, 28.8.1991

1.2.239. Commission Decision. Approves aid to the company Derivados Alimentarios SA for the construction of a new factory for the production of pectin from lemon peelings. This aid forms part of the regional aid arrangements introduced by Law No 50/85.

OJ C 223, 28.8.1991

##### **France**

1.2.240. Commission Decision. Approves two aid measures, one concerning aid in addition to that granted in 1990 to remedy the damage caused by the drought of 1990, and the other concerning changes to the aid scheme introduced in 1988 to facilitate the vocational integration of farmers who give up farming. These additional aids and changes are not such as to affect the Commission's favourable position regarding existing measures.

OJ C 223, 28.8.1991

#### ***Decisions to initiate proceedings***

##### **Germany**

1.2.241. Commission Decision withdrawing its decision to initiate proceedings

in respect of aid for sales promotion of frozen chicken of special quality.

*Adopted by the Commission on 3 July.* The German authorities having informed the Commission that they would not implement the aid plan, the Commission decided to withdraw its decision.

### Belgium

1.2.242. Commission Decision to initiate proceedings in respect of a compulsory levy to finance sales promotion of the products of poultry farming and farming of small animals, including rabbits.

*Adopted by the Commission on 17 July.* The Commission made no comment on the purpose of the aid, a contribution to which is also made by the National Agricultural and Horticultural Marketing Board (Ondah), but considered it incompatible with the common market because of the way in which it was financed. This includes a compulsory levy, i.e. a parafiscal charge, on animals and compound feeds imported from the other Member States. The levy on animals is collected at the slaughter stage. The Commission considers that since the compulsory levy is also charged on products imported from other Member States it has a protective effect additional to that of the aid itself.

### Spain

1.2.243. Commission Decision to initiate proceedings in regard to aid in the form of a capital grant to the Merco food group for the years 1990 and 1991.

*Adopted by the Commission on 17 July.* According to the Commission's information the aid is purely operational, i.e. can make no lasting contribution to the development of the sector. It cannot therefore qualify for exemption under Article 92(3) of the EEC Treaty and must be deemed incompatible with the common market.

## *Decisions to close proceedings*

### France

1.2.244. Commission Decision concerning aid and parafiscal charges to assist the National Centre for the Improvement of Winegrowing (Entav).

*Adopted by the Commission on 31 July.* The proceedings had originally been initiated because the parafiscal charge was levied on domestic products and imported products and thus had a protectionist effect, with regard to the latter, in addition to that of the aid itself.

The French authorities having agreed to abolish the charge on imported products as well as the exemption for the export of vine seedlings, the Commission was able to accept the aid financed by Entav as compatible with the common market.

### Italy

1.2.245. Commission Decision concerning aid granted to the company Italgrani SpA manufacturing cereal products.

*Adopted by the Commission on 16 August.* The Commission had initiated proceedings with regard to Italgrani's programme on the grounds that it did not comply with the Commission Decision of 1988 authorizing assistance for the Mezzogiorno as provided for in Law No 64/86. Since the Italian authorities have made substantial changes to the programme in order to meet the requirements of that Decision, the aid is authorized but strictly on condition that several requirements are met, notably that starch produced by Italgrani under the programme must not be placed on the (national, Community or international) market.

OJ L 254, 11.9.1991

## Fisheries

### Resources

#### *Internal aspects*

#### TACs and quotas

1.2.246. Council Regulation amending for the second time Regulation (EEC) No 3926/90 fixing, for certain fish stocks, and groups of fish stocks, the total allowable catches for 1991 and certain conditions under which they may be fished.

- **Regulation amended:** Council Regulation (EEC) No 3926/90 (OJ L 378, 31.12.1990; Bull. EC 12-1990, point 1.3.248), as last amended by Regulation (EEC) No 793/91: OJ L 82, 28.3.1991; Bull. EC 3-1991, point 1.2.148

*Proposal adopted by the Commission on 12 July.*

COM(91) 266

*Adopted by the Council on 29 July.* Aims, firstly, to fix definitively, following the agreement reached with Norway, the TAC for herring in the North Sea and, secondly, to increase the TACs for herring in the Celtic Sea and for sole in the Skagerrak and Kattegat, since, according to the latest scientific advice, the fishing possibilities in those zones exceed the TACs set by Regulation (EEC) No 3926/90.

#### Mediterranean

1.2.247. Proposal for a Council Regulation providing a Community framework for specific measures for the conservation and management of fishery resources in the Mediterranean.

- **Basic Regulation:** Council Regulation (EEC) No 170/83 establishing a Community system for the conservation and management of fishery resources: OJ L 24, 27.1.1983; Bull. EC 1-1983, point 1.1.4
- **Reference:** Commission discussion paper outlining a common fisheries system in the Mediterranean: Bull. EC 7/8-1990, point 1.3.259

*Adopted by the Commission on 11 July.* This proposal represents a first stage in the gradual introduction of a common system for the conservation and management of specific measures which may be financed by the Community, covering the restructuring of traditional fisheries, the development of specialized fisheries such as sponge, coral and sea urchin fisheries, the control of fishing activities, the development of a statistical network and the coordination of research and of the use of scientific data.

COM(91) 260

#### The Baltic Sea, the Belts and the Sound

1.2.248. Council Regulation (EEC) No 2156/91 amending for the fourth time Regulation (EEC) No 1866/86 laying down certain technical measures for the conservation of fishery resources in the Baltic Sea, the Belts and the Sound.

- **Regulation amended:** Council Regulation (EEC) No 1866/86 (OJ L 162, 18.6.1986; Bull. EC 6-1986, point 2.1.216), as last amended by Regulation (EEC) No 887/89: OJ L 94, 7.4.1989; Bull. EC 4-1989, point 2.1.164
- **Commission proposal:** COM(91) 213; Bull. EC 6-1991, point 1.2.190

*Adopted by the Council on 15 July.*

OJ L 201, 24.7.1991

#### *External aspects*

#### Norway

1.2.249. Council Regulation amending Regulation (EEC) No 3928/90 allocating, for 1991, certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen.

- **Regulation amended:** Council Regulation (EEC) No 3928/90: OJ L 378, 31.12.1990; Bull. EC 12-1990, point 1.3.255

*Proposal adopted by the Commission on 18 July.*

COM(91) 280

*Adopted by the Council on 29 July.* Allocates between the Member States the additional quota made available by Norway.

## Morocco

1.2.250. Council Decision 91/360/EEC on the conclusion of the Agreement in the form of an exchange of letters concerning the provisional application of Protocol 2 establishing for the period 1 April 1991 to 29 February 1992 the crawfish fishing opportunities and the corresponding financial compensation provided for in the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco.

- **Commission proposal:** OJ C 142, 31.5.1991; COM(91) 156; Bull. EC 5-1991, point 1.2.144

*Adopted by the Council on 8 July.*

OJ L 195, 18.7.1991

## Guinea-Bissau

- **Reference:** EEC/Guinea-Bissau Agreement: OJ L 226, 29.8.1980

1.2.251. Proposal for a Council Regulation on the conclusion of the Protocol establishing for the period 16 June 1991 to 15 June 1993 the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau.

*Adopted by the Commission on 25 July.* The Protocol provides for an increase in the fishing rights for shrimp from 10 000 to 11 000 grt and for fin fish and cephalopods from 5 000 to 6 000 grt and for a reduction in the number of tuna vessels and surface longliners from 95 to 32 vessels. The financial compensation to be paid by the Community amounts to ECU 12 million for two years, to which is added ECU 850 000 towards the financing of scientific pro-

grammes and ECU 550 000 for study awards.

COM(91) 286

1.2.252. Proposal for a Council Decision on the conclusion of the Agreement in the form of an exchange of letters concerning the provisional application of the Protocol establishing for the period 16 June 1991 to 15 June 1993 the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau.

*Adopted by the Commission on 25 July.* Allows provisional application of the Protocol.

COM(91) 286

## NAFO

1.2.253. Proposal for a Council Regulation adopting provisions for the application of certain control measures adopted by the North-West Atlantic Fisheries Organization (NAFO).

- **Commission proposal:** COM(91) 214; Bull. EC 6-1991, point 1.2.193

*Agreed by the Council on 8 July.*

## Market organization

1.2.254. Proposal for a Regulation on the common organization of the market in fishery products.

- **Regulation to be consolidated:** Council Regulation (EEC) No 3796/81: OJ L 379, 31.12.1981; Bull. EC 12-1981, point 2.1.140
- **Commission proposal:** Bull. EC 3-1991, point 1.2.153

*Endorsed by the Economic and Social Committee on 3 July.*

## Structural measures and assistance

- **Basic Regulation:** Council Regulation (EEC) No 4028/86 on Community measures to



improve and adapt structures in the fisheries and aquaculture sector (OJ L 376, 31.12.1986; Bull. EC 12-1986, point 2.1.289), as last amended by Regulation (EEC) No 3944/90: OJ L 380, 31.12.1990; Bull. EC 12-1990, point 1.3.249

1.2.255. Decision to finance a socio-economic pilot project in the fisheries and aquaculture sector in Spain.

*Adopted by the Commission on 19 July.*  
Grants assistance of ECU 50 000.

1.2.256. Decision to finance a socio-economic pilot project in the fisheries and aquaculture sector in the United Kingdom.

*Adopted by the Commission on 30 July.*  
Grants assistance of ECU 50 000.

## State aid

### *Decisions to close proceedings*

#### Germany

1.2.257. Commission Decision to close the proceedings initiated with regard to the granting of aid for the temporary laying up of fishing vessels.

*Adopted by the Commission on 24 July.*  
The German authorities have given assurances that the criteria employed to determine whether a fishing vessel is linked to the German economy will comply with the rules laid down by the Court of Justice in the Jaderow Case concerning the management of quotas and have guaranteed compliance with the common criteria laid down in the guidelines for the examination of State aid in the fisheries sector.

#### Italy

1.2.258. Commission Decision to close the proceedings initiated with regard to an aid scheme involving the provision of short-term credit for the management of undertakings in the fisheries sector.

*Adopted by the Commission on 31 July.*  
The Italian authorities have provided additional information enabling the Commission to establish that the aid is compatible with the common market.

## International cooperation

1.2.259. Proposal for a Council Decision concerning the conclusion of the Agreement between the European Economic Community and the Government of Denmark and the Home Government of the Faeroe Islands (→ point 1.3.88).

## Environment

### Prevention and reduction of pollution and nuisance

#### *Air pollution*

1.2.260. Proposal for a Council Directive amending Directive 88/77/EEC on the approximation of the laws of the Member States relating to the measures to be taken against the emissions of gaseous pollutants from diesel engines for use in vehicles.

- **Directive to be amended:** Council Directive 88/77/EEC: OJ L 36, 9.2.1988; Bull. EC 12-1987, point 2.1.187
- **Commission proposal:** OJ C 187, 27.7.1990; COM(90) 174; Bull. EC 5-1990, point 1.2.113
- **Economic and Social Committee opinion:** OJ C 41, 18.2.1991; Bull. EC 11-1990, point 1.3.93
- **Parliament opinion (first reading):** OJ C 48, 25.2.1991; Bull. EC 1/2-1991, point 1.2.222
- **Amended Commission proposal:** COM(91) 89; Bull. EC 3-1991, point 1.2.158
- **Council agreement on a common position:** Bull. EC 3-1991, point 1.2.158
- **Formal adoption of a Council common position:** Bull. EC 5-1991, point 1.2.151

*Endorsed by Parliament (second reading) on 10 July.* Parliament proposed several amendments relating to additives, measures to maintain the competitiveness of inland

waterway and rail transport *vis-à-vis* road transport and the organization of checks.

OJ C 240, 16.9.1991

1.2.261. Economic and Social Committee own-initiative opinion on energy and the environment (→ point 1.2.122).

1.2.262. Proposal for a Council Decision on accession by the European Economic Community to the Protocol to the Geneva Convention on Long-range Transboundary Air Pollution concerning the control of emissions of nitrogen oxides or their transboundary fluxes.

• **References:**

Geneva Convention on Long-range Transboundary Air Pollution: OJ L 171, 27.6.1981; Bull. EC 6-1981, point 2.1.72

Protocol concerning the control of emissions of nitrogen oxides or their transboundary fluxes: Bull. EC 11-1988, point 2.1.169

*Adopted by the Commission on 17 July.*

OJ C 230, 4.9.1991; COM(91) 268

### *Chemicals, industrial hazards and biotechnology*

1.2.263. Proposal for a Council Directive amending for the seventh time Directive 67/548/EEC on the approximation of laws, regulations, and administrative provisions relating to the classification, packaging and labelling of dangerous substances.

- **Directive to be amended:** Council Directive 67/548/EEC (OJ L 196, 16.8.1967), as last amended by Council Directive 88/490/EEC: OJ L 259, 19.9.1988; Bull. EC 7/8-1988, point 2.1.116
- **Commission proposal:** OJ C 33, 13.2.1990; COM(89) 575; Bull. EC 1/2-1990, point 1.1.126
- **Economic and Social Committee opinion:** OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.92
- **Parliament opinion (first reading):** OJ C 284, 12.11.1990; Bull. EC 10-1990, point 1.3.83
- **Amended Commission proposal:** OJ C 318, 18.12.1990; COM(90) 566; Bull. EC 11-1990, point 1.3.94
- **Council agreement on a common position:** Bull. EC 3-1991, point 1.2.164

*Common position formally adopted by the Council on 29 July.*

1.2.264. Council Decision authorizing Community participation in negotiations with a view to adoption of a Convention on the Transboundary Impacts of Industrial Accidents in the framework of the United Nations Economic Commission for Europe.

*Adopted by the Council on 29 July.*

1.2.265. Commission Directive 91/410/EEC adapting to technical progress for the 14th time Council Directive 67/548/EEC on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (Annex IX).

- **Directive amended:** Council Directive 67/548/EEC: OJ L 196, 16.8.1967, as last amended by Council Directive 88/490/EEC: OJ L 259, 19.9.1988; Bull. EC 7/8-1988, point 2.1.116

*Adopted by the Commission on 22 July.*

The Directive sets out technical specifications relating to the provisions on child-resistant fastenings and devices giving a tactile warning of danger.

OJ L 228, 17.8.1991

1.2.266. Commission Decision concerning the guidelines for classification referred to in Article 4 of Directive 90/219/EEC.

- **Reference:** Council Directive 90/219/EEC on the contained use of genetically modified micro-organisms: OJ L 117, 8.5.1990; Bull. EC 4-1990, point 1.1.78

*Adopted by the Commission on 29 July.*

The Decision sets out guidelines for the interpretation of Annex II to Directive 90/219/EEC concerning the classification of genetically modified micro-organisms. It defines the characteristics of recipient or parental organisms, vectors, inserts and genetically modified micro-organisms which allow those genetically modified micro-organisms to be included in Group 1.

1.2.267. Proposal for a Council Decision concerning the summary notification information format referred to in Article 9 of Directive 90/220/EEC.

- **Reference:** Council Directive 90/220/EEC on the deliberate release into the environment of genetically modified micro-organisms: OJ L 117, 8.5.1990; Bull. EC 4-1990, point 1.1.79

*Adopted by the Commission on 23 July.* In accordance with Article 9 of Council Directive 90/220/EEC, the proposal sets out the summary notification information format which competent authorities should use to send the Commission certain basic information on applications for authorization to release genetically modified micro-organisms for research and development purposes.

1.2.268. Commission Decision 91/359/EEC allocating import quotas for chlorofluorocarbons for the period 1 July to 31 December 1992.

- **Reference:** Council Regulation (EEC) No 594/91 on substances that deplete the ozone layer: OJ L 67, 14.3.1991; Bull. EC 3-1991, point 1.2.160

*Adopted by the Commission on 15 July.* The Commission set total authorized imports at 2 269 tonnes, shared out between the various importers so as to satisfy 85% of each application. It also provided for a reserve quota of 53 tonnes.

### *Waste disposal*

1.2.269. Proposal for a Council Regulation on the supervision and control of shipments of waste within, into and out of the European Community.

- **Commission proposal:** OJ C 289, 17.11.1990; COM(90) 415; Bull. EC 9-1990, point 1.2.85

*Endorsed by the Economic and Social Committee on 3 July.* The Committee approved the aims of the proposal but felt its scope to be too broad. It also criticized a certain lack of precision in the text, which it felt

was open to various interpretations, especially regarding the number of competent authorities. It made further criticisms regarding the notification system and the choice of legal basis.

1.2.270. Parliament resolution on the legal basis of the proposal from the Commission to the Council for a Directive on hazardous waste.

- **Reference:** Council Directive 91/156/EEC amending Directive 75/442/EEC on waste: OJ L 78, 26.3.1991; Bull. EC 3-1991, point 1.2.167

*Adopted by Parliament on 9 July.* Parliament disputed the choice of Article 130s as the legal basis for Council Directive 91/156/EEC. It felt that Article 100a would have been more appropriate.

## **Management of environmental resources**

### *Flora and fauna*

1.2.271. Proposal for a Council Directive laying down minimum standards for the keeping of animals in zoos.

- **References:**  
Council Directive 79/409/EEC on the conservation of wild birds: OJ L 103, 25.4.1979  
Council Regulation (EEC) No 3626/82 on the implementation in the Community of the Convention on International Trade in Endangered Species of Wild Flora and Fauna: OJ L 384, 31.12.1982; Bull. EC 12-1982, point 2.1.94

*Adopted by the Commission on 10 July.* The proposal seeks to harmonize the various national laws so as to facilitate the effective introduction of Community Law on the conservation of flora and fauna, especially as regards rules on trade in endangered species.

The Commission is proposing that zoos be required to hold an operating licence indicating that they have proper facilities for the accommodation and care of their ani-

mals and that they are endeavouring to promote environmental education, scientific research and the conservation of species. The proposal also lays down that zoos should keep detailed and regularly updated records of data for use in identifying animals of conserved species, in order to facilitate checks on where they come from.

COM(91) 177

1.2.272. Council Decision on the negotiation of a Convention on Biological Diversity.

- **Recommendation for a Decision:** Bull. EC 5-1991, point 1.2.153

*Adopted by the Council on 29 July.*

### Conservation of small cetaceans

1.2.273. Council Decision on the participation of the European Economic Community in the negotiations with a view to drawing up an Agreement for the conservation of small cetaceans of the Baltic and North Seas.

- **Reference:** Third International Conference on the Protection of the North Sea: Bull. EC 3-1990, point 1.1.79
- **Recommendation for a Decision:** Bull. EC 5-1991, point 1.2.155

*Adopted by the Council on 29 July.*

### Natural resources

#### Urban environment

1.2.274. Green Paper on the urban environment.

- **Commission communication:** COM(90) 218; Bull. EC 6-1990, point 1.3.113

*Endorsed by the Economic and Social Committee on 5 July*, subject to certain amendments designed, in particular, to encourage popular involvement, the creation of a permanent institutional structure at Com-

munity level, the setting-up of a European Fund for the protection of the environment and allowance for possible repercussions of the completion of the internal market.

### Industrial dereliction

1.2.275. Commission financial decision concerning studies into problems of derelict and despoiled land from the coal and steel industries.

*Adopted by the Commission on 11 July.* A budget of ECU 2 million has been allocated to studies to assess the scale of the problem, undertake a review of restoration techniques and help develop innovative methods.

### Protection of the Adriatic Sea

1.2.276. Adriatic Declaration.

*Signed by the Commission in Ancona on 13 July.* This declaration of intent, to which the four coastal countries concerned — Albania, Greece, Italy and Yugoslavia — will also be party, aims to protect the ecosystem of the Adriatic.

### Protection of the North Sea

1.2.277. Parliament resolution on the results of the North Sea Conferences.

- **Reference:** Third International Conference on the Protection of the North Sea: Bull. EC 3-1990, point 1.1.79

*Adopted by Parliament on 9 July.* Parliament would like to see the agreements reached at the North Sea Conference acquire the scope of full international agreements so as to take precedence over regional, national and Community law.

It asked that the procedures for dealing with infringements be improved and that the measures taken at Community or international level to deal with pollution in the

North Sea be stepped up. It also urged that preventive measures be given priority.

OJ C 240, 16.9.1991

### Protection of the Oder

1.2.278. Council Decision concerning the participation of the European Economic Community in the negotiations on the conclusion of a Convention on the protection of the Oder and the signing of that Convention.

- **Reference:** Conference on the Baltic Sea: Bull. EC 9-1990, point 1.2.87
- **Recommendation for a Decision:** Bull. EC 5-1991, point 1.2.157

*Adopted by the Council on 29 July.*

1.2.279. Commission financial decision concerning a pre-feasibility study for the Oder river basin.

- **Reference:** Conference on the Baltic Sea: Bull. EC 9-1990, point 1.2.87

*Adopted by the Commission on 11 July.* Financial support of ECU 895 120 has been granted for a pre-feasibility study to identify priority investment programmes for the Oder basin.

### Norspa

1.2.280. Proposal for a Council Regulation on specific action to protect the environment in the coastal areas and coastal waters of the Irish Sea, North Sea, Baltic Sea and North-East Atlantic Ocean (Norspa).

- **Commission proposal:** OJ C 21, 29.1.1991; COM(90) 498; Bull. EC 12-1990, point 1.3.159
- **Economic and Social Committee opinion:** OJ C 191, 22.7.1991; Bull. EC 5-1991, point 1.2.162

*Endorsed by Parliament on 9 July.* Parliament's proposed amendments are intended in particular to clarify the concept of 'coastal area' and to stress the need for a hazard prevention policy. Parliament also proposed certain procedural amendments for the

funding of initiatives to improve the quality of coastal areas and waters.

OJ C 240, 16.9.1991

### Nuclear safety

1.2.281. Commission recommendation on the application of the third and fourth paragraphs of Article 33 of the Euratom Treaty.

*Adopted by the Commission on 26 July.* Purpose: to improve the procedure laid down in Article 33 of the Euratom Treaty. The Commission is proposing that the Member States automatically send it draft laws, regulations and administrative provisions and that they refrain from finally adopting any draft provisions before the Commission has sent them its recommendations. The Commission also wishes to receive any major amendment to drafts already submitted to it.

OJ L 238, 27.8.1991

1.2.282. Parliament resolution on the revision of the Euratom Treaty.

- **References:**
  - Illustrative nuclear programme for the Community: Bull. EC 11-1984, point 2.1.144
  - Council Directive 85/337/EEC concerning the impact of certain public and private projects on the environment: OJ L 175, 5.7.1985; Bull. EC 6-1985, point 2.1.93
  - Commission communication on nuclear industries in the Community: the nuclear station design and construction industry and the completion of the internal market: Bull. EC 1/2-1990, point 1.1.265

*Adopted by Parliament on 11 July.* Parliament wants the cooperation procedure to be extended to cover nuclear issues. It also called for a common waste management strategy and for a revision of Directive 85/337/EEC to provide the communities concerned with a greater right to information.

OJ C 240, 16.9.1991

1.2.283. Parliament resolution on nuclear power plants at Kozloduy (Bulgaria).

*Adopted by Parliament on 11 July.* Noting the conclusions of the International Atomic Energy Agency that there was a high accident risk in the Kozloduy nuclear power plant, Parliament demanded that the European Community exert pressure on the Bulgarian authorities to close the plants. It also recommended that financial assistance be provided to help furnish an alternative source of energy.

OJ C 240, 16.9.1991

*Signing by the Commission of a financing agreement on 31 July.* Purpose: granting of ECU 11.5 million for an emergency operation to ensure the nuclear safety of the Kozloduy plant.

## Consumers

### Health, physical safety, and quality

#### *Cosmetics*

1.2.284. Proposal for a Council Directive amending for the sixth time Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products.

- **Directive to be amended:** Council Directive 76/768/EEC (OJ L 262, 27.9.1976; Bull. EC 6-1976, point 2.1.18), as last amended by Directive 89/679/EEC: OJ L 398, 30.12.1989; Bull. EC 12-1989, point 2.1.153
- **Commission proposal:** OJ C 52, 28.2.1991; COM(90) 488; Bull. EC 1/2-1991, point 1.2.239

*Endorsed by the Economic and Social Committee on 4 July.* The Committee called on the Commission to come up with alternative methods to avoid tests on animals.

1.2.285. Proposal for a Council Directive on the approximation of the laws of the Member States relating to cosmetic products.

- **Directive to be consolidated:** Council Directive 76/768/EEC (OJ L 262, 27.9.1976; Bull. EC 6-1976, point 2.1.18), as last amended by Directive 89/679/EEC: OJ L 398, 30.12.1989; Bull. EC 12-1989, point 2.1.153
- **Commission proposal:** OJ C 322, 21.12.1990; Bull. EC 10-1990, point 1.3.99
- **Parliament opinion:** OJ C 48, 25.2.1991; Bull. EC 1/2-1991, point 1.2.240
- **Economic and Social Committee opinion:** OJ C 102, 18.4.1991; Bull. EC 1/2-1991, point 1.2.240

*Common position adopted by the Council on 29 July.*

### Protection of economic and legal interests

1.2.286. Proposal for a Council Directive on the liability of suppliers of services.

- **Commission proposal:** OJ C 12, 18.1.1991; COM(90) 482; Bull. EC 10-1990, point 1.3.98

*Rejected by the Economic and Social Committee on 3 July.* The Committee took the view that the proposal to reserve the burden of proof was contrary to the basic principles of civil law. It also felt that consumers might have to pay more to offset the cost of insurance taken out by the supplier of services, that excessive caution might put a brake on research and innovation, and that client/supplier relations might deteriorate in the face of excessive formalities and requirements.

## A people's Europe

### Citizens' rights

1.2.287. Council Directive 91/439/EEC on the driving licence.

- **Commission proposal:** OJ C 48, 27.2.1989; COM(88) 705; Bull. EC 11-1988, point 2.1.7
- **Economic and Social Committee opinion:** OJ C 159, 26.6.1989; Bull. EC 4-1989, point 2.1.9
- **Parliament opinion:** OJ C 175, 16.7.1990; Bull. EC 6-1990, point 1.3.267

- **Amended Commission proposal:** OJ C 29, 5.2.1991; COM(90) 513; Bull. EC 1/2-1991, point 1.2.242
- **Council agreement:** Bull. EC 6-1991, point 1.2.216

*Adopted on 29 July.*

OJ L 237, 24.8.1991

## Public health

### *Cancer prevention*

1.2.288. Proposal for a Directive amending Directive 89/622/EEC on the approximation of the laws, regulations and administrative provisions of the Member States concerning the labelling of tobacco products.

- **Directive to be amended:** Council Directive 89/622/EEC: OJ L 359, 8.12.1989; Bull. EC 11-1989, point 2.1.91
- **Commission proposal:** OJ C 29, 5.2.1991; COM(90) 538; Bull. EC 11-1990, point 1.3.205
- **Economic and Social Committee opinion:** OJ C 191, 22.7.1991; Bull. EC 5-1991, point 1.2.166

*Endorsed by Parliament (first reading) on 8 July*, subject to a number of amendments concerned mainly with the standards for measuring tar and nicotine in tobacco products other than packet cigarettes and financial support for scientific studies with a view to demonstrating the existence of a link between the incidence of cardiovascular disease and the smoking of tobacco products other than cigarettes.

OJ C 240, 16.9.1991

## Civil protection

1.2.289. Resolution of the Council and the Representatives of the Governments of the Member States meeting within the Council on improving mutual aid between Member States in the event of natural or technological disaster.

- **Reference:** Resolution of the Council and the Representatives of the Governments of the Member States meeting within the Council on improving mutual aid between Member States in the event of a natural or man-made disaster: OJ C 315, 14.12.1990; Bull. EC 11-1990, point 1.3.196

*Adopted on 8 July.* The resolution lays down arrangements for mutual assistance between Member States in the event of a disaster on a scale clearly exceeding the assistance capability of the requesting Member State.

OJ C 198, 27.7.1991

## Aid to disaster victims

1.2.290. Parliament resolution on the forest fire in the Serra de Monchique (Portugal).

*Adopted on 11 July.* Parliament called on the Commission to make available financial aid with a view to encouraging the recovery of production and to increase funding for the forestry support programme in the area.

OJ C 240, 16.9.1991

## Audiovisual media, information, communication and culture

### I

### Encouraging audiovisual production

1.2.291. Commission communication to Parliament and the Council on encouraging audiovisual production in the context of the strategy for high-definition television.

- **Reference:**  
Media programme: COM(86) 255; Bull. 4-1986, point 2.1.79

Council Decision 90/685/EEC concerning the implementation of an action programme to promote the development of the European audiovisual industry (1991-95): OJ L 380, 31.12.1990; Bull. EC 12-1990, point 1.3.294

Proposal for a Council Directive on the adoption of standards for satellite broadcasting of television signals: OJ C 194, 25.7.1991; COM(91) 242; point 1.2.98 of this Bulletin

*Adopted on 24 July.* Aim: to meet the quantitative and qualitative requirements of broadcasters who commit themselves to D2-MAC 16:9 and HDTV by proposing two objectives: production of attractive programmes using the new 16:9 format and building-up a stock of programmes using European HDTV standards as soon as possible. The Commission plans a twofold approach:

(i) in 1991 and 1992, priority will be given to productions in the 16:9 format under the Community's Media programme experimenting with various types of support mechanisms and focusing all Media initiatives in such a way as to increase awareness among producers and encourage them to make television programmes in 16:9 format;

(ii) after wide-ranging consultation with the professionals concerned, the Commission will present proposals for an 'HD programme' action plan to be implemented from 1993 onwards.

### *The Community and sport*

1.2.292. Commission communication to the Council and Parliament on the European Community and sport.

*Adopted on 31 July.* Aim: to define a comprehensive line of conduct for the Commission to follow in its dealings with the world of sport, a sector of considerable economic significance which is currently having to face up to questions of vital importance to its future as the internal market nears completion. By intensifying its action in the information field, the Commission hopes to enable the circles concerned to take advantage of the opportunities offered by the single market and help

them bring the rules governing sport into line with Community law as smoothly as possible and with due regard for the principle of subsidiarity. It will begin a dialogue with the professional bodies concerned, take steps to increase public awareness of belonging to the Community, and use sport as a vehicle for promoting Community action in areas such as health, youth, the environment, consumer protection, tourism, transport and education.

## II

### **Audiovisual policy and production**

#### *Copyright and neighbouring rights*

1.2.293. Proposal for a Council Directive on the coordination of certain rules concerning copyright and neighbouring rights applicable to satellite broadcasting and cable retransmission (→ point 1.2.76).

#### **Public awareness**

##### *European press meeting*

1.2.294. European press meeting organized by the Commission and the Luxembourg Government.

*Held in Luxembourg from 2 to 4 July* in response to requests from the press organizations representing the daily and periodical press. The Commission was represented by Mr Dondelinger. The purpose of the meeting was to afford an opportunity for an in-depth exchange of views both between the professionals themselves and between the professionals and the Commission on the adaptation of the industry to the single market. Discussions focused on the following: the legal framework governing the press, which will remain essentially national, the market for the press, and the situation and prospects of the industry in terms of resources and manpower.



## Opinion poll

### 1.2.295. Eurobarometer No 35.

- Reference: Previous Eurobarometer: Bull. EC 12-1990, point 1.3.296

*Findings published by the Commission on 4 July.* In spring 1991, 51% of Community citizens considered the completion of the single market 'a good thing' compared with only 45% in spring 1990. Only 9% of interviewees regarded 'Project 1992' as 'a bad thing' and 31% regarded it as 'neither good nor bad'. '1992' appears to be held in considerably higher esteem in the south of the Community (Italy, Spain, Portugal and Greece) and in Ireland than elsewhere. 15 to 34 year-olds, the more highly educated, and regular media users are most in favour of the single market. 65% of interviewees feel 'hopeful' about it as against only 60% in autumn 1990 while 10% 'don't know' compared with 16% in 1990.

Available from the Commission of the European Communities (Directorate-General for Audiovisual Media, Information, Communication and Culture) 200 rue de la Loi, B-1049 Brussels.

## European Youth Olympics

### 1.2.296. First Youth Olympics.

*Held in Brussels from 17 to 21 July* under the patronage of the Commission and the International Olympic Committee; with 1 200 young competitors from 33 European countries. The opening ceremony took place on the Grand'Place in Brussels in the

presence of Their Majesties the King and Queen of the Belgians, Mr Samaranch, President of the International Olympic Committee, and Mr Dondelinger, Member of the Commission. The Games are to be held every two years and the venue for 1993 will be in the Netherlands.

## Culture

### *Conservation of the Community's architectural heritage*

#### 1.2.297. Support for pilot projects.

- References:  
Resolution of the Ministers with responsibility for cultural affairs meeting within the Council on the protection of Europe's architectural heritage: OJ C 320, 13.12.1986; Bull. EC 11-1986, point 2.1.128  
Call for applications: OJ C 304, 4.12.1990; Bull. EC 12-1990, point 1.3.297

*Projects selected by the Commission on 24 July.* A total amount of ECU 2.6 million has been allocated to 37 restoration projects selected from 433 applications received from national, regional and local authorities as well as from private associations and individuals. This year's scheme covers the conservation of monuments and sites which have served as places of work in the past and whose importance for the European heritage is clearly established. The projects selected illustrate the extreme diversity and wealth of this heritage and include farms, water and wind mills, salt works, oil presses, mines, gas works, textile mills and foundries. A pewter works dating from the late middle ages is the first project selected from the new German *Länder*.

### 3. The role of the Community in the world

1.3.1. Confronted with the political upheavals and events which occurred in July and August in Yugoslavia, the Soviet Union and Albania, the European Community was involved in intense activity.

The Commission was represented in all the missions undertaken on behalf of the Community in Yugoslavia, whether as a participant in the groups of observers sent to ensure adherence to the Brioni cease-fire agreement or through participation, in the person of Mr Matutes, in the meetings between the ministerial troika and the Slovene and Croatian authorities, as well as with the federal authorities. Similarly, a meeting was held in Brussels on 30 July bringing together the foreign ministers of the Twelve and Yugoslavia's main political authorities, at which Mr Delors and Mr Matutes were present, bearing witness to the Community's resolve to do all in its power to seek a solution to Yugoslavia's crisis. A task force was also set up within the Commission to examine Yugoslavia's economic, financial and institutional problems. At the end of August, confronted with the continuation of fighting, the foreign ministers meeting in European political cooperation took the initiative of convening a peace conference to be held in September, bringing together the federal presidency, the federal government and the presidents of the Yugoslav republics, the President of the Council and representatives of the Member States and the Commission, with the aim of setting in motion an arbitration procedure.

Immediately after the *coup d'état* of 19 August in the Soviet Union, the Community took the initiative of convening an extraordinary meeting of the Council, which was held on 20 August, at which it was decided to suspend technical assistance and food aid (with the exception of humanitarian aid), until such time as constitutional order and democratic freedoms were re-established in the country. The Commission therefore made preparations to freeze aid, subsequently repealing the measure after the failure of the *coup*, while maintaining close links with the Soviet authorities, in an attempt to

find common ground for the implementation of the ECU 500 million financial guarantee adopted last March by the Council. On 27 August the foreign ministers decided to acknowledge the restoration of sovereignty to the Baltic republics. The Commission was accordingly invited to act as fast as possible to pursue and intensify the cooperation already under way and to make the necessary contacts.

As regards Albania, the gravity of the economic situation and the flight and subsequent repatriation of many economic refugees induced the Community to take numerous initiatives. Following Mr Andriessen's visit, officials and experts were sent on mission to the country to assess the economic and political situation and to identify priorities for technical assistance. Without waiting for the results of this work, the Commission decided to grant immediate emergency aid to Albania (→ point 1.3.65), and put before the Council a draft regulation for an emergency measure supplying certain agricultural products (→ point 1.3.12) and draft negotiating directives concerning a trade and cooperation agreement with Albania (→ point 1.3.11), without prejudice to the possible extension of the Phare programme to cover this country.

All these events resulted in numerous statements being drafted and issued in European political cooperation (→ points 1.4.1 to 1.4.25).

#### European Free Trade Association

##### I

#### Austria

1.3.2. Commission opinion on Austria's application for accession.

- **Application for accession:** Bull. EC 7/8-1989, point 2.2.14

*Adopted by the Commission on 31 July.* The Commission gave a favourable opinion on Austria's application. From an economic standpoint the country would not be required to alter fundamentally its policies. In addition, it would have to adopt the established Community rules and practices in any case as soon as the European Economic Area was established. Agriculture and transit however would have to be the subject of in-depth negotiations. From a political standpoint, the Commission took the view that Austria's permanent neutrality status posed a problem of compatibility with the Treaties as they stood and that the Community would have to seek, within the framework of the Intergovernmental Conference on political union, specific assurances from the Austrian Government concerning the country's ability to shoulder the commitments entailed by the Community's future common foreign and security policy. The Commission considered, however, that it should be possible to overcome such difficulties during the accession negotiations.

Conversely, the Commission did not regard it as desirable that negotiations should be initiated before 1993 while efforts to complete the single market were still under way and the results of the Intergovernmental Conferences on economic and monetary union and political union had yet to be approved. In the accession negotiations the Community would have to take as a basis the Community rules and structures as they emerged from the two Intergovernmental Conferences, including the outcome concerning foreign and security policy.

## Sweden

### 1.3.3. Accession to the Community.

*Formal application for accession submitted on 1 July.* The Swedish Prime Minister, Mr Ingvar Carlsson, filed his country's official application for accession to the European Communities. The application was not sub-

ject to any explicit reservations concerning Sweden's neutrality.

*Initial examination conducted by the Council on 29 July.* The Council decided to set in train the procedures laid down in the Treaties and called on the Commission to prepare its opinion and on the Council Presidency to acknowledge receipt of the application.

## II

### Relations with EFTA

1.3.4. On 8 July the Finnish Minister of Foreign Trade and Chairman of the EFTA Council, Mr Pertti Salolainen, visited the Commission.

- **Reference:** Council Decision concerning the negotiating directives for an agreement on the establishment of a European Economic Area: Bull. EC 6-1990, point 1.4.6

Mr Salolainen met Mr Andriessen, with whom he discussed exclusively the progress made in the negotiations on the establishment of a European Economic Area. All the questions still open were addressed and the two parties confirmed their wish to reach a speedy conclusion.

## The Soviet Union and the countries of Central and Eastern Europe

## I

### Assistance for the Soviet Union

1.3.5. Council Regulation (EEC, Euratom) No 2157/91 concerning the provision of technical assistance for economic reform and recovery in the Union of Soviet Socialist Republics.

- **Commission proposal:** OJ C 140, 30.5.1991; COM(91) 172; Bull. EC 5-1991, point 1.3.16
- **Parliament opinion:** OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.3.20
- **Council agreement:** Bull. EC 6-1991, point 1.3.20

*Adopted by the Council on 15 July.* The aim of this Regulation is to support the Soviet Union's economic reform, the steps needed for a transition to a market economy and the projects connected with this reform. This assistance, the principle of which was approved by the second European Council held in Rome, will be implemented by the Community in 1991 and 1992. The assistance given in 1991 will be worth ECU 400 million; the amount to be given in 1992 is yet to be determined (by unanimous decision in the Council). The priority areas for technical assistance will be management training for the public and private sectors, financial services, energy, transport and the distribution of foodstuffs. Community assistance will be in the form of grants made available in instalments as the activities progress.

OJ L 201, 24.7.1991

1.3.6. Council Decision 91/373/EEC on the conclusion by the European Economic Community of an Agreement in the form of an exchange of letters between the European Community and the Union of Soviet Socialist Republics on a credit guarantee for exports of agricultural products and foodstuffs from the Community to the Soviet Union.

- **Commission proposal:** COM(91) 212; Bull. EC 6-1991, point 1.3.19

*Adopted by the Council on 8 July.*

OJ L 202, 25.7.1991

1.3.7. Council Regulation (EEC) No 2158/91 liberalizing quantitative restrictions applying to imports of certain products originating in the USSR and amending Regulation (EEC) No 3420/83 accordingly.

- **Regulation amended:** Council Regulation (EEC) No 3420/83 on import arrangements for products originating in State-trading countries, not liberalized at Community level: OJ L 346, 8.12.1983

- **Commission proposal:** COM(91) 187; Bull. EC 5-1991, point 1.3.18

*Adopted by the Council on 15 July.*

OJ L 201, 24.7.1991

## **Coordinated aid to Central and Eastern Europe**

1.3.8. Annual report from the Commission to the Council and Parliament on the implementation of economic aid to the countries of Central and Eastern Europe (as of 31 December 1990).

- **References:**

High-level meeting of the Group of 24: Bull. EC 1/2-1991, point 1.3.9

Council Regulation (EEC) No 3906/89 on economic aid to Hungary and Poland (OJ L 375, 23.12.1989; Bull. EC 12-1989, point 2.2.25), as amended by Council Regulation (EEC) No 2698/90, extending aid to other countries of Central and Eastern Europe (OJ L 257, 21.9.1990; Bull. EC 9-1990, point 1.3.3)

*Adopted by the Commission on 24 July.*

This first report on the implementation of economic aid to the countries of Central and Eastern Europe is divided into five sections dealing with the following subjects:

- (i) the legal, financial and political background to the first package of Community measures;
- (ii) decision-making and implementation of the aid;
- (iii) coordination of the aid with that of other donors;
- (iv) the reasoning behind the humanitarian aid given to Bulgaria and Romania;
- (v) the Commission's organizational structure for Operation Phare.

According to the report, the first year of Operation Phare brought the establishment of basic procedures and relationships and the commitment in full of the sums allocated in the budget. While the main needs for reform in the economic system were easily identified and turned into a framework for the indicative aid programmes, selection

and preparation by the recipient countries of individual projects and programmes was more problematic. This resulted in commitment decisions being largely concentrated in the last quarter of 1990 and the beginning of 1991. It also became clear that the obligations to achieve full commitment of appropriations within the financial year for which they are made requires the recipient countries to be disciplined in a way to which their decision-making and administrative procedures are not yet suited. It is therefore planned to make procedures more flexible, by extending the programming period for aid to two years.

Also planned is a method of financing regional programmes by establishing joint ventures for several recipient countries. This could begin in 1992. Efforts will also be made to involve new donors in cofinancing programmes.

1.3.9. Financing decisions made under Council Regulation (EEC) No 2698/90 amending Council Regulation (EEC) No 3906/89 in order to extend economic aid to other countries of Central and Eastern Europe.

- **Basic Regulation:** Council Regulation (EEC) No 3906/89 (OJ L 375, 23.12.1989; Bull. EC 12-1989, point 2.2.25), as amended by Council Regulation (EEC) No 2698/90 in order to extend economic aid to other countries of Central and Eastern Europe: OJ L 257, 21.9.1990; Bull. EC 9-1990, point 1.3.3
- **References:**
  - General guidelines for assistance under the Phare programme for 1991 and 1992: Bull. EC 5-1991, point 1.3.5
  - Commission communication to the Council on the framework for Community/G24 medium-term balance of payments assistance to Central and Eastern European countries: Bull. EC 6-1991, point 1.3.9

*Adopted by the Commission on 29 July.* The Commission granted financing under Operation Phare for 22 projects in Bulgaria, Czechoslovakia, Hungary, Poland and Romania, and for two regional programmes. The total sum involved was ECU 347 million, divided as follows:

### *Poland*

ECU 50 million for restructuring and privatizing undertakings and breaking up monopolies;

ECU 30 million for environmental protection;

ECU 17 million for rural agricultural development;

ECU 16 million for reform of the financial sector and ECU 3.5 million for training and development of local authorities.

### *Hungary*

ECU 40 million for restructuring and privatization of undertakings;

ECU 13 million for restructuring of agriculture and ECU 5 million for restructuring of the energy sector;

ECU 10 million for environmental protection;

ECU 8 million for customs computerization;

ECU 5 million for enhancement of research and development capacity;

ECU 5 million for trade development and investment promotion.

### *Czechoslovakia*

ECU 20 million for support for small businesses;

ECU 5 million for support for the energy sector;

ECU 6 million for reorganization of the telecommunications system.

### *Romania*

ECU 25 million for restructuring of the health sector;

ECU 22 million for general technical assistance: modernization of the administration, reform of key sectors and privatization of the economy.

### *Bulgaria*

ECU 25 million for restructuring of agriculture;

ECU 11.5 million for assistance for the Kozloduy nuclear power station;

ECU 10 million for development of the financial sector.

#### *Regional programmes*

ECU 15 million for the Trans-European mobility scheme for university studies (Tempus);

ECU 5 million for customs cooperation.

### **Development of EEC-Albania relations**

1.3.10. Mr Andriessen visited Tirana on 22 July.

- **References:**

Commission decision on emergency aid: point 1.3.65 of this Bulletin

Recommendation for a Decision authorizing the Commission to negotiate a trade and cooperation agreement between the European Economic Community and the Republic of Albania: point 1.3.11 of this Bulletin

Mr Andriessen had talks with Albania's president, Mr Ramiz Alia, and other members of the government. Bilateral relations between the Community and Albania were discussed and Mr Andriessen expressed the view that the process of reform under way in Albania cleared the way for negotiation of a trade and cooperation agreement. Observing the seriousness of the economic situation, Mr Andriessen announced the availability of a new allocation of ECU 500 000 in humanitarian aid, the launching of the procedure for sending a consignment of food aid and a Commission initiative proposing that the Group of 24 make a rapid decision on including Albania in Operation Phare.

1.3.11. Recommendation for a Council Decision authorizing the Commission to negotiate a trade and cooperation agreement with the Republic of Albania.

- **Reference:** Mr Andriessen's visit to Tirana on 22 July: point 1.3.10 of this Bulletin

*Approved by the Commission on 24 July.* The Commission pointed out the nature of Albania's current political situation, following its first pluralist general election in March 1991 and the formation of a government of national stability, and referred also to the precarious state of its foreign trade and the need to extend G24 assistance to cover Albania. It recommended that a trade and cooperation agreement be negotiated, based on reciprocity of advantages and obligations but tailored to the nature of the Albanian economy (currently controlled by the State, despite the reform under way).

The agreement in question would be adaptable, run for 10 years and seek to:

- (i) establish and extend trade relations on a contractual basis;
- (ii) establish conditions favouring a substantial and trouble-free development of trade;
- (iii) promote commercial and economic cooperation in fields of common interest on a basis of reciprocity.

1.3.12. Proposal for a Council Regulation on emergency action for the supply of certain agricultural products to Albania.

- **References:**

Parliament resolution on the situation in Albania: OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.3.13

Mr Andriessen's visit to Tirana on 22 July: point 1.3.10 of this Bulletin

*Adopted by the Commission on 24 July.* In the light of Albania's worrying economic situation and supply difficulties, the aim of this proposal is to provide as soon as possible and free of charge approximately 50 000 tonnes of common wheat of bread-making quality. This would help make up the minimum supply needed to satisfy the immediate needs of the population.

OJ C 211, 13.8.1991; COM(91) 309

1.3.13. Commission decision granting emergency aid (→ point 1.3.65).

## II

**European Bank for Reconstruction and Development**

1.3.14. Mr Jacques Attali, President of the EBRD, visited the Commission on 2 July.

Mr Attali had talks with Mr Delors and Mr Christophersen, discussing the general state of cooperation between the Commission and the Bank.

**Bilateral relations***Bulgaria*

1.3.15. Medium-term financial assistance for Bulgaria.

- **Council agreement:** Bull. EC 3-1991, point 1.3.11
- **Commission proposal:** OJ C 96, 12.4.1991; COM(91) 88; Bull. EC 3-1991, point 1.3.11
- **Parliament opinion:** OJ C 158, 17.6.1991; Bull. EC 5-1991, point 1.3.9
- **Council Decision 91/311/EEC:** OJ L 174, 3.7.1991; Bull. EC 6-1991, point 1.3.15

*Loan agreement signed on 2 July.* Bulgaria's loan agreement was signed on behalf of the Community by Mr Christophersen and Mr Van Miert. Bulgaria was represented by the Finance Minister, Mr Kostov.

*Hungary*

1.3.16. Medium-term financial assistance for Hungary.

- **Commission proposal:** OJ C 97, 13.4.1991; COM(91) 83; Bull. EC 3-1991, point 1.3.12
- **Parliament opinion:** OJ C 158, 17.6.1991; Bull. 5-1991, point 1.3.10
- **Council Decision 91/310/EEC:** OJ L 174, 3.7.1991; Bull. EC 6-1991, point 1.3.16

*Loan agreement signed on 5 July.* Hungary's loan agreement was signed on behalf of the Community by Mr Christophersen. Hungary was represented by Mr Botos, Minister of State.

*Poland*

1.3.17. Mr Lech Walesa, Poland's president, visited the Commission on 3 July.

• **References:**

Council Decision authorizing the Commission to negotiate European agreements: Bull. EC 12-1990, point 1.4.6

Council Regulation (EEC, Euratom) No 2157/91 concerning the provision of technical assistance for economic reform and recovery in the Union of Soviet Socialist Republics: OJ L 201, 24.7.1991; point 1.3.5 of this Bulletin

Mr Walesa, accompanied by a group including Foreign Minister Mr Krzysztof Skubiszewski, had talks with Mr Delors. The subjects discussed included the association agreement being negotiated between the European Community and Poland and issues still to be resolved, such as financial cooperation and the content of the preamble. Both sides agreed that the assistance granted to the Soviet Union would complement to some extent that given to Poland, and that a regional trade system was a possibility.

*Romania*

1.3.18. Council Decision 91/384/EEC providing medium-term financial assistance for Romania.

- **Council agreement:** Bull. EC 4-1991, point 1.3.10
- **Commission proposal:** OJ C 121, 7.5.1991; COM(91) 129; Bull. EC 4-1991, point 1.3.10
- **Parliament opinion:** OJ C 158, 17.6.1991; Bull. EC 5-1991, point 1.3.13

*Adopted by the Council on 22 July.*

OJ L 208, 30.7.1991

**Mediterranean and Middle East****Additional financial measures for the countries of the Middle East and the Mediterranean**

1.3.19. Council Decision 91/408/EEC on financial aid for Israel and the Palestinian population of the Occupied Territories.

- **Commission proposal:** OJ C 68, 16.3.91; COM(91) 61; Bull. EC 1/2-1991, point 1.3.23
- **Council agreement on the allocation of funds:** Bull. EC 3-1991, point 1.3.21
- **Commission approval of amended proposal:** Bull. EC 3-1991, point 1.3.21
- **Formal adoption of amended proposal by the Commission:** OJ C 111, 26.4.1991; COM(91) 125; Bull. EC 4-1991, point 1.3.19
- **Parliament opinion:** OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.3.23

*Adopted by the Council on 22 July.* Financial aid was provided as follows:

(i) for Israel: ECU 160 million in loans raised on the market together with interest rate subsidies of ECU 27.5 million to be financed from the general budget for 1991 and intended in particular to cover import costs;

(ii) for the Palestinian population of the Occupied Territories: ECU 60 million in the form of grants, to be committed from the 1991 budget to finance in particular subsidized housing and hospitals.

OJ L 227, 15.8.1991

## **New Mediterranean policy**

1.3.20. Parliament resolution on a revamped Mediterranean policy.

- **References:**
  - Conclusions of the Rome European Council: Bull. EC 12-1990, point I.20
  - Overall decision by the Council on the new Mediterranean policy (1992-96): Bull. EC 12-1990, point 1.4.15

*Adopted by Parliament on 12 July.* Having regard to the political and social instability prevailing in most of the Mediterranean non-member countries as a result of the Gulf War, Parliament urged the Council to give fresh impetus to Mediterranean policy and expressed support for the regional integration processes currently under way, particularly the Arab Maghreb Union and the Arab Cooperation Council. Parliament also stressed the strategic importance of the countries concerned and their contribution to meeting the Community's energy needs. It recommended therefore that financial and technical cooperation with those countries

be stepped up under the new financial protocols and that trading links be transformed into fully-fledged commercial relations.

Concerning the Community's relations with Albania and Libya, Parliament called on the Council and the Commission to strengthen reciprocal relations with Albania and hoped that Libya would speedily reform its political and economic system with a view to joining the group of Mediterranean non-member countries.

Lastly, Parliament called for measures aimed at curbing immigration from Mediterranean countries to the Community and, in view of the environment damage suffered by the Mediterranean, for a strict environmental policy at international level.

OJ C 240, 16.9.1991

## **End of hostilities in the Gulf**

1.3.21. Proposal for a Council Regulation prohibiting the honouring of Iraqi claims with regard to contracts and transactions affected by United Nations Security Council Resolution 661(1990) and related resolutions.

- **Reference:** Council Regulations (EEC) No 2340/90 and No 3155/90, as last amended by Council Regulation (EEC) No 1194/91 (OJ L 115, 8.5.1991; Bull. EC 5-1991, point 1.3.35)

*Adopted by the Commission on 12 July.* In the wake of UN Resolutions 661(1990) establishing an economic and financial embargo against Iraq and 687(1991) lifting the embargo once Iraq fulfils the conditions imposed but stipulating, in its paragraph 29, that no compensation claim may be entertained in respect of contracts and transactions affected by Resolution 661, this proposal aims at protecting firms in the Community and non-member countries alike from Iraqi requests for compensation. Hence it is designed to ensure uniform implementation in the Community of paragraph 29 of Resolution 687(1991) and makes it impossible to entertain Iraqi claims for



retrospective compensation for the negative effects of the embargo.

OJ C 204, 3.8.1991

1.3.22. Parliament resolution on Iraq's failure to comply with the United Nations' resolutions.

- **Reference:** Parliament resolution on the situation in the Gulf: OJ C 106, 22.4.1991; Bull. EC 3-1991, point 1.3.18

*Adopted by Parliament on 11 July.* Parliament was concerned at human rights abuse and at the economic situation and the fate of the civilian population, particularly the Kurdish and Shiite minorities, in Iraq. It called on the Allies not to withdraw their armed forces from the security zone until the safety of the Kurdish refugees who have returned to Iraq is guaranteed by the United Nations. In particular it called on the Iraqi authorities to comply with all the provisions of UN Security Council Resolutions 687 and 688, notably with regard to the establishment of democracy through the holding of free elections as soon as possible. Parliament was also concerned at reports that Iraq might have a large nuclear arsenal, and called on the Iraqi authorities to provide freedom of access for UN and IAEA experts to nuclear sites, power stations and installations, as provided for under the UN resolutions.

OJ C 140, 16.9.1991

## Mediterranean countries

### Algeria

1.3.23. Proposal for a Council Decision granting a medium-term loan to Algeria.

- **References:**  
Conclusions of the Luxembourg European Council: Bull. EC 6-1991, point I.29  
Signature of the fourth financial Protocol: Bull. EC 6-1991, point 1.3.25

*Adopted by the Commission on 3 July.* Over the last few years Algeria has suffered both from internal difficulties and external shocks which have adversely affected its

growth and its foreign debt situation. Furthermore, in 1989 the country opted for pluralism and a market economy and in the next two years it will face exceptional financing needs, exceeding the support provided by the IMF, the World Bank and other official providers of funds. The Commission therefore proposes to grant a medium-term loan of about ECU 500 million to support the country's balance of payments, strengthen reserves and facilitate the convertibility of the national currency. The loan, which should be repaid within seven years, will be administered by the Commission in close consultation with the Monetary Committee and will be paid in two instalments, subject to compliance with IMF and World Bank programmes.

OJ C 192, 23.7.1991; COM(91) 257

*Endorsed by Parliament on 12 July.*

OJ C 240, 1.9.1991

1.3.24. Parliament resolution on the situation in Algeria.

- **Reference:** Proposal for a Council Decision granting a medium-term loan to Algeria: point 1.3.23 of this Bulletin

*Adopted by Parliament on 11 July.* Noting with satisfaction that the Algerian authorities have undertaken to do their utmost to ensure that free general elections are held in Algeria before the end of the year, but concerned at the anti-democratic behaviour of the Islamic Salvation Front which threatens to establish an authoritarian regime, Parliament encouraged the new government to pursue its policy of openness and called on the Community to give its full support. It also called on the Council, the Commission and the Member States to consider possible Community measures to reschedule Algeria's foreign debt.

OJ C 240, 16.9.1991

### Israel

1.3.25. Mr Matutes paid an official visit to Israel from 9 to 11 July.

- **References:**

Ninth ministerial meeting of the Cooperation Council: Bull. EC 5-1991, point 1.3.26

Financing decision to help the Palestinians living in the Occupied Territories: Bull. EC 5-1991, point 1.3.38

Mr Matutes met, among others, Mr Yitshak Shamir, the Israeli Prime Minister, and Mr David Levy, the Foreign Minister. Discussion focused essentially on cooperation between Israel and the Community and in particular its development in the fields of environment and energy. Mr Matutes took this opportunity to stress the Commission's willingness to examine the various aspects of Israel's possible integration into the European Economic Area and to support regional cooperation projects, while emphasizing that the conclusion of a new agreement went hand in hand with the peace process in the region.

Mr Matutes also spoke of the position adopted by the Commission in relation with the Arab boycott of Israeli and European businesses and met Palestinian leaders, with whom he discussed the living conditions in the Occupied Territories and the aid programme for the area adopted by the Commission.

### *Malta*

1.3.26. Mr Cardoso e Cunha paid an official visit to Malta on 11 and 12 July.

- **Reference:** Council Decision 91/246/EEC concerning the conclusion of a Protocol extending the first stage of the Agreement establishing an association between the European Economic Community and Malta: OJ L 116, 9.5.1991; Bull. EC 4-1991, point 1.3.23

Mr Cardoso e Cunha met Mr Vincent Tabone, President of the Republic, Mr Eddie Fenech Adami, Prime Minister, and other members of the government. Discussion focused on Malta's possible accession to the Community and on the establishment of favourable conditions for trade between Maltese and Community small and medium-sized businesses. The utilization of energy from alternative sources, such as solar energy, and compliance with

Community rules in the field of tourism were also discussed.

1.3.27. On 23 July Mr Eddie Fenech Adami, Prime Minister of Malta, paid an official visit to the Commission.

- **References:**

Application for accession from Malta: Bull. EC 7/8-1990, point 1.4.25

Council Decision 91/246/EEC concerning the conclusion of a Protocol extending the first stage of the Agreement establishing an association between the European Economic Community and Malta: OJ L 116, 9.5.1991; Bull. EC 4-1991, point 1.3.23

Mr Adami, accompanied by Mr Guido Di Marco, Foreign Minister, met Mr Delors and discussed with him the progress of cooperation between Malta and the Community since the signature of the Association Agreement in December 1970. Mr Adami also explained the reasons which have led his government to apply for accession to the Community.

### *San Marino*

1.3.28. Customs union and cooperation Agreement between the Community and the Republic of San Marino.

- **Commission proposal:** Bull. EC 11-1990, point 1.4.20
- **Negotiating directives:** Bull. EC 12-1990, point 1.4.26

*Agreement initialled in Brussels on 5 July.*

### *Syria*

1.3.29. Fourth financial Protocol.

- **References:**

Overall decision by the Council on the new Mediterranean policy (1992-96): Bull. EC 12-1990, point 1.4.15

Council decision on supplementary negotiating directives: Bull. EC 1/2-1991, point 1.3.24

- **Initialling of Protocol:** Bull. EC 5-1991, point 1.3.39
- **Commission recommendation:** OJ C 162, 21.6.1991; COM(91) 203; Bull. EC 5-1991, point 1.3.39

- Council decision concerning signature: Bull. EC 6-1991, point 1.3.33

*Protocol signed in Brussels on 17 July.*

## Turkey

1.3.30. Mr Ekrem Pakdemirli, Deputy Prime Minister of Turkey, visited the Commission on 18 and 19 July.

Mr Pakdemirli met Mr Andriessen and Mr Bangemann. The discussion focused essentially on cooperation between the Community and Turkey and Mr Pakdemirli took the opportunity to stress the growing advantage to the Community of fostering economic cooperation with his country, in view of Turkey's rapid economic development.

## Yugoslavia

1.3.31. Parliament resolution on the situation in Yugoslavia.

- Reference: Parliament resolution on the situation in Yugoslavia: OJ C 158, 17.6.1991; Bull. EC 5-1991, point 1.3.96

*Adopted by Parliament on 10 July.* Deeply disturbed at the violence in Slovenia and elsewhere in Yugoslavia, Parliament condemned the use of force by the Yugoslav federal army in Slovenia and insisted that its troops must be returned to barracks immediately. It stressed that the constituent republics and autonomous provinces of Yugoslavia have the right to self-determination, as confirmed in the federal constitution, but welcomed the decision of the governments of Slovenia and Croatia to suspend the implementation of their unilateral declarations of independence for three months. It supported the efforts made by the Community and the CSCE to help restore peace and the decision of the Council to suspend economic and financial aid to Yugoslavia. It also considered that there must be an immediate halt to the delivery of weapons to all parties involved.

OJ C 240, 16.9.1991

## United States, Japan and other industrialized countries

### I

## London Summit

1.3.32. Western Economic Summit.

- Reference: Previous meeting: Bull. EC 7/8-1990, points 1.4.18 and 2.2.1 to 2.2.5

*The 17th meeting was held in London from 15 to 17 July.* The summit, in which the Community — represented by Mr Lubbers and Mr Van den Broek for the Council and Mr Delors and Mr Andriessen for the Commission — was taking part for the 14th time, was chaired by Mr Major, the British Prime Minister. In the course of the meeting, the participants adopted an economic declaration, a political declaration on the reinforcement of the international order and a declaration on sales of conventional weapons and the non-proliferation of nuclear, chemical and biological weapons. At the close of the summit, Mr Delors issued a statement covering all the issues discussed (→ points 2.2.2 to 2.2.4).

On the political front, the participants confirmed their intention to support wholeheartedly the reforms under way in the Soviet Union and in Central and Eastern Europe and expressed the hope that a democratic solution would be found for the Baltic republics. They also discussed the situation in Yugoslavia, calling for an end to the violence and pledging themselves to promote dialogue and negotiation.

With regard to the situation in the Middle East, the G7 countries expressed their support for the US peace initiative and confirmed their intention to maintain sanctions against Iraq until it complied with all UN Security Council resolutions.

The participants also discussed developments in South Africa, the fight against terrorism and the role of the UN. On the

latter point, the G7 advocated strengthening the UN's peace-keeping role and improving its emergency humanitarian aid services. The G7 considered that an essential feature of the new international order should be 'preventive diplomacy'.

The participants also adopted a declaration on monitoring sales of conventional arms and the non-proliferation of nuclear weapons, calling for a register of sales to be set up at the UN and restrictions on arms sales in trouble spots.

On the economic front, the participants decided to hold an annual high-level meeting with the Soviet Union. They also adopted a support plan for the Soviet Union under which it would become an associate member of the IMF and the World Bank, aid would be provided to support reforms and cooperation would be established to help the Soviet Union with conversion of the defence industry, food distribution, nuclear safety and transport. On the question of support for the countries of Central and Eastern Europe, the G7 agreed to open their markets to these countries' products and services, including iron and steel, textiles and agricultural products. The G7 also undertook to do their utmost to bring the Uruguay Round negotiations to a successful conclusion.

At the close of the summit, the Heads of State or Government met President Gorbachev, with whom they discussed arrangements for implementing G7 aid to the Soviet Union.

### **Strengthening relations with Japan**

#### **1.3.33. EC-Japan joint declaration.**

*Adopted in The Hague on 18 July.* At the close of the meeting, at which the Community was represented by Mr Lubbers, President of the Council, and Mr Delors, and Japan by Mr Kaifu, the Prime Minister, a joint declaration was adopted on relations between the Community and Japan (→ point 1.4.8). After a preamble con-

firming common ideals and the will to cooperate, the declaration sets out the general principles and objectives of cooperation between the Community and Japan, stating that access to each other's market should be fair and offer similar opportunities through the removal of barriers to the expansion of trade and investment. It also sets out the framework and procedures for dialogue, with annual summits and other regular meetings, and for monitoring implementation of the declaration.

#### **1.3.34. Transitional arrangement for imports of Japanese motor cars into the Community.**

- **Reference:** EC-Japan joint declaration: point 1.3.33 of this Bulletin

*Agreed in Brussels on 31 July.* The arrangement describes the reciprocal undertakings given by the Community and Japan with regard to the car industry. The planned measures will be put into effect by the end of 1992 and will apply until the end of 1999, when trade will be completely free. Application of this agreement presupposes close cooperation between the parties, in accordance with the spirit of the joint declaration between the Community and Japan.

Essentially, in order to help Community production make the necessary adjustments to attain adequate levels of international competitiveness, the arrangement stipulates that during a transitional period (until the end of 1999):

- (i) the Community market will be harmonized (EEC component type-approval from 1993) and imports will be gradually liberalized in countries still applying restrictions;
- (ii) exports from Japan will be 'moderated' according to the market assumptions, i.e. supply and demand trends, including production in the Community, used as a negotiating basis (at the end of the period, exports should not exceed an overall figure of 1 230 000 vehicles, for a market of 15.1 million).

Six-monthly joint monitoring will ensure that application of the arrangement is supervised bilaterally.

## II

### United States

1.3.35. EEC-US meeting in the context of the Transatlantic Declaration.

- **Reference:** Declaration on relations between the European Economic Community and the United States: Bull. EC 11-1990, point 1.5.3
- **Previous meeting:** Bull. EC 4-1991, point 1.3.29

*The third meeting was held in Washington on 2 and 3 July.* Mr Andriessen and Mr Van den Broek, President of the Council, met the Secretary of State, Mr Baker. Discussions centred on the situation in Yugoslavia, the Soviet Union and Central and Eastern Europe, the Uruguay Round negotiations, the peace process in the Middle East and the move toward European political union. The discussions revealed common goals and a shared willingness for cooperation and consultation, in the spirit of the Transatlantic Declaration.

A joint declaration on the situation in Yugoslavia was published at the close of the meeting. Mr Andriessen also discussed various trade issues with Mrs Hills, US Special Representative for Trade Negotiations, notably the Uruguay Round and the Airbus question. The meeting revealed that the two sides' views broadly converged in a number of areas.

### Other industrialized countries

#### Canada

1.3.36. Annual EEC-Canada ministerial meeting — Cooperation Committee.

- **References:**  
Framework Agreement for commercial and economic cooperation between the European Communities and Canada: OJ L 260, 24.9.1976

Previous ministerial meeting and eighth meeting of the Joint Cooperation Committee: Bull. EC 5-1990, point 1.3.22

*Ninth meeting of the Joint Cooperation Committee and ministerial meeting, held in Brussels on 12 July.* The Canadian delegation at the ministerial meeting was led by Mrs MacDougall, Secretary of State for External Affairs, and Mr Wilson, Minister for International Trade; the Commission delegation was led by Mr Andriessen. Mr Delors also had talks with the two Canadian ministers. The discussions highlighted the close relations which have developed between Canada and the Community since the Framework Agreement was signed in 1976. On the international relations front the two sides reviewed the situation in the Soviet Union and Yugoslavia and welcomed the joint efforts made by the Group of 24. On trade issues, both sides emphasized the priority which they attached to a substantial, balanced and comprehensive outcome to the Uruguay Round negotiations.

With regard to bilateral relations, fisheries problems in the North-West Atlantic were discussed and it was noted that some progress had been made towards finding a solution. Both sides underlined their shared commitment to stepping up their bilateral and multilateral cooperation on the environment and adopted a joint statement to this end.

The ministerial meeting was preceded by the ninth meeting of the Joint Cooperation Committee.

## Asia and Latin America

### Asia

#### Asean

1.3.37. Annual ministerial conference.

- **Reference:** Conclusions of the Luxembourg European Council: Bull. EC 6-1991, point 1.30

- **Previous meeting:** Bull. EC 7/8-1990, point 1.4.35

*The meeting was held in Kuala Lumpur from 22 to 24 July.* The Community was represented by Mr Van Den Broek, President of the Council, and Mr Matutes. The participants reviewed current relations between the Community and Asean, notably in the light of the conclusions of the Luxembourg European Council and with particular reference to the human dimension of economic cooperation. They noted some improvement in their mutual dialogue and a greater openness on the part of the Asean countries to the human rights issue. The participants also agreed to negotiate a new-generation agreement to replace the existing one. The delegations discussed matters of general interest, such as moves by the Asean countries to set up an Asian Free Trade Area (AFTA) and also the creation of an economic bloc including the Asean countries, China, Hong Kong, Taiwan, Korea and Japan. They also discussed the situation in Cambodia, Myanmar, the Middle East and South Africa.

### *Bilateral relations*

#### **India**

1.3.38. Parliament resolution on the disastrous consequences of the proposed Narmada project in India.

*Adopted by Parliament on 11 July.* After considering the hydraulic engineering project planned on the Narmada river and its ecological consequences (increased salinity, spread of marshlands and increased danger from earthquakes) and social effects (resettlement of hundreds of thousands of people) Parliament concluded that any economic advantages appeared to be outweighed by the damage which the project would cause. It welcomed the fact that an independent inquiry was being conducted to assess the advisability of the project and that pending the outcome of the inquiry the World Bank, the project's principal donor, had suspended its aid. It called on the Mem-

ber States not to grant bilateral loans for this large-scale project until measures were taken to deal with its social, ecological and economic implications. It requested the Commission to call on the Indian authorities to examine the alternatives to the project and on the Japanese Government, as a possible source of finance, to follow the World Bank's example.

OJ C 240, 16.9.1991

#### **Mongolia**

1.3.39. Recommendation for a Council Decision authorizing the Commission to negotiate a trade and economic cooperation agreement with the Mongolian People's Republic.

*Adopted by the Commission on 3 July.* The agreement to be negotiated would be non-preferential and open-ended and would last for five years, renewable each year subsequently by tacit agreement. The aim is to promote relations between the Community and Mongolia, by stepping up and diversifying trade, strengthening economic cooperation and providing development aid.

#### **Philippines**

1.3.40. Parliament resolution on the eruption of the Pinatubo volcano.

*Adopted by Parliament on 11 July.* Parliament expressed its solidarity with the people of the Philippines who had been badly affected by the eruption of the Pinatubo volcano and its disastrous effects both in humanitarian and material terms. It called on the international community to undertake further scientific studies to improve volcanic eruption warning systems and to avert their effects on the population. With regard to the evacuation of 15 000 servicemen and their families following a nuclear alert in the area in question, Parliament expressed its concern at the potential danger represented by nuclear power stations and the storing of nuclear weapons in areas subject to natural disasters.

OJ C 240, 16.9.1991

## Latin America

### *Bilateral relations*

#### Chile

1.3.41. Parliament resolution on the heavy rains in northern Chile.

*Adopted by Parliament on 11 July.* Parliament expressed its solidarity with the families of the victims of the recent heavy rains in northern Chile which caused a mudslide and badly affected the town of Antofagasta, where a large number of houses were destroyed, mainly in the poorest neighbourhoods. It called on the Community and the Member States to grant emergency aid to the victims of the mudslide in order to mitigate its disastrous effects, particularly in terms of the resulting health risks.

OJ C 240, 16.9.1991

#### Ecuador

1.3.42. Parliament resolution on the human and ecological disaster in the Pastaza area of Ecuador.

*Adopted by Parliament on 11 July.* Parliament considered that the destruction of the tropical forest and the contamination of the hydrological system as a result of increased oil drilling was proving a threat to the very survival of indigenous cultures in the north of Oriente province. It would also soon affect the south if the oil companies received authorization from the Ecuadorian Government to begin drilling there and if the World Bank went ahead with granting a loan to develop oil infrastructure. It therefore called on the Ecuadorian Government to impose a moratorium on oil prospecting and drilling until a settlement had been reached with the indigenous population and requested the World Bank to consult the local population as part of its planning procedures.

OJ C 240, 16.9.1991

#### Paraguay

1.3.43. Framework Agreement for cooperation between the European Economic Community and Paraguay.

- **Commission proposal:** Bull. EC 12-1990, point 1.4.46
- **Negotiating directives:** Bull. EC 3-1991, point 1.3.35

*Agreement initialled in Brussels on 15 July.*

#### Uruguay

1.3.44. Framework Agreement for cooperation between the European Economic Community and Uruguay.

- **Commission proposal:** Bull. EC 12-1990, point 1.4.46
- **Negotiating directives:** Bull. EC 3-1991, point 1.3.35
- **Initialling of the Agreement:** Bull. EC 6-1991, point 1.3.44

*Proposal for a Council Decision concerning the conclusion of the Framework Agreement adopted by the Commission on 25 July.* The Framework Agreement will be non-preferential, will contain no financial protocol and will be concluded for an initial period of five years, which will be renewable.

OJ C 228, 3.9.1991; COM(91) 288

### **Financial and technical cooperation**

1.3.45. Commission financing decision for a project in Sri Lanka.

- **Basic Regulation:** Council Regulation (EEC) No 442/81 of 17 February 1981 on financial and technical aid to non-associated developing countries: OJ L 48, 21.2.1981; Bull. EC 2-1981, point 2.2.16

*Adopted by the Commission on 26 July.* ECU 3 340 000 was granted for a project to rehabilitate the national irrigation system.

## ACP countries and OCTs

### I

#### Association of the OCTs with the Community

1.3.46. Council Decision on the association of the overseas countries and territories with the European Economic Community and Decision of the Representatives of the Governments of the Member States of the European Economic Community on the arrangements for trade in ECSC products.

• **References:**

Fourth ACP-EEC Convention, signed in Lomé on 15 December 1989; Bull. EC 12-1989, points 1.2.1 to 1.2.3

Council Decision 86/283/EEC on the association of the OCTs with the Community: OJ L 175, 1.7.1986; Bull. EC 6-1986, point 2.2.43

- **Commission proposals:** OJ C 95, 11.4.1991; COM(90) 387; Bull. EC 9-1990, point 1.3.32
- **Addendum to the Commission proposals:** OJ C 126, 16.5.1991; COM(91) 141; Bull. EC 4-1991, point 1.3.43
- **Parliament opinion on the proposal for a decision on the association of the OCTs:** OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.3.49

*Decision (EEC) adopted by the Council and Decision (ECSC) adopted by the Representatives of the Governments of the Member States on 25 July.* The Decisions provide the framework for the new autonomous arrangements for the association of the OCTs with the Community. The new association Decision is to a great extent (including the very structure of the text) based on Lomé IV, but incorporates a number of innovations peculiar to the OCTs.

Among the new elements drawn from Lomé IV and now applicable to the OCTs are:

(i) the extension of the duration from five years to ten (other than the financial aspects, which remain on a five-year basis). The proposed arrangements will therefore expire on 29 February 2000;

- (ii) the improvement of the financing conditions (all projects receive grants);
- (iii) openness to decentralized cooperation for local communities;
- (iv) the stress on environmental protection, consideration of the role of women, the promotion of enterprises and services, improvements to Stabex and Sysmin;
- (v) the emphasis on regional cooperation between ACP States and OCTs in a given geographical area.

The numerous innovations specific to the OCTs are rooted in the special status of the OCTs, which although they do not form part of the Community's territory are the responsibility of four Member States (Denmark, France, the Netherlands and the United Kingdom).

A number of legal details clarify the rights of individuals and the application to them of Community secondary legislation:

- (i) The rules applicable to establishment and the provision of services in the internal market are made clear and permit the OCTs to introduce regulations aimed at creating or maintaining local jobs without breaching the principle of non-discrimination between Member States.
- (ii) In matters of industrial development the OCTs will continue to have access to the services of the Centre for the Development of Industry provided for in Lomé IV and the Euro-Info-Centres recently set up under the Community's enterprise policy.
- (iii) There have been great advances in trade arrangements, in comparison both with the past and with other associations or conventions:
  - (a) The Community grants imports of OCT origin (rum being the sole exception) completely free access to the Community. Originating status is defined according to the usual preferential origin rules, which have been adapted to make the derogation procedures more flexible.
  - (b) With the exception of a series of sensitive products listed in the Decision, the



Community is also granting free access to non-originating products imported into the OCTs which, after their release for free circulation there upon payment of customs duties or charges having equivalent effect at rates equaling or exceeding the full CCT rate, are subsequently re-exported unaltered to the Community. A new type of certificate has been designed to ensure that these non-originating products satisfy the conditions laid down.

(iv) On an institutional level, the new arrangements give the authorities in the OCTs more say by establishing a three-way partnership between the Commission, the Member State and the OCTs which enables them to meet regularly to discuss steps taken in the context of the association decision and any problem in OCT-EEC relations.

(v) The sum of ECU 140 million has been made available under the seventh EDF (1991-95) for financial cooperation with the OCTs (a 40% increase on the previous budget). The share of the overall budget earmarked by the Council for project financing breaks down as follows:

French OCTs: ECU 40.2 million,

Dutch OCTs: ECU 30.3 million,

British OCTs: ECU 15.5 million.

Loans from the EIB's own resources amount to ECU 25 million (a 25% increase on the sixth EDF).

## II

### Implementation of the new Convention

- **Reference:** Fourth ACP-EEC Convention signed at Lomé on 15 December 1989, Bull. EC 12-1989, points 1.2.1 to 1.2.3

1.3.47. Council Decision on the adoption of the Financial Regulation applicable to development financing cooperation under

the fourth ACP-EEC Convention (seventh EDF).

- **Commission proposal:** OJ C 165, 6.7.1990; Bull. EC 6-1990, point 1.4.33
- **Amended Commission proposal:** OJ C 267, 23.10.1990; Bull. EC 9-1990, point 1.3.34
- **Parliament opinion:** OJ C 158, 17.6.1991; Bull. EC 5-1991, point 1.3.56

*Adopted by the Council on 29 July.*

1.3.48. Council Decision adopting rules of procedure for the EDF Committee.

- **Commission proposal:** Bull. EC 4-1991, point 1.3.42

*Examined by the Council on 29 July.*

1.3.49. Council Decision on the rules of procedure of the Committee set up under Article 28 of the internal agreement of 16 July 1990 on the financing and administration of Community aid under the fourth ACP-EEC Convention.

- **Reference:** internal agreement on the financing and administration of Community aid under the fourth ACP-EEC Convention: Bull. EC 6-1990, point 1.4.32

*Adopted by the Council on 29 July.*

1.3.50. Parliament resolution on the delay in implementing Lomé IV.

- **Reference:** Commission communication to the Council on the relief of ACP debt to the Community: Bull. EC 1/2-1991, point 1.3.46

*Adopted by Parliament on 11 July.* Parliament found that while ratified in good time by the ACP States, the Lomé IV Convention had still to be implemented 18 months after its signature owing to procedural delays by certain Member States. This delay had serious implications for the ACP countries, namely the non-application of the transitional measures introduced by the Community for the new ACP States (Haiti, Namibia and the Dominican Republic) and difficulties with Stabex payments for 1990. Parliament therefore called on the Member States to ratify the Convention without delay and renewed its request to the Council for the full amount of debt owed to the

Community by the ACP States to be written off forthwith.

OJ C 240, 16.9.1991

## Protocols

### Sugar

1.3.51. Council Decision concerning directives for the negotiation of the guaranteed prices applicable for the 1991/92 delivery period to cane sugar originating in the ACP States referred to in Protocol 8 annexed to the fourth ACP-EEC Convention and India.

- **References:**

Fourth ACP-EEC Convention signed at Lomé on 15 December 1989; Bull. EC 12-1989, points 1.2.1 to 1.2.3

Agreement on cane sugar between the European Economic Community and the Republic of India: OJ L 190, 22.7.1975

*Adopted by the Council on 8 July.*

## Stabex and Sysmin

1.3.52. Council Decision on the use of the unexpended balance from the overall amount allocated to the system for the stabilization of export earnings by Council Decision 86/283/EEC of 30 June 1986 on the association of overseas countries and territories with the Community.

- **Reference:** Council Decision 86/283/EEC: OJ L 175, 1.7.1986; Bull. EC 6-1986, point 2.2.51

*Adopted by the Council on 22 July.* The object of the Decision is to share the unexpended balance of the Stabex funds among the OCTs. The sum of ECU 583 984 will be paid to the territory of French Polynesia and the sum of ECU 16 016 to the Falkland Islands as their respective shares of the unexpended balance of the Stabex resources made available during the period of validity of Decision 86/283/EEC on the association of the OCTs with the Community.

## Financial and technical cooperation

### General

### OCTs

1.3.53. Proposal for a Council Decision adopting the general regulations, general conditions and procedural rules on conciliation and arbitration for works, supply and service contracts financed by the European Development Fund (EDF) concerning their application in the association of the overseas countries and territories with the European Economic Community.

- **Reference:** Council Decision on the association of the OCTs with the European Economic Community: point 1.3.46 of this Bulletin

*Adopted by the Commission on 17 July.* In accordance with Articles 211 to 313 of the Council Decision on the association of the OCTs with the Community, this proposal is intended to apply to supply and service contracts financed by the EDF. The aim of the general regulations, the general conditions and the rules on arbitration will be to maintain a degree of uniformity in the award and execution of contracts financed by the EDF.

COM(91) 151

1.3.54. Commission Decision 91/404/EEC reallocating the sixth European Development Fund (EDF) appropriations not yet committed from non-programmable resources for the overseas countries and territories.

- **References:**

Council Decision 86/283/EEC on the association of the overseas countries and territories with the European Economic Community: OJ L 175, 1.7.1986; Bull. EC 6-1986, point 2.2.43

Internal agreement on the financing and administration of Community aid: OJ L 86, 31.3.1986

*Adopted by the Commission on 19 July.* The sixth EDF appropriations not yet committed from non-programmable resources,

a total of ECU 3.413 million, are reallocated to the three OCT groups for which the Kingdom of the Netherlands, France and the United Kingdom have responsibility under the procedures laid down in the Member States' 1986 compromise.

OJ L 222, 10.8.1991

## ACP States and OCTs

1.3.55. Commission Decision on projects and programmes to be financed from EDF resources.

- **References:**

Third ACP-EEC Convention: Bull. EC 12-1984, points 1.5.1 to 1.5.4

Council Decision 86/283/EEC on the association of the OCTs with the European

Economic Community: OJ L 175, 1.7.1986; Bull. EC 6-1986, point 2.2.43

Internal agreement on the financing and administration of Community aid: OJ L 86, 31.3.1986

*Adopted by the Commission on 5 July.* The decision approves a ECU 35 million project concerning all the ACP States and OCTs for the financing of technical cooperation, and for the development of trade and services, including tourism.

## Financing

1.3.56. Financing of projects and emergency aid.

*Commission decisions* allocating a total of ECU 62 320 million from fifth and sixth EDF resources (see Table 5).

Table 5 — *Financing of operations under the fifth and sixth EDFs*

(million ecus)

Country	Project	Amount	
		Grant	Special loan
<i>Economic infrastructure</i>			
Zaire	Roads	9.500	25.500
<i>Rural production</i>			
Equatorial Guinea	Protection and rational use of forest resources	5.070	
Botswana	Wildlife conservation	2.800	4.000
<i>Emergency aid</i>			
<i>In July:</i>			
Somalia	Contribution to relief programmes of humanitarian organizations for victims of the fighting	3.500	
Ethiopia	Contribution to relief programmes of humanitarian organizations for refugees and victims of the drought and fighting	3.750	
Mozambique	Contribution to relief programmes of humanitarian organizations for refugees and victims of the fighting	1.150	
Rwanda	Funding for a feeding programme	0.300	
Liberia	Aid to finance medical services and other emergency aid	0.650	

		<i>(million ecus)</i>	
Country	Project	Amount	
		Grant	Special loan
<i>In August:</i>			
Angola	Contribution to relief programmes of humanitarian organizations for victims of the fighting and the famine	1.000	
Mozambique	Aid for victims of the fighting (medicines, etc.)	0.650	
Sudan	Contribution to relief programmes of humanitarian organizations for refugees and victims of the fighting	2.500	
All ACP countries	Participation in MSF (B) and ICRC campaigns against epidemics	0.650	
All ACP countries	Campaign against epidemics (cholera, meningitis, hepatitis, etc.)	0.650	
All ACP countries	Establishment of an emergency aid appropriation intended to finance specific measures (up to ECU 100 000 per operation)	0.650	
	<b>Total</b>	<b>32.820</b>	<b>29.500</b>

## Bilateral relations

### Zimbabwe

1.3.57. Visit to the Commission by Mr Robert Mugabe, President of the Republic of Zimbabwe, on 2 July.

- Reference: Fourth ACP-EEC Convention signed at Lomé on 15 December 1989: Bull. EC 12-1989, points 1.2.1 to 1.2.3

Mr Mugabe had a meeting with Mr Marín, with whom he discussed matters related to the Lomé Convention. Mr Mugabe welcomed the stepping-up of ACP-EEC relations and EEC-Zimbabwe cooperation programmes. During a discussion on structural adjustment, which was seen as vital to Zimbabwe's economic recovery, the Commission declared itself willing to increase its structural adjustment support. On the matter of South Africa, President Mugabe expressed his reluctance to see an end to sanctions until the process of democratization now under way had become irrevocable.

### Haiti

1.3.58. Visit to the Commission by Mr Bernardin and Mr Verella, Haiti's Ministers of Planning and Public Works, on 3 July.

Mr Bernardin and Mr Verella met Mr Marín. The purpose of the visit was to inform the Community about the recovery programme that the Haitian Government would be presenting at the meeting of the consultative group of donors in Paris on 10 and 11 July. Mr Marín said that the Commission, on behalf of the Community, would support the recovery programme. The programming of resources allocated to Haiti as an ACP country and regional cooperation resources was also discussed.

### Mauritania

1.3.59. Parliament resolution on measures to combat desertification in Mauritania.

*Adopted by Parliament on 11 July.* Concerned by the advance of the Sahara Desert, which had spread almost as far as the river Senegal and was affecting the towns of Chiguitti and Nouakchott, the capital, Parliament called on the Commission to provide technical and economic assistance and to participate in the Oasis project financed by the International Fund for Social and Economic Development.

## General development cooperation

### Generalized preferences

1.3.60. Commission communication to the Council on the extension of the 1991 generalized preferences scheme:

(i) proposal for a Council Regulation extending into 1992 the application of Council Regulations (EEC) Nos 3831/90, 3832/90, 3833/90 and 3835/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain products originating in developing countries;

(ii) proposal for a Council Regulation extending into 1992 the application of Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries;

(iii) draft Decision of the Representatives of the Governments of the Member States of the European Coal and Steel Community meeting within the Council extending into 1992 the application of Decisions 90/672/ECSC and 90/673/ECSC of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain steel products originating in developing countries.

• **References:**

Council Regulations (EEC) Nos 3831 to 3834/90 and Decision 90/672/ECSC of the Representatives of the Governments of the Member States: OJ L 370, 31.12.1990; Bull. EC 12-1990, point 1.4.54

Council Regulation (EEC) No 3835/90 and Decision 90/673/ECSC of the Representatives of the Governments of the Member States: OJ L 370, 31.12.1990; Bull. EC 12-1990, point 1.4.40

*Adopted by the Commission on 26 July.* The aim is the provisional extension beyond 1 January 1992 of the scheme in force in 1991 pending the finalization of the revised scheme, with the exception of the 'double return' mechanism for textiles. It is at present impossible to introduce the revised scheme since the Uruguay Round negotiations are going on beyond the planned deadline.

OJ C 228, 3.9.1991; COM(91) 303

### Food aid

#### *Food aid decisions*

#### Standard food aid

1.3.61. Food aid allocation from the Community budget, for an estimated total of ECU 26.107 million.

• **Basic Regulations:**

Council Regulation (EEC) No 3972/86 on food aid policy and food aid management: OJ L 370, 30.12.1986; Bull. EC 12-1986, point 2.2.31

Regulation (EEC) No 1930/90 amending in particular Regulation (EEC) No 3972/86: OJ L 174, 7.7.1990; Bull. EC 6-1990, point 1.4.43

*Commission decisions adopted on 17 and 30 July.* See Table 6.

Table 6 — *Food aid operations*

Country or organization	Cereals (tonnes)	Milk powder (tonnes)	Vegetable oil (tonnes)	Legumes (million ecus)
Peru	22 000	1 500	2 650	0.4
Yemen	20 000	—	—	—
Tunisia	—	3 000	—	—
WFP	50 000	—	1 000	1.0
NGOs	10 000	—	3 000	—

1.3.62. Storage and early warning operations.

• **Basic Regulations:**

Council Regulation (EEC) No 2507/88 on the implementation of storage programmes and early warning systems: OJ L 220, 11.8.1988; Bull. EC 7/8-1988, point 2.2.47

Regulation (EEC) No 1930/90 amending in particular Regulation (EEC) No 3972/86: OJ L 174, 7.7.1990; Bull. EC 6-1990, point 1.4.43

*Commission decisions:* the sum of ECU 939 927 was granted, broken down as follows:

- Guatemala — Caritas: ECU 125 183,
- Mozambique — Actionaid: ECU 108 000,
- Mozambique — UNHCR: ECU 205 332,
- Burundi — Caritas: ECU 65 270,
- Côte d'Ivoire — UNHCR: ECU 51 142,
- FAO — Early warning: ECU 300 000,
- FAO — Early warning: ECU 85 000.

Table 7 — *Contributions to the purchase of foodstuffs*

Organization	Recipient	Community contribution in ecus	Product
UNHCR	} Various countries	388 090	} Various products and seeds
NGO—Euronaid		470 633	

**Emergency aid**

1.3.65. Commission decisions granting aid:

- (i) Victims of the torrential rain in Antofagasta in Chile: ECU 130 000 through the local NGO, Oficina Coordinadora de Asistencia Campesina (OCAC).
- (ii) Victims of flooding in China: ECU 500 000 through the Red Cross.
- (iii) Victims of the drought and of the extremely critical economic situation in Albania: ECU 500 000 for financing relief

**Emergency food aid**

1.3.63. Commission decisions granting aid.

Population of Somalia, Ethiopia, Sudan and Rwanda: 1 485 tonnes of cereals, 2 000 tonnes of vegetable oil and ECU 1.6 million for the purchase of other products through the ICRC, representing a total of ECU 3.85 million.

*Contributions to the purchase of foodstuffs*

1.3.64. Contributions to the purchase of foodstuffs and seeds by international bodies or non-governmental organizations.

• **Basic Regulations:**

Council Regulation (EEC) No 2508/88 on the implementation of cofinancing operations for the purchase of food products or seeds by international bodies or non-governmental organizations: OJ L 220, 11.8.1988; Bull. EC 7/8-1988, point 2.2.67

Council Regulation (EEC) No 1930/90 amending in particular Regulation (EEC) No 3972/86: OJ L 174, 7.7.1990; Bull. EC 6-1990, point 1.4.43

*Decisions adopted by the Commission on 2 July.* See Table 7.

operations implemented by the League of Red Cross Societies (Licross) and by the NGOs 'Solidarietà per il Terzo Mondo' and 'European Action for Albania'; ECU 500 000 for financing aid programmes implemented through the Commission's usual partners (NGOs, Red Cross, United Nations agencies) or by the Commission itself.

- (iv) Victims of tropical typhoons and torrential rain in the region of the Pinatubo volcano in the Philippines: ECU 300 000.
- (v) Victims of flooding in Romania: ECU 200 000 through the Commission's usual

partners (NGOs, Red Cross, United Nations agencies) or distributed by the Commission itself.

## Commercial policy

### General matters

#### *Commercial policy instruments*

#### Trade protection

##### *Council anti-dumping measures*

1.3.66. Council Regulation (EEC) No 2093/91 imposing a definitive anti-dumping duty on imports of small-screen colour television receivers originating in Hong Kong and the People's Republic of China.

- **References:**  
Initiation: OJ C 288, 12.11.1988; Bull. EC 11-1988, point 2.2.8  
Provisional duty: OJ L 14, 19.1.1991; Bull. EC 1/2-1991, point 1.3.84
- **Commission proposal:** COM(91) 231; Bull. EC 6-1991, point 1.3.65

*Adopted by the Council on 15 July.*

OJ L 195, 18.7.1991

1.3.67. Council Regulation (EEC) No 2525/91 extending the provisional anti-dumping duty on imports of video tapes in cassettes originating in the People's Republic of China.

- **Reference:** Provisional duty: OJ L 106, 26.4.1991

*Commission proposal presented on 24 July.*

COM(91) 307

*Adopted by the Council on 2 August.*

OJ L 236, 24.8.1991

1.3.68. Proposal for a Council Regulation amending a definitive anti-dumping duty following a partial review of anti-dumping measures concerning imports of urea originating in Venezuela and terminating the

review of anti-dumping measures concerning imports of urea originating in Trinidad and Tobago.

- **Reference:** Initiation of review: OJ C 55, 2.3.1991; Bull. EC 3-1991, point 1.3.58

*Adopted by the Commission on 7 August.*

COM(91) 312

1.3.69. Proposal for a Council Regulation amending Regulation (EEC) No 1048/90 with regard to the imposition of a definitive anti-dumping duty on imports of small-screen colour television receivers originating in the Republic of Korea.

- **Reference:** Definitive anti-dumping duty: OJ L 107, 27.4.1990; Bull. EC 4-1990, point 1.2.48
- **Notice of initiation of review:** OJ C 18, 26.1.1991; Bull. EC 1/2-1991, point 1.3.82

*Adopted by the Commission on 16 August.*

COM(91) 326

1.3.70. Proposal for a Council Regulation extending the provisional anti-dumping duty on imports of oxalic acid originating in India and China.

- **Reference:** Provisional duty: OJ L 138, 1.6.1991; Bull. EC 5-1991, point 1.3.86

*Adopted by the Commission on 2 August.*

COM(91) 320

1.3.71. Proposal for a Council Regulation amending Regulation (EEC) No 3905/88 and repealing the definitive anti-dumping duty imposed on imports into the Community of polyester yarn originating in Mexico.

- **Notice of initiation of review:** OJ C 289, 17.11.1990; Bull. EC 11-1990, point 1.4.52

*Adopted by the Commission on 21 August.*

COM(91) 327

1.3.72. Proposal for a Council Regulation extending the provisional anti-dumping duty on imports of gas-fuelled, non-refillable pocket flint lighters originating in Japan, the People's Republic of China, the Republic of Korea and Thailand.

- **Reference:** Provisional duty: OJ L 133, 28.5.1991; Bull. EC 5-1991, point 1.3.84

*Commission anti-dumping measures*

1.3.73. Commission Regulation (EEC) No 2054/91 imposing a provisional anti-dumping duty on imports of dihydrostreptomycin originating in the People's Republic of China.

- **Reference:** Initiation: OJ C 186, 27.7.1990; Bull. EC 7/8-1990, point 1.4.83

*Adopted by the Commission on 11 July.*  
OJ L 187, 13.7.1991

1.3.74. Initiation of a partial review concerning imports of certain compact disc players originating in Japan and the Republic of Korea.

*Notice of initiation published on 4 July.*  
OJ C 173, 4.7.1991

1.3.75. Proceeding concerning imports of certain magnetic disks (3.5" microdisks) originating in Japan, Taiwan and the People's Republic of China.

*Notice of initiation published on 5 July.*  
OJ C 174, 5.7.1991

1.3.76. Examination procedure concerning an illicit commercial practice within the meaning of Council Regulation (EEC) No 2641/84, consisting of piracy of Community sound recordings in Thailand.

- **Reference:** Council Regulation (EEC) No 2641/84: OJ L 252, 20.9.1984

*Notice of initiation published on 20 July.*  
OJ C 189, 20.7.1991

*Community surveillance*

1.3.77. Commission Regulation (EEC) No 2014/91 re-establishing the levying of customs duties applicable to third countries on certain products originating in Yugoslavia.

- **Reference:** Council Regulation (EEC) No 3412/90 establishing ceilings and Community surveillance for imports of certain products orig-

inating in Yugoslavia: OJ L 335, 30.11.1990; Bull. EC 11-1990, point 1.4.59

*Adopted by the Commission on 9 July.*  
OJ L 185, 11.7.1991

1.3.78. Proposal for a Council Regulation (EEC) establishing ceilings and Community surveillance for imports of certain products originating in Malta (1992).

- **References:**  
EEC-Malta Association Agreement: OJ L 61, 14.3.1971  
Additional Protocol: OJ L 304, 29.11.1977  
Supplementary Protocol: OJ L 81, 23.3.1989

*Adopted by the Commission on 12 July.* The aim is to renew tariff ceilings contained in the EEC-Malta Association Agreement for the period from 1 January to 31 December 1992.

COM(91) 252

1.3.79. Commission Recommendation No 2134/91/ECSC amending Commission Recommendation No 556/91/ECSC on Community surveillance of imports of certain iron and steel products covered by the ECSC Treaty and originating in non-member countries.

- **Recommendation amended:** Recommendation No 556/91/ECSC: OJ L 62, 8.3.1991; Bull. EC 3-1991, point 1.3.66

*Adopted by the Commission on 19 July.* The aim is to add two tariff headings to the list of products covered by Community surveillance.

OJ L 197, 20.7.1991

*Treaties and trade agreements:  
extension or automatic renewal*

1.3.80. Proposal for a Council Decision authorizing extension or tacit renewal of certain trade agreements concluded between Member States and third countries.

- **Reference:** Council Decision 69/494/EEC: OJ L 326, 19.12.1969

*Adopted by the Commission on 18 July.* The aim is to authorize, pursuant to Council



Decision 69/494/EEC, the extension of certain trade agreements concluded with the Member States which are due to expire between 1 August and 31 October 1991 (third batch for 1991).

COM(91) 261

1.3.81. Council Decision 91/374/EEC authorizing extension or tacit renewal of certain trade agreements concluded between Member States and third countries.

- **Commission proposal:** COM(91) 164; Bull. EC 6-1991, point 1.3.70

*Adopted by the Council on 22 July.*

OJ L 202, 25.7.1991

### *Quantitative restrictions*

1.3.82. Draft Council Regulation (EEC) abolishing certain quantitative restrictions and amending Annex I to Regulation (EEC) No 288/82.

- **Reference:** Council Regulation (EEC) No 288/82 on common rules for imports: OJ L 35, 9.2.1982

*Adopted by the Commission on 22 July.*

The aim is to abolish a number of remaining quantitative restrictions still being imposed by Member States on certain products originating in non-Community countries which are members of GATT, and countries accorded like treatment.

COM(91) 227

### **Individual sectors**

#### *Iron and steel products*

1.3.83. Decision 91/463/ECSC of the Representatives of the Governments of the Member States meeting within the Council, on certain measures to be applied, in respect of Central and Eastern European countries, to trade in iron and steel products covered by the ECSC Treaty.

- **Commission communication:** Bull. EC 1/2-1991, point 1.3.101

- **Resolution by the ECSC Consultative Committee:** OJ C 50, 26.2.1991; Bull. EC 1/2-1991, point 1.3.101
- **Council Decision concerning negotiating directives:** Bull. EC 4-1991, point 1.3.79

*Arrangements approved by the Commission on 30 July.*

*Decision adopted by the Representatives of the Governments of the Member States on 22 July.* For 1991, the steel arrangements apply only to the countries of Central and Eastern Europe, essentially to smooth their transition to a market economy while offering protection against dumping, and to Brazil, where the industry is undergoing fundamental restructuring.

Liberalization for Brazilian pig iron and all Korean products has resulted in the replacement of the arrangements by a highly structured system of consultations.

It should be noted that relations with EFTA countries are now governed exclusively by the free trade Agreements, and that since Bulgaria blocked the initialling of its arrangement it cannot be approved.

OJ L 252, 7.9.1991

### *Textiles*

#### **Thailand**

1.3.84. Council Decision 91/478/EEC concerning the provisional application of the Agreed Minute amending the Agreement between the European Economic Community and the Kingdom of Thailand on trade in textile products.

- **Agreement amended:** OJ L 255, 5.9.1987
- **Commission proposal:** COM(90) 674; Bull. EC 1/2-1991, point 1.3.105

*Adopted by the Council on 8 July.*

OJ L 256, 13.9.1991

#### **Turkey**

1.3.85. Proposal for a Council Decision concerning the conclusion of the arrangement regarding trade in clothing products

between the European Economic Community and the Republic of Turkey.

- **Council approval of the previous arrangement:** Bull. EC 7/8-1989, point 2.2.9

*Approved by the Commission on 12 July.* The aim is to conclude the new arrangement negotiated between the Commission and the Turkish authorities. This will replace the arrangement signed in 1989 which expired on 31 December 1990.

### Viet Nam

1.3.86. Proposal for a Council Decision amending the import rules laid down in Council Decision 90/468/EEC and applied in Italy to Viet Nam in respect of certain textile products.

- **Reference:** Council Decision 90/468/EEC: OJ L 259, 24.9.1990

*Adopted by the Commission on 26 July.* The aim is to open a special quota in Italy of 25 tonnes for imports of hand-embroidered cotton table linen.

### Agreements and arrangements with non-Community countries

1.3.87. Commission Regulation (EEC) No 2128/91 concerning Annex XXIII to Regulation (EEC) No 4136/86 on common rules for imports of certain textile products originating in third countries.

- **Reference:** Council Regulation (EEC) No 4136/86: OJ L 387, 31.12.1986

*Adopted by the Commission on 19 July.* The Regulation sets out the allocation between Member States of quantitative limits specific to economic outward processing trade from 1 January to 31 December 1991.  
OJ L 197, 20.7.1991

### Other products

1.3.88. Proposal for a Council Decision concerning the conclusion of an Agreement between the European Economic Community and the Government of Denmark

and the Home Government of the Faeroe Islands.

*Adopted by the Commission on 19 August.* The negotiated Agreement, based on Article 113 of the Treaty, chiefly concerns fish and fishery products, agricultural products and oil and gas.

COM(91) 323

## International organizations and conferences

### Conference on Security and Cooperation in Europe

1.3.89. Meeting of experts on national minorities.

- **References:**
  - Conference on the Human Dimension in Copenhagen: Bull. EC 6-1990, point 1.4.66
  - CSCE Summit in Paris: Bull. EC 11-1990, points I.1 and 2.2.1 (Annex III)

*Meeting held in Geneva from 1 to 19 July.* Notwithstanding the sensitive nature of the subjects discussed, this meeting of the CSCE, the aim of which was 'increased cooperation on, as well as better protection of, national minorities', concluded with the adoption of a conclusive report which reinforces the commitments made at the Copenhagen meeting.

The report sets out certain principles and proposes measures for ensuring that the rights of national minorities are observed. The following in particular are stressed:

- (i) the part they should play in public life — and particularly in matters directly concerning them — and in economic activities;
- (ii) the major role which can be played by individuals, non-governmental organizations, religious institutions and other groups to promote understanding between people of different cultures and social and cross-border relations;
- (iii) respect for the freedom of individuals to exchange information and ideas and the

importance of access to the media, the conservation of cultural and historic heritage, and youth exchange schemes.

The various CSCE mechanisms which could be used for matters concerning national minorities were also examined.

The Community played an active part in this meeting, presenting proposals and describing commitments and action at Community level to combat racism and xenophobia and help national minorities.

1.3.90. Parliament resolution on the Conference on Security and Cooperation in Europe.

- **Reference:** First meeting of the Council of Foreign Ministers: Bull. 6-1991, point 1.3.76

*Adopted on 11 July.* Reiterating its support for the peace, common security, and international cooperation process finding expression through the CSCE, Parliament expressed the view that the European Community should act as a driving force within the CSCE and that it was essential for the Community to have a genuine common foreign and security policy. It also felt that the necessary steps should be taken to ensure that the CSCE made a valid contribution to the objective of an overall and balanced policy of disarmament and the peaceful settlement of conflicts based on the abandonment of the 'bloc' mentality, substantial reduction in armed forces and the limitation of arms exports, in accordance with the commitments made at the last CSCE meeting.

OJ C 240, 16.9.1991

## General Agreement on Tariffs and Trade

### *Management of the Agreement*

1.3.91. Council Decision on the conclusion of the exchange of letters supplementing the Agreement between the European Economic Community and the Argentine Republic under Article XXIV.6

of the General Agreement on Tariffs and Trade (GATT).

- **Reference:** Agreement between the EEC and Argentina under GATT, Article XXIV.6: OJ L 24, 29.1.1988
- **Commission proposal:** Bull. EC 6-1991, point 1.3.78

*Adopted by the Council on 22 July.*

## Human rights in the world

### Human rights

1.3.92. Parliament resolution on human rights.

*Adopted on 9 July.* Parliament called upon the European Community to ensure respect for human rights 'not only in other countries but more particularly in its Member States' and to accede to the European Convention on Human Rights. It decided to analyse, with the assistance of the Commission, the reports of non-governmental organizations on respect for human rights in the Member States of the European Community and to draw up annual reports on the respect of human rights within the Community.

OJ C 240, 16.9.1991

### Sakharov prize

1.3.93. In the absence of the winner, Mrs Aung San Suu Kyi, Mr Enrique Baron Crespo, President of Parliament, presented the 1990 Sakharov prize to her son Kim at a ceremonial sitting on 10 July. Mrs Aung San Suu Kyi, leader of the National League for Democracy in Myanmar, which won 392 seats out of 485 at the May 1990 elections, is kept under house arrest and in isolation in Rangoon. Mr Baron Crespo regretted that certain Asian countries had not supported the action taken at international level by putting pressure on the military dictatorship in Myanmar. He said that the Burmese authorities assumed from this that they could defy not only the people of their own

country, but also world opinion, as frequently expressed by the United Nations. They were wrong.

OJ C 240, 16.9.1991

## Brazil

1.3.94. Parliament resolution on the murder of street children in Brazil.

*Adopted on 11 July.* Concerned at the seriousness of the problems of children throughout the world, and in particular the situation of millions of children living on the streets of Brazil's major cities, Parliament requested the Council, when in contact with the Brazilian authorities, to draw their attention to the detrimental effect which the continuation of the human rights violations could have on relations between the European Community and Brazil. It called on the Commission to examine ways in which the Community could help improve the situation of the 7 million street children in Brazil and ways in which it might wish to use the 'conditionality principle' in economic relations with Brazil, should the violation of the rights of these children persist, and also to establish contacts with the Committee of Experts set up under the UN Convention and international organizations such as Unicef, the ILO and Unesco to provide aid tailored to the situation and the jointly defined needs; lastly, it called upon the Commission to create without delay an aid scheme with the appropriate financial resources to help the States in question to ensure the survival of children living on the streets.

OJ C 240, 16.9.1991

## Kashmir

1.3.95. Parliament resolution on the taking of hostages by Kashmiri militants.

*Adopted on 11 July.* Gravely concerned by the recent spate of kidnappings by Kashmiri militant groups, Parliament called on the Commission and ministers meeting in European political cooperation to use their good

offices to assist in bringing about a settlement to the long-standing Kashmir dispute.

OJ C 240, 16.9.1991

## Cuba

1.3.96. Parliament resolution on the release of Mario Chanes, the longest-serving political prisoner in the world.

- **Reference:** Parliament resolution: OJ C 231, 17.9.1990; Bull. EC 7/8-1990, point 1.4.125

*Adopted on 11 July.* In view of the fact that on 17 July the Cuban national Mario Chanes would have spent 30 years of his life in prison as a result of accusations which were never proved by the authorities and simply because he was seen to have moved away from the government since it had opted for Marxist-Leninism, Parliament called on the Cuban authorities to release Mario Chanes immediately and urged them to order a review of his trial in the presence of impartial observers from the international community.

OJ C 240, 16.9.1991

## Pakistan

1.3.97. Parliament resolution on the introduction of the sharia (Islamic law) in Pakistan.

*Adopted on 11 July.* Parliament called upon the Commission and the Foreign Ministers meeting in European political cooperation to convey to the Pakistan authorities the deep concern regarding the introduction of Islamic law and the effects this could have on minorities, human rights, and in particular women's rights, the democratic future of Pakistan and its position in the international community.

OJ C 240, 16.9.1991

## Myanmar

1.3.98. Parliament resolution on the continued massive violations of human rights in Myanmar.

*Adopted on 11 July.* Shocked by the evidence that the gross and massive violations of human rights by the State Law and Order Restoration Council (SLORC) in Myanmar were getting even worse, added to the fact that the SLORC held power illegitimately since it was decisively defeated in the elections of May 1990 by the National League for Democracy led by Mrs Aung San Suu Kyi, Parliament called on ministers meeting in European political cooperation to investigate the reports of conscripted civilians

being used to explode mines with a view to raising this matter in the United Nations, and to establish close contact with the National Coalition Government of the Union of Myanmar, which was created in December 1990 from members of parliament elected in May 1990, to see what could be done to assist them in their objective of securing respect for the results of the elections. It urged the need to establish a complete arms embargo on Myanmar while the gross abuse of human rights continued.  
OJ C 240, 16.9.1991

## 4. Intergovernmental cooperation

### European political cooperation

1.4.1. The joint statements adopted and published in July and August are reproduced below in chronological order.

#### Yugoslavia

1.4.2. The following joint statement was published in The Hague and Brussels on 2 July:

'The European Community and its Member States are alarmed that hostilities have resumed in Slovenia. This endangers the progress that has been made in the past week towards a solution which would be acceptable to all parties concerned.

They therefore urgently appeal to all parties to respect the cease-fire agreed upon in the presence of the ministerial troika of the European Community and its Member States, and urge them to refrain forthwith from all acts of violence.'

1.4.3. The following joint statement was published in The Hague and Brussels on 5 July:

'The Community and its Member States continue to follow with great concern the development of the situation in Yugoslavia.

Recalling their earlier statements and *démarches*, as well as those of the 35 countries of the CSCE, they continue to call for a peaceful solution to the current crisis in the country.

They stress again that it is only for the peoples of Yugoslavia themselves to decide on the country's future. They restate therefore their firm opposition to any use of force.

The Community and its Member States call for a dialogue without preconditions between all parties on the future of Yugoslavia, which should be based on the principles enshrined in the Helsinki Final Act and the Paris Charter for a New Europe, in particular respect for human rights, including rights of minorities and the right of peoples to self-determination in conformity with the Charter of the United Nations and with the relevant norms of international law, including those relating to territorial integrity of States (Charter of Paris). The Community and its Member States take note of the fact that in Yugoslavia all parties concerned accept the reality that a new situation has arisen. The Community and its Member States for their part will do their utmost to help them find a solution. In this context they decided to send again the ministerial troika to Yugoslavia. The Community and its Member States will have to consider again their position in the event of any further breach of the cease-fire, in particular should unilateral military action be taken.

The Community and its Member States welcome the fact that the collegiate Presidency has been able

to meet following the elections of its President and Vice-President. They express the hope that the Presidency will now be able to play its full role in the negotiations on the future of Yugoslavia. It will not be able to do so unless it exerts full political and constitutional control over the Yugoslav People's Army.

The Community and its Member States welcome the fact that in this context the recently established CSCE Emergency Mechanism has been able to meet for the first time, and they endorse its conclusions. In conformity with these, and having been requested to do so by the Yugoslav authorities, they have decided to organize a mission to help stabilize a cease-fire and to monitor the implementation of the two remaining elements of the agreement reached between the Yugoslav parties with the contribution of the Community and its Member States. In this context, they decided to send at short notice a troika of high officials to Yugoslavia to establish the necessary practical arrangements. They are also prepared to contribute to the CSCE mission of good offices to facilitate the political dialogue among the parties concerned.

In view of the present situation in Yugoslavia, the Community and its Member States decided upon an embargo on armaments and military equipment applicable to the whole of Yugoslavia. They launch an urgent appeal to other countries to follow this example. The Community and its Member States also decided to suspend the second and third financial protocols with Yugoslavia. But they express the hope that a normalization of the situation will permit them to put into effect as soon as possible the financial protocols so as to contribute to the indispensable economic recovery of the country.'

1.4.4. The following joint statement was published in The Hague and Brussels on 10 July:

'The European Community and its Member States consider that further violence and bloodshed in Yugoslavia can be avoided only through the full compliance by all parties concerned with all provisions of the Brioni agreement.

They launch an urgent appeal to these parties to cooperate according to the letter and the spirit of that agreement. Full compliance is essential for the European Community and its Member States to continue their current efforts of assistance in overcoming the Yugoslav crisis.

The Community and its Member States have today agreed the mandate on the basis of which a monitor mission to Yugoslavia will shortly be established in cooperation with the parties concerned in order to help stabilize the cease-fire and to

monitor the suspension of the implementation of the declarations of independence.

The Community and its Member States look forward to an early start of the process of negotiations on the future of Yugoslavia.'

## Ethiopia

1.4.5. The following joint statement was published in The Hague and Brussels on 12 July:

'The Community and its Member States welcome the successful conclusion of the conference for peaceful and democratic transition in Ethiopia, held in Addis Ababa from 1 to 5 July.

The Community and its Member States had the opportunity to observe the proceedings of the conference, which could mark a historic step towards democracy in Ethiopia. They note that the charter adopted by the conference explicitly guarantees individual human rights, including freedom of expression and association.

The Community and its Member States will follow with constructive interest the further developments which hopefully will lead to a nation wherein peace and democracy will prevail. They recall their readiness to support this process.'

## The Middle East peace process

1.4.6. The following joint press statement was published in The Hague and Brussels on 17 July.

- **Reference:** Declaration by the Luxembourg European Council: Bull. EC 6-1991, points I.27 and I.42

'The Presidency recalls the Declaration of the European Council at Luxembourg (28 and 29 June 1991) on the peace process, which confirmed the support of the Community and its Member States for the current initiative, launched by the United States, and which urgently called on all parties to overcome final difficulties so that a peace conference could be convened.

The recent positive evolution in the attitude of the government of Syria is welcomed.

Noting the forthcoming visit of Secretary Baker to Israel and the region, the Community and its Member States consider that the peace process has entered a crucial stage. They are hopeful that the conference may now soon be convened. The Community and its Member States call upon the parties concerned to refrain from any actions which could

jeopardize the peace efforts, to which they will continue to contribute.'

## El Salvador

1.4.7. The following joint statement was published in The Hague and Brussels on 17 July:

'The European Community and its Member States express their grave concern regarding the escalating violence in El Salvador at a time when negotiations aimed at a peaceful end to the internal conflict had raised hopes of a lasting solution. In particular they strongly condemn the brutal torture and murder of Martin Ayala, member of the Consejo de Comunidades Marginales (CCM). The perpetrators of such crimes should be brought to justice without delay.

This murder highlights the urgency of agreement within the current peace negotiations on practical measures to reorganize, and to improve the investigative capability of, the Salvadorean police, and to improve the system of justice as envisaged in the April constitutional amendments, as yet unratified.

The Community and its Member States urge the parties to the conflict to refrain from all recourse to violence and to renew their efforts to bring the peace negotiations to an early successful conclusion.'

## Relations between the Community and its Member States and Japan

1.4.8. On 18 July the following joint declaration was published in The Hague, Tokyo and Brussels at the end of the European Community-Japan summit meeting in The Hague:

### 'Preamble

The European Community and its Member States on the one part and Japan on the other part,

conscious of their common attachment to freedom, democracy, the rule of law and human rights;

affirming their common attachment to market principles, the promotion of free trade and the development of a prosperous and sound world economy;

recalling their increasingly close ties and acknowledging growing worldwide interdependence and, consequently, the need for heightened international cooperation;

affirming their common interest in security, peace and stability of the world;

aware of the importance of deepening their dialogue in order to make a joint contribution towards safeguarding peace in the world, setting up a just and stable international order in accordance with the principles and purposes of the United Nations Charter and taking up the global challenges that the international community has to face;

mindful of the accelerated process whereby the European Community is acquiring its own identity in the economic and monetary sphere, in foreign policy and in the field of security;

have decided to intensify their dialogue and to strengthen their cooperation and partnership in order that the challenges of the future may be met.

### General principles of dialogue and of cooperation

The European Community and its Member States and Japan will firmly endeavour to inform and consult each other on major international issues, which are of common interest to both parties, be they political, economic, scientific, cultural or other. They will strive, whenever appropriate, to coordinate their positions. They will strengthen their cooperation and exchange of information both between the two parties and within international organizations.

Both parties will likewise consult together on the international situation and on regional matters with a view, in particular, to joining their efforts to bring about an easing of tensions and to ensure respect for human rights.

### Objectives of dialogue and cooperation

The two parties will set out to explore together areas of possible cooperation, including where appropriate common diplomatic action. They will endeavour to strengthen their cooperation in a fair and harmonious way in all areas of their relations taken as a whole, in particular with respect to the following:

promoting negotiated solutions to international or regional tensions and the strengthening of the United Nations and other international organizations;

supporting social systems based on freedom, democracy, the rule of law, human rights and market economy;

enhancing policy consultation and, wherever possible, policy coordination on the international issues

which might affect world peace and stability, including international security matters such as the non-proliferation of nuclear, chemical and biological weapons, the non-proliferation of missile technology and the international transfer of conventional weapons;

pursuing cooperation aimed at achieving a sound development of the world economy and trade, particularly in further strengthening the open multilateral trading system, by rejecting protectionism and recourse to unilateral measures and by implementing GATT and OECD principles concerning trade and investment;

pursuing their resolve for equitable access to their respective markets and removing obstacles, whether structural or other, impeding the expansion of trade and investment, on the basis of comparable opportunities;

strengthening their dialogue and cooperation on various aspects of multifaceted relations between both parties in such areas as trade, investment, industrial cooperation, advanced technology, energy, employment, social affairs and competition rules;

supporting the efforts of developing countries, in particular the poorest among them, to achieve sustained development and political and economic progress, along with fostering respect for human rights as a major factor in genuine development, with due regard for the objectives set by international organizations;

joining their efforts in meeting transnational challenges, such as the issue of environment, the conservation of resources and energy, terrorism, international crime and drugs and related criminal activity, in particular the laundering of the proceeds of crime;

strengthening cooperation and, where appropriate, promoting joint projects in the field of science and technology with a view to contributing to the promotion of scientific knowledge which is essential for the future prosperity of all mankind;

developing academic, cultural and youth exchange programmes aiming to increase knowledge and improve understanding between their respective peoples;

supporting, in cooperation with other States or organizations, Central and Eastern European countries engaged in political and economic reforms aimed at stabilizing their economies and promoting their full integration into the world economy;

cooperating, in relation with the countries of the Asia-Pacific region, for the promotion of peace, stability and prosperity of the region.

### Framework for dialogue and consultations

Both parties are committed to engage in continuous dialogue to give substance to this declaration. To this end, in addition to the full use of all existing regular consultation mechanisms, both parties have decided to strengthen their mechanisms for consultation and substantial cooperation on global and bilateral issues:

(i) especially they have decided to hold annual consultations in Europe or in Japan between, on the one hand, the President of the European Council and the President of the Commission and, on the other, the Japanese Prime Minister;

(ii) an annual meeting continues to be held between the Commission and the Japanese Government at ministerial level;

(iii) six-monthly consultations continue to be held between the Foreign Ministers of the Community and the Member of the Commission responsible for external relations (troika) and the Japanese Foreign Minister;

(iv) the representatives of Japan are briefed by the Presidency of European political cooperation following ministerial political cooperation meetings, and Japan informs the representatives of the Community of the Japanese Government's foreign policy.

In order to give substance to this declaration, both parties will make use of the existing and above-mentioned forums with a view to regularly reviewing its implementation and to provide a permanent stimulus to the development of EC-Japan relations.'

### Yugoslavia

1.4.9. The following joint statement was published in The Hague and Brussels on 19 July:

'The European Community and its Member States welcome the news that the full Yugoslav State Presidency met on 18 July. They note the Presidency's decision to withdraw the Yugoslav People's Army from the territory of the Republic of Slovenia and welcome this in so far as it expresses the commitment of all parties to refrain from the use of force.

They look forward to the Yugoslav State Presidency's meeting with the Republican leaders in Ohrid on 22 July. They express the hope for an early start to the negotiations on the future of Yugoslavia.

The Community and its Member States reaffirm once again that they are ready to provide, if so



desired by the parties concerned, all assistance to support the negotiating process and a peaceful settlement of the current problems.'

## Myanmar

1.4.10. The following joint statement was published in The Hague and Brussels on 29 July.

- **References:**

Joint statement of 4 January: Bull. EC 1/2 1991, point 1.4.3

Joint statement of 27 May: Bull. EC 5/1991, point 1.4.10

'Recalling their statements of 4 January and 27 May on Myanmar, the Community and its Member States are appalled that the Burmese authorities still show no sign of respecting the wishes the Burmese people expressed in elections on 27 May 1990 for a democratically elected Government. Nor have the Burmese authorities put an end to violations of internationally accepted rules of conduct and of human rights. The Community and its Member States are likewise appalled that the Burmese authorities continue to spend large amounts of their country's meagre resources on arms. They wish, therefore, to draw the attention of the international community to their decision to refuse the sale of any military equipment from Community countries to Burma. They call on the rest of the international community to show similar restraint and desist from all such sales.'

## Middle East

1.4.11. The following joint statement was published in The Hague and Brussels on 29 July:

'The Community and its Member States reviewed the present developments in the peace process. They noted with satisfaction the emerging consensus on the current initiative, launched by the United States, to convene a peace conference leading to the beginning of negotiations between the parties.

The Community and its Member States welcome the fact that a number of Arab countries have responded positively to the call in the London G7 Summit declaration by offering a suspension of the Arab boycott in return for a freeze by Israel of its settlement policy. They stress how important it is that this positive gesture be reciprocated.

They stress again the importance of overcoming final difficulties, including the question of Palestinian representation, so that a conference, to which

they will make their full contribution as a participant, may now be convened shortly. They are convinced that with the necessary political will and courage of the parties concerned a solution to those difficulties can be found.'

## Somalia

1.4.12. The following joint statement was published in The Hague and Brussels on 2 August:

'The Community and its Member States welcome the outcome of the Djibouti Conference, which could be a first important step towards the reconstruction of Somalia.

The Community and its Member States call upon all parties concerned to continue working for national reconciliation and the formation of a national government which will guarantee peace and security in the territory of Somalia as a whole. In this context they emphasize the need for progress towards better government, including economic reform, respect for human rights, and the continued search for unity and territorial integrity of Somalia.

The Community and its Member States also reaffirm their commitment to provide humanitarian relief under conditions that guarantee an effective distribution.'

## South Africa

1.4.13. The following joint statement was published in The Hague and Brussels on 2 August:

'The Community and its Member States have noted with interest the statement by President De Klerk on 30 July 1991 in answer to the recent revelations of secret funding by the South African Government of political and related organizations in South Africa and the alleged involvement of elements of the SADF and security forces in the violence.

Bearing in mind that orderly and early progress in the process of negotiation is necessary in order to maintain the momentum towards the establishment of a democratic, non-racial society in South Africa, they express the hope that the statement by President De Klerk will contribute to re-establishing a climate of trust, which is essential to further progress towards these negotiations. They welcome the government's renewed commitment towards the creation, by peaceful dialogue, of a new South Africa.'

## Ethiopia

1.4.14. The following joint statement was published in The Hague and Brussels on 2 August:

'The Community and its Member States convey to President Meles Zenawi their congratulations on the occasion of his election as Head of State of Ethiopia on 22 July and extend their good wishes for success in his high and demanding task during the coming two and a half years.

The Community and its Member States wish to recall their statement of 12 July 1991 and express their hope that parties and factions will join forces in order to reach a broad consensus that will lead Ethiopia towards democracy.'

## Yugoslavia

1.4.15. The following joint statement was published in The Hague and Brussels on 2 August:

'The Community and its Member States reviewed the situation in Yugoslavia on the basis of the report submitted by the ministerial troika. They welcomed the activities of the troika and asked them to continue their efforts.

The Community and its Member States reconfirm their commitment to seek, with all parties concerned, a peaceful and negotiated solution to the present crisis. They will actively pursue their efforts to this end in accordance with the joint declaration of Brioni of 7 July 1991.

They are greatly concerned about the continuing bloodshed in Yugoslavia and deplore the absence of a cease-fire, and urge the acceptance of such a cease-fire, which the troika has been trying to establish.

They strongly condemn the continuing use of force and attempts of any republic to impose by force solutions on other republics. They express the Twelve's strong interest in a peaceful solution to Yugoslavia's problems, not only for the sake of Yugoslavia itself and its constituent peoples, but for Europe as a whole.

The Community and its Member States are concerned to draw to the attention of those responsible for the present deadlock the consequences, for the whole of Yugoslavia, of a deterioration of the situation and of further delay in starting the negotiations on the future of the country. They urge the collegiate Presidency to convene forthwith negotiations on the future of Yugoslavia. They

express their readiness to convene such a conference themselves if necessary.

Such negotiations should be based on the principles that any change of internal and international borders by force is not acceptable and that any solution should guarantee the rights of minorities in all the republics.

They invite the Commission to inform the Twelve about what economic and financial measures could be taken against those parties which refuse a cease-fire and do not abide by the abovementioned principles and how to improve economic and financial relations with those who do cooperate in this respect.

Bearing in mind the mandate received from the CSCE Meeting of High Officials, they welcome the convening of the follow-up CSCE meeting later this week in Prague. They call on their CSCE partners to support the latest initiatives of the Twelve to bring about a cease-fire in Yugoslavia and to help promote peaceful dialogue which is necessary to create a situation in Yugoslavia that satisfies the aspirations of all its peoples.

They also welcome the intention of France and the UK as permanent members of the Security Council, and Belgium as non-permanent member, to keep the Security Council informed of EC actions regarding the situation in Yugoslavia with a view to the Security Council taking such measures as may be deemed appropriate.

The Community and its Member States took note that the Member States of the WEU have decided to instruct their representatives to take stock of the present situation in Yugoslavia and to examine whether there is any contribution which the WEU could make to the maintenance of an agreed cease-fire.'

## Soviet Union

1.4.16. The following joint statement was published in The Hague and Brussels on 19 August:

'The Community and its Member States have learned with grave concern that President Mikhail Gorbachev has been removed from office and that all powers have been taken over by a State Committee for the State of Emergency.

This change of power has created uncertainties concerning both the development of international relations and the continuation of the process of domestic reform in the Soviet Union.

An extraordinary EPC meeting of Foreign Ministers will be held in The Hague on Tuesday morn-

ing, 20 August 1991, in order to discuss the situation and its possible consequences.'

## Yugoslavia

1.4.17. The following joint statement was published in The Hague and Brussels on 20 August:

'On the basis of a review of the situation in Yugoslavia in the light of the Presidency's emissary's reports, the Community and its Member States express their grave concern at the frequent infringements of the cease-fire, resulting again in the serious loss of human lives.

They welcome the readiness of all the parties concerned to start negotiations about the future of Yugoslavia and they urge all parties to conduct these negotiations in good faith. Such negotiations should be based on the principles that any change of internal and international borders by force is not acceptable and that any solution should guarantee the rights of peoples and minorities in all the Republics. In particular, they appeal to the parties concerned to do everything within their power to ensure that the negotiating process will not be marred by further violence.

The Community and its Member States will continue to keep the situation in Yugoslavia under close review and stand ready to facilitate and assist the negotiating process and to provide for international monitoring of the cease-fire if the parties so desire.'

## Madagascar

1.4.18. The following joint statement was published in The Hague and Brussels on 20 August:

'The Community and its Member States are deeply concerned about the recent tragic events in Madagascar. They urge both the authorities of Madagascar and all the political forces to do their utmost in order to find a peaceful solution to the present crisis, respecting democracy and human rights.'

## Soviet Union

1.4.19. The following joint statement was published in The Hague and Brussels on 20 August:

'The European Community and its Member States are deeply concerned at the *coup d'état* in the Soviet Union. They strongly condemn the removal of President Gorbachev from office and the seizure

of all power by a 'State Committee for the State of Emergency' as a clearly unconstitutional act and a flagrant violation of the Soviet Union's obligations under the Helsinki Final Act and the Paris Charter. The Community and its Member States demand that constitutional order be re-established forthwith and that President Gorbachev be reinstated in his functions and rights as Head of State of the Soviet Union.

Although the outcome of the current events in the Soviet Union remains unclear, the first decree of this State Committee, providing, *inter alia*, for the suspension of democratically elected bodies and censorship of the media, leaves no doubt as to the true nature of the regime that now holds the reins of power in the Soviet Union. Bearing in mind all the implications of the situation, they urge the Soviet authorities, in conformity with the commitments of their country under the Helsinki Final Act and the Charter of Paris, to refrain from any act of intimidation or violence.

The European Community and its Member States believe that the continuation in power of the new regime cannot but bring to a halt the process of democratic reforms in the Soviet Union and the dramatic improvements in the international climate to which President Gorbachev has made such an important contribution and which they consider a prerequisite for fruitful cooperation between them and the Soviet Union.

They urge the present leaders to allow access to all elected representatives of the Soviet people as well as to President Gorbachev himself. The Presidency has been mandated to contact these people in order to assure itself of their wellbeing and their ability to exercise fully their rights and freedoms.

The Community and its Member States hold those now in power accountable for the possible consequences of their action for the stability, security and cooperation in Europe and for international relations in general. They are aware of the special concerns of the countries of Central and Eastern Europe in this respect.

As a measure of their solidarity with these countries, the Community and its Member States reaffirm their desire to conclude association agreements with Hungary, Poland and Czechoslovakia in the near future. In the same spirit, they reiterate their full support for the ongoing process of reform in Bulgaria and Romania. They also underline their commitment to reinforce contacts with Albania. The Commission will explore ways and means to further expand cooperation with Bulgaria, Romania and Albania.

They note that the *coup d'état* took place on the eve of the scheduled signing of a new Union Treaty,

which would have been an important step towards improved internal relations and stability in the Soviet Union. They reiterate their view that the problems existing in the relations between the Soviet Union's constituent republics can only be overcome through negotiations and dialogue. In particular, they are seriously concerned at the reports of military action in the Baltic States, and urgently appeal to the Soviet authorities to refrain from all threat or use of force against the democratically elected governments and representatives of the Baltic peoples.

The European Community and its Member States insist that the Soviet Union abide by all its international commitments and treaties, including those concerning troop withdrawals and disarmament. They expect it to respect the integrity and security of all States in Europe. Until the Soviet Union returns to constitutional order and the full observance of its international obligations under the Charter of Paris, the Community will suspend its economic assistance in the form of credits for food supplies and technical assistance. However, it will continue humanitarian emergency aid provided that it reaches the population in need. The Member States are invited to consider acting likewise.

Furthermore, the Community and its Member States are of the opinion that until such time that constitutional order and democratic freedoms will have been restored, their participation in the meeting in Moscow of the Conference on the Human Dimension in the framework of the CSCE cannot be justified.'

### South Africa

1.4.20. The following joint statement on the return of refugees and political exiles to South Africa was published in The Hague and Brussels on 22 August:

'The Community and its Member States welcome the agreement reached between the South African Government and the United Nations High Commissioner for Refugees on the process of the return of refugees and political exiles to South Africa. This agreement removes an important obstacle to progress towards substantive negotiations on a new constitution for a democratic and non-racial society in South Africa.

The Community and its Member States are equally encouraged by the draft agreement between the South African Government, the ANC and Inkatha on measures against violence and look forward to the expected signing of the peace accord.

The Community and its Member States express their hope that all outstanding questions can be

resolved in order to enable negotiations to begin as soon as possible.'

### Soviet Union

1.4.21. The following joint statement was published in The Hague and Brussels on 22 August:

'The European Community and its Member States have witnessed the collapse of the *coup* in the Soviet Union with profound relief and satisfaction. They rejoice in the reinstatement of President Gorbachev and the restoration of constitutional order and democratic freedoms.

They express their deep admiration for all individuals who resisted the *coup* and acknowledge the key role played in this respect by President Yeltsin and other democratically elected leaders. It gives them new cause for confidence in the future of Europe that after relatively few years of reforms, the democratic forces in Soviet society have already become so strong that they could not even be subdued by an alliance of Ministers controlling all the Union's security forces.

The European Community and its Member States congratulate President Gorbachev who is the architect of these reforms and President Yeltsin without whose courage the fruits of these reforms would not have survived.

The inhabitants of the Soviet Union have demonstrated that for them their Government's commitment under the Paris Charter to build, consolidate and strengthen democracy as their only system of government is not an empty phrase. The last three days have shown that democracy has taken root in Soviet society in an irreversible manner. The Soviet Union still faces many problems, notably in developing a new relationship among its constituent republics, but given the strength of its democratic forces it may be trusted to find solutions through negotiations and dialogue.

In view of the restoration of constitutional order and democratic freedoms in the Soviet Union, the European Community and its Member States have decided to revoke their decision of 20 August 1991 to suspend the Community's economic assistance in the form of credits for food supplies and technical assistance. They have also decided that there are now no obstacles to their participation in the forthcoming Conference on the Human Dimension in the framework of the CSCE to be held in Moscow in September.'

## Guatemala

1.4.22. The following joint statement on the human rights situation in Guatemala was published in The Hague and Brussels on 23 August:

'The Community and its Member States express their serious concern regarding the continuing violence and abuses of human rights in Guatemala.

They strongly condemn the murder on 5 August 1991 of Jose Miguel Merida Escobar, the police officer who was in charge of the investigation into the murder of Mirna Mack Chang, a human rights activist, which occurred on 11 September 1990 in Guatemala City. It is their view that such serious crimes cannot be allowed to go unpunished and that the perpetrators should be brought to justice without delay.

The Community and its Member States, therefore, welcome the Guatemalan Government's statement that it will not be deterred by violence from its firm intention to solve these and other crimes and that measures have been taken to prevent repetition thereof. It is clear that concrete measures are needed to bring about a substantial improvement in the human rights situation. In this light they applaud the arrest on 15 August 1991 of seven military and naval personnel charged with murder, as a clear sign of the Government's resolve to suppress lawlessness.'

## Baltic States

1.4.23. The following joint statement was published in The Hague and Brussels on 28 August:

'The Community and its Member States warmly welcome the restoration of the sovereignty and independence of the Baltic States which they lost in 1940. They have consistently regarded the democratically elected parliaments and governments of these States as the legitimate representatives of the Baltic peoples. They call for open and constructive negotiations between the Baltic States and the Soviet Union to settle outstanding issues between them.

It is now time, after more than 50 years, that these States resume their rightful place among the nations of Europe. Therefore, the Community and its Member States confirm their decision to establish diplomatic relations with the Baltic States without delay. Implementing measures will be taken by Member States individually.

The Community and its Member States look forward to the early membership and participation of the Baltic States in all relevant international organizations, such as the United Nations, CSCE and the Council of Europe.

The Community and its Member States underline their commitment to support the Baltic States in their economic and political development. The Commission will explore all avenues for economic cooperation between the Community and the Baltic States and will put forward early proposals to that effect.

The Community and its Member States extend a cordial invitation to the Foreign Ministers of the Baltic States to attend their next meeting early in September.'

## China

1.4.24. The following joint statement on China's decision to accede to the Treaty on the Non-Proliferation of Nuclear Weapons was published in The Hague and Brussels on 28 August:

'The European Community and its Member States welcome the announcement by Chinese Prime Minister, Li Peng, that China has decided, in principle, to accede to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The European Community and its Member States look forward to China's formal accession to the NPT as soon as possible. Once China adheres to the NPT, all five permanent members of the United Nations Security Council, being the nuclear weapons States as envisaged in the Treaty, will be parties to it, thereby giving the non-proliferation regime a truly universal stature.

The European Community and its Member States commend the Chinese Government's decision and they call upon China to reinforce the effectiveness of nuclear non-proliferation by accepting the nuclear supplier guidelines as a standard for nuclear exports.

The European Community and its Member States attach great importance to the NPT as a cornerstone of international peace and stability. They express the hope that those States which have not yet adhered to the Treaty will decide to do so with a view to strengthening its effectiveness and achieving its universality.'

## Yugoslavia

1.4.25. The following joint statement was published in The Hague and Brussels on 28 August:

'The European Community and its Member States are dismayed at the increasing violence in Croatia.

They remind those responsible for the violence of their determination never to recognize changes of frontiers which have not been brought about by peaceful means and by agreement. It is a deeply misguided policy on the part of the Serbian irregulars to try to solve the problems they expect to encounter in a new constitutional order through military means. It is even more disconcerting that it can no longer be denied that elements of the Yugoslav People's Army are lending their active support to the Serbian side. The Community and its Member States call on the Federal Presidency to put an immediate end to this illegal use of the forces under its command.

The Community and its Member States will never accept a policy of *fait accompli*. They are determined not to recognize changes of borders by force and will encourage others not to do so either.

Territorial conquests, not recognized by the international community, will never produce the kind of legitimate protection sought by all in the new Yugoslavia. Such protection can be brought about only by negotiations based on the principle of the fullest protection of the rights of all, wherever they may live in Yugoslavia.

The European Community and its Member States call on Serbia to lift its objection to the extension of the activities of their monitor mission in Croatia. Recent events have shown that without a comprehensive and effective cease-fire and impartial foreign monitors the situation in Yugoslavia cannot be sufficiently stabilized to allow for productive negotiations to be held.

In view of the deteriorating situation in Yugoslavia the European Community and its Member States have asked the Presidency to request the chairman of the CSCE Committee of Senior Officials to advance the additional meeting of that Committee, agreed on during its second emergency meeting on 9 August 1991, to early September.

The Community and its Member States cannot stand idly by as the bloodshed in Croatia increases day by day. An agreement on the monitoring of the cease-fire and its maintenance should allow the Community and its Member States to convene

a peace conference and establish an arbitration procedure.

This peace conference will bring together:

- (i) on the part of Yugoslavia, the Federal Presidency, the Federal Government and the Presidents of the Republics;
- (ii) the President of the Council, representatives of the Member States and the Commission.

The arbitration procedure in the framework of this peace conference will be established as follows. The relevant authorities will submit their differences to an Arbitration Commission of five members chosen from the Presidents of Constitutional Courts existing in the Community countries. The composition of the Arbitration Commission will be:

- (i) two members appointed unanimously by the Federal Presidency;
- (ii) three members appointed by the Community and its Member States.

In the absence of agreement on the members to be appointed by the Federal Presidency, they will be designated by the three members appointed by the Community.

This Arbitration Commission will give its decision within two months.

In the absence, by 1 September 1991, of an agreement on the monitoring of the cease-fire and its maintenance and on the peace conference, the Community and its Member States will consider additional measures, including international action. To this effect they will convene a meeting to which they will invite the Presidents and the representatives in the Federal Presidency of the Republics which support these two steps. The Prime Minister and the Foreign Minister of the Federal Government will also be invited to this meeting.

The Presidency has sent a special envoy to Yugoslavia to clarify the Twelve's position in this regard. The Member States which are members of the Security Council will bring this declaration to the attention of that body.'

# 5. Financing Community activities

## Budgets

### General budget

#### *Financial perspective*

1.5.1. Revision of the financial perspective for 1992, to take account of aid to the Soviet Union, the move out of the Berlaymont and the new posts needed.

- **Reference:** Interinstitutional Agreement of 29 June 1988 on budgetary discipline and improvement of the budgetary procedure: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.3.8

*First examined by the Commission on 31 July.* For the time being, the Commission decided to set the amount proposed for further technical assistance to the Soviet Union at ECU 500 million. However, following the events in August the Commission decided to reconsider the question of aid to Central and Eastern Europe in September.

#### *1991 financial year*

1.5.2. Preliminary draft supplementary and amending budget No 2.

- **Reference:** Council Regulations (EEC) Nos 1622/91 to 1639/91 and 1706/91 to 1744/91 on agricultural prices and related measures: OJ L 150, 15.6.1991; OJ L 162, 26.6.1991; OJ L 163, 26.6.1991; Bull. EC 6-1991, point 1.2.156

*Adopted on 31 July.* Purpose: to take account primarily of the Council decision on farm prices and related measures and provide an additional ECU 758 million for the EAGGF Guarantee subsection, bringing it up to ECU 32 274 million, which is still below the agricultural guideline.

#### *1992 financial year*

1.5.3. Draft budget for 1992.

- **References:**  
Council Regulations (EEC) Nos 1622/91 to 1639/91, 1703/91 and 1706/91 to 1744/91 on agricultural prices and related measures: OJ

L 150, 15.6.1991; OJ L 162, 26.6.1991; OJ L 163, 26.6.1991; Bull. EC 6-1991, point 1.2.156

Council Regulation amending Regulation No 790/89 concerning the maximum amount applied to aid for quality and marketing improvement in the nut- and locust bean-growing sector: point 1.2.209 of this Bulletin

- **Preliminary draft budget:** Bull. EC 4-1991, point 1.5.7

*Letter of amendment No 1 to the preliminary draft budget for 1992 adopted by the Commission on 2 July.* To take account of the financial implications of the Council's decisions on the agricultural prices package and certain essential technical adjustments, the Commission proposes that the EAGGF Guarantee appropriations in the preliminary draft budget for 1992 be increased by ECU 379 million, which has the effect of raising the total amount to the agricultural guideline figure. This brings the total commitment appropriations proposed for 1992 to approximately ECU 65.571 million and payment appropriations to approximately ECU 62.614 million.

*First reading by the Council (budget) on 25 July.* In particular, the Council carried out a large-scale redeployment within heading 4, making substantial cuts in the area of internal Community policies. The Council's allocations for this area are some ECU 200 million below those of the preliminary draft budget.

In contrast, certain external policies were given a substantial boost, receiving almost ECU 250 million more than in the preliminary draft budget.

This enables further technical assistance to the USSR to be financed almost in full by rolling over the 1991 allocation (ECU 400 million).

Emergency aid, on the other hand, is increased by ECU 21.5 million and food aid is allocated an exceptional reserve of ECU 100 million (with no change to the overall total for this heading).

The breakdown of appropriations is as follows (million ecus — provisional, rounded figures):

	Commitment appropriations
EAGGF Guarantee Section	35 008.0
Set-aside/income aid	280.0
Agricultural stock depreciation	810.0
Monetary reserve	1 000.0
Structural Funds	17 585.3
Pedip (Specific programme for industrial development in Portugal)	127.7
Support programme	16.0
IMPs (integrated Mediterranean programmes)	466.9
Research (framework programme and other actions)	2 212.4
Other policies including:	5 085.6
Food aid	518.0
Aid to Latin America and Asia Mediterranean	553.9
Central/Eastern Europe	397.7
USSR	1 025.0
USSR	400.0
Administration:	
Commission	1 908.9
Other institutions	1 023.1
Refunds to Member States	82.0
	65 606.0

## ECSC operating budget

1.5.4. Draft amending operating budget for 1991.

- Reference: ECSC operating budget for 1991: OJ L 357, 20.12.1990; Bull. EC 12-1990, point 1.6.6

*Adopted on 31 July.* This draft provides for additional resources of ECU 46 million following various adjustments to estimates; however, these are partially offset by a net increase in requirements of ECU 26 million. This is made up of increases of ECU 44 million for redeployment aid and ECU 7 million for conversion loans, less the ECU 25 million reduction in the allocation for interest subsidies on investment loans.

## Financial operations

### ECSC

#### Loans raised

1.5.5. In July, on behalf of the ECSC, the Commission made a PTA 15 000 million five-year public issue at 11.35% with an issue price of 101.5% and, on behalf of the EEC, a ECU 435 million seven-year public issue at 9¼% with an issue price of 101.125%. The proceeds were swapped for variable rates. The second of these two issues is intended to finance the first instalments of Community loans to Bulgaria (ECU 150 million) and to Czechoslovakia (ECU 185 million), and of a second Community loan to Hungary (ECU 100 million).

1.5.6. In August, on behalf of the ECSC, the Commission made a number of private placings in pesetas and in ecus for the equivalent of ECU 48.7 million.

#### Loans granted

1.5.7. Acting under Articles 54 and 56 of the ECSC Treaty, the Commission granted loans in July and August totalling ECU 351.9 million, as follows.

#### Industrial loans

1.5.8. Industrial loans (Article 54) totalling ECU 107.6 million were made to Belgium, Spain and France.

#### Conversion loans

1.5.9. Conversion loans (Article 56) totalling ECU 240.9 million were made to Germany, Belgium, Spain, France and the United Kingdom.

#### Workers' housing

1.5.10. Loans totalling ECU 3.4 million were granted for steelworkers and mine-workers (ECSC industries) in Germany, Belgium, Spain, France, Luxembourg, the United Kingdom and Ireland.



## Anti-fraud measures

### Results

1.5.11. Council statement on the fight against fraud affecting the Community budget.

- **References:**

Commission report to the Council on the work done in the fight against fraud in 1990: Bull. EC 3-1991, point 1.5.17

Council Regulation (EEC) No 307/91: OJ L 37, 9.2.1991; Bull. EC 1/2-1991, point 1.2.195

Council Regulation (EEC) No 595/91: OJ L 67, 14.3.1991; Bull. EC 3-1991, point 1.2.140

*Adopted on 8 July.*

The Council takes note of the Commission's report on the fight against fraud in 1990. In the light of the objectives for 1990 set in the Parliament's statement of 12 March 1990 and the Commission's previous annual report, it welcomes the progress achieved, particularly in the following areas:

(i) simplification of agricultural legislation, including translation into legislation of the first interim report from the Lachaux group and rationalization of the nomenclature of export refunds for beef and veal, fruit and vegetables and also cereals;

(ii) Member States' reporting of cases of fraud, including the increased number of cases reported, and the adoption of Regulation No 595/91 on reporting in the agricultural sector;

(iii) Member State controls, including the adoption of Council Regulation No 307/91 reinforcing the monitoring of certain Community expenditure in the agricultural sector.

The Council recognizes however that much remains to be done to protect the Community's finances effectively against fraud.

The Council notes that the Commission regards its sector-by-sector review of differentiated export refund rates and clarification of its powers on controls and administrative penalties as priority areas for 1991.

The Council further considered that the following should also be priority areas for 1991:

(a) continuation of efforts to simplify agricultural legislation through the work of the Lachaux group and early progress in the Commission's systematic review of the export-refund nomenclature;

(b) adoption by the end of the year of the European Customs Code, laying stress on the consolidation of existing legislation;

(c) inclusion, where appropriate, of information regarding fraud prevention measures in the financial statements annexed to legislative proposals. The Commission's improved internal procedure for setting legislation is welcomed;

(d) further cooperation between the Commission and Member States to continue improving the cost-effectiveness of the fight against fraud;

(e) review by the Commission, as agreed at the meeting of the Committee for the Coordination of Fraud Prevention on 11 April, of the scope of its action programme to establish whether further measures should be included. The results of this review should be included in the Commission's next annual report;

(f) provision within the overall amounts for the fight against fraud of adequate funding for investigative missions in third countries and an increased effort to negotiate complementary mutual assistance arrangements with such third countries.

The Council reiterates its firm commitment to the fight against fraud and its determination to see that the momentum is maintained. It undertakes to keep work in this area under close scrutiny and will next year review progress against the objectives set above in the light of the Commission's next annual report.

## European Investment Bank

### Funding

1.5.12. In July and August the European Investment Bank, the European Community's financial institution, granted loans totalling ECU 2 030 million, of which ECU 193 million went outside the Community.

### Community

#### Link with Community policies

1.5.13. Loans were made for the following measures:

(i) ECU 621.32 million for the economic development of disadvantaged regions;

(ii) ECU 394.1 million for the improvement of transport and telecommunications infrastructures of benefit to the Community;

(iii) ECU 337.65 million for the protection of the environment and the improvement of the quality of life;

(iv) ECU 473.23 million for the pursuit of Community objectives in the field of energy;

(v) ECU 45 million for the enhancement of the international competitiveness of industry and its integration within the Community.

The Bank also continued its operations to support small and medium-sized businesses (since the beginning of the year around ECU 1 400 million has been granted in global loans).

Individual loans usually come under several Community policies; some are therefore counted more than once in the above amounts.

## Geographical distribution

### *Belgium*

1.5.14. A global loan of ECU 47.3 million was provided for small and medium-scale investments and ECU 13.5 million for building a new air traffic control centre at Brussels airport.

### *Denmark*

1.5.15. ECU 81.7 million was lent to help build marine oil-drilling platforms, exploit the Dan Oil field, and build natural gas storage facilities and a crude oil pumping station. ECU 14.7 million will go towards the extension and modernization of the telecommunications network and a ECU 9.9 million global loan was provided for small and medium-scale investment.

### *Germany*

1.5.16. Global loans totalling ECU 112 million were made for small and medium-

scale investments. ECU 57.8 million was devoted to laying a natural gas pipeline to link the East German network to the European network and building a new boiler for a combined heat and power station at Mannheim. A loan of ECU 9.7 million went to the modernization and extension of Hamburg airport.

### *Greece*

1.5.17. A ECU 6.7 million global loan was granted for small and medium-scale investments.

### *Spain*

1.5.18. ECU 217.6 million was provided to improve the Spanish railway system. Global loans totalling ECU 116.9 million, including ECU 39.2 million from resources provided by the new Community instrument, were granted for small and medium-scale investments. Other loans were ECU 73.8 million for the modernization of Madrid's public transport system, ECU 31.1 million for the production of household appliances, and ECU 11.7 million for building a pharmaceuticals plant in Madrid.

### *France*

1.5.19. The scheme to build an underground toll road linking the south and east of Marseilles with its centre was granted a loan of ECU 43.1 million, while the Channel Tunnel project received ECU 35.8 million. Other loans were ECU 18 million to extend the capacity of the airport of Fort-de-France (Martinique), ECU 7.1 million for the development of an advanced thrust reverser for aircraft engines at two industrial locations, one near Paris and the other in the United Kingdom (Lancashire), and ECU 4.6 million for laying a submarine optical fibre telecommunications cable linking France with Portugal and Morocco.

### *Ireland*

1.5.20. A ECU 32.6 million loan went towards the development and moderniza-

tion of the telecommunications system while ECU 6.5 million was provided for the renovation of a historic inner-city area of Dublin.

### *Italy*

1.5.21. Global loans totalling ECU 283.4 million were granted for small and medium-scale investments. Individual loans to industry amounted to ECU 125 million. They were for the modernization of telecommunications and data transmission equipment plants in the Mezzogiorno, the restructuring of a household appliances factory in Friuli-Venezia Giulia, the expansion of a washing powder plant in Lazio, the modernization of air liquefaction facilities in Tuscany, the restructuring of an oil refinery in Sicily and the building of a pharmaceuticals plant at Bari. ECU 84.4 million went towards water and waste treatment in Basilicata, Emilia-Romagna, Piedmont and Sardinia and flood control in Basilicata. ECU 49.1 million will help in the development of a coal-fired power station in Liguria and a combined heat and power station and heating networks in Milan, the extension of a heating network in Brescia and the exploitation of an oilfield in the Adriatic. The other loans were ECU 5.9 million to develop data transmission facilities by satellite throughout Italy and ECU 3.3 million for building a rail/road transfer centre for goods haulage near Turin.

### *Portugal*

1.5.22. A loan of ECU 15.4 million was granted for building and running small hydroelectric power stations in central and northern Portugal and ECU 9.7 million for laying a submarine optical fibre telecommunications cable linking France, Portugal and Morocco.

### *United Kingdom*

1.5.23. Loans granted were ECU 264.6 million for the exploitation of natural gas fields in the North Sea, ECU 35.7 million for building the Channel Tunnel and

ECU 8.6 million for building a passenger terminal at Birmingham airport.

### *France/Portugal/Morocco*

1.5.24. A loan ECU 2.5 million was made for a submarine optical fibre telecommunications cable linking France, Portugal and Morocco, a project of Community interest located in part outside the Member States but treated in the same way as an operation within the Community (with the loans granted to France and Portugal for this project, the funding provided by the EIB totals ECU 16.8 million).

### *Community development cooperation policy*

#### *Mediterranean*

##### *Cyprus*

1.5.25. Global loans totalling ECU 19 million, including ECU 5 million from risk capital, were provided for small and medium-scale investments, and ECU 1 million, also from risk capital, as an equity participation in the Cyprus Development Bank.

#### *ACP countries*

##### *Nigeria*

1.5.26. A ECU 45 million loan was granted to help finance palm oil extracting and refining facilities in south-eastern Nigeria.

##### *Jamaica*

1.5.27. A global loan of ECU 4 million, including ECU 1 million from risk capital, was provided for small and medium-scale investments.

##### *Cameroon*

1.5.28. A loan of ECU 1 million from risk capital was granted for the development and improvement of the packaging and

presentation facilities of a banana plantation in north-western Cameroon.

### *Madagascar*

1.5.29. A loan of ECU 0.6 million from risk capital was devoted to developing industrial fisheries.

### *Various ACP countries*

1.5.30. A loan of ECU 22 million was granted to help renovate and modernize air safety and navigation installations in 11

African countries belonging to the Agency for the Safety of Aerial navigation in Africa.

### **The Community policy of cooperation with Central and Eastern European countries**

#### *Poland*

1.5.31. A ECU 75 million global loan was provided for small and medium-scale investments.

#### *Romania*

1.5.32. A ECU 25 million loan, the EIB's first in Romania, went towards improving electricity production.

## 6. Statistics

### **General**

#### *Legislation*

1.6.1. Commission Decision 91/450/EEC, Euratom defining the territory of Member States for the purpose of the implementation of Article 1 of Council Directive 89/130/EEC, Euratom, of 13 February 1989 on the harmonization of the compilation of gross national product at market prices.

- **Reference:** Directive 89/130/EEC, Euratom: OJ L 49, 21.2.1989; Bull. EC 2-1989, point 2.5.1

*Adopted by the Commission on 26 July.* The Decision clarifies the definition of the economic territory of Member States for the purposes of the European system of integrated economic accounts.

OJ L 240, 29.8.1991

### **Statistics relating to the trading of goods**

1.6.2. Proposal for a Council Regulation on the statistics relating to the trading of goods between Member States (Intrastat).

- **Commission proposal:** OJ C 41, 18.2.1989; COM(88) 810; Bull. EC 12-1988, point 2.5.1
- **Initial Economic and Social Committee opinion:** OJ C 159, 26.6.1989; Bull. EC 4-1989, point 2.6.3
- **First amended Commission proposal:** OJ C 177, 18.7.1990; COM(90) 177; Bull. EC 5-1990, point 1.2.5
- **Second Economic and Social Committee opinion:** OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.6.3
- **Second amended Commission proposal:** OJ C 254, 9.10.1990; COM(90) 423; Bull. EC 9-1990, point 1.6.3
- **Parliament opinion (first reading):** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.7.2
- **Third amended Commission proposal:** OJ C 47, 23.2.1991; COM(91) 18; Bull. EC 1/2-1991, point 1.6.2
- **Council agreement on a common position:** Bull. EC 6-1991, point 1.6.1

*Common position formally adopted by the Council on 8 July.*

# 7. Community institutions

## Parliament

### Strasbourg: 8 to 12 July

1.7.1. With a less strenuous agenda than at previous part-sessions, Parliament was able to get through its order of business as well as hold in-depth exchanges of views on the most sensitive issues. Highlights of the week's proceedings included the debates on the Luxembourg European Council, the situation in Yugoslavia, and the programme of the Dutch Presidency.

On the political front, members listened attentively to the successive statements by Mr Santer, Mr Poos and Mr Delors on the results of the Luxembourg European Council. Surveying the conclusions of the meeting, Mr Santer confirmed the European Council's intention to reach overall agreement at Maastricht on the revision of the Treaties centred on the Luxembourg Presidency's paper, described as a firm basis for negotiations. He also told the House that the principle of co-decision was now generally accepted, as was that of pressing forward on the social front. Appraising the mission of the European troika to Yugoslavia, he stressed the effectiveness of the role being played by the Community on the international stage. Mr Poos noted the progress made in the harmonization of taxation, in work on the free movement of persons, and in the negotiations on the European economic area and economic and monetary union. Although he endorsed the Luxembourg Presidency's conclusions on the last item, Mr Delors was more guarded in his assessment of the headway made in connection with the two Intergovernmental Conferences as he felt there were still a number of problems to be resolved in the run-up to Maastricht.

The ensuing debate enabled members to voice their criticisms of the Luxembourg Presidency's draft treaty. The main target of attack was its failure to guarantee parliament's freedom of action, even under the co-decision procedure. Several speakers also

complained about the meagre progress on social cohesion, the common foreign and security policy, and revision of the Euratom Treaty. The resolution passed at the end of the debate (→ point 1.1.1) restates the House's refusal to underwrite integration based on intergovernmental cooperation, rejects the Luxembourg draft as a satisfactory basis for future work and reiterates the need for parallel attainment of the six objectives defined by the Single European Act.

Presenting the programme of the Dutch Presidency, Mr van den Broek made completion of the single market the top priority. However, he agreed with Parliament on the need to provide fresh momentum for the efforts to achieve a social Europe and expressed the view that majority voting in the Council would probably be extended to social issues, with the exception of social security and wage policy.

Turning to international relations, Parliament continued its review of the situation in Yugoslavia. After rejecting, by a very large majority following a short debate, the motion of censure on the Commission tabled by the European Right, members proceeded to a full exchange of views on developments in the crisis. In their statements to the House, Mr van den Broek for the Council and Mr Delors for the Commission reaffirmed the Community's commitment to a peaceful settlement of the conflict that abided by the rule of law and the basic principles of the CSCE. By a very large majority, members endorsed the Community's policy and again threw their support behind the Community troika and the Brioni agreement. Although some speakers urged recognition of the declarations of independence by Slovenia and Croatia, most members, albeit resigned to the fact that Yugoslavia would emerge considerably changed from the crisis, wished to avoid political interference and expressed their desire to see the crisis resolved through dialogue and with respect for human rights and the rights of minorities. The resolution passed by the House (→ point 1.3.20) con-

demned the use of force, supported the principle of a negotiated solution with the peoples of Yugoslavia freely defining their mutual relations, and called on all parties concerned to honour the substance of the Brioni agreement.

Still in the area of international relations, Parliament endorsed the principle of financial assistance for Algeria and expressed the hope that the process of democratization there would continue (→ point 1.3.22). The House also urged Iraq to comply with the provisions of UN Resolutions 687 and 688 and called on the United Nations to continue its surveillance (→ point 1.3.22). Finally, turning to the delay in the implementation of the Lomé IV Convention, the House urged the Member States who had failed to comply with the deadline to speed up the procedure for final deposition of the instruments of ratification (→ point 1.3.50).

On the legislative front, Parliament approved four new specific R&D programmes under the cooperation procedure (second reading): biomedicine and health, industrial and materials technologies, non-nuclear energies, and agriculture and the agro-industry (→ points 1.2.84 to 1.2.87); it also approved a programme on nuclear fission safety (single reading) (→ point 1.2.88.). Besides compliance with the provisions of the interinstitutional agreement on horizontal amendments, members stressed the attention paid by the Council to the specific amendments proposed and to the Commission's cooperation. Again under the cooperation procedure, Parliament adopted on second reading the proposal for a Directive on the gaseous pollutants from diesel engines (→ point 1.2.260), proposing stricter standards for limit values for gaseous pollutants for new type-approvals. It also endorsed on first reading the proposal concerning the labelling of tobacco products (→ point 1.2.288), confirming the Commission's position both on legal basis and on substance. Four other opinions were given on first reading without debate or major amendment: on the provision of safety and/or health signs at work (→ point

1.2.139), the formation and the structure of limited liability companies (→ points 1.2.77 and 1.2.78), and the setting-up of an Insurance Committee (→ point 1.2.30). Similarly, the House passed a legislative resolution on the legal basis of the proposal for a Directive on hazardous waste (→ point 1.2.270).

Under the consultation procedure Parliament adopted several amendments seeking to alter the legal basis for the proposal on the European Works Council (→ point 1.2.143). It also gave its opinion on three proposals for Regulations on the marketing of young plants and propagating material other than seeds, of vegetables (→ point 1.2.205), the marketing of ornamental plant propagating material and ornamental plants (→ point 1.2.206) and the marketing of fruit plant propagating material and fruit plants intended for fruit production (→ point 1.2.207). Also on the agricultural front, the House considered two proposals for Regulations, one laying down health rules governing the production and placing on the market of meat products (→ point 1.2.197) and the other opening a special import quota for beef (→ point 1.2.232).

In a resolution adopted at the end of a debate on an oral question concerning the revision of the Euratom Treaty, Parliament expressed the hope that the cooperation procedure would be extended to the nuclear sector (→ point 1.2.282).

Presentation of the Commission communication on the reform of the common agricultural policy raised many points which provided members with the opportunity to express their concern over the budgetary implications of the planned reform and its consequences for consumer protection and farmers' incomes. The House also held an in-depth debate on the internal and external aspects of transport policy covering relations with the EFTA countries (→ point 1.2.116), infrastructure (→ point 1.2.104) and inland waterways (→ point 1.2.113). The speeches and comments from the floor generally showed the keen interest of members in these problems, their conviction that

transport had a major role to play in the future development of the Community and their belief that an overall approach was needed. A short debate also took place on industrial policy and the need to boost standardization, as well as on the European Energy Charter. Members rejected a motion for a resolution on relations with local and regional authorities proposing the setting-up of a Consultative Committee of the Regions.

On human rights, Parliament surveyed the situation inside and outside the Community. At the end of the debate it passed a resolution in which it decided to produce an annual report on the respect of fundamental rights within the Community (→ point 1.3.92), as well as a resolution on the situation of A. Moumen Diouri, a Moroccan political refugee.

Last but not least, Parliament made a point of reaffirming, in a resolution, its commitment to the principle of the independence of the European civil service.

Report of proceedings: OJ Annex 3-407  
Full text of opinions and resolutions:  
OJ C 240, 16.9.1991

## Council

### 1506th meeting

1.7.2. Economic and financial affairs  
(Brussels, 8 July).

- **Previous meeting:** Bull. EC 6-1991, point 1.7.13

*President:* Mr Kok, Dutch Minister for Finance.

*Commission:* Mr Delors, Sir Leon Brittan and Mr Christophersen.

#### *Main items*

Multilateral surveillance: conclusions adopted (→ point 1.1.2).

Annual economic report: approved (→ point 1.2.1).

Medium-term financial assistance for Romania: Decision adopted (→ point 1.3.18).

Fight against fraud affecting the Community budget: statement adopted (→ point 1.5.11).

#### *Other business*

Medium-term financial assistance for Algeria: Commission proposal examined and forwarded to Parliament.

Investment services in the securities field: discussed.

### 1507th meeting

1.7.3. Fisheries  
(Brussels, 8 July).

- **Previous meeting:** Bull. EC 4-1991, point 1.7.4

*President:* Mr Bukman, Dutch Minister for Agriculture, Nature Conservation and Fisheries.

*Commission:* Mr Marin.

#### *Main item*

Monitoring procedures adopted by NAFO: proposal for a Regulation agreed (→ point 1.2.253).

#### *Other business*

Technical measures for the conservation of fisheries resources: discussed.

### 1508th meeting

1.7.4. Agriculture  
(Brussels, 15 and 16 July).

- **Previous meeting:** Bull. EC 6-1991, point 1.7.15

*President:* Mr Bukman, Dutch Minister for Agriculture, Nature Conservation and Fisheries.

*Commission:* Mr Mac Sharry.

*Main items*

Development and future of the common agricultural policy: exchange of views.

Uruguay Round — agricultural aspects: state of negotiations reviewed.

**1509th meeting**

1.7.5. Internal market  
(Brussels, 22 July).

- Previous meeting: Bull. EC 6-1991, point 1.7.11

*President:* Mr Dankert, Dutch State Secretary for Foreign Affairs.

*Commission:* Mr Bangemann and Mr Pandolfi.

*Main items*

Medicinal products: common position on three proposals for Directives agreed (→ points 1.2.3 to 1.2.5).

Second phase of the Tedis programme: Decision adopted (→ point 1.2.97).

*Other business*

Impact 2: discussed in detail.

**1510th meeting**

1.7.6. Budget  
(Brussels, 25 July).

- Previous meeting: Bull. EC 7/8-1990, point 1.8.10

*President:* Mr Dankert, Dutch State Secretary for Foreign Affairs.

*Commission:* Mr Cardoso e Cunha and Mr Schmidhuber.

*Main item*

Draft budget for 1992: first reading (→ point 1.5.3).

*Other business*

Move out of the Berlaymont building: favourable opinion on a transfer to provide for pre-financing.

**1511th meeting**

1.7.7. General affairs  
(Brussels, 29 July).

- Previous meeting: Bull. EC 6-1991, point 1.7.8

*President:* Mr van den Broek, Dutch Minister for Foreign Affairs, and Mrs van Rooy, Dutch Minister for Foreign Trade.

*Commission:* Mr Delors, Mr Andriessen and Mr Matutes.

*Main items*

Intergovernmental Conference on political union: communication from the Presidency examined.

Sweden's membership application: initial examination (→ point 1.3.3).

*Other business*

Outcome of the Western Economic Summit: Commission report examined.

Establishing a European Economic Area: discussed in detail.

Uruguay Round: Commission report examined.

Negotiation of Association Agreements with Hungary, Poland and Czechoslovakia: discussed.

Albania: Commission report examined.

Support for Peru: Commission statement discussed.

**Commission**

**Monitoring the application of Community law**

1.7.8. Eighth annual report on Commission monitoring of the application of Community law (1990).



- **References:**

Parliament resolution on the responsibility of the Member States for the application of and compliance with Community law: OJ C 68, 14.3.1983; Bull. EC 2-1983, point 2.4.16

Conclusions of the Dublin European Council: Bull. EC 6-1990, point I.36

Seventh report: OJ C 232, 17.9.1990; Bull. EC 9-1990, point 1.7.13

*Approved by the Commission on 31 July.* The eighth report includes a survey of infringements of the Treaties and regulations as at 31 December 1990, together with an update on the implementation of directives.

The Commission has improved the presentation and structure of the report, which now gives a clearer picture of the application of Community law and its implementation in the Community's policy areas. The new format provides a more balanced overview of these policy areas but pride of place still goes to the keystone section on 'Europe without frontiers'. The report also contains a new table covering action taken on complaints broken down by main policy area, plus tables showing requests for preliminary ruling broken down by Member State, type of court and policy area.

In an attempt to increase the emphasis laid on the transposition of directives, the sector-by-sector analysis for each chapter comprises two types of table:

- (i) summary of infringement proceedings relating to directives quoted in the text;
- (ii) progress in implementing directives applicable in each policy area.

Annex C contains a report on the implementation of environmental directives as requested by the Dublin European Council in June 1990.

As regards content, the priority given to the implementation of directives continues to bear fruit, with the proportion transposed into national law generally exceeding 90% at the end of 1990. However, the figures and tables given in the report clearly indicate that the number of infringement proceedings continues to rise. The number of

complaints registered continues to grow (up from 1 195 in 1989 to 1 252 in 1990), showing that citizens are taking an increasingly active role in the effective creation of a Community based on law. However, the upward trend of 1989 in the number of cases detected by the Commission's own inquiries (352) was reversed in 1990 (283).

On the procedural front, the report shows that the number of letters of formal notice (up from 664 in 1989 to 960 in 1990) and reasoned opinions (up from 180 in 1989 to 251 in 1990) has also risen, reflecting the increase in the Commission's monitoring activities. The number of actions brought before the Court of Justice fell from 94 in 1989 to 77 in 1990, in line with the Commission's objective of endeavouring to settle infringements by negotiating with the Member States rather than automatically prosecuting. The figures confirm that, in most cases, the Member States comply with the Commission's rulings before being brought before the Court.

Also contained in the report is a sector-by-sector analysis from which it emerges that the internal market, the environment and agriculture are the three policy areas in which proceedings are most frequently commenced.

The report also lists the different methods used to improve the transposition of Community law. The Commission's activities were not confined to bringing proceedings under Article 169 of the Treaty, but also involved developing and supporting other measures designed to improve the application of Community law. These include giving the public greater access to the texts of directives, increasing the awareness of national politicians and promoting closer links with national administrations. To the same end, a procedure for the codification of Community law has been introduced at the Publications Office, and support has been given to new measures for the teaching of Community law.

More generally, the Commission made a series of suggestions to the Intergovernmental Conference on political union, based

on three ideas: the possibility of financial penalties where judgments are not put into effect; increased liability for Member States towards the victims of infringements; and greater cooperation between the Member States.

### Communications and reports

1.7.9. The Commission adopted communications on the development and future of the common agricultural policy (→ point 1.2.163), encouraging audiovisual production in the context of the strategy for high-definition television (→ point 1.2.291) and the European Community and sport (→ point 1.2.292). It also adopted its annual report on employment in Europe in 1991 (→ point 1.2.131).

### Proposals adopted

1.7.10. Proposals adopted by the Commission under the cooperation procedure included a proposal for a Directive on the type-approval of motor vehicles and their trailers (→ point 1.2.2) and a proposal for a Directive on the coordination of certain rules concerning copyright and neighbouring rights applicable to satellite broadcasting and cable retransmission (→ point 1.2.76).

The main proposals adopted by the Commission under the consultation procedure dealt with the third stage in the liberalization of air transport (→ point 1.2.102), access to the market for the carriage of goods by road (→ point 1.2.103), a support system for soya beans, rapeseed and sunflowerseed (→ point 1.2.164) and the supply of certain agricultural products to Albania (→ point 1.3.12).

### Other activities

1.7.11. Within the context of the social dimension of the internal market, the Commission adopted a proposal for a recommendation concerning the promotion of employee participation in profits and enterprise results (→ point 1.2.127) and a

recommendation, accompanied by a code of practice, on the protection of the dignity of women and men at work (→ point 1.2.128). It also adopted an opinion on Austria's application for accession (→ point 1.3.2) and sent the Council a recommendation for a Decision on the negotiation of a trade and cooperation agreement with the Republic of Albania (→ point 1.3.11).

## Community lawcourts

1.7.12. New cases coming before the Court of Justice or the Court of First Instance will no longer be reported in the Bulletin.

Decisions given by the Court are covered in the Bulletin for the month in which they are reported in the Official Journal. The format will now be as follows: the operative part of the main decisions will continue to be reproduced; other decisions will simply be listed by field and legal basis; decisions in disputes between the Community and its staff will not be reported.

## Court of Justice

### *Main decisions*

#### **Freedom of establishment and freedom to provide services**

##### *Article 177 of the EEC Treaty*

25.7.1991: Case C-288/89 *Stichting Collectieve Antennevoorziening Gouda and Others v Commissariaat voor de Media*

1. Conditions such as those laid down in the second sentence of Article 66(1)(b) of the Mediawet constitute restrictions on the freedom to provide services prohibited by Article 59 of the EEC Treaty.

2. Restrictions of that kind are not justified by imperative reasons relating to the public interest.

OJ C 224, 29.8.1991

## Competition

### *Article 173 of the EEC Treaty*

#### 3.7.1991: Case C-62/86 *AKZO Chemie v Commission*

1. Article 1(iii) of Commission Decision 85/609/EEC relating to a proceeding pursuant to Article 86 of the EEC Treaty was declared void in so far as it concerned the offers made by AKZO to the individual flour mills of the Allied Group.
2. The fifth paragraph of Article 3 of the Decision was declared void.
3. The fine was set at ECU 7 500 000, that is to say, HFL 18 522 000.
4. The remainder of the application was dismissed.

OJ C 201, 31.7.1991

### *Article 177 of the EEC Treaty*

#### 18.6.1991: Case C-260/89 *Elliniki Radio-phonía Tiléorassi v DEP and Kouvelas*

1. Community law does not prevent the granting of a television monopoly, for reasons involving the public interest, of a non-economic nature. However, the arrangements for organizing and operating such a monopoly must not infringe the provisions of the Treaty on the free movement of goods and services or the competition rules.
2. The Articles of the EEC Treaty on the free movement of goods do not prevent the granting to a single undertaking of exclusive rights to televised announcements and the granting for that purpose of exclusive authority to import, hire or distribute materials and products necessary for broadcasting provided that no discrimination is thereby created between domestic products and imported products to the detriment of the latter.
3. Article 59 of the EEC Treaty prohibits national rules which create a monopoly comprising exclusive rights to transmit the broadcasts of the holder of the monopoly and to retransmit broadcasts from other Member States, where such a monopoly gives rise to discriminatory effects detrimental to broadcasts from other Member States, unless such rules are justified by any of the reasons indicated in Article 56 of the EEC Treaty, to which Article 66 thereof refers.
4. Article 90(1) of the EEC Treaty prohibits the vesting of an exclusive right to transmit and an exclusive right to retransmit television broadcasts in a single undertaking where those rights are liable to create a situation in which that undertaking

is induced to infringe Article 86 by virtue of a discriminatory broadcasting policy which favours its own programmes, unless the application of Article 86 frustrates its performance of the particular tasks entrusted to it.

5. No criteria for deciding whether a national television monopoly is in conformity with Community law can be derived from Article 2.

6. The limitations imposed on the power of the Member States to apply the provisions referred to in Articles 66 and 56 of the EEC Treaty on grounds of public policy, public security and public health must be appraised in the light of the general principle of freedom of expression embodied in Article 10 of the European Convention on Human Rights.

OJ C 201, 31.7.1991

## Freedom of movement for workers — Social affairs

### *Article 173 of the EEC Treaty*

#### 11.6.1991: Joined Cases C-51/89, C-90/89 and C-94/89 *United Kingdom v Council; France v Council; Germany v Council*

Applications dismissed.

(Applications for annulment of Council Decision 89/27/EEC adopting the second phase of the programme on cooperation between universities and industry regarding training in the field of technology (Comett II, 1990-94).)

OJ C 180, 11.7.1991

### *Article 177 of the EEC Treaty*

#### 4.7.1991: Case C-233/90 *ASTI v Chambre des employés privés*

Article 8(1) of Regulation No 1612/68 on freedom of movement for workers within the Community must be interpreted as prohibiting national legislation from denying foreign workers the right to vote in elections for the members of a professional institute to which they are required to be affiliated and to which they must pay contributions, and which is responsible for defending the interests of the affiliated workers and exercises a consultative role with regard to legislation.

OJ C 208, 9.8.1991

## Fisheries

### *Article 177 of the EEC Treaty*

#### 25.7.1991: Case C-221/89 *R. v Secretary of State for Transport*

1. As Community law stands at present, it is for the Member States to determine, in accordance with the general rules of international law, the conditions which must be fulfilled in order for a vessel to be registered in their registers and granted the right to fly their flag, but, in exercising that power, the Member States must comply with the rules of Community law.

2. It is contrary to the provisions of Community law and, in particular, to Article 52 of the EEC Treaty for a Member State to stipulate as conditions for the registration of a fishing vessel in its national register: (a) that the legal owners and beneficial owners and the charterers, managers and operators of the vessel must be nationals of that Member State or companies incorporated in that Member State, and that, in the latter case, at least 75 % of the shares in the company must be owned by nationals of that Member State or by companies fulfilling the same requirements and 75 % of the directors of the company must be nationals of that Member State; and (b) that the said legal owners and beneficial owners, charterers, managers, operators, shareholders and directors, as the case may be, must be resident and domiciled in that Member State.

3. It is not contrary to Community law for a Member State to stipulate as a condition for the registration of a fishing vessel in its national register that the vessel in question must be managed and its operations directed and controlled from within that Member State.

4. The fact that the competent minister of a Member State has the power to dispense with the nationality requirement in respect of an individual in view of the length of time such individual has resided in that Member State and has been involved in the fishing industry of that Member State cannot justify, in regard to Community law, the rule under which registration of a fishing vessel is subject to a nationality requirement and a requirement as to residence and domicile.

5. The existence of the present system of national quotas does not affect the replies given to the second question.

OJ C 220, 23.8.1991

## Environment

### *Article 173 of the EEC Treaty*

11.6.1991: Case C-300/89 *Commission v Council*

Council Directive 89/428/EEC on procedures for harmonizing the programmes for the reduction

and eventual elimination of pollution caused by waste from the titanium dioxide industry was declared void.

OJ C 180, 11.7.1991

## Infringements

### *Article 169 of the EEC Treaty*

25.7.1991: Case C-353/89 *Commission v Netherlands*

Basis: Article 169 of the EEC Treaty

By obliging the national organizations which have obtained broadcasting time on the national radio network to use for purchases from the Bedrijf all the amounts made available to them for the production of radio programmes and a percentage fixed by administrative order for the production of television programmes and by prohibiting the managers of any cable television network established in its territory from broadcasting radio or television programmes which emanate from a broadcasting organization established in the territory of another Member State and contain advertisements intended in particular for the Netherlands public, where certain conditions are not fulfilled concerning the structure of those organizations or relating to the advertisements that are contained in their programmes and are intended for the Netherlands public, the Netherlands has failed to fulfil its obligations pursuant to Article 59 of the EEC Treaty.

OJ C 224, 29.8.1991

## Other decisions

### Free movement of goods

#### *Article 177 of the EEC Treaty*

15.5.1991: Case C-195/88 *Shrewsbury and Atcham Borough Council v B & Q*

OJ C 165, 25.6.1991

18.6.1991: Case C-369/89 *Piageme v Peeters*

OJ C 194, 25.7.1991

20.6.1991: Case C-39/90 *Denkavit Futtermittel v Land Baden-Württemberg*

OJ C 201, 31.7.1991

11.7.1991: Case C-351/88 *Laboratori Bru-neau v Unità Sanitaria Locale RM/24 di Monterotondo*

OJ C 208, 9.8.1991

25.7.1991: Joined Cases C-1/90 and C-176/90 *Aragonesa de Publicidad Exterior and Publivia v Departamento de Sanidad y Seguridad Social de la Generalitat de Cataluña*

OJ C 220, 23.8.1991

### Freedom of establishment and freedom to provide services

*Article 177 of the EEC Treaty*

25.7.1991: Case C-76/90 *Säger v Denne-meyer*

OJ C 220, 23.8.1991

### Customs

*Article 177 of the EEC Treaty*

27.6.1991: Case C-348/89 *Mecanarte — Metalurgica da Lagoa v Chefe do serviço da Conferencia final da Alfandega do Porto*

OJ C 208, 9.8.1991

25.7.1991: Case C-299/90 *HZA Karlsruhe v Gebr. Hepp*

OJ C 220, 23.8.1991

### Taxation

*Article 177 of the EEC Treaty*

20.6.1991: Case C-60/90 *Polysar Investments Netherlands v Inspecteur der Invoerrechten en Accijnzen te Arnhem*

OJ C 194, 25.7.1991

11.7.1991: Case C-97/90 *Lennartz v Finanzamt München III*

OJ C 208, 9.8.1991

25.7.1991: Case C-202/90 *Ayuntamiento de Sevilla v Recaudadores de las Zonas primera y segunda*

OJ C 220, 23.8.1991

### Competition

*Article 168a of the EEC Treaty*

3.5.1991: Cases C-372/90P, C-372/90P-R and C-22/91P *Samenwerkende Electriciteits-produktiebedrijven v Commission*

OJ C 178, 9.7.1991

*Articles 185 and 186 of the EEC Treaty*

8.5.1991: Case C-356/90R *Belgium v Commission*

OJ C 178, 9.7.1991

### State aids

*Article 173 of the EEC Treaty*

15.5.1991: Case C-122/90 *Emsland-Stärke v Commission*

OJ C 194, 25.7.1991

### Company law

*Article 177 of the EEC Treaty*

18.6.1991: Case C-295/89 *Impresa Donà Alfonso di Donà Alfonso & figli v Consorzio per lo sviluppo industriale del Comune di Monfalcone and Others*

OJ C 194, 25.7.1991

### Freedom of movement for workers — Social affairs

*Article 177 of the EEC Treaty*

11.6.1991: Case C-251/89 *Athanasopoulos and Others v Bundesanstalt für Arbeit*

OJ C 189, 20.7.1991

19.6.1991: Case C-340/90 *Bosman v Football Club de Liège and Union Royale Belge des Sociétés de Football Association*

OJ C 194, 25.7.1991

20.6.1991: Case C-356/89 *Newton v Chief Adjudication Officer*

OJ C 201, 31.7.1991

27.6.1991: Case C-344/89 *Martinez Vidal v  
Gemeenschappelijke Medische Dienst*  
OJ C 203, 2.8.1991

3.7.1991: Case C-355/89 *Department of  
Health and Social Security v Barr and Mon-  
trose Holdings*  
OJ C 201, 13.7.1991

11.7.1991: Case C-31/90 *Johnson v Chief  
Adjudication Officer*  
OJ C 208, 9.8.1991

11.7.1991: Joined Cases C-87/90, C-88/90  
and C-89/90 *Verholen, Van Wetten-Van  
Uden and Heiderijk v Sociale Verzekerings-  
bank Amsterdam*  
OJ C 208, 9.8.1991

25.7.1991: Case C-208/90 *Emmott v Minis-  
ter for Social Welfare and Attorney-General*  
OJ C 220, 23.8.1991

25.7.1991: Case C-345/89 *Criminal proceed-  
ings against Stoeckel*  
OJ C 220, 23.8.1991

25.7.1991: Case C-362/89 *d'Urso, Ventadori  
and Others v Ercole Marelli Elettromeccan-  
ica Generale and Others*  
OJ C 220, 23.8.1991

## Agriculture

### *Article 173 of the EEC Treaty*

14.5.1991: Joined Cases C-273-87 and C-  
278/87 *Gottlieb Manz v Commission*  
OJ C 165, 25.6.1991

20.6.1991: Case C-248/89 *Cargill v Com-  
mission*  
OJ C 194, 25.7.1991

### *Article 177 of the EEC Treaty*

20.6.1991: Case C-365/89 *Cargill v Pro-  
duktchap voor Margarine, Vetten en Oliën*  
OJ C 194, 25.7.1991

10.7.1991: Joined Cases C-90/90 and C-91/  
90 *Neu and Others v Secrétaire d'État à  
l'agriculture et à la Viticulture*  
OJ C 208, 9.8.1991

11.7.1991: Cases C-368/89 *Crispoltoni v  
Fattoria Autonoma Tabacchi di Città di  
Castello*  
OJ C 208, 9.8.1991

25.7.1991: Case C-75/90 *Criminal proceed-  
ings against Guitard*  
OJ C 220, 23.8.1991

## External relations

### *Article 173 of the EEC Treaty*

27.6.1991: Case C-49/88 *Samad and Safco  
v Council*  
OJ C 201, 31.7.1991

## Infringements

### *Article 169 of the EEC Treaty*

15.5.1991: Case C-55/89 *Commission v Italy*  
OJ C 180, 11.7.1991

15.5.1991: Case C-95/90 *Commission v Italy*  
OJ C 194, 25.7.1991

15.5.1991: Case C-306/90 *Commission v  
Belgium*  
OJ C 165, 25.6.1991

4.6.1991: Case C-187/89 *Commission v Italy*  
OJ C 194, 25.7.1991

11.6.1991: Case C-64/88 *Commission v  
France*  
OJ C 189, 20.7.1991

11.6.1991: Case C-290/89 *Commission v  
Belgium*  
OJ C 189, 20.7.1991

11.6.1991: Case C-307/89 *Commission v  
France*  
OJ C 180, 11.7.1991

19.6.1991: Case C-307/90 *Commission v Belgium*

OJ C 194, 25.7.1991

26.6.1991: Case C-152/89 *Commission v Luxembourg*

OJ C 203, 2.8.1991

26.6.1991: Case C-153/89 *Commission v Belgium*

OJ C 203, 2.8.1991

9.7.1991: Case C-146/89 *Commission v United Kingdom*

OJ C 201, 31.7.1991

10.7.1991: Case C-294/89 *Commission v France*

OJ C 203, 2.8.1991

11.7.1991: Case C-247/89 *Commission v Portugal*

OJ C 208, 9.8.1991

11.7.1991: Case C-296/90 *Commission v Italy*

OJ C 208, 9.8.1991

25.7.1991: Case C-252/89 *Commission v Luxembourg*

OJ C 220, 23.8.1991

25.7.1991: Case C-258/89 *Commission v Spain*

OJ C 220, 23.8.1991

25.7.1991: Case C-32/90 *Commission v Italy*

OJ C 224, 29.8.1991

25.7.1991: Case C-58/90 *Commission v Italy*

OJ C 220, 23.8.1991

### Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters

#### Protocol of 3 June 1971

27.6.1991: Case C-351/89 *Overseas Union Insurance and Others v New Hampshire Insurance*

OJ C 201, 31.7.1991

25.7.1991: Case C-190/89 *Marc Rich v Società Italiana Impianti*

OJ C 220, 23.8.1991

## Court of First Instance

### Main decisions

#### Competition

##### Article 173 of the EEC Treaty

29.5.1991: Case T-12/90 *Bayer v Commission*

OJ C 165, 25.6.1991

10.7.1991: Case T-69/89 *Radio Telefis Eireann v Commission*

OJ C 201, 31.7.1991

10.7.1991: Case T-70/89 *British Broadcasting Corporation and BBC Enterprises v Commission*

OJ C 201, 31.7.1991

10.7.1991: Case T-76/89 *Independent Television Publications v Commission*

OJ C 201, 31.7.1991

##### Article 175 of the EEC Treaty

12.7.1991: Case T-23/90 *Automobiles Peugeot and Peugeot v Commission*

OJ C 205, 6.8.1991

##### Article 185 of the EEC Treaty

7.6.1991: Case T-19/91R *Société d'hygiène dermatologique de Vichy v Commission*

OJ C 189, 20.7.1991

#### ECSC

##### Articles 34 to 40 of the ECSC Treaty

27.6.1991: Case T-120/89 *Stahlwerke Peine-Salzgitter v Commission*

OJ C 194, 25.7.1991

## Court of Auditors

1.7.13. Report on the financial statements of the European Coal and Steel Community at 31 December 1990.

*Adopted on 28 June.* This report concerns the regularity of the accounting and the financial management by the Commission (the High Authority), in accordance with Article 78f(5) of the Treaty establishing the European Coal and Steel Community, as amended by Article 8 of the Treaty of 22 July 1975 amending Certain Financial Provisions of the Treaties establishing the European Communities and of the Treaty establishing a Single Council and Single Commission of the European Communities.

In the Court's opinion, the financial statements, which have been prepared in accordance with generally accepted accounting practice (and the Council's published instructions in particular) give a true and fair view of the financial situation of the European Coal and Steel Community at 31 December 1990 and of the results of its operations for the year then ended.

1.7.14. Special report on financial and technical cooperation with Mediterranean non-member countries.

*Adopted on 18 July.* This report covers 10 years of cooperation with the countries of the Maghreb (Algeria, Morocco and Tunisia) and the Mashreq (Egypt, Jordan, Lebanon and Syria) and with Cyprus, Malta and Turkey.

The report assesses the system of financial protocols under which the Community provides each of the countries in question with a specific amount of aid in various forms financed either by loans from EIB own resources or from budgetary resources over a period of several years.

Implementation of the financial protocols has been impeded by the slowness of the negotiating process, the absence of an implementing regulation for almost eight years, and the existence of a provision authorizing the commitment of Community

funds for an indefinite period. This has led to a generally slow rate of budgetary execution and the accumulation of unclosed protocols. The Court considers that the amount of the financial package should be established on the basis of what the recipient countries can actually absorb and that a mechanism for closing the protocols should be created.

The management systems introduced by the Commission have not always enabled it to monitor operations adequately. The Court believes that the necessary improvements should be made without delay.

It also recommends that projects be carefully planned and that full account be taken of the constraints generally encountered in their implementation, such as cumbersome procedures, weak administrative structures in the recipient countries and insufficient human and financial resources.

The effectiveness of Community aid varies considerably from one country to another. It is generally satisfactory in Jordan, Tunisia and Malta. In Morocco, the achievement of objectives has sometimes been delayed or jeopardized by failure to carry out the operations for which the Moroccan party is responsible. In Egypt, a large number of projects have not produced the hoped-for effects. The conditions surrounding financial and technical cooperation with Algeria have been such that no results can be expected at present. In the absence of the necessary information, the Court cannot give an opinion on the effectiveness of Community aid in Turkey.

In general the Court believes, and the Commission agrees, that the findings of the analysis should be acted upon, particularly with a view to the renewed Mediterranean policy, and that the necessary measures should be adopted to bring about a more efficient and effective use of Community funds.

## Economic and Social Committee

### 288th plenary session

1.7.15. The 288th plenary session of the Economic and Social Committee was held



in Brussels on 3 and 4 July, chaired by Mr Staedelin, Mr Kazazis and Mrs Tiemann.

1.7.16. The Committee debated and adopted opinions on the following:

the revised 1990/91 annual economic report (→ point 1.2.1);

Community procedures for the authorization and supervision of medicinal products for human and veterinary use and the establishment of a European Agency for the Evaluation of Medicinal Products (→ point 1.2.23);

the proposal to amend, for the sixth time, Council Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products (→ point 1.2.284);

the structure of public limited companies and the powers and obligations of their organs (→ point 1.2.78);

rental right, lending right and certain neighbouring rights (→ point 1.2.80);

a European energy charter (→ point 1.2.118);

energy and the environment (own-initiative opinion) (→ point 1.2.122);

the Commission report entitled *Employment in Europe 1990* (own-initiative opinion) (→ point 1.2.132);

the protection of geographical indications and designations of origin for agricultural products and foodstuffs (→ point 1.2.171);

the liability of suppliers of services (proposal rejected; the counter-opinion submitted by the workers group was rejected by a narrow majority; a minority vote was registered by the consumers' interests subgroup) (→ point 1.2.286).

1.7.17. The Committee adopted opinions on the following without debate:

the abolition of customs formalities within the framework of the TIR Convention (→ point 1.2.12);

the formation of public limited liability companies and the maintenance and alteration of their capital (→ point 1.2.77);

the accession of the Member States to the Berne Convention for the Protection of Literary and Artistic Works (→ point 1.2.79);

the revision of the framework technological research and development programme (→ point 1.2.83);

the conclusion of a cooperation agreement between the European Economic Community and the Republic of Turkey in the field of medicinal and health research (→ point 1.2.95);

the application of open network provision to leased lines (→ point 1.2.99);

harmonization of the international telephone access code in the Community (→ point 1.2.100);

the elimination of controls performed at the frontiers of Member States in the field of road and inland waterway transport (→ point 1.2.106);

the action programme for the European Year of Safety, Hygiene and Health Protection at Work (additional opinion) (→ point 1.2.141);

the organization of veterinary checks on animals entering the Community from third countries (→ point 1.2.175);

the codification planned for the common organization of the market in fishery products (→ point 1.2.254);

the Green Paper on the urban environment (→ point 1.2.274);

the supervision and control of shipments of waste within, into and out of the Community (→ point 1.2.269).



**PART TWO**

**DOCUMENTATION**

# 1. The ecu

## Values in national currencies of ECU 1

		July 1991 <sup>1</sup>	August 1991 <sup>2</sup>
BFR/ LFR	Belgian franc and Luxembourg franc	42.2887	42.2506
DKR	Danish krone	7.94299	7.93522
DM	German mark	2.05434	2.05233
DR	Greek drachma	224.787	226.514
ESC	Portuguese escudo	177.334	175.956
FF	French franc	6.97234	6.97441
HFL	Dutch guilder	2.31441	2.31291
IRL	Irish pound	0.767997	0.767578
LIT	Italian lira	1 529.88	1 534.29
PTA	Spanish peseta	128.669	128.172
UKL	Pound sterling	0.697132	0.699016
AUD	Australian dollar	1.48937	1.50339
CAD	Canadian dollar	1.31937	1.34727
FMK	Finnish markka	4.92687	4.98090
NKR	Norwegian krone	8.01194	8.01873
NZD	New Zealand dollar	2.02492	2.05073
OS	Austrian schilling	14.4587	14.4420
SFR	Swiss franc	1.78054	1.78863
SKR	Swedish krona	7.43332	7.45128
USD	United States dollar	1.14887	1.17636
YEN	Japanese yen	158.423	160.949

<sup>1</sup> Average for the month; OJ C 202, 1.8.1991.

<sup>2</sup> Average for the month; OJ C 228, 3.9.1991.

NB: Explanatory notes on the ecu and 'green' rates can be found in Bull. EC 7/8-1982, points 3.1.1 to 3.1.3, and Bull. EC 9-1989, point 2.1.3.

## Representative rates ('green' rates)

*Conversion rates into national currencies for the ecu used in connection with the common agricultural policy*

July/August 1991		
National currency/sector	Value in national currency of ECU 1	
BFR/ LFR	Belgian franc and Luxembourg franc All products	48.5563
DKR	Danish krone All products	8.97989
DM	German mark All products	2.35418
DR	Greek drachma Sheepmeat and goatmeat Pigmeat	231.754 256.981 on 1.7.1991 257.415 on 8.7.1991 257.082 on 15.7.1991 257.394 on 29.7.1991
	Wine Olive oil Fishery products Other products	230.472 232.153 206.395 252.121
ESC	Portuguese escudo Pigmeat	205.500 on 1.7.1991 203.122 on 22.7.1991
	Other products	208.676
FF	French franc All products	7.89563
HFL	Dutch guilder All products	2.65256
IRL	Irish pound All products	0.878776

July/August 1991		
National currency/sector		Value in national currency of ECU 1
LIT	Italian lira All products	1 761.45
PTA	Spanish peseta Cereals, sugar Sheepmeat and goatmeat Eggs and poultrymeat Pigmeat Wine, olive oil Other products Tobacco, oilseeds Rice Other crop products	153.498 152.756 151.660 147.608 151.927 154.138 150.828 152.896 154.213
UKL	Pound sterling Oilseeds, olive oil, sheepmeat and goatmeat Pigmeat Other products	0.779553 0.802398 0.795423

## 2. Western Economic Summit

2.2.1. The Heads of State or Government of the seven major industrial nations and the President of the Commission met in London from 15 to 17 July and adopted the following declarations.

### Political declaration

2.2.2. Strengthening the international order.

1. We, the leaders of our seven countries and the representatives of the European Community, renew our firm commitment to the ideal of a peaceful, just, democratic and prosperous world. The international community faces enormous challenges. But there is also reason for hope. We must reinforce the multilateral approach to the solution of common problems and work to strengthen the international system of which the United Nations, based on its Charter, remains so central a part. We call on the leaders of other nations to join us in that cause.

2. It is a matter for hope and encouragement that the United Nations Security Council, with the backing of the international community, showed during the Gulf crisis that it could fulfil its role of acting to restore international peace and security and to resolve conflict. With the East-West confrontation of the last four decades behind us, the international community must now build on this new spirit of cooperation not only in the Middle East but wherever danger and conflict threaten or other challenges must be met.

3. We believe the conditions now exist for the United Nations to fulfil completely the promise and the vision of its founders. A revitalized United Nations will have a central role in strengthening the international order. We commit ourselves to making the UN stronger, more efficient and more effective in order to protect human rights, to maintain peace and security for all and to deter aggression. We will make preventive diplomacy a top priority to help avert future conflicts by making clear to potential aggressors the consequences of their actions. The UN's role in peacekeeping should be reinforced and we are prepared to support this strongly.

4. We note that the urgent and overwhelming nature of the humanitarian problem in Iraq caused by violent oppression by the Government required exceptional action by the international community, following UN SCR 688. We urge the UN and its affiliated agencies to be ready to consider similar action in the future if the circumstances

require it. The international community cannot stand idly by in cases where widespread human suffering from famine, war, oppression, refugee flows, disease or flood reaches urgent and overwhelming proportions.

5. The recent tragedies in Bangladesh, Iraq and the Horn of Africa demonstrate the need to reinforce UN relief in coping with emergencies. We call on all Member States to respond to the Secretary-General's appeal for voluntary contributions. We would like to see moves to strengthen the coordination, and to accelerate the effective delivery, of all UN relief for major disasters. Such initiatives, as part of an overall effort to make the UN more effective, could include:

(a) the designation of a high-level official, answerable only to the United Nations Secretary-General, who would be responsible for directing a prompt and well-integrated international response to emergencies, and for coordinating the relevant UN appeals; and

(b) improvement in the arrangements whereby resources from within the UN system and support from donor countries and NGOs can be mobilized to meet urgent humanitarian needs in time of crisis.

The United Nations would then be able to take the early action that has sometimes been missing in the past. The United Nations should also make full use of its early warning capacity to alert the international community to coming crises and to work on the preparation of contingency plans, to include the question of prior earmarking of resources and material that would be available to meet these contingencies.

6. Since we last met the world has witnessed the invasion, occupation and subsequent liberation of Kuwait. The overwhelming response of the international community in reversing the forcible annexation of one small nation was evidence of the widespread preference for:

(i) taking collective measures against threats to the peace and to suppress aggression,

(ii) settling disputes peacefully,

(iii) upholding the rule of law, and

(iv) protecting human rights.

These principles are essential to the civilized conduct of relations between States.

7. We express our support for what the countries of the Gulf and their neighbours are doing to ensure their security in future. We intend to maintain sanctions against Iraq until all the relevant resolutions of the Security Council have been implemented in full and the people of Iraq, as

well as their neighbours, can live without fear of intimidation, repression or attack. As for the Iraqi people, they deserve the opportunity to choose their leadership openly and democratically. We look forward to the forthcoming elections in Kuwait and to an improvement of the human rights situation there and in the region.

8. We attach overriding importance to the launching of a process designed to bring comprehensive, just and lasting peace between Israel and her Arab neighbours, including the Palestinians. Such a peace should be based on UN SCR 242 and 338 and the principle of territory for peace. We support the concept of a peace conference starting parallel and direct negotiations between Israel and representative Palestinians on the one hand and Israel and the Arab States on the other. We confirm our continuing support for the current American initiative to advance the peace process, which we believe offers the best hope of progress towards a settlement. We urge all the parties to the dispute to adopt reciprocal and balanced confidence-building measures and to show the flexibility necessary to allow a peace conference to be convened on the basis set out in this initiative. In that connection we believe that the Arab boycott should be suspended as should the Israeli policy of building settlements in the Occupied Territories.

9. We take note with satisfaction of the prospects opened by the restoration of security in Lebanon. We continue to support efforts by the Lebanese authorities to achieve the implementation of the Taif process, which will lead to the departure of all foreign forces and the holding of free elections.

10. We express our willingness to support the development of economic cooperation among the countries of the Middle East on the basis of liberal policies designed to encourage the repatriation of capital, an increase in investment and a decrease in obstacles to trade. Such policies should be accompanied by comprehensive long-term efforts to bring about more stability for the Middle East and the Mediterranean.

11. We welcome the further substantial progress in reform, both political and economic, achieved in the countries of Central and Eastern Europe during the last year and recognize that these gains will need to be maintained through a difficult period of economic transition, including through regional initiatives. We have a strong interest in the success of market reforms and democracy in Central and Eastern Europe and we commit ourselves to full support for these reforms. We also take note of the progress of Albania towards joining the democratic community of nations.

12. Our support for the process of fundamental reform in the Soviet Union remains as strong as

ever. We believe that new thinking in Soviet foreign policy, which has done so much to reduce East/West tension and strengthen the multilateral peace and security system, should be applied on a global basis. We hope that this new spirit of international cooperation will be as fully reflected in Asia as in Europe. We welcome efforts to create a new union, based on consent not coercion, which genuinely responds to the wishes of the peoples of the Soviet Union. The scale of this undertaking is enormous: an open and democratic Soviet Union able to play its full part in building stability and trust in the world. We reiterate our commitment to working with the Soviet Union to support their efforts to create an open society, a pluralistic democracy and a market economy. We hope the negotiations between the USSR and the elected governments of the Baltic countries will resolve their future democratically and in accordance with the legitimate aspirations of the people.

13. It is for the peoples of Yugoslavia themselves to decide upon their future. However, the situation in Yugoslavia continues to cause great concern. Military force and bloodshed cannot lead to a lasting settlement and will only put at risk wider stability. We call for a halt to violence, the deactivation and return of military forces to barracks and a permanent ceasefire. We urge all parties to comply with the provisions of the Brioni agreement as it stands. We welcome the efforts of the European Community and its Member States in assisting in the resolution of the Yugoslav crisis. We therefore support the dispatch of EC monitors to Yugoslavia, within the framework of the CSCE emergency mechanism. We will do whatever we can, with others in the international community, to encourage and support the process of dialogue and negotiation in accordance with the principles enshrined in the Helsinki Final Act and the Paris Charter for a New Europe, in particular respect for human rights, including rights of minorities and the right of peoples to self-determination in conformity with the Charter of the United Nations and with the relevant norms of international law, including those relating to territorial integrity of States. The normalization of the present situation will allow us to contribute to the indispensable economic recovery of the country.

14. We welcome the positive developments in South Africa, where the legislative pillars of apartheid have at last been dismantled. We hope that these important steps will be followed by the *de facto* elimination of apartheid and improvement in the situation of the most impoverished among the population of South Africa. We hope that negotiations on a new constitution leading to non-racial democracy will begin shortly and will not be disrupted by the tragic upsurge of violence. All parties must do all that is in their power to resolve

the problem of violence. We are concerned that the foundation for a non-racial South Africa will be undermined by mounting social problems and declining economic prospects for the majority of the population, which have contributed to the violence. There is an urgent need to restore growth to the economy to help reduce inequalities of wealth and opportunity. South Africa needs to pursue new economic, investment and other policies that permit normal access to all sources of foreign borrowing. In addition to its own domestic efforts, South Africa also needs the help of the international community, especially in those areas where the majority have long suffered deprivation: education, health, housing and social welfare. We will direct our aid for these purposes.

15. Finally, we look for further strengthening of the international order by continued vigorous efforts to deter terrorism and hostage-taking. We call for the immediate and unconditional release of all hostages wherever they may be held and for an accounting of all persons taken hostage who may have died while being held. We welcome the undertakings given by governments with an influence over hostage-holders to work for the release of hostages and urge them to intensify their efforts to this end. We extend our sympathy to the friends and relations of those held. We reaffirm our condemnation of all forms of terrorism. We will work together to deter and combat terrorism by all possible means within the framework of international law and national legislation, particularly in the fields of international civil aviation security and the marking of plastic explosives for the purpose of detection.

16. This forum continues to provide an invaluable opportunity for representatives from Europe, Japan and North America to discuss the critical challenges of the coming years. But we cannot succeed alone. We call on the leaders of the other nations to join us in our efforts to make a practical and sustained contribution to the cause of peace, security, freedom and the rule of law, which are the preconditions for trying to bring about greater justice and prosperity throughout the world.'

## Declaration

### 2.2.3. Conventional arms transfers and NBC non-proliferation.

'1. At our meeting in Houston last year, we, the Heads of State or Government and the representatives of the European Community, underlined the threats to international security posed by the proliferation of nuclear, biological and chemical weapons and of associated missile delivery systems. The Gulf crisis has highlighted the dangers posed

by the unchecked spread of these weapons and by excessive holdings of conventional weapons. The responsibility to prevent the re-emergence of such dangers is to be shared by both arms suppliers and recipient countries as well as the international community as a whole. As is clear from the various initiatives which several of us have proposed jointly and individually, we are each determined to tackle, in appropriate forums, these dangers both in the Middle East and elsewhere.

### Conventional arms transfers

2. We accept that many States depend on arms imports to assure a reasonable level of security and the inherent right of self-defence is recognized in the United Nations Charter. Tensions will persist in international relations so long as underlying conflicts of interest are not tackled and resolved. But the Gulf conflict showed the way in which peace and stability can be undermined when a country is able to acquire a massive arsenal that goes far beyond the needs of self-defence and threatens its neighbours. We are determined to ensure such abuse should not happen again. We believe that progress can be made if all States apply the three principles of transparency, consultation and action.

3. The principle of transparency should be extended to international transfers of conventional weapons and associated military technology. As a step in this direction we support the proposal for a universal register of arms transfers under the auspices of the United Nations, and will work for its early adoption. Such a register would alert the international community to an attempt by a State to build up holdings of conventional weapons beyond a reasonable level. Information should be provided by all States on a regular basis after transfers have taken place. We also urge greater openness about overall holdings of conventional weapons. We believe the provision of such data, and a procedure for seeking clarification, would be a valuable confidence and security building measure.

4. The principle of consultation should now be strengthened through the rapid implementation of recent initiatives for discussions among leading arms exporters with the aim of agreeing a common approach to the guidelines which are applied in the transfer of conventional weapons. We welcome the recent opening of discussions on this subject. These include the encouraging talks in Paris among the permanent members of the United Nations Security Council on 8 and 9 July, as well as ongoing discussions within the framework of the European Community and its Member States. Each of us will continue to play a constructive part in this



important process, in these and other appropriate forums.

5. The principle of action requires all of us to take steps to prevent the building up of disproportionate arsenals. To that end all countries should refrain from arms transfers which would be destabilizing or would exacerbate existing tensions. Special restraint should be exercised in the transfer of advanced technology weapons and in sales to countries and areas of particular concern. A special effort should be made to define sensitive items and production capacity for advanced weapons, to the transfer of which similar restraints could be applied. All States should take steps to ensure that these criteria are strictly enforced. We intend to give these issues our continuing close attention.

6. Iraqi aggression and the ensuing Gulf War illustrate the huge costs to the international community of military conflict. We believe that moderation in the level of military expenditure is a key aspect of sound economic policy and good government. While all countries are struggling with competing claims on scarce resources, excessive spending on arms of all kinds diverts resources from the overriding need to tackle economic development. It can also build up large debts without creating the means by which these may be serviced. We note with favour the recent report issued by the United Nations Development Programme (UNDP) and the recent decisions by several donor countries to take account of military expenditure where it is disproportionate when setting up aid programmes and encourage all other donor countries to take similar action. We welcome the attention which the Managing Director of the International Monetary Fund (IMF) and the President of the World Bank have recently given to excessive military spending, in the context of reducing unproductive public expenditure.

## Non-proliferation

7. We are deeply concerned about the proliferation of nuclear, biological and chemical weapons and missile delivery systems. We are determined to combat this menace by strengthening and expanding the non-proliferation regimes.

8. Iraq must fully abide by Security Council Resolution 687, which sets out requirements for the destruction, removal or rendering harmless under international supervision of its nuclear, biological, and chemical warfare and missile capabilities; as well as for verification and long-term monitoring to ensure that Iraq's capability for such weapon systems is not developed in the future. Consistent with the relevant UN resolutions, we will provide

every assistance to the United Nations Special Commission and the International Atomic Energy Agency (IAEA) so that they can fully carry out their tasks.

9. In the nuclear field, we:

(i) reaffirm our will to work to establish the widest possible consensus in favour of an equitable and stable non-proliferation regime based on a balance between nuclear non-proliferation and the development of peaceful uses of nuclear energy;

(ii) reaffirm the importance of the nuclear Non-Proliferation Treaty (NPT) and call on all other non-signatory States to subscribe to this agreement;

(iii) call on all non-nuclear-weapon States to submit all their nuclear activities to IAEA safeguards, which are the cornerstone of the international non-proliferation regime;

(iv) urge all supplier States to adopt and implement the Nuclear Suppliers Group guidelines.

We welcome the decision of Brazil and Argentina to conclude a full-scope safeguard agreement with the IAEA and to take steps to bring the Treaty of Tlatelolco into force, as well as the accession of South Africa to the NPT.

10. Each of us will also work to achieve:

(i) our common purpose of maintaining and reinforcing the NPT regime beyond 1995;

(ii) a strengthened and improved IAEA safeguards system;

(iii) new measures in the Nuclear Suppliers Group to ensure adequate export controls on dual-use items.

11. We anticipate that the Biological Weapons Review Conference in September will succeed in strengthening implementation of the Convention's existing provisions by reinforcing and extending its confidence-building measures and exploring the scope for effective verification measures. Each of us will encourage accession to the Convention by other States and urge all parties strictly to fulfil their obligations under the Convention. We each believe that a successful Review Conference leading to strengthened implementation of the BWC, would make an important contribution to preventing the proliferation of biological weapons.

12. The successful negotiation of a strong, comprehensive, and effectively verifiable convention banning chemical weapons, to which all States subscribe, is the best way to prevent the spread of chemical weapons. We welcome recent announcements by the United States which we believe will contribute to the swift conclusion of such a convention. We hope that the negotiation will be

successfully concluded as soon as possible. We reaffirm our intention to become original parties to the convention. We urge others to become parties at the earliest opportunity so that it can enter into force as soon as possible.

13. We must also strengthen controls on exports which could contribute to the proliferation of biological and chemical weapons. We welcome the measures taken by members of the Australia Group and by other States on the control of exports of chemical weapons precursors and related equipment. We seek to achieve increasingly close convergence of practice between all exporting States. We urge all States to support these efforts.

14. Our aim is a total and effective ban on chemical and biological weapons. Use of such weapons is an outrage against humanity. In the event that a State uses such weapons each of us agrees to give immediate consideration to imposing severe measures against it both in the UN Security Council and elsewhere.

15. The spread of missile delivery systems has added a new dimension of instability to international security in many regions of the world. As the founders of the Missile Technology Control Regime (MTCR), we welcome its extension to many other States in the last two years. We endorse the joint appeal issued at the Tokyo MTCR meeting in March 1991 for all countries to adopt these guidelines. These are not intended to inhibit cooperation in the use of space for peaceful and scientific purposes.

16. We can make an important contribution to reducing the dangers of proliferation and conventional arms transfers. Our efforts and consultations on these issues, including with other supplier countries, will be continued in all appropriate forums so as to establish a new climate of global restraint. We will only succeed if others, including recipient countries, support us and if the international community unites in a new effort to remove these threats which can imperil the safety of all our peoples.'

## Economic declaration

### 2.2.4. Building world partnership.

'1. We, the Heads of State or Government of the seven major industrial democracies and the representatives of the European Community, met in London for our 17th annual Summit.

2. The spread of freedom and democracy which we celebrated at Houston has gathered pace over the last year. Together the international community has overcome a major threat to world

peace in the Gulf. But new challenges and new opportunities confront us.

3. We seek to build world partnership, based on common values, and to strengthen the international order. Our aim is to underpin democracy, human rights, the rule of law and sound economic management, which together provide the key to prosperity. To achieve this aim, we will promote a truly multilateral system, which is secure and adaptable and in which responsibility is shared widely and equitably. Central to our aim is the need for a stronger, more effective UN system, and for greater attention to the proliferation and transfer of weapons.

### Economic policy

4. Over the last year, some of our economies have maintained good growth, while most have slowed down and some gone into recession. But a global recession has been avoided. The uncertainty created by the Gulf crisis is behind us. We welcome the fact that there are now increasing signs of economic recovery. Progress has been made too in reducing the largest trade and current account imbalances.

5. Our shared objectives are a sustained recovery and price stability. To this end, we are determined to maintain, including through our economic policy coordination process, the medium-term strategy endorsed by earlier Summits. This strategy has contained inflationary expectations and created the conditions for sustainable growth and new jobs.

6. We therefore commit ourselves to implement fiscal and monetary policies, which, while reflecting the different situations in our countries, provide the basis for lower real interest rates. In this connection, continued progress in reducing budget deficits is essential. This, together with the efforts being made to reduce impediments to private saving, will help generate the increase in global savings needed to meet demands for investment. We also welcome the close cooperation on exchange markets and the work to improve the functioning of the international monetary system.

7. We will also, with the help of the Organization for Economic Cooperation and Development (OECD) and other institutions, pursue reforms to improve economic efficiency and thus the potential for growth. These include:

- (a) greater competition in our economies, including regulatory reform; this can enhance consumer choice, reduce prices and ease burdens on business;
- (b) greater transparency, elimination or enhanced discipline in subsidies that have dis-

torting effects, since such subsidies lead to inefficient allocation of resources and inflate public expenditure;

(c) improved education and training, to enhance the skills and improve the opportunities of those both in and out of employment, as well as policies contributing to greater flexibility in the employment system;

(d) a more efficient public sector, for example through higher standards of management and including possibilities for privatization and contracting out;

(e) the wide and rapid diffusion of advances in science and technology;

(f) essential investment, both private and public, in infrastructure.

8. We will encourage work nationally and internationally to develop cost-effective economic instruments for protecting the environment, such as taxes, charges and tradable permits.

## International trade

9. No issue has more far-reaching implications for the future prospects of the world economy than the successful conclusion of the Uruguay Round. It will stimulate non-inflationary growth by bolstering confidence, reversing protectionism and increasing trade flows. It will be essential to encourage the integration of developing countries and Central and East European nations into the multilateral trading system. All these benefits will be lost if we cannot conclude the Round.

10. We therefore commit ourselves to an ambitious, global and balanced package of results from the Round, with the widest possible participation by both developed and developing countries. The aim of all contracting parties should be to complete the Round before the end of 1991. We shall each remain personally involved in this process, ready to intervene with one another if differences can only be resolved at the highest level.

11. To achieve our objectives, sustained progress will be needed in the negotiations at Geneva in all areas over the rest of this year. The principal requirement is to move forward urgently in the following areas taken together:

(a) market access, where it is necessary, in particular to cut tariff peaks for some products while moving to zero tariffs for others, as part of a substantial reduction of tariffs and parallel action against non-tariff barriers;

(b) agriculture, where a framework must be decided upon to provide for specific binding com-

mitments in domestic support, market access and export competition, so that substantial progressive reductions of support and protection may be agreed in each area, taking into account non-trade concerns;

(c) services, where accord on a general agreement on trade in services should be reinforced by substantial and binding initial commitments to reduce or remove existing restrictions on services trade and not to impose new ones;

(d) intellectual property, where clear and enforceable rules and obligations to protect all property rights are necessary to encourage investment and the spread of technology.

12. Progress on these issues will encourage final agreement in areas already close to conclusion, such as textiles, tropical products, safeguards and dispute settlement. Agreement on an improved dispute settlement mechanism should lead to a commitment to operate only under the multilateral rules. Taken all together, these and the other elements of the negotiations, including GATT rule-making, should amount to the substantial, wide-ranging package which we seek.

13. We will seek to ensure that regional integration is compatible with the multilateral trading system.

14. As we noted at Houston, a successful outcome of the Uruguay Round will also call for the institutional reinforcement of the multilateral trading system. The concept of an international trade organization should be addressed in this context.

15. Open markets help to create the resources needed to protect the environment. We therefore commend the OECD's pioneering work in ensuring that trade and environment policies are mutually supporting. We look to the General Agreement on Tariffs and Trade (GATT) to define how trade measures can properly be used for environmental purposes.

16. We are convinced that OECD members must overcome in the near future and, in any case, by the end of the year, remaining obstacles to an agreement on reducing the distortions that result from the use of subsidized export credits and of tied aid credits. We welcome the initiative of the OECD in studying export credit premium systems and structures and look forward to an early report.

## Energy

17. As the Gulf crisis showed, the supply and price of oil remain vulnerable to political shocks, which disturb the world economy. But these shocks

have been contained by the effective operation of the market, by the welcome increase in supplies by certain oil-exporting countries and by the actions coordinated by the International Energy Agency (IEA), particularly the use of stocks. WE are committed to strengthen the IEA's emergency preparedness and its supporting measures. Since the crisis has led to improved relations between producers and consumers, contacts among all market participants could be further developed to promote communication, transparency and the efficient working of market forces.

18. We will work to secure stable worldwide energy supplies, to remove barriers to energy trade and investment, to encourage high environmental and safety standards and to promote international cooperation on research and development in all these areas. We will also seek to improve energy efficiency and to price energy from all sources so as to reflect costs fully, including environmental costs.

19. In this context, nuclear power generation contributes to diversifying energy sources and reducing greenhouse gas emissions. In developing nuclear power as an economic energy source, it is essential to achieve and maintain the highest available standards of safety, including in waste management, and to encourage cooperation to this end throughout the world. The safety situation in Central and Eastern Europe and the Soviet Union deserves particular attention. This is an urgent problem and we call upon the international community to develop an effective means of coordinating its response.

20. The commercial development of renewable energy sources and their integration with general energy systems should also be encouraged, because of the advantages these sources offer for environmental protection and energy security.

21. We all intend to take a full part in the initiative of the European Community for the establishment of a European Energy Charter on the basis of equal rights and obligations of signatory countries. The aim is to promote free and undistorted energy trade, to enhance security of supply, to protect the environment and to assist economic reform in Central and East European countries and the Soviet Union, especially by creating an open, non-discriminatory regime for commercial energy investment.

## Central and Eastern Europe

22. We salute the courage and determination of the countries of Central and Eastern Europe in building democracy and moving to market economies, despite formidable obstacles. We welcome

the spread of political and economic reform throughout the region. These changes are of great historical importance. Bulgaria and Romania are now following the pioneering advances of Poland, Hungary and Czechoslovakia. Albania is emerging from its long isolation.

23. Recognizing that successful reform depends principally on the continuing efforts of the countries concerned, we renew our own firm commitment to support their reform efforts, to forge closer ties with them and to encourage their integration into the international economic system. Regional initiatives reinforce our ability to cooperate.

24. All the Central and East European countries except Albania are now members of the International Monetary Fund (IMF) and the World Bank. We welcome the steps being taken by those countries that are implementing IMF-supported programmes of macro-economic stabilization. It is crucial that these programmes are complemented by structural reforms, such as privatizing and restructuring State-owned enterprises, increasing competition and strengthening property rights. We welcome the establishment of the European Bank for Reconstruction and Development (ERBD), which has a mandate to foster the transition to open, market-oriented economies and to promote private initiative in Central and East European countries committed to democracy.

25. A favourable environment for private investment, both foreign and domestic, is crucial for sustained growth and for avoiding dependence on external assistance from governments. In this respect, technical assistance from our private sectors and governments, the European Community and international institutions should concentrate on helping this essential market-based transformation. In this context, we emphasize the importance of integrating environmental considerations into the economic restructuring process in Central and Eastern Europe.

26. Expanding markets for their exports are vital for the Central and East European countries. We welcome the substantial increases already made in exports to market economies and we undertake to improve further their access to our markets for their products and services, including in areas such as steel, textiles and agricultural produce. In this context, we welcome the progress made in negotiating Association Agreements between the European Community and Poland, Hungary and Czechoslovakia, as well as the Presidential Trade Enhancement Initiative announced by the United States, all of which will be in accordance with GATT principles. We will support the work of the OECD to identify restrictions to East/West trade and to facilitate their removal.

27. The Group of Twenty-four (G24) process, inaugurated by the Arche Summit and chaired by the European Commission, has mobilized USD 31 billion in bilateral support for these countries, including balance of payments finance to underpin IMF-supported programmes. Such programmes are in place for Poland, Hungary and Czechoslovakia. We welcome the contributions already made for Bulgaria and Romania. We are intensifying the G24 coordination process and we reaffirm our shared willingness to play our fair part in the global assistance effort.

### The Soviet Union

28. We support the moves towards political and economic transformation in the Soviet Union and are ready to assist the integration of the Soviet Union into the world economy.

29. Reform to develop the market economy is essential to create incentives for change and enable the Soviet people to mobilize their own substantial natural and human resources. A clear and agreed framework within which the centre and the republics exercise their respective responsibilities is fundamental for the success of political and economic reform.

30. We have invited President Gorbachev to meet us for a discussion of reform policies and their implementation, as well as ways in which we can encourage this process.

31. We commend the IMF, World Bank, OECD and EBRD for their study of the Soviet economy, produced, in close consultation with the European Commission, in response to the request we made at Houston. This study sets out many of the elements necessary for successful economic reform, which include fiscal and monetary discipline and creating the framework of a market economy.

32. We are sensitive to the overall political context in which reforms are being conducted, including the "new thinking" in Soviet foreign policy around the world. We are sensitive also to the importance of shifting resources from military to civilian use.

33. We are concerned about the deterioration of the Soviet economy, which creates severe hardship not only within the Soviet Union but also for the countries of Central and Eastern Europe.

### The Middle East

34. Many countries have suffered economically as a result of the Gulf crisis. We welcome the success of the Gulf Crisis Financial Coordination

Group in mobilizing nearly USD 16 billion of assistance for those countries suffering the most direct economic impact of the Gulf crisis and urge all donors to complete disbursements rapidly. Extensive assistance is being provided by Summit participants for the Mediterranean and the Middle East, as well as by the IMF and World Bank.

35. We believe that enhanced economic cooperation in this area, on the basis of the principles of non-discrimination and open trade, could help repair the damage and reinforce political stability. We welcome the plans of major oil exporting countries for providing financial assistance to others in the region and their decision to establish a Gulf Development Fund. We support closer links between the international financial institutions and Arab and other donors. We believe this would encourage necessary economic reforms, promote efficient use of financial flows, foster private sector investment, stimulate trade liberalization and facilitate joint projects, e.g. in water management, which would draw on our technical skills and expertise.

### Developing countries and debt

36. Developing countries are playing an increasingly constructive role in the international economic system, including the Uruguay Round. Many have introduced radical policy reforms and are adopting the following principles:

- (a) respect for human rights and for the law, which encourages individuals to contribute to development;
- (b) democratic pluralism and open systems of administration, accountable to the public;
- (c) sound, market-based economic policies to sustain development and bring people out of poverty.

We commend these countries and urge others to follow their example. Good governance not only promotes development at home, but helps to attract external finance and investment from all sources.

37. Our steadfast commitment to helping developing countries, in conjunction with a durable non-inflationary recovery of our economies and the opening of our markets, will be the most effective way we have of enhancing prosperity in the developing world.

38. Many of these countries, especially the poorest, need our financial and technical assistance to buttress their own development endeavours. Additional aid efforts are required, to enhance both the quantity and the quality of our support

for priority development issues. These include alleviating poverty, improving health, education and training and enhancing the environmental quality of our aid. We endorse the increasing attention being given to population issues in devising strategies for sustainable progress.

39. Africa deserves our special attention. Progress by African governments towards sound economic policies, democracy and accountability is improving their prospects for growth. This is being helped by our continued support, focused on stimulating development of the private sector, encouraging regional integration, providing concessional flows and reducing debt burdens. The special programme of assistance for Africa, coordinated by the World Bank and providing support for economic reform in over 20 African countries, is proving its worth. We will provide humanitarian assistance to those parts of Africa facing severe famine and encourage the reform of United Nations structures in order to make this assistance more effective. We will also work to help the countries concerned remove the underlying causes of famine and other emergencies, whether these are natural or provoked by civil strife.

40. In the Asia-Pacific region, many economies, including members of the Association of South-East Asian Nations (Asean) and the Asia-Pacific Economic Cooperation (APEC), continue to achieve dynamic growth. We welcome the efforts by those economies of the region which are assuming new international responsibilities. Other Asian countries, which are strengthening their reform efforts, continue to need external assistance.

41. In Latin America we are encouraged by the progress being made in carrying out genuine economic reforms and by developments in regional integration. We welcome the continuing discussions on the Multilateral Investment Fund, under the Enterprise for the Americas Initiative which, together with other efforts, is helping to create the right climate for direct investment, freer trade and a reversal of capital flight.

42. We recognize with satisfaction the progress being made under the strengthened debt strategy. Some countries have already benefited from the combination of strong adjustment with commercial bank debt reduction or equivalent measures. We encourage other countries with heavy debts to banks to negotiate similar packages.

43. We note:

(a) the agreement reached by the Paris Club on debt reduction or equivalent measures for Poland and Egypt, which should be treated as exceptional cases;

(b) the Paris Club's continued examination of the special situation of some lower middle-income countries on a case-by-case basis.

44. The poorest, most indebted countries need very special terms. We agree on the need for additional debt relief measures, on a case-by-case basis, for these countries, going well beyond the relief already granted under Toronto terms. We therefore call on the Paris Club to continue its discussions on how these measures can best be implemented promptly.

45. We recognize the need for appropriate new financial flows to developing countries. We believe the appropriate way to avoid unsustainable levels of debt is for developing countries to adopt strengthened policies to attract direct investment and the return of flight capital.

46. We note the key role of the IMF, whose resources should be strengthened by the early implementation of the quota increase under the ninth general review and the associated third amendment to the Articles of Agreement.

## Environment

47. The international community will face formidable environmental challenges in the coming decade. Managing the environment continues to be a priority issue for us. Our economic policies should ensure that the use of this planet's resources is sustainable and safeguards the interests of both present and future generations. Growing market economies can best mobilize the means for protecting the environment, while democratic systems ensure proper accountability.

48. Environmental considerations should be integrated into the full range of government policies, in a way which reflects their economic costs. We support the valuable work in this field being undertaken by the OECD. This includes the systematic review of member countries' environmental performance and the development of environmental indicators for use in decision-making.

49. Internationally, we must develop a cooperative approach for tackling environmental issues. Industrial countries should set an example and thus encourage developing countries and Central and East European nations to play their part. Cooperation is also required on regional problems. In this context, we welcome the consensus reached on the Environmental Protocol of the Antarctic Treaty, aimed at reinforcing the environmental preservation of this continent. We note the good progress of the Sahara and Sahel Observatory as well as the Budapest Environmental Centre.

50. The UN Conference on Environment and Development (Unced) in June 1992 will be a landmark event. It will mark the climax of many international environmental negotiations. We commit ourselves to work for a successful conference and to give the necessary political impetus to its preparation.

51. We aim to achieve the following by the time of Unced:

(a) An effective framework convention on climate change, containing appropriate commitments and addressing all sources and sinks for greenhouse gases. We will seek to expedite work on implementing protocols to reinforce the convention. All participants should be committed to design and implement concrete strategies to limit net emissions of greenhouse gases, with measures to facilitate adaptation. Significant actions by industrial countries will encourage the participation of developing and East European countries, which is essential to the negotiations.

(b) Agreement on principles for the management, conservation and sustainable development of all types of forest, leading to a framework convention. This should be in a form both acceptable to the developing countries where tropical forests grow and consistent with the objective of a global forest convention or agreement which we set at Houston.

52. We will seek to promote, in the context of Unced:

(a) Mobilization of financial resources to help developing countries tackle environmental problems. We support the use of existing mechanisms for this purpose, in particular the global environment facility (GEF). The GEF could become the comprehensive funding mechanism to help developing countries meet their obligations under the new environmental conventions.

(b) Encouragement of an improved flow of beneficial technology to developing countries, making use of commercial mechanisms.

(c) A comprehensive approach to the oceans, including regional seas. The environmental and economic importance of oceans and seas means that they must be protected and sustainably managed.

(d) Further development of international law on the environment, drawing *inter alia* on the results of the Siena Forum.

(e) The reinforcement of international institutions concerned with the environment, including the United Nations Environment Programme (UNEP), for the decade ahead.

53. We support the negotiation, under the auspices of UNEP, of an acceptable framework convention on biodiversity, if possible to be concluded next year. It should concentrate on protecting ecosystems, particularly in species-rich areas, without impeding positive developments in biotechnology.

54. We remain concerned about the destruction of tropical forests. We welcome the progress made in developing the pilot programme for the conservation of the Brazilian tropical forest, which has been prepared by the Government of Brazil in consultation with the World Bank and the European Commission, in response to the offer of cooperation extended following the Houston Summit.

We call for further urgent work under the auspices of the World Bank, in cooperation with the European Commission, in the framework of appropriate policies and with careful attention to economic, technical and social issues. We will financially support the implementation of the preliminary stage of the pilot programme utilizing all potential sources, including the private sector, non-governmental organizations, the multilateral development banks, and the GEF. When details of the programme have been resolved, we will consider supplementing these resources with bilateral assistance, so that progress can be made on the ground. We believe that good progress with this project will have a beneficial impact on the treatment of forests at Unced. We also welcome the spread of debt-for-nature exchanges, with an emphasis on forests.

55. The burning oil-wells and polluted seas in the Gulf have shown that we need greater international capacity to prevent and respond to environmental disasters. All international and regional agreements for this purpose, including those of the International Maritime Organization (IMO), should be fully implemented. We welcome the decision by UNEP to establish an experimental centre for urgent environmental assistance. In the light of the recent storm damage in Bangladesh, we encourage the work on flood alleviation under the auspices of the World Bank, which we called for at the Arche Summit.

56. Living marine resources threatened by over-fishing and other harmful practices should be protected by the implementation of measures in accordance with international law. We urge control of marine pollution and compliance with the regimes established by regional fisheries organizations through effective monitoring and enforcement measures.

57. We call for greater efforts in cooperation in environmental science and technology, in particular:

(a) Scientific research into the global climate, including satellite monitoring and ocean obser-

vation. All countries, including developing countries, should be involved in this research effort. We welcome the development of information services for users of earth observation data since the Houston Summit.

(b) The development and diffusion of energy and environmental technologies, including proposals for innovative technology programmes.

## Drugs

58. We note with satisfaction progress made in this field since our Houston meeting, notably the entry into force of the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. We welcome the formation of the United Nations International Drugs Control Programme (UNDCP).

59. We will increase our efforts to reduce the demand for drugs as a part of overall anti-drug action programmes. We maintain our efforts to combat the scourge of cocaine and will match these by increased attention to heroin, still the principal hard drug in Europe and Asia. Enhanced cooperation is needed both to reduce production of heroin in Asia and to check its flow into Europe. Political changes in Central and Eastern Europe and the opening of frontiers there have increased the threat of drug misuse and facilitated illicit trafficking, but have also given greater scope for concerted Europe-wide action against drugs.

60. We applaud the efforts of the "Dublin Group" of European, North American and Asian governments to focus attention and resources on the problems of narcotics production and trafficking.

61. We commend the achievements of the task forces initiated by previous Summits and supported by an increasing number of countries:

(a) We urge all countries to take part in the international fight against money laundering and

to cooperate with the activities of the Financial Action Task Force (FATF). We strongly support the agreement on a mutual evaluation process of each participating country's progress in implementing the FATF recommendations on money laundering. We endorse the recommendation of the FATF that it should operate on a continuing basis with a secretariat supplied by the OECD.

(b) We welcome the report of the Chemical Action Task Force (CATF) and endorse the measures it recommends for countering chemical diversion, building on the 1988 UN Convention against drug trafficking. We look forward to the special meeting in Asia, concentrating on heroin, and the CATF meeting due in March 1992, which should consider the institutional future of this work.

62. We are concerned to improve the capacity of law enforcement agencies to target illicit drug movements without hindering the legitimate circulation of persons and goods. We invite the Customs Cooperation Council to strengthen its cooperation with associations of international traders and carriers for this purpose and to produce a report before our next Summit.

## Migration

63. Migration has made and can make a valuable contribution to economic and social development, under appropriate conditions, although there is a growing concern about worldwide migratory pressures, which are due to a variety of political, social and economic factors. We welcome the increased attention being given to these issues by the OECD and may wish to return to them at a future Summit.

## Next meeting

64. We have accepted an invitation from Chancellor Kohl to hold our next Summit in Munich, Germany in July 1992.'



# 3. Infringement proceedings

## Initiation of proceedings for failure to implement Directives

### Letters of formal notice

2.3.1. In July and August the Commission sent letters of formal notice for failure to inform it of any national implementing measures in the following cases:

#### Internal market

Council Directive 88/182/EEC (Greece, Spain, Netherlands)  
OJ L 81, 26.3.1988

Council Directive 71/305/EEC (Italy, Netherlands)  
OJ L 185, 16.8.1971

Council Directive 77/62/EEC (Greece)  
OJ L 13, 15.1.1977

Council Directive 88/295/EEC (Italy)  
OJ L 127, 20.5.1988

Council Directive 89/48/EEC (Greece)  
OJ L 19, 24.1.1989

Council Directive 89/440/EEC (Italy)  
OJ L 210, 21.7.1989

#### Environment

Council Directive 84/466/Euratom (Spain)  
OJ L 265, 5.10.1984

Council Directive 86/280/EEC (Netherlands)  
OJ L 181, 4.7.1986

#### Company law

Council Directive 77/91/EEC (Greece)  
OJ L 26, 30.1.1977

#### Consumers

Council Directive 87/357/EEC (France)  
OJ L 192, 11.7.1987

Council Directive 89/395/EEC (Germany)  
OJ L 186, 30.6.1989

## Reasoned opinions

2.3.2. In July and August the Commission delivered reasoned opinions for failure to inform it of any national implementing measures in the following cases;

#### Internal market

Council Directive 84/532/EEC (Ireland)  
OJ L 300, 19.11.1984

#### Environment

Council Directive 78/659/EEC (Italy)  
OJ L 222, 14.8.1978

Council Directive 84/466/Euratom (Italy, Netherlands)  
OJ L 265, 5.10.1984

Council Directive 87/405/EEC (Belgium)  
OJ L 220, 8.8.1987

Council Directive 85/444/EEC (Greece)  
OJ L 259, 1.10.1985

Council Directive 86/278/EEC (Italy)  
OJ L 181, 4.7.1986

## Proceedings terminated

2.3.3. In July and August the Commission decided not to continue the following infringement proceedings:

#### Internal market

Council Directive 77/62/EEC (Portugal)  
OJ L 13, 15.1.1977

Council Directive 89/396/EEC (Denmark, Luxembourg)  
OJ L 186, 30.6.1989

Council Directive 89/178/EEC (Denmark)  
OJ L 64, 8.3.1989

Council Directive 85/374/EEC (Belgium)  
OJ L 210, 7.8.1985

Council Directive 63/607/EEC (Portugal)  
OJ L 159, 2.11.1963

Council Directive 87/54/EEC (Greece)  
OJ L 24, 27.1.1987

**Competition**

Council Directive 90/388/EEC (Belgium, Spain, Netherlands, Portugal)  
OJ L 192, 24.7.1990

– **Employment, industrial relations and social affairs**

Council Directive 86/188/EEC (Greece)  
OJ L 137, 24.5.1986

Council Directive 88/642/EEC (Spain, Netherlands)  
OJ L 356, 24.12.1988

**Agriculture**

Commission Directive 85/429/EEC (Germany)  
OJ L 245, 12.9.1985

Commission Directive 89/520/EEC (Belgium, Denmark, Luxembourg)  
OJ L 270, 19.9.1989

Council Directive 90/168/EEC (Denmark, Italy, United Kingdom)  
OJ L 92, 7.4.1990

Commission Directive 90/335/EEC (Greece)  
OJ L 162, 28.6.1990

Eighth Commission Directive 90/490/EEC (Germany, Italy, United Kingdom)  
OJ L 271, 3.10.1990

Ninth Commission Directive 90/506/EEC (Germany, Italy)  
OJ L 282, 13.10.1990

Council Directive 90/533/EEC (Germany, Luxembourg)  
OJ L 296, 27.10.1990

Council Directive 88/409/EEC (Denmark, France, Netherlands)  
OJ L 194, 22.7.1988

Council Directive 88/661/EEC (Denmark, Germany, Greece, France)  
OJ L 382, 31.12.1988

Council Directive 89/361/EEC (Denmark, Germany, Greece, Spain, France)  
OJ L 153, 6.6.1989

Council Directive 89/556/EEC (France, Netherlands, United Kingdom)  
OJ L 302, 19.10.1989

Council Directive 90/118/EEC (Denmark, Germany, Greece, France)  
OJ L 71, 17.3.1990

Council Directive 90/119/EEC (Denmark, Germany, Greece, France)  
OJ L 71, 17.3.1990

**Transport**

Council Directive 89/438/EEC (Germany)  
OJ L 212, 22.7.1989

Council Directive 90/398/EEC (Spain)  
OJ L 202, 31.7.1990

**Environment**

Council Directive 89/369/EEC (Denmark, Germany)  
OJ L 163, 14.6.1989

Council Directive 89/429/EEC (Denmark)  
OJ L 203, 15.7.1989

Council Directive 85/337/EEC (Spain)  
OJ L 175, 5.7.1985

**Telecommunications**

Council Directive 90/387/EEC (Belgium, Denmark, Germany, Spain, France, Luxembourg, Portugal)  
OJ L 192, 24.7.1990

**Financial institutions and company law**

Council Directive 86/635/EEC (Denmark, Spain)  
OJ L 372, 31.12.1986

Council Directive 89/299/EEC (Belgium)  
OJ L 124, 5.5.1989

Council Directive 89/647/EEC (Belgium, United Kingdom)  
OJ L 386, 30.12.1989

Council Directive 88/627/EEC (Denmark, Ireland, Portugal)  
OJ L 348, 17.12.1988

**Consumers**

Council Directive 89/395/EEC (Denmark, France)  
OJ L 186, 30.6.1989

Twelfth Commission Directive 90/121/EEC (Denmark, Greece, France, Luxembourg, Netherlands, United Kingdom)  
OJ L 71, 17.3.1990

Commission Directive 90/207/EEC (Denmark, Germany, Luxembourg, Netherlands, United Kingdom)  
OJ L 108, 28.4.1990

## 4. Additional references in the Official Journal

2.4.1. This section lists the titles of legal instruments and notices of Community institutions or organs which have appeared in the Official Journal since the last Bulletin was published but relating to items appearing in earlier issues of the Bulletin; the references were not available when the Bulletin went to press.

The number of the Bulletin and the point to which this additional information refers is followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

### **Bull. EC 1/2-1991**

#### *Point 1.2.108*

Commission Decision 91/406/ECSC of 6 February 1991 on financial aid by the Federal Republic of Germany to the coal industry in 1990 and supplementary aid to the coal industry for 1989  
OJ L 226, 14.8.1991

#### *Point 1.3.47*

Decision 91/400/ECSC, EEC of the Council and the Commission of 25 February 1991 on the conclusion of the Fourth ACP-EEC Convention  
OJ L 229, 17.8.1991

### **Bull. EC 3-1991**

#### *Point 1.2.43*

Commission Decision 91/375/EEC of 13 March 1991 concerning credits granted by the Belgian

authorities to various shipowners for the building of nine vessels  
OJ L 203, 26.7.1991

#### *Point 1.2.44*

Commission Decision 91/390/EEC of 26 March 1991 on aid granted by the French Government to the undertaking Saint-Gobain (Eurofloat) at Salaise-sur-Sanne (glass sector)  
OJ L 215, 2.8.1991

### **Bull. EC 4-1991**

#### *Point 1.2.134*

Proposal for a Council Directive on the landfill of waste  
OJ C 190, 22.7.1991

### **Bull. EC 5-1991**

#### *Point 1.2.1*

Proposal for a Council Decision adopting the annual economic report for 1990-91 on the economic situation in the Community and determining the economic policy orientation for the Community in 1991  
OJ C 190, 22.7.1991

#### *Point 1.2.14*

Commission Decision 91/323/EEC of 30 May 1991 relating to the application of Council Directive 72/166/EEC on the approximation of the laws of the Member States relating to insurance against civil

liability in respect of the use of motor vehicles and to the enforcement of the obligation to insure against such liability

OJ L 177, 5.7.1991

*Point 1.2.26*

Commission Decision 91/403/EEC of 29 May 1991 declaring the compatibility of a concentration with the common market — (Case No IV/M043)

OJ L 222, 10.8.1991

*Points 1.7.12 to 1.7.14*

Opinions delivered by the Economic and Social Committee during its 287th meeting on 29 and 30 May 1991

OJ C 191, 22.7.1991

**Bull. EC 6-1991**

*Point 1.2.7*

Council Directive 91/477/EEC of 18 June 1991 on control of the acquisition and possession of weapons

OJ L 256, 13.9.1991

*Point 1.2.13*

Commission communication concerning identification criteria of non-prime steel products from third countries applied by customs services of Member States

OJ C 180, 11.7.1991

*Point 1.2.17*

Council Directive 91/368/EEC of 20 June 1991 amending Directive 89/392/EEC on the approximation of the laws of the Member States relating to machinery

OJ L 198, 22.7.1991

*Point 1.2.19*

Proposal for a Council Directive amending Directive 70/157/EEC on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles

OJ C 193, 24.7.1991

*Point 1.2.33*

Proposal for a Council Directive amending Directive 89/299/EEC on the own funds of credit institutions

OJ C 186, 18.7.1991

*Point 1.2.34*

Council Regulation (EEC) No 2155/91 of 20 June 1991 laying down particular provisions for the application of Articles 37, 39 and 40 of the Agreement between the European Economic Community and the Swiss Confederation on direct insurance other than life assurance

Council Decision 91/370/EEC of 20 June 1991 on the conclusion of the Agreement between the European Economic Community and the Swiss Confederation concerning direct insurance other than life assurance

Council Directive 91/371/EEC of 20 June 1991 on the implementation of the Agreement between the European Economic Community and the Swiss Confederation concerning direct insurance other than life assurance

OJ L 205, 27.7.1991

*Point 1.2.62*

Conclusions of the Ministers for Culture meeting within the Council of 7 June 1991 on copyright and neighbouring rights

OJ C 188, 19.7.1991

*Point 1.2.65*

Forward programme for steel for the second half of 1991 and revised estimates for 1991

OJ C 221, 24.8.1991

*Point 1.2.70*

Council Decision 91/366/EEC of 7 June 1991 adopting a specific research and technological development programme in the field of the life sciences and technologies for developing countries (1990 to 1994)

OJ L 196, 19.7.1991

*Point 1.2.71*

Amended proposal for a Council Decision adopting a specific research and technological develop-

ment programme in the field of human capital and mobility (1991 to 1994)  
OJ C 188, 19.7.1991

*Point 1.2.79*

Proposal for a Council Directive on the frequency bands to be designated for the coordinated introduction of digital short-range radio (DSRR) in the Community  
OJ C 189, 20.7.1991

*Point 1.2.101*

Proposal for a Council recommendation on the convergence of social protection objectives and policies  
OJ C 194, 25.7.1991

*Point 1.2.102*

Council Directive 91/383/EEC of 25 June 1991 supplementing the measures to encourage improvements in the safety and health at work of workers with a fixed-duration employment relationship or a temporary employment relationship  
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