

European Commission

Bulletin of the European Union



3 • 1994

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

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 MARCH 1994

News in brief

Citizens' rights

- Parliament adopts a Decision on the regulations and general conditions governing the performance of the Ombudsman's duties (→ point 1.1.2).

The Community economic and social area

Economic and monetary policy

- The Commission adopts the Annual Economic Report for 1994 (→ point 1.2.7).

Internal market

- The Commission adopts its first annual report on the Community internal market (1993) (→ point 1.2.8).
- The Commission adopts a proposal for a Directive simplifying the VAT arrangements for certain transactions (→ point 1.2.30).

Industrial policy

- The Commission adopts a communication on the outlines of an industrial policy for the pharmaceutical sector (→ point 1.2.65).

Research and technology

- The Conciliation Committee adopts a joint draft for a fourth Community framework programme and the Commission adopts proposals for Decisions relating to specific programmes implementing the Community framework programme and the Euratom framework programme (→ points 1.2.68 and 1.2.69).

Trans-European networks

- The Commission adopts a proposal for a Regulation laying down general rules for the granting of Community financial aid in the field of trans-European networks (→ point 1.2.79).
- The Commission approves a proposal for a Parliament and Council Decision on guidelines for the development of the trans-European transport network (→ point 1.2.80).

Economic and social cohesion

- The Commission approves guidelines for Community initiatives for urban areas (URBAN) and for the Portuguese textile and clothing industry (→ points 1.2.111 and 1.2.112).

Environment

- The Commission adopts a proposal for amending the Directive on the assessment of the effects of certain projects on the environment (→ point 1.2.144).

- The Council adopts a Directive on air pollution by emissions from motor vehicles (→ point 1.2.153).
- The Commission adopts a communication on a Community strategy for radioactive waste management (→ point 1.2.157).

Public health and solidarity

- The Commission adopts a proposal for a Parliament and Council Decision adopting an action plan (1995-99) to combat cancer (→ point 1.2.171).

The role of the Union in the world

Enlargement

- The accession negotiations with Austria, Sweden, Finland and Norway are concluded (→ points 1.3.26 to 1.3.29).

Central Europe and the independent States of the former Soviet Union

- The first meetings of the EC-Hungary and the EC-Poland Association Councils are held (→ points 1.3.39 and 1.3.42).

Common commercial policy

- The Council agrees a proposal for a Regulation laying down measures to prohibit the release for free circulation, export or transit of counterfeit and pirated goods (→ point 1.3.82).

Financing Community activities

Measures to combat fraud

- The Commission adopts a communication on its anti-fraud strategy (→ point 1.5.22).

Statistical system

- The Commission adopts a proposal for a Regulation on Community action in the field of statistics (→ point 1.6.1).

1. Citizens' rights

Union citizenship

Freedom of movement and freedom of residence

1.1.1. Parliament resolution on the incompatibility of passport checks carried out by certain airlines with Article 7a of the EC Treaty.

Adopted on 11 March. Parliament called on the Commission to present a proposal to give effect as soon as possible to the free movement of persons within the Union and to check that national legislation on carriers' liability was compatible with Community legislation. It urged the Member States which have adopted such legislation to repeal it and to ensure that security-related identity checks were the same for domestic travel as for travel to elsewhere in the Union.

OJ C 91, 28.3.1994

Referral to the Ombudsman

1.1.2. Parliament Decision on the regulations and general conditions governing the performance of the Ombudsman's duties.

- **Parliament preliminary draft Decision:** OJ C 21, 25.1.1993; Bull. 12-1992, point 1.1.4
- **Commission opinion:** Bull. 4-1993, point 1.1.1
- **Council, Parliament and Commission agreement:** Bull. 10-1993, point 1.6.4
- **Parliament draft Decision:** OJ C 329, 6.12.1993; Bull. 11-1993, point 1.7.4
- **Council Decision 94/114/EC, ECSC, Euratom approving the Parliament Decision:** OJ L 54, 25.2.1994; Bull. 1/2-1994, point 1.1.3

Adopted on 9 March.

OJ C 91, 28.3.1994

Democracy, transparency and subsidiarity

Access to documents

1.1.3. Commission communication on improved access to documents.

□ **References:**

Declaration on the right of access to information annexed to the final act of the Treaty on European Union: OJ C 191, 29.7.1992

Conclusions of the Birmingham European Council: Bull. 10-1992, point 1.8

Conclusions of the Edinburgh European Council: Bull. 12-1992, point 1.5

Commission communication on public access to the institutions' documents: OJ C 156, 8.6.1993; COM(93) 191; Bull. 5-1993, point 1.1.1

Commission communication on openness in the Community: OJ C 166, 17.6.1993; COM(93) 258; Bull. 6-1993, point 1.1.3

Code of conduct concerning public access to Council and Commission documents (93/730/EC) and Council Decision 93/731/EC on public access to Council documents: OJ L 340, 31.12.1993; Bull. 12-1993, point 1.7.6

Commission Decision 94/90/ECSC, EC, Euratom on public access to Commission documents: OJ L 46, 18.2.1994; Bull. 1/2-1994, point 1.1.4

Adopted on 4 March. The communication summarizes the measures taken to improve public access to Commission and Council documents.

OJ C 67, 4.3.1994

2. The Community economic and social area

Implementation of the White Paper on growth, competitiveness and employment

1.2.1. Parliament resolution on the Commission White Paper of 5 December 1993 on growth, competitiveness and employment.

- **Reference:** Commission White Paper entitled 'Growth, competitiveness, employment: The challenges and ways forward into the 21st century': COM(93) 700; Bull. 12-1993, point 1.2.44; Supplement 6/93 — Bull.

Adopted on 9 March. Parliament welcomes the Commission White Paper and the ideas it contains on tackling unemployment, and recommends that a number of measures be taken which it feels will deal with the structural causes of the current economic situation.

As regards labour markets, Parliament proposes that employment services and agencies be decentralized as much as possible and, more generally, that employment markets be made more flexible and minimum guarantees introduced for workers. It supports reducing the non-wage costs of unskilled labour so as to encourage fresh employment opportunities, along with the decentralized management of, and even reductions in, working time, provided that industrial competitiveness is preserved. It calls for action on skills to be based on the learning-for-life principle and accordingly urges Member States to give priority to vocational training systems focusing on skill improvement and on retraining of the unemployed.

Parliament also stresses the European Union's foremost task, which is to improve its competitiveness, particularly in advanced technologies, and calls for a coherent European industrial policy based on the new powers introduced by the Treaty on European Union. Similarly, the tax system should be restructured, with taxes on labour being reduced and a greater burden being

placed on pollution and the consumption of resources. Growth could also be stimulated by means of specific measures targeted at small and medium-sized enterprises with a view to allowing them to participate in technological research and development programmes, encouraging investment that will create jobs and removing bureaucratic and legislative obstacles which hinder their development. Accordingly, the internal market should be consolidated, the construction and development of trans-European networks being of particular significance in this connection.

Parliament advocates that the research effort by the Community and the Member States should be increased to 3% of GDP and that partnership between the public and private sectors should be improved, as should the application of the results of research, with a view to the competitive production of marketable products. It believes that the current economic problems lie less in high labour costs than in the failure to establish new, innovative activities providing sufficient growth in employment, combined with considerable exchange-rate instability.

Parliament believes that the setting of a 2.5% threshold for growth which will generate employment is realistic, considers that sustainable growth must reach 3% and calls on the European Union to create the conditions for such growth by restructuring the burdens on economic operators and introducing appropriate incentives.

OJ C 91, 28.3.1994

1.2.2. Proposal for a European Parliament and Council Decision on guidelines for the development of the trans-European transport network (→ point 1.2.80).

1.2.3. Proposal for a Council Regulation laying down general rules for the granting of Community financial aid in the field of trans-European networks (→ point 1.2.79).

1.2.4. Commission Decision on the creation of the European Science and Technology Assembly (→ point 1.2.71).

Economic and monetary policy

Economic and monetary union

General

1.2.5. Parliament resolution on the social policy implications of the EMU process (→ point 1.2.159).

Coordination of policies

1.2.6. Council conclusions on the Danish convergence programme.

- **Reference:** Conclusions of the Edinburgh European Council: Bull. 12-1992, points I.30 and I.36

Adopted on 21 March.

'The Council examined the Danish convergence programme, which covers the period 1994-2000. The Council welcomed the presentation of the programme and, in particular, the Danish Government's commitment to achieving the programme's targets as indicated by the fact that the convergence programme had already been discussed by the Danish Parliament.

The Council applauded the aim of the Danish authorities to fulfil the convergence criteria outlined in the Treaty on European Union in 1996, although Denmark is not formally committed to participating in Stage III of EMU. It took note of the fact that the programme, which contains measures for improving medium-term economic growth and for fiscal consolidation, was based on the Danish economic recovery plan which was adopted in May of 1993 in accordance with the Edinburgh growth initiative.

The Council raised questions on some elements of the programme. These included, in particular, the slightly optimistic assumptions regarding the revival of private-sector expenditure in Denmark. These assumptions play an important role in the achievement of the programme's main targets, which include a reduction in unemployment and a reduction in the fiscal deficit following an initial temporary loosening. In this context, the Council urged the Danish authorities to be vigilant in their monitoring of the implementation of the programme and, in particular, to prepare contingency measures buttressing the budgetary position to be put into effect should any slippage become evident.'

Economic situation

1.2.7. Annual Economic Report 1994.

- **References:**
Commission recommendation for the broad guidelines of the economic policies of the Member

States and of the Community drawn up in accordance with Article 103(2) of the EC Treaty and entitled 'Restoring growth and employment - strengthening convergence': COM(93) 629; Bull. 11-1993, point 1.2.24

Conclusions of the Brussels European Council: Bull. 12-1993, point I.3

Commission White Paper entitled 'Growth, competitiveness, employment: The challenges and ways forward into the 21st century': COM(93) 700; Bull. 12-1993, point 1.2.44; Supplement 6/93 — Bull.

- **Previous report:** COM(93) 44; Bull. 1/2-1993, point 1.2.38

Adopted by the Commission on 23 March. The Commission notes in the report that significant progress has been made in the course of 1993 and in the first few months of 1994. The available information suggests that a modest recovery could take hold, led by a modest pick-up in exports to the rest of the world, with European exporters thus being required to direct their attention increasingly towards the emerging dynamic economies, and by a revival of investment. The Commission expects private consumption to recover only once growth is strong enough to halt the rise in unemployment. It forecasts a return to a rate of growth of 1.25% in 1994, 2% in 1995 and 3% in 1996. Current trends also raise the hope that the recovery will go hand in hand with a resumption of the nominal convergence process. While the target rate for inflation of between 2% and 3% by 1996 appears realistic for the Community as a whole, additional efforts are required in order to achieve the objective of bringing budget deficits down to 3% of GDP by 1996/97 and the Commission notes that, despite the efforts made to reduce budget deficits, short-term interest rates remain too high for a period of recession. It would seem that the return to higher rates of growth will imply a resumption of the process of real convergence in so far as the countries catching up have in the past almost always benefited more than proportionally from general improvements in economic conditions throughout the Community and in so far as the efforts of these countries will be supplemented by much larger interventions under the Community's Structural Funds than in the past. However, the higher rates of growth will not permit a substantial reduction in unemployment in the short term.

The Commission considers that, in order for growth to remain strong and employment-cre-

ating for many years, efforts need to be made with regard to structural adjustment and macroeconomic management. It refers to the proposals contained in the Commission White Paper on growth, competitiveness and employment, particularly as regards modifying 'employment systems' with a view to preventing a cyclical increase in unemployment from consolidating into structural unemployment and stresses the need for training and skills. It also takes the view that structural policies must aim at making the Community economy more competitive and dynamic. It stresses in particular that the Member States, which are responsible for most of the policies in this area, should not reduce their efforts once sustained growth returns, since such periods are when structural reform is easiest to implement, and that the Community must implement rapidly the measures defined in the action plan agreed at the Brussels European Council, particularly with regard to the trans-European infrastructure networks. The Commission also lays down the following macroeconomic policy guidelines:

- strong investment activity must lead to an increase in the stock of capital through an improvement in investment profitability and must contribute to boosting the Community's potential rate of growth;
 - national saving should rise at least in line with the increase in the share of investment in GDP, and this will require substantial improvements in public saving and should lead to budget deficits being reduced in the long term to less than 1% of GDP;
 - in the medium term, actual output growth should not exceed the potential rate of growth, as this would make growth unsustainable;
 - monetary policy should be oriented towards the maintenance of price stability, while the other economic policy instruments should support growth and, in particular, the weight of any stabilization must be borne by budgetary policy.
- COM(94) 90

Internal market

General

1.2.8. 1993 report on the Community internal market.

□ References:

Commission communication on the operation of the internal market after 1992: follow-up to the Sutherland report: Bull. 12-1992, point 1.3.14
 Commission communication entitled 'Making the most of the internal market: Strategic programme': COM(93) 632; Bull. 12-1993, point 1.2.1

Adopted by the Commission on 14 March. This first annual report on the operation of the internal market, which the Commission announced in its communication on the follow-up to the Sutherland report, takes stock of the operation of the single market in 1993. It assesses how far the Community has achieved its objectives over the year and is intended as a means of identifying priorities for future action and informing those operating in the single market of the Community's intentions for its future development. The first part of the report gives an overview of the extent to which internal market legislation is already in place, and examines the main management issues addressed in the Commission's strategic programme. The second part examines in more detail the operation of the internal market during 1993 in each main sector of activity: free movement of persons, free movement of goods, free movement of services and freedom of establishment, free movement of capital, public procurement, intellectual and industrial property, company law, energy, taxation, payment systems and back-up policies. An annex to the report also gives a snapshot of the state of implementation of internal market legislation.

COM(94) 55

Free movement of goods

Technical aspects

Standardization and technical rules

1.2.9. European Parliament and Council Directive 94/10/EC materially amending for the second time Directive 83/189/EEC laying down a procedure for the provision of information in the field of technical standards and regulations.

- **Directive amended:** Council Directive 83/189/EEC: OJ L 109, 26.4.1983, as last amended by Directive 88/182/EEC: OJ L 81, 26.3.1988; Bull. 3-1988, point 2.1.12
- **Commission proposal:** OJ C 340, 23.12.1992; COM(92) 491; Bull. 11-1992, point 1.3.27

- **Parliament opinion (first reading):** OJ C 176, 28.6.1993; Bull. 5-1993, point 1.2.2
- **Economic and Social Committee opinion:** OJ C 201, 26.7.1993; Bull. 5-1993, point 1.2.2
- **Amended Commission proposal:** OJ C 290, 27.10.1993; COM(93) 444; Bull. 10-1993, point 1.2.2
- **Proposal subject to the co-decision procedure since 1 November 1993**
- **Council common position:** Bull. 11-1993, point 1.2.1
- **Parliament amendments (second reading):** OJ C 61, 28.2.1994; Bull. 1/2-1994, point 1.2.8

Opinion incorporating an amended proposal adopted by the Commission on 10 March.

COM(94) 85

Approved by the Council on 10 March. This Directive spells out the scope of Directive 83/189/EEC and clarifies the obligations it imposes on Member States. It extends the concept of 'technical rule' so as to include *de facto* technical regulations — for example, technical specifications linked to tax measures or voluntary agreements — and increases to not more than 18 months the standstill period during which the Member States are prohibited from adopting a national regulation in a field in which the Council is endeavouring to draw up a harmonized measure.

Signed by Parliament and the Council on 23 March.

OJ L 100, 19.4.1994

Motor vehicles

1.2.10. Proposal for a European Parliament and Council Directive on the maximum design speed, maximum torque and maximum net engine power of two- or three-wheeled motor vehicles.

- **Commission proposal:** OJ C 93, 13.4.1992; COM(91) 497; Bull. 1/2-1992, point 1.3.30
- **Economic and Social Committee opinion:** OJ C 313, 30.11.1992; Bull. 9-1992, point 1.2.17
- **Parliament opinion (first reading):** OJ C 72, 15.3.1993; Bull. 1/2-1993, point 1.2.2
- **Council common position:** Bull. 6-1993, point 1.2.7
- **Parliament opinion (second reading):** OJ C 315, 22.11.1993; Bull. 10-1993, point 1.2.5
- **Proposal subject to the co-decision procedure since 1 November 1993**
- **Parliament declaration of intention to reject the common position (second reading):** Bull. 1/2-1994, point 1.2.9

Meeting of the Conciliation Committee held on 22 March. Parliament having indicated its intention to reject the Council common position, the Council convened the Conciliation Committee to explain further its position.

1.2.11. Proposal for a European Parliament and Council Directive relating to the mechanical coupling devices of motor vehicles and their trailers and their attachment to those vehicles.

- **Commission proposal:** OJ C 134, 25.5.1992; COM(92) 108; Bull. 3-1992, point 1.2.18
- **Economic and Social Committee opinion:** OJ C 313, 30.11.1992; Bull. 9-1992, point 1.2.18
- **Parliament opinion (first reading):** OJ C 305, 23.11.1992; Bull. 10-1992, point 1.3.24
- **Council common position:** Bull. 9-1993, point 1.2.3
- **Proposal subject to the co-decision procedure since 1 November 1993**

Amended by Parliament (second reading) on 9 March. Parliament's amendments concern the procedure for adapting the Directive to technical progress.

OJ C 91, 28.3.1994

Industrial products

1.2.12. European Parliament and Council Directive 94/9/EC on the approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres.

- **Directives repealed:**
Council Directive 76/117/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres: OJ L 24, 30.1.1976
Council Directive 79/196/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection: OJ L 43, 20.2.1979, as last amended by Directive 90/487/EEC: OJ L 270, 2.10.1990; Bull. 9-1990, point 1.2.14
Council Directive 82/130/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres in mines susceptible to fire-damp: OJ L 59, 2.3.1982, as last amended by Directive 91/269/EEC: OJ L 134, 29.5.1991; Bull. 4-1991, point 1.2.71
- **Commission proposal:** OJ C 46, 20.2.1992; COM(91) 516; Bull. 12-1991, point 1.2.14
- **Economic and Social Committee opinion:** OJ C 106, 27.4.1992; Bull. 3-1992, point 1.2.14

- **Parliament opinion (first reading):** OJ C 125, 18.5.1992; Bull. 4-1992, point 1.3.14
- **Proposal subject to the co-decision procedure since 1 November 1993**
- **Council common position:** Bull. 11-1993, point 1.2.3
- **Parliament approval (second reading):** OJ C 61, 28.2.1994; Bull. 1/2-1994, point 1.2.11

Approved by the Council on 10 March. This Directive lays down the essential safety requirements, and the procedures for assessing conformity with those requirements, applicable to equipment and protective systems intended for use in potentially explosive atmospheres and to safety devices outside such atmospheres but relevant to equipment installed in them. It covers both electrical and non-electrical hazards and applies to equipment intended for the mining industry and for other uses.

Signed by Parliament and the Council on 23 March.

OJ L 100, 19.4.1994

1.2.13. Proposal for a European Parliament and Council Directive on the approximation of the laws, regulations and administrative provisions of the Member States relating to recreational craft.

- **Commission proposal:** OJ C 123, 15.5.1992; COM(92) 141; Bull. 4-1992, point 1.3.15
- **Economic and Social Committee opinion:** OJ C 313, 30.11.1992; Bull. 9-1992, point 1.2.20
- **Parliament opinion (first reading):** OJ C 337, 21.12.1992; Bull. 11-1992, point 1.3.30
- **Amended Commission proposal:** OJ C 59, 2.3.1993; COM(93) 23; Bull. 1/2-1993, point 1.2.6
- **Proposal subject to the co-decision procedure since 1 November 1993**
- **Council common position:** Bull. 12-1993, point 1.2.9

Amended by Parliament (second reading) on 9 March. The amendments relate to the procedure for implementing the Directive and to certain technical aspects.

OJ C 91, 28.3.1994

1.2.14. European Parliament and Council Directive 94/11/EC on the approximation of the laws, regulations and administrative provisions of the Member States relating to labelling of the materials used in the main components of footwear for sale to the consumer.

- **Commission proposal:** OJ C 74, 25.3.1992; COM(91) 529; Bull. 3-1992, point 1.2.15

- **Parliament opinion (first reading):** OJ C 150, 15.6.1992; Bull. 5-1992, point 1.1.13
- **Economic and Social Committee opinion:** OJ C 287, 4.11.1992; Bull. 7/8-1992, point 1.3.23
- **Proposal subject to the co-decision procedure since 1 November 1993**
- **Council common position:** Bull. 11-1993, point 1.2.4

Approved by Parliament (second reading) on 9 March.

OJ C 91, 28.3.1994

Approved by the Council on 21 March. The Directive ensures the free movement of these products in the Community while at the same time providing the consumer with reliable information by means of a system for labelling the materials used in the main components of footwear.

Signed by Parliament and the Council on 23 March.

OJ L 100, 19.4.1994

Precious metals

1.2.15. Proposal for a European Parliament and Council Directive on articles of precious metal.

- **Commission proposal:** OJ C 318, 25.11.1993; COM(93) 322, Bull. 9-1993, point 1.2.2; Bull. 10-1993, point 1.2.7
- **Proposal subject to the co-decision procedure since 1 November 1993**

Endorsed by the Economic and Social Committee on 23 March, subject to various comments. The Committee suggests, among other things, that further proposals be drawn up to deal with second-hand articles and objects made of metals other than precious metal and coated with precious metals.

Dangerous substances

1.2.16. Proposal for a European Parliament and Council Directive amending for the 13th time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations.

- **Commission proposal:** OJ C 157, 24.6.1992; COM(92) 195; Bull. 5-1992, point 1.1.16
- **Economic and Social Committee opinion:** OJ C 332, 16.12.1992; Bull. 10-1992, point 1.3.31

- **Proposal subject to the co-decision procedure since 1 November 1993**
- **Parliament opinion (first reading):** OJ C 44, 14.2.1994; Bull. 1/2-1994, point 1.2.14

Amended proposal adopted by the Commission on 29 March.

COM(94) 95

1.2.17. Proposal for a European Parliament and Council Directive amending for the 14th time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations.

- **Commission proposal:** OJ C 116, 27.4.1993; COM(93) 134; Bull. 4-1993, point 1.2.6
- **Economic and Social Committee opinion:** OJ C 304, 10.11.1993; Bull. 9-1993, point 1.2.4
- **Parliament opinion (first reading):** OJ C 315, 22.11.1993; Bull. 10-1993, point 1.2.8
- **Proposal subject to the co-decision procedure since 1 November 1993**
- **Amended Commission proposal:** OJ C 23, 27.1.1994; COM(93) 633; Bull. 12-1993, point 1.2.6
- **Council agreement on a common position:** Bull. 12-1993, point 1.2.6

Common position formally adopted by the Council on 4 March. The amendment is designed to restrict the use of nickel in jewellery and personal items coming into direct contact with the skin.

Foodstuffs

1.2.18. Proposal for a European Parliament and Council Directive amending Directive 89/107/EEC on the approximation of the laws of the Member States concerning food additives authorized for use in foodstuffs intended for human consumption.

- **Commission proposal:** OJ C 206, 13.8.1992; COM(92) 255; Bull. 6-1992, point 1.3.22
- **Economic and Social Committee opinion:** OJ C 73, 15.3.1993; Bull. 1/2-1993, point 1.2.11
- **Parliament opinion (first reading):** OJ C 176, 28.6.1993; Bull. 5-1993, point 1.2.7
- **Amended Commission proposal:** OJ C 191, 15.7.1993; COM(93) 289; Bull. 6-1993, point 1.2.15
- **Council agreement on a common position:** Bull. 9-1993, point 1.2.5
- **Procedure subject to the co-decision procedure since 1 November 1993**

- **Council common position:** Bull. 11-1993, point 1.2.5

Approved by Parliament (second reading) on 9 March.

OJ C 91, 28.3.1994

1.2.19. Proposal for a European Parliament and Council Directive concerning sweeteners intended for use in foodstuffs.

- **Commission proposal:** OJ C 206, 13.8.1992; COM(92) 255; Bull. 6-1992, point 1.3.22
- **Economic and Social Committee opinion:** OJ C 332, 16.12.1992; Bull. 10-1992, point 1.3.35
- **Parliament opinion (first reading):** OJ C 305, 23.11.1992; Bull. 10-1992, point 1.3.35
- **Council agreement on a common position:** Bull. 9-1993, point 1.2.6
- **Proposal subject to the co-decision procedure since 1 November 1993**
- **Council common position:** Bull. 11-1993, point 1.2.6

Amended by Parliament (second reading) on 9 March. The amendment concerns the use of sweeteners in vitamins and dietary preparations.

OJ C 91, 28.3.1994

1.2.20. Proposal for a European Parliament and Council Directive on colours for use in foodstuffs.

- **Commission proposal:** OJ C 12, 18.1.1992; COM(91) 444; Bull. 12-1991, point 1.2.29
- **Economic and Social Committee opinion:** OJ C 313, 30.11.1992; Bull. 9-1992, point 1.2.25
- **Parliament opinion (first reading):** OJ C 115, 26.4.1993; Bull. 3-1993, point 1.2.5
- **Amended Commission proposal:** OJ C 134, 13.5.1993; COM(93) 153; Bull. 4-1993, point 1.2.9
- **Council agreement on a common position:** Bull. 9-1993, point 1.2.7
- **Proposal subject to the co-decision procedure since 1 November 1993**
- **Council common position:** Bull. 11-1993, point 1.2.7

Amended by Parliament (second reading) on 9 March. Parliament wishes, among other things, to see paprika extract added to the list of permitted colours and a campaign launched to inform consumers about the evaluation and authorization procedures for permitted colours and the meaning of the E number system.

OJ C 91, 28.3.1994

1.2.21. Proposal for a European Parliament and Council Directive on food additives other than colours and sweeteners.

- **Commission proposal:** OJ C 206, 13.8.1992; COM(92) 255; Bull. 6-1992, point 1.3.22
- **Economic and Social Committee opinion:** OJ C 108, 19.4.1993; Bull. 1/2-1993, point 1.2.12
- **Parliament opinion (first reading):** OJ C 176, 28.6.1993; Bull. 5-1993, point 1.2.8
- **Amended Commission proposal:** OJ C 189, 13.7.1993; COM(93) 290; Bull. 6-1993, point 1.2.16
- **Proposal subject to the co-decision procedure since 1 November 1993**
- **Council agreement on a common position:** Bull. 12-1993, point 1.2.13

Common position formally adopted by the Council on 10 March. The aim of this proposal is to draw up a list of additives other than colours and sweeteners that are authorized for use on the Community market and to specify the conditions under which they may be used in foodstuffs, and in particular the permitted maximum doses.

1.2.22. Proposal for a European Parliament and Council Directive amending for the second time Directive 88/344/EEC on the approximation of the laws of the Member States relating to extraction solvents used in the production of foodstuffs and food ingredients.

- **Commission proposal:** OJ C 15, 18.1.1994; COM(93) 659; Bull. 12-1993, point 1.2.12
- **Parliament opinion (first reading):** OJ C 61, 28.2.1994; Bull. 1/2-1994, point 1.2.17
- **Economic and Social Committee opinion:** Bull. 1/2-1994, point 1.2.17

Common position adopted by the Council on 10 March. This proposal reinstates cyclohexane in the list of solvents authorized for the extraction of flavourings from natural flavouring materials for use in the production of foodstuffs.

1.2.23. Proposal for a European Parliament and Council Directive amending Council Directive 89/398/EEC on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses.

- **Directive to be amended:** Council Directive 89/398/EEC: OJ L 186, 30.6.1989; Bull. 5-1989, point 2.1.23

Adopted by the Commission on 28 March. This proposal reduces to four (infant formulae and follow-on formulae, cereal-based foods and baby foods, food intended for weight control diets, and dietary foods for special medical purposes)

the nine categories of foodstuffs listed in Directive 89/398/EEC for which specific directives are to be adopted.

OJ C 108, 16.4.1994; COM(94) 97

Animal and plant health

Animal health

1.2.24. Proposal for a Council Decision amending Decision 90/424/EEC on expenditure in the veterinary field.

- **Commission proposal:** OJ C 4, 6.1.1994; COM(93) 470; Bull. 12-1993, point 1.2.17

Endorsed by Parliament on 11 March.

OJ C 91, 28.3.1994

Endorsed by the Economic and Social Committee on 23 March. The Committee points out, however, that the proposed measures could prove difficult to administer for aid applicants.

Animal feedingstuffs

1.2.25. Proposal for a Council Regulation laying down the conditions and arrangements for approving certain establishments operating in the animal feed sector and amending Directives 70/524/EEC and 74/63/EEC.

- **Commission proposal:** OJ C 348, 28.12.1993; COM(93) 587; Bull. 11-1993, point 1.2.18

Endorsed by Parliament on 11 March.

OJ C 91, 28.3.1994

Endorsed by the Economic and Social Committee on 23 March. The Committee nevertheless has misgivings about the choice of a regulation rather than a directive and suggests including in the proposal a deadline by which Member States must adopt their approval procedure.

Plant health

1.2.26. Council Directive 94/13/EC amending Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community.

- **Directive amended:** Council Directive 77/93/EEC: OJ L 26, 31.1.1977, as last amended by

Directive 93/19/EEC: OJ L 96, 22.4.1993; Bull. 4-1993, point 1.2.16

□ **Commission proposal:** OJ C 97, 6.4.1993; COM(93) 99; Bull. 3-1993, point 1.2.11

□ **Economic and Social Committee opinion:** OJ C 201, 26.7.1993; Bull. 5-1993, point 1.2.12

□ **Parliament opinion:** OJ C 255, 20.9.1993; Bull. 7/8-1993, point 1.2.11

Adopted by the Council on 29 March. Directive 77/93/EEC is adjusted to meet the requirements of the internal market and extended to cover the Canary Islands.

OJ L 92, 9.4.1994

Free movement of services

Financial services

1.2.27. Proposal for a European Parliament and Council Directive on deposit-guarantee schemes.

□ **Commission proposal:** OJ C 163, 30.6.1992; COM(92) 188; Bull. 5-1992, point 1.1.11

□ **Economic and Social Committee opinion:** OJ C 332, 16.12.1992; Bull. 10-1992, point 1.3.41

□ **Parliament opinion (first reading):** OJ C 115, 26.4.1993; Bull. 3-1993, point 1.2.16

□ **Amended Commission proposal:** OJ C 178, 30.6.1993; COM(93) 253; Bull. 6-1993, point 1.2.28

□ **Council agreement on a common position:** Bull. 9-1993, point 1.2.16

□ **Council common position:** Bull. 10-1993, point 1.2.23

□ **Proposal subject to the co-decision procedure since 1 November 1993**

Amended by Parliament (second reading) on 9 March. Parliament's amendments are intended to strengthen the protection afforded to depositors, among other things by providing that a deposit is to be deemed unavailable if suspension of payment by the credit institution effectively lasts 21 consecutive days, there being no need for such suspension of payment to be determined by a legal or administrative authority.

OJ C 91, 28.3.1994

Opinion incorporating an amended proposal adopted by the Commission on 24 March. The only amendments accepted by the Commission are drafting changes.

COM(94) 99

1.2.28. Proposal for a European Parliament and Council Directive amending Directive 80/390/EEC coordinating the requirements for the drawing-up, scrutiny and distribution of the listing particulars to be published for the admission of securities to official stock-exchange listing, with regard to the obligation to publish listing particulars.

□ **Commission proposal:** OJ C 23, 27.1.1993; COM(92) 566; Bull. 12-1992, point 1.3.46

□ **Economic and Social Committee opinion:** OJ C 161, 14.6.1993; Bull. 4-1993, point 1.2.22

□ **Proposal subject to the co-decision procedure since 1 November 1993**

□ **Parliament opinion (first reading):** OJ C 20, 24.1.1994; Bull. 12-1993, point 1.2.35

□ **Amended Commission proposal:** OJ C 88, 25.3.1994; COM(94) 33; Bull. 1/2-1994, point 1.2.29

Common position adopted by the Council on 4 March. The aim of this proposal is to allow, subject to certain conditions, the securities of companies already listed in one Member State to be admitted to official listing in other Member States without publication of new particulars.

1.2.29. Proposal for a European Parliament and Council Directive amending Directives 77/780/EEC and 89/646/EEC in the field of credit institutions, Directives 73/239/EEC and 92/49/EEC in the field of non-life insurance, Directives 79/267/EEC and 92/96/EEC in the field of life assurance, and Directive 93/22/EEC in the field of investment firms in order to reinforce prudential supervision.

□ **Commission proposal:** OJ C 229, 25.8.1993; COM(93) 363; Bull. 7/8-1993, point 1.2.19

□ **Proposal subject to the co-decision procedure since 1 November 1993**

□ **Economic and Social Committee opinion:** OJ C 52, 19.2.1994; Bull. 12-1993, point 1.2.36

Endorsed by Parliament (first reading) on 9 March, subject to a drafting change.

OJ C 91, 28.3.1994

Taxation

Indirect taxation

1.2.30. Proposal for a Council Directive amending Directive 77/388/EEC and introducing new simplification measures with regard to value-

added tax — scope of certain exemptions and practical arrangements for implementing them.

- **Directive to be amended:** Sixth Council Directive 77/388/EEC on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value-added tax: uniform basis of assessment: OJ L 145, 13.6.1977, as last amended by Directive 94/5/EC: OJ L 60, 3.3.1994; Bull. 1/2-1994, point 1.2.31

Adopted by the Commission on 2 March. The aim of the proposal is to introduce, for the benefit of traders and authorities in the Member States, common measures to simplify the operation of the common system of value-added tax without calling into question the basic principles governing VAT. The proposed measures would streamline the tax treatment of the following transactions:

- **Chain transactions:** The Commission proposes that those Member States which exempt transactions carried out under customs warehousing arrangements should be required to set up a system of tax warehouses so that transactions involving goods placed under tax warehousing arrangements are similarly exempted. Each Member State will retain full discretion to determine the places or situations which, in its view, constitute tax warehouses. This will simplify the tax treatment of chain transactions involving goods (originating inside or outside the Community) placed under these arrangements.

Whether the goods are placed under customs or tax warehousing arrangements, the amount of tax due on removal from the arrangements must correspond to the amount of tax that would have been due if each of the transactions had been taxed individually. The tax becomes payable at the time the goods are removed from the warehousing arrangements.

Likewise, in both cases (customs warehouse and tax warehouse), the person liable to pay the tax is the person removing the goods from the warehousing arrangements;

- **Goods transport:** The Commission proposes that services linked to the importation of goods (transport and ancillary services) should in future be included, on importation, in the taxable amount for VAT purposes, irrespective of the Member State into which the goods are imported (Member State of entry into Community terri-

tory or Member State of destination of the goods).

The principles of territorial application which already operate in the case of the intra-Community transport of goods are to apply also to domestic transport operations directly linked to the intra-Community transport of goods (and ancillary services, including services provided by intermediaries);

- **Goods to be carried outside the Community in the personal luggage of travellers:** The proposal specifies the scope of the exemption (total value of the goods of not less than ECU 175) and the practical arrangements for exempting these goods;
- **Supplies of goods and services to bodies to which international conventions or treaties apply.**

OJ C 107, 15.4.1994; COM(94) 58

1.2.31. Proposal for a Council Directive supplementing the common system of value-added tax and amending Directive 77/388/EEC special scheme for gold.

- **Commission proposal:** OJ C 302, 19.11.1992; COM(92) 441; Bull. 10-1992, point 1.3.47
- **Economic and Social Committee opinion:** OJ C 161, 14.6.1993; Bull. 4-1993, point 1.2.23

Endorsed by Parliament on 10 March, subject to amendments completely exempting investment gold from VAT.

OJ C 91, 28.3.1994

Company law

1.2.32. Council Directive 94/8/EC amending Directive 78/660/EC as regards the revision of amounts expressed in ecus.

- **Directive amended:** Council Directive 78/660/EEC: OJ L 222, 14.8.1978, as last amended by Directive 90/605/EEC: OJ L 317, 16.11.1990; Bull. 11-1990, point 1.3.106
- **Commission proposal:** COM(93) 390; Bull. 9-1993, point 1.2.19

Adopted on 21 March. This Directive carries out the five-yearly revision of the amounts expressed in ecus and used to define the small and medium-sized firms to which Member States may grant derogations with regard to the

drawing-up, auditing and disclosure of annual accounts and annual reports and the drawing-up of consolidated accounts.

OJ L 82, 25.3.1994

Intellectual property

1.2.33. Parliament resolution on intellectual property rights and standardization.

□ **Reference:** Commission communication on intellectual property rights and standardization: OJ C 72, 15.3.1993; COM(92) 445; Bull. 10-1992, point 1.3.19

Adopted on 11 March. Parliament approves the Commission communication.

OJ C 91, 28.3.1994

Public procurement

1.2.34. Parliament resolution on the negotiations regarding access to third countries' markets in the fields covered by Directive 90/531/EEC (the Utilities Directive).

□ **References:**
Council Directive 90/531/EEC on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors: OJ L 297, 29.10.1990; Bull. 9-1990, point 1.2.6, as last amended by Council Directive 93/38/EEC: OJ L 199, 9.8.1993; Bull. 6-1993, point 1.2.38
Report from the Commission concerning negotiations regarding access to third-country markets in the fields covered by Directive 90/531/EEC: COM(93) 80; Bull. 3-1993, point 1.2.17

Adopted on 11 March. Parliament regrets that, in the negotiations on market access conducted under GATT, the offers from the other parties are much less far-reaching than those of the European Union. It stresses the need for genuine reciprocity in market access and calls on the Commission to set up a European centre to monitor procurement in the utilities sectors (water, energy, transport and telecommunications) in third countries. It points to the difficulties in gaining access to contracts in the United States, Japan and Korea, but welcomes the opening-up of markets achieved through the Agreement on the European Economic Area and the Europe

Agreements signed with the Central European countries.

OJ C 91, 28.3.1994

Competition

Rules applying to businesses

Restrictive practices and dominant positions

Commission decisions under Articles 85 and 86 of the EC Treaty

HOV-SVZ/MCN

1.2.35. *Adopted on 29 March.* The decision finds that Deutsche Bundesbahn, now Deutsche Bahn (DB), Société nationale des chemins de fer belges (SNCB), Nederlandse Spoorwegen (NS), Transfracht and Intercontainer have infringed Article 85 and that DB has infringed Article 86; DB has to pay a fine of ECU 11 million.

The case arose out of a complaint lodged by Havenondernemersvereniging SVZ (HOV-SVZ), an association of undertakings operating in the port of Rotterdam. In geographical terms, seaborne containers travelling to and from Germany can transit through a Belgian, Dutch or German port. The association claimed that DB had, for many years, been using its monopoly on the market in rail services in Germany to impose higher rates for transport to and from Belgian and Dutch ports, in order to promote its own Bremen and Hamburg services. In the combined transport of goods the railways do not market transport services direct to shippers but, instead, sell railway traction services to specialized operators such as Transfracht and Intercontainer. Those operators arrange combined transport and sell it to shippers. They thus depend on the railways to supply rail traction, which is an essential service bringing the case within the scope of Article 86.

The Commission's inquiries have established that DB has, for many years, been using its mo-

nopoly in the supply of traction services of this kind in Germany to impose combined transport tariffs which favour transport to and from the German ports, which is entirely in its hands, as opposed to services to and from the Belgian and Dutch ports, which are provided partly by SNCB, NS and Intercontainer. One result of DB's practices is that between 1989 and 1991 combined transport traffic increased by 20% between the German ports and the rest of Germany and fell by 10% between the Belgian and Dutch ports and Germany.

In view of the seriousness of the infringement, the decision imposes a fine of ECU 11 million on DB.

The decision also finds that DB, SNCB, NS, Transfracht and Intercontainer have engaged in a restrictive practice aimed at organizing the market in this kind of transport but that the practice came to an end when they received the Commission's statement of objections. The Commission accordingly imposes no fines in respect of this infringement.

OJ L 104, 23.4.1994

Mergers

Commission 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. 12-1989, point 2.1.78; Supplement 2/90 — Bull.

Rütgers/Hüls Troisdorf

1.2.36. Adopted on 2 March. The decision authorizes the acquisition by Rütgerswerke AG of Hüls Troisdorf AG, a firm which processes plastics. The Commission takes the view that the relevant geographic market is Western Europe. The transaction will have a considerable impact on the market in copper-clad laminates, which are used for producing printed circuit boards for electronic equipment. There will be a significant addition of market shares here. But the Commission concludes that there is no danger of a dominant position being created or strengthened: for a number of reasons it is safe to say that effective competition will be preserved on both the

supply and the demand side. On the demand side in particular, buyers of printed circuits are generally in a strong position and could turn to the competition if a manufacturer were to seek to impose a large increase in prices.

Ford/Hertz

1.2.37. Adopted on 7 March. The decision concludes that a notified transaction falls outside the scope of the Merger Control Regulation. Ford already had a 49% stake in Hertz and has now bought a 5% shareholding from Commerzbank, thus moving into a majority position. The Commission finds that the transaction does not change the quality and degree of the influence which Ford already had over Hertz by reason of an option which allowed it to acquire a majority of the votes on Hertz's board and thus to have its proposals passed by the board simply by converting part of its special shares to ordinary shares. The Commission therefore decides that the transaction is not caught by the Merger Control Regulation.

ABB/Renault Automation

1.2.38. Adopted on 9 March. The decision authorizes Asea Brown Boveri (ABB) and Renault Automation, a subsidiary of Renault SA, to set up a joint venture to handle what are known as 'body in white' systems, a stage in motor car manufacture. ABB was hitherto absent from this market, and the new company's share of the European market will not exceed 4%. The establishment of the joint venture also involves a second transaction in which ABB acquires sole control of Renault Automation's robotics division; the Commission concludes that this transaction does not have a Community dimension.

Philips/Hoechst

1.2.39. Adopted on 11 March. The Commission here authorizes a transaction by which Philips and Hoechst are to pool their plastic magneto-optical disk business. These disks are used to store data; they are recorded and read by an optical process. Their storage capacity is a great deal larger than what can be obtained by conventional processes. Philips is not active on the market, and Hoechst is the only European firm making the product.

Hoechst's market share is below 25% so that the transaction will not create or strengthen a dominant position. The Commission has decided not to oppose it.

BMW/Rover

1.2.40. Adopted on 14 March. The decision authorizes BMW to acquire Rover from British Aerospace. The transaction affects the passenger car sector, where the product lines of BMW and Rover overlap mainly in the executive segment (BMW 5 series, Rover 800) and the large car segment (BMW 3 series, Rover 600). Through the acquisition of Rover, BMW, which has up to now been a specialist manufacturer producing for the top end of the market, will be able to offer a full range of cars including Rover's small cars and multi-purpose vehicles. The transaction will have only a limited effect in terms of industry concentration. For all passenger cars, the combined BMW and Rover share of the market in the European Economic Area will rise to 6.6% on the basis of cars registered in 1993. BMW's market share will exceed 25% in a number of Member States, including the United Kingdom and Germany, but only in the large car segment.

Newspaper publishing

1.2.41. Adopted on 14 March. The Commission here authorizes the takeover of a daily newspaper in the United Kingdom. The decision allows the acquisition of Newspaper Publishing plc by Mirror Group Newspapers of the UK, Prisa of Spain, and l'Espresso of Italy. Prisa and l'Espresso do not operate in the UK press sector; Mirror Group does produce daily newspapers but its tabloids are in a segment separate from the quality segment affected here, and the Commission has accordingly decided to authorize the transaction.

Unilever France/Ortiz-Miko

1.2.42. Adopted on 15 March. The decision authorizes the takeover of Ortiz-Miko by Unilever. When the operation is complete, Unilever will have acquired an ice-cream business in France and Belgium, along with a frozen-food business supplying the restaurant and catering trade in France.

As far as this frozen-food business is concerned, the Commission does not foresee any competition problems. With regard to ice-cream and water ices, the Commission takes the view that the relevant geographic market is still the domestic market of the countries concerned. It has therefore examined the implications of the operation for a number of specific products in France and Belgium.

□ On the French market in ice-cream sold for home consumption, the parties will be competing with Nestlé and with powerful groups and expanding medium-sized firms. Account has also to be taken of the role of joint purchasing agencies for retailers.

□ On the restaurant and catering market in France and Belgium, the Commission has taken account of local competition from non-industrial producers and of the negligible influence of the brand over the purchasing decision.

□ Sales for on-the-spot or outdoor consumption fall into three separate markets: wrapped ice-cream, bulk ice-cream and Italian-style ice-cream. The Commission has studied wholesale and retail distribution on each of these markets. It concludes that although the new entity will have a large share of the market in wrapped and bulk ice-cream in France, strong growth potential coupled with other factors makes it unlikely that a dominant position will be created or strengthened on any of these markets. The situation in Belgium does not create any problem.

The Commission has also considered the possibility that a collective dominant position might be created in France. It concludes that the characteristics of the market do not lend themselves to such a process: these include the market's growth potential and sensitivity to innovation, the existence of powerful groups among the new entrants, and the disparity of market shares.

BS/BT

1.2.43. Adopted on 29 March. Banco Santander (BS), the Spanish banking group, and British Telecom (BT) have agreed to set up a telecommunications company; the Commission here finds that the transaction falls outside the scope of the Merger Control Regulation. BS and BT notified a plan to set up a company to offer managed data network services in Spain. The parties would hold half the equity each but, in order to

prevent the possibility of deadlock, BS would allow BT an extra 1% in voting rights. BS would keep certain veto rights and would be entitled to sell its holding at the end of three years. The Commission has concluded that BS's minority rights will be enough to give it a decisive influence over the new company only for the first three years. At the end of that time BT will have sole control. The Commission takes the view that three years' joint control will not be enough to dilute the long-term control structure of the company. The Commission deems the transaction to be an acquisition by BT alone of part of the capital of the BS subsidiary Mega-Red. This transaction does not exceed the Community turnover threshold laid down in the Merger Control Regulation and so falls outside the Regulation's scope.

State aid

Decisions to raise no objection

Steel

Spain

1.2.44. Commission decision on social aid to Aforasa and Pesa.

- **Reference:** Commission Decision No 3855/91/ECSC establishing Community rules for aid to the steel industry: OJ L 362, 31.12.1991; Bull. 11-1991, point 1.2.26

Adopted on 16 March. Aforasa and Pesa are two privately owned steel companies producing about 85% ECSC products and 15% non-ECSC products; they have decided to merge in a new company to be called Grupo Siderúrgico Vasco. The merger accompanies a restructuring plan under which production capacity is to be drastically cut between 1993 and 1997 and the workforce reduced by 33%, an aspect of the plan which was already complete by the end of 1993. Aforasa and Pesa are to supply 85% of the capital of the new company, and the Basque Regional Government 15%. The extra cost of the workforce reductions is about PTA 3 900 million, some 40% of which is being borne by the Basque Government.

The decision to merge was clearly taken by the two companies with a view to improving their

profitability, and they are to be easily the largest shareholders in it. It can be concluded that in taking a 15% holding on the same terms as the private shareholders the Basque Government is acting as a normal investor in a market economy. The Commission therefore takes the view that the Basque Government's 15% holding does not contain any State aid component which would be caught by Article 92(1) of the EC Treaty.

The social costs arise out of large-scale capacity cutbacks at the Aforasa and Pesa plants, which were in regular operation up to the point when the aid plan was notified to the Commission; closure of the plants had not been envisaged in connection with the introduction of the Steel Aid Code on Spain's accession to the Community. The Commission concludes that the social aid is compatible with Article 4(1) of the present Code (Decision No 3855/91/ECSC).

Shipbuilding

Germany

1.2.45. Commission decision on the extension of two German shipbuilding aid schemes.

- **Reference:** Seventh Council Directive 90/684/EEC on aid to shipbuilding: OJ L 380, 31.12.1990; Bull. 12-1990, point 1.3.64, as last amended by Council Directive 93/115/EC: OJ L 326, 28.12.1993; Bull. 12-1993, point 1.2.71
- **Previous decisions:** Bull. 1/2-1993, points 1.2.62 and 1.2.63

Adopted on 16 March 1994. The two schemes, the Werfthilfeprogramm and the Wettbewerbsbeihilfenprogramm für westdeutsche Werften, have been approved by the Commission in the past. The German Government notified a planned extension to cover 1994, both schemes now being confined to the western German yards. The rates of assistance do not exceed the ceilings laid down in the Shipbuilding Aid Directive, and the Commission approves the extension.

Agriculture

France

1.2.46. Commission decision on aid to the Association nationale interprofessionnelle des vins de

table et des vins de pays de France (→ point 1.2.133).

Luxembourg

1.2.47. Commission decision on draft amendments to a law on promotion of agricultural development (→ point 1.2.134).

Netherlands

1.2.48. Commission decision on aid to the Produktschap for cattle and beef (→ point 1.2.135).

Other measures

Denmark

1.2.49. Commission decision on three schemes of assistance for research, SMEs and tourism.

- **Reference:** Community guidelines on state aid for small and medium-sized enterprises (SMEs): OJ C 213, 19.8.1992; Bull. 5-1992, point 1.1.33

Adopted on 10 March. The three schemes are to be administered by local authorities. The first scheme entitles them to offer grants of not more than 20% towards the setting-up and expansion of research parks, whose purpose is to promote closer cooperation between firms and universities.

Under the second scheme, local authorities may offer grants to SMEs, as defined in the Community guidelines, covering up to 50% of the costs for external consultancy with the aim of improving quality management and production; the aid is within the ceilings laid down in the guidelines.

Under the third scheme, the local authorities may help with the establishment of tourist parks by selling or letting land to the park on favourable terms (a letting may not exceed three years from the day the park is set up); the park must be intended to promote and preserve the Danish cultural heritage, and a substantial part of the facilities must therefore be of a cultural nature (museums, theatres, etc.). The recipient of the aid will be the park itself, not the firms established in it, and the intensity will not exceed 1%. The Commission has exempted this scheme because it is specifically aimed at promoting and

preserving the European cultural heritage and is thus in line with the Community's support for culture and the arts.

Environment

Netherlands

1.2.50. Commission decision on a tax exemption intended to promote environmental protection.

- **Reference:** Commission Decision No 3855/91/ECSC establishing Community rules for aid to the steel industry: OJ L 362, 31.12.1991; Bull. 11-1991, point 1.2.26
- **Previous decision:** Commission decision on a CO₂ emission tax: Bull. 4-1992, point 1.3.47

Adopted on 29 March. In 1992 the Commission approved the aid component in an environmental tax package. An amendment is now planned whose main effect would be to provide full exemption from these taxes where heavy oil residues are used in the enterprise which produced them. The Commission has authorized the State aid this involves because it is in accordance with the Commission's own concern for the promotion of the rational use of energy sources.

The Commission reserves its position in respect of the granting of the exemption in the steel industry, which falls under the ECSC Treaty and the Steel Aid Code.

1.2.51. Commission decision on a scheme of assistance towards the cleaning-up of polluted industrial sites.

- **Reference:** Council resolution of 25 February 1992 on the future Community groundwater policy: OJ C 59, 6.3.1992; Bull. 1/2-1992, point 1.3.161

Adopted on 29 March. The Dutch State is to give the Nationale Investeringsbank (NIB) a partial guarantee on loans the NIB gives to firms to finance the cost of cleaning up polluted industrial sites which are still in use. The guarantees awarded may not total more than HFL 80 million a year (ECU 37.2 million) and are to be available for a period of 10 years; they will cover between 50% and 90% of the NIB loan, which may range from HFL 1 million to HFL 25 million and will cover not more than 75% of eligible costs. After examining the workings of the scheme, the Commission has authorized it

because its objectives are in line with Community environment policy and in particular with the Council resolution on groundwater.

Regional aid

- **Reference:** Commission communication on the principles of coordination of regional aid systems: OJ C 31, 31.2.1979

Germany

1.2.52. Commission decision on assisted areas in the western *Länder* of Germany.

- **Previous decision:** Commission decision on the new assisted areas map for the period 1994-96: Bull. 1/2-1994, point 1.2.57

Adopted on 29 March. The Commission has approved the new 1994-96 assisted areas map for the western *Länder* under the joint federal government/*Länder* scheme for improving regional economic structures. The scheme is Germany's main regional aid instrument. The new map covers 22% of the population of the western *Länder* and represents a further substantial reduction in regional assistance in the western part of Germany.

The new assisted areas are regions with particularly high unemployment or particularly low *per capita* income. They are concentrated in northern Schleswig-Holstein, northern Lower Saxony, the Saarland and neighbouring parts of Rhineland-Palatinate, the Ruhr, eastern Hesse and eastern Bavaria; parts of western Berlin have also been included.

Overall, regional assistance in Germany now covers 37.6% of the total population, compared with 44.2% previously, and thus reflects yet greater concentration of assistance in the new *Länder*. The Commission reached a decision in January this year with regard to the territory of the former German Democratic Republic, the whole of which is to be eligible for regional aid.

France

1.2.53. Commission decision on aid to the French overseas departments.

Adopted on 16 March. The aid authorized consists of tax exemptions for investment, low-

interest loans and the acquisition of public shareholdings. In view of the economic situation in the overseas departments, which qualifies them for exemption under Article 92(3)(a) of the EC Treaty, and given their location and their insular character, the Commission raises no objection to this aid; it nevertheless points out to the French authorities that the measures continue to be subject to Community rules governing certain sectors in industry, agriculture and fisheries, as well as agro-industrial enterprises.

Portugal

1.2.54. Commission decision on aid towards the specific programme for the development of Portuguese industry (PEDIP).

- **Reference:** Commission decision on establishment of the Community support framework for Portugal: Bull. 1/2-1994, point 1.2.107

Adopted on 29 March. The new PEDIP programme takes in all measures, including aid to research and development, which are intended to stimulate the growth and competitiveness of Portuguese industry. It covers the period 1994-99 and provides for an overall budget of ECU 2 950 million, of which ECU 2 213 million is to be financed under the new Community support framework for Portugal. A ceiling of 75% gross has been placed on the cumulative level of aid to any one project. The Commission decides to approve the aid.

United Kingdom

1.2.55. Commission decision on aid to investment by Jaguar Cars.

- **Reference:** Community framework on State aid to the motor vehicle industry: OJ C 123, 18.5.1989; Bull. 12-1988, point 2.1.137

Adopted on 29 March. Jaguar Cars, a wholly owned subsidiary of Ford Motor Company Inc., has decided to invest in the construction of a new range of luxury sports cars with significantly lower emissions, codenamed the 'X100', in order to improve its competitiveness in this market segment. The investment will not lead to an increase in capacity. Production will be focused on two Jaguar sites and two Ford sites. Three of the sites are located in areas qualifying for regional assistance, namely Birmingham, Coventry and Liverpool.

The planned investment is to take place over the years 1993-97, at a cost of UKL 187 million, of which UKL 73 million is eligible for regional aid. The investment will safeguard 883 jobs by 1998. The aid will take the form of a regional selective assistance grant of UKL 9.4 million and training assistance worth up to UKL 1.8 million. Leaving the training aside, the grant has an intensity of 11.9% and is to be paid in four instalments as the project progresses. The Commission authorizes this aid, after concluding that it satisfies the tests laid down in the framework on State aid to the motor vehicle industry.

The training is to be provided by local employment services and consists entirely of non-vehicle-specific generic courses that provide general vocational knowledge usable in other companies or branches of industry. Thus it does not constitute State aid caught by Article 92(1) of the EC Treaty.

Research and development

- **Reference:** Community framework on State aid for research and development: OJ C 83, 11.4.1986; Bull. 3-1986, points 1.1.1 to 1.1.6

Germany

1.2.56. Commission decision on an aid programme entitled Eureka — Programme JESSI.

Adopted on 16 March. JESSI is a basic research programme intended to create a know-how and research network throughout Europe in which scientists, producers of components and systems-users work together in order to create an independent European position in the basic technology of microsystems. This scheme has a budget of DM 307 million (about ECU 156 million) running up to 1996. Aid will be paid to firms and to scientific institutes. The aid intensities are in line with those laid down by the R&D aid framework, and the aid can be considered compatible with the common market on the ground that it is 'intended to promote the execution of an important project of common European interest' within the meaning of Articles 92(3)(b) of the EC Treaty and 61(3)(b) of the EEA Agreement.

Netherlands

1.2.57. Commission decision on refinancing of the Dutch R&D aid scheme.

Adopted on 29 March. The Commission here approves the refinancing of the technical development credit (TOK) scheme for 1992 and 1993, along with aid granted under that scheme to the Dutch company Océ-Nederland BV.

The scheme has an annual budget of HFL 133.96 million (ECU 61 million) for each of the two years; aid can be granted to firms to cover not more than 40% of the cost of an R&D project. If the project is successful, the aid has to be repaid. Océ-Nederland has received HFL 32.15 million (ECU 14.7 million) towards its digital copying project, representing an intensity of 34% of the cost.

The Commission finds that the re-financing of the scheme and the aid measure under discussion comply with the requirements of the R&D aid framework.

Decision to raise no objection to some aspects of a measure but to initiate proceedings in respect of others

Italy

1.2.58. Commission decision on aid for the sheep and goat sectors in Sardinia (→ point 1.2.137).

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

France

1.2.59. Commission decision on aid to the pulp manufacturer Cellulose du Rhône et de l'Aquitaine (CDRA).

Adopted on 16 March. CDRA operates pulp plants in Haute-Garonne and Bouches-du-Rhône with a total capacity of 600 000 tonnes a year. It sustained heavy losses in 1991, 1992 and 1993. The pulp market is suffering from overcapacity, and prices are extremely low.

In October 1993 CDRA's debts were restructured under a settlement which enabled the shareholders, its banks and the French Government to recover more of their claims than would have been possible if the company had gone into liquidation. The concessions made by the French

Government were in line with those of the other creditors, and the Commission has decided that this settlement does not involve any aid component caught by Article 92(1) of the EC Treaty.

The Commission has also inquired into the source of the French Government's claims on the company and found that the Government gave it CDRA loans totalling FF 567.5 million (ECU 86 million) between 1978 and 1986; the terms were repeatedly changed in the company's favour between 1991 and 1993, that is to say before the settlement under discussion was reached. The Commission takes the view that these loans and the changes to them constitute State aid which should have been notified to it under Article 93(3). In 1993 CDRA also received aid in the form of an investment grant; this was not notified to the Commission either.

The Commission now initiates Article 93(2) proceedings in respect of all these aid measures because it takes the view that they are liable to distort competition and to affect trade between the Member States of the European Union and of the European Economic Area; on the basis of the information in its possession, there are serious doubts as to whether the aid measures are compatible with the common market.

Italy

1.2.60. Commission decision on aid to several steel firms.

Adopted on 10 March. To cushion the far-reaching economic and social consequences of the plan for reorganizing the public-sector steel industry in Italy which was implemented between 1988 and 1991, the Italian authorities passed law No 181/89, which provides for social and other back-up measures, including social aid, aid to investment, and the establishment of a special Reindustrialization Fund. The aid may be combined with assistance available under other schemes, such as the regional scheme for the Mezzogiorno (law No 64/86).

The Italian authorities have notified 14 cases in which law No 181/89 is to be applied. The Commission concludes that in 12 cases the financing provided by the Reindustrialization Fund contains no State aid element: these are the cases of *Processi siderurgici ausiliari (Ito)*, *Unità sviluppo nuove produzioni*, *Centro trattamento*

banda stagnata and *Centro lavorazione lamiera*, in Genoa; *Ricupero metalli da fumi e polveri*, *Titania* and *Centro di servizi Inox*, in Terni; and *Scuola sviluppo e formazione informatica*, *Pezzi speciali curvi e calandrati offshore*, *Rivestimenti per tubi per acquedotti*, *Sidercad Sud* and *Centro per sabbiatura e verniciatura*, in Taranto. Further aid to be granted to the five Taranto firms under the Mezzogiorno regional scheme qualifies for exemption under Article 92(3)(a).

But the Commission has serious doubts as to the compatibility with the common market of aid to two steel tube manufacturers, Tubificio di Terni SpA and Iniziativa per la produzione di nuova gamma di tubi per offshore, in view of the lack of any precise and detailed analysis which would enable it to satisfy itself that no over-capacity would be caused. The Commission therefore initiates Article 93(2) proceedings in these two cases.

1.2.61. Commission decision on aid for agricultural cooperatives in Liguria (→ point 1.2.136).

Decisions to terminate proceedings under Article 93(2) of the EC Treaty.

Germany

1.2.62. Commission decision on aid to Leuna AG.

□ **Reference:** Proceedings initiated: Bull. 6-1993, point 1.2.76

Adopted on 16 March. Leuna AG is one of the largest chemical companies in what was the German Democratic Republic. It has been receiving aid from its sole shareholder, the Treuhandanstalt privatization agency. Such aid has been allowed by the Commission in order to keep eastern companies in existence pending privatization, but it must not be misused to continue product lines with no prospect of viability.

The Commission initiated proceedings in June 1993 on the strength of information that Leuna was using aid from the Treuhand to sell caprolactam, a primary product of nylon, at a price below its own costs even though there was no prospect of viability for the product.

In the course of the proceedings the German Government supplied detailed information on

the privatization of Leuna's caprolactam business, under which a new company known as Capro Leuna was to be set up in which 74.9% of the capital would be held by two privately owned Belgian chemical companies and 21.5% by the Treuhand. The company would be restructured over three years, during which time the Treuhand would provide aid of DM 284 million towards necessary investment and not more than DM 150 million to cover losses. The private investors were prepared to assume the full commercial risk at the end of that period and to guarantee the preservation of 456 jobs for at least five years. Studies carried out by independent experts and by the investors had concluded that the caprolactam business had a genuine prospect of viability. The investors expected caprolactam prices to increase shortly owing to the increasing demand for finished products based on it.

The aid for investment and loss compensation is covered by the two Commission decisions on the activities of the Treuhand, which approved that aid. The assertion that the aid granted by the Treuhand has been misused since caprolactam has no future can be deemed to have been refuted given that private investors are prepared to take on the full risk of the business after a fixed period of restructuring. The Commission consequently decides not to raise any objection to the granting of aid and to terminate the proceedings.

Italy

1.2.63. Commission decision relating to compensation for growers required by the health authorities to deliver their 1989/90 wine year grapes for separate vinification (→ point 1.2.138).

Industrial policy

Individual industries

Steel

1.2.64. Commission communication establishing guidelines on the production and deliveries of steel products in the Community for the second quarter of 1994.

□ **Reference:** Commission communication concerning guidelines relating to the production and deliveries of steel products: Bull. 3-1993, point 1.2.53

Adopted on 25 March.

Pharmaceutical industry

1.2.65. Communication from the Commission to the Council and the European Parliament on the outlines of an industrial policy for the pharmaceutical sector in the European Community.

□ **References:**

Council Regulation (EEC) No 2309/93 of 22 July 1993 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: OJ L 214, 24.8.1993; Bull. 7/8-1993, point 1.2.3

Proposal for a Council Decision concerning the fourth framework programme of the European Economic Community activities in the field of research, technological development and demonstration (1994-98): OJ C 230, 26.8.1993; COM (93) 276 and point 1.2.68 of this Bulletin

Adopted on 2 March. In this communication the Commission lays down the outlines of an industrial policy for the pharmaceutical sector. It takes stock of the industry, which is still a substantial asset for the European economy but is showing signs of weakness compared with its main competitors, particularly in the biotechnology sector, where 65% of patents are American, 15% European and 13% Japanese. This decline in competitiveness could result in the loss of some 27 000 jobs between 1993 and 1995.

After noting that medicinal products play an essential role in public health and that pharmaceutical spending represents an important share of social security budgets, the Commission stresses that, while the Member States are largely responsible for public health and social security, national measures must not become an opportunity for discrimination and market distortion. Greater competition could actively help to control health expenditure and keep the lid on public deficits with an eye to economic and monetary union. Efforts must be encouraged to promote greater multi-source competition (parallel imports, generic medicines), to create greater market transparency and to provide

doctors, chemists and patients with better information, in particular as regards the costs of the various treatments available.

In the light of these findings, the Commission proposes the following guidelines in particular:

- consolidation of the internal market: from 1995 the European Agency for the Evaluation of Medicinal Products will provide, among other things, easier and quicker access to the European market;
- protection of therapeutic innovation, and in particular legal protection of biotechnological inventions;
- adaptation of research programmes to pharmaceutical R&D needs, with better cooperation within universities and research institutes under the fourth framework programme for research, technological development and demonstration.

COM(93) 718

Motor industry

1.2.66. Parliament resolution on the planned closure of the Japanese company Santana Motor (Suzuki) in Linares (Spain).

Adopted on 10 March. Parliament expresses its solidarity with the company's workers and points to the need for a European industrial policy which will ensure that multinational companies operating within the territory of the European Union not only enjoy the benefits of the internal market but also meet all the accompanying economic and social obligations. It calls for a rescue plan compatible with the granting of public aid to be drawn up and for a feasibility study on the scope for industrial development in Andalusia to be carried out.

OJ C 91, 28.3.1994

Enterprise policy

Cooperative, mutual and non-profit sector

1.2.67. Parliament resolution on foundations and Europe.

Adopted by Parliament on 9 March. Parliament recognized the importance of charitable orga-

nizations and foundations in the modern world and welcomed the increase in their number during the second half of this century. It took the view that the Commission should consider how to facilitate, legally and fiscally, the operation of foundations wishing to operate on a European scale and suggested that there should be support for European foundation networks and partnerships between foundations in different countries. Parliament considered that foundations should be able to manage their assets and incomes as they wish, provided that they respect their non-profit-making nature and their declared objective of serving the public interest.

OJ C 91, 28.3.1994

Research and technology

Framework programmes 1994-98

Fourth framework programme

1.2.68. Proposal for a European Parliament and Council Decision concerning the fourth framework programme of European Community activities in the field of research, technological development and demonstration (1994-98).

- **Reference:** Proposal for a Council Decision concerning the framework programme of Community activities in the field of research and training for the EAEC: OJ C 230, 26.8.1993; COM(93) 276; Bull. 12-1993, point 1.2.104
- **Commission proposal:** OJ C 230, 26.8.1993; COM(93) 276; Bull. 6-1993, point 1.2.86
- **Proposal subject to the co-decision procedure since 1 November 1993**
- **Economic and Social Committee opinion:** OJ C 34, 2.2.1994; Bull. 11-1993, point 1.2.75
- **European Parliament opinion (first reading):** OJ C 329, 6.12.1993; Bull. 11-1993, point 1.2.75
- **Council agreement on a common position:** Bull. 12-1993, point 1.2.103
- **Council common position:** Bull. 1/2-1994, point 1.2.79
- **European Parliament amendments (second reading):** OJ C 61, 28.2.1994; Bull. 1/2-1994, point 1.2.79
- **Commission opinion:** COM(94) 52; Bull. 1/2-1994, point 1.2.79

Joint draft approved by the Conciliation Committee on 21 March.

The joint draft makes the following amendments to the Council common position:

□ The maximum overall amount of the Community's financial contribution to the two framework programmes (EC and EAEC) is increased from ECU 12 billion to ECU 12.3 billion. An increase of ECU 700 million may be decided on no later than 30 June 1996 in the light of an assessment of the progress made in implementing the programme, its contribution to the competitiveness of Community industry, the return on the money invested, and the European Union's financial perspective.

□ The ECU 300 million increase in the maximum overall amount will be allocated as follows: 50 % for the first area of activity (specific programmes) in accordance with the scale proposed by the European Parliament, 40% for the second area of activity (international cooperation) and 10 % for the third area of activity (dissemination and exploitation of results).

□ The Joint Research Centre's overall budget for the two framework programmes is increased to ECU 900 million (of which ECU 600 million for the JRC's operating budget), i.e. ECU 25 million more than the initial budget. All the additional amount will be allocated to the fourth framework programme. The proportion of JRC activities to be the subject of competitive arrangements has been reduced from 24 to 22%.

Specific programmes (1994-98)

1.2.69. Proposals for Council Directives adopting specific research, technological development and demonstration programmes (1994-98) in the field of telematics applications of common interest, advanced communication technologies and services, information technologies, industrial and materials technologies, standardization, measurement and testing, environment and climate, marine science and technology, biotechnology, biomedicine and health, agriculture and fisheries (including agro-industry, food technologies, forestry, aquaculture and rural development), non-nuclear energy (technologies for cleaner and more efficient energy production and use), transport, and a specific research programme in the field of targeted socioeconomic research (1994-98), a specific technological de-

velopment and demonstration programme in the field of cooperation with third countries and international organizations (1994-98), a specific programme for the dissemination and exploitation of the results of activities in the field of research, technological development and demonstration (1994-98), a specific research and technological development programme in the field of the stimulation of the training and mobility of researchers (1994-98), and a specific research and technological development programme to be carried out for the European Community by means of direct action (JRC) and by means of activities within the framework of a competitive approach and intended for scientific and technical support to Community policies (1995-98).

□ **References:**

Proposal for a European Parliament and Council Decision concerning the fourth R&TD framework programme: point 1.2.68 of this Bulletin
Commission working document concerning the scientific and technological content of the specific programmes implementing the fourth R&TD framework programme and the framework programme for research and training for the EAEC: COM(93) 459; Bull. 10-1993, point 1.2.66

Approved by the Commission on 10 March.

Formally adopted on 30 March. On the basis of the working document adopted in October 1993, and in order to avoid any disruption in the Community research effort, the Commission proposes the ways and means of implementing the forthcoming fourth framework programme, to be finalized once the latter is adopted.

The 20 specific programmes are designed to promote the competitiveness of firms and employment by supporting R&TD activities and product and process innovation in areas such as telematics, telecommunications, industrial technologies and materials technologies, and to improve the quality of life, in particular through research concerning the environment, biomedicine, health care and social exclusion problems.

In the context of these programmes, a special effort will be made to improve the coordination and rationalization of research efforts in Europe, make greater use of the results of research, promote the involvement of SMEs, and increase the support provided by R&TD for the implementation of other European Union policies.

While building on the results of earlier research activities, the specific programmes proposed do contain a number of new features:

□ where information and communications technologies are concerned, emphasis will be placed on the information infrastructure, users' and market needs, and access to services and technologies, user-friendliness, and best practices, with the aim of increasing the competitiveness of industry as a whole;

□ an overall approach will be adopted as regards industrial technologies, the aim being that projects should help both to make industry more competitive and to improve the environment;

□ as regards environment and climate, priority will be given to studying the fundamental mechanisms of the climate and natural systems, understanding and reducing the impact of human activities on the environment and the effect of pollution on our cultural heritage;

□ Europe's strategic position in the sphere of life sciences and technologies will be strengthened by promoting the development of biotechnology and new methods of agricultural production, and through improvements in the quality of food and the rationalization of fishing, aquaculture and forestry;

□ with regard to biomedicine and health, priority will be given to research into cancer, AIDS and tuberculosis, pharmaceutical and genome research, and research into the brain;

□ emphasis will be placed on energy efficiency, the improvement of energy technologies, the development of the energy of the future, and the use of renewable energies;

□ where transport is concerned, in order to help establish a genuine trans-European network, research will be conducted with the aim of making the various modes of transport efficient, compatible, inexpensive and environment-friendly.

In the context of these specific programmes, the Joint Research Centre will carry out research into a whole series of well-defined scientific topics, and will carry out activities necessary for the implementation of Community policies.

All international cooperation activities will be grouped together in a single specific programme in order to improve cooperation in Europe and develop cooperation with the Central and Eastern European countries, industrialized non-European third countries and developing countries.

In order to promote the mobility and training of researchers, the intention is to award over 5 000

training bursaries and encourage the establishment of research networks and access to advanced facilities.

COM(94) 68

1.2.70. Proposals for Council Decisions adopting specific research and training programmes in the field of nuclear safety and safeguards and controlled thermonuclear fusion (1994-98), and a specific research and technological development programme to be carried out by the Joint Research Centre for the EAEC (1995-98).

□ **References:**

Proposal for a Council Decision concerning the framework programme of Community activities in the field of research and training for the EAEC: OJ C 230, 26.8.1993; COM(93) 276; Bull. 12-1993, point 1.2.104

Commission working document concerning the scientific and technological content of the specific programmes implementing the fourth R&TD framework programme and the framework programme for Community research and training for the EAEC: COM(93) 459; Bull. 10-1993, point 1.2.66

Approved by the Commission on 10 March.

Formally adopted on 30 March. These proposals are being submitted at the same time as the specific programmes implementing the fourth framework programme (→ point 1.2.69). They relate to nuclear safety and safeguards, controlled thermonuclear fusion and a specific programme to be carried out by the Joint Research Centre.

OJ C 113, 23.4.1994; COM(94) 70

European Science and Technology Assembly

1.2.71. Commission Decision 94/204/EC on the creation of the European Science and Technology Assembly.

□ **Reference:** Commission White Paper on growth, competitiveness and employment: the challenges and ways forward into the 21st century: COM(93) 700, Supplement 6/93 — Bull.; Bull. 12-1993, point 1.2.44

Adopted on 16 March. Heralded in the White Paper on growth, competitiveness and employment, the Assembly, which will consist of a maximum of 100 eminent persons, will essentially have the task of helping the Commission

to prepare, implement and monitor Community research and technological development policy. It will also assist the Commission in its efforts to promote a scientific and technical culture in Europe and to stimulate debate on science and technology at European level. As a result of its members' exceptional expertise, the Assembly will be able to perform, on behalf of the Commission, the vital function of guaranteeing the relevance of scientific and technological options, the quality of research, and consideration of the latest developments in knowledge and technologies, and the needs of the economy and society.

The Assembly will meet twice a year and will be assisted in its work by a 20-member bureau which will coordinate various working parties.

OJ L 98, 16.4.1994

Accompanying, promotion and support measures and other activities

Technical steel research

1.2.72. Draft Commission Decision granting financial aid to technical steel research projects and pilot and demonstration projects.

- **Commission draft:** Bull. 1/2-1994, point 1.2.81

Endorsed by the ECSC Consultative Committee on 24 March.

Technical coal research

1.2.73. Draft Commission Decision granting financial aid to technical coal research projects.

Adopted by the Commission (first reading) on 30 March. Grants financial aid totalling ECU 17 million to 50 projects.

Animal testing

1.2.74. European Parliament resolution on the role of the European Centre for the Validation and Development of Alternative Testing Methods (ECVAM).

Adopted on 11 March. Parliament welcomed the establishment of the Centre as an essential step

towards achieving a reduction in the use and severity of existing animal testing methods and their early replacement with non-animal methods. It emphasized in particular the need for adequate funding for the Centre and the full support of the Community institutions and the Member States.

OJ C 91, 28.3.1994

International cooperation

1.2.75. Protocol on the provisional application of the Agreement establishing an International Science and Technology Centre.

- **Commission recommendation:** Bull. 11-1993, point 1.2.79
- **Negotiating directives:** Bull. 11-1993, point 1.2.79
- **Commission proposal concerning the conclusion of the protocol:** COM(93) 644; Bull. 12-1993, point 1.2.109
- **Decision concerning signature of the protocol:** Bull. 12-1993, point 1.2.109
- **European Parliament opinion:** OJ C 61, 28.2.1994; Bull. 1/2-1994, point 1.2.83
- **Council Regulation (EC) No 500/94 concerning the conclusion of the protocol:** OJ L 64, 8.3.1994; Bull. 1/2-1994, point 1.2.83

Regulation concluding the protocol adopted by the Commission on 2 March.

1.2.76. Commission Decision to extend the Arrangement concluded with the People's Republic of China establishing the EC-China Biotechnology Centre.

- **Reference:** EEC-China Arrangement concerning cooperation in science and technology: Bull. 3-1987, point 2.1.44.
- **Previous extension:** Commission Decision to extend the Arrangement concluded with the People's Republic of China concerning cooperation in science and technology: EEC-China Biotechnology Centre: Bull. 10-1991, point 1.2.48

Adopted on 15 March. Extends until 31 December 1994 the Arrangement concerning the Biotechnology Centre, the activities of which are primarily concerned with promoting the exchange and circulation of information in the field of biotechnology between European and Chinese scientists and the establishment of links between academic institutions.

1.2.77. Protocol 2 to the Agreement between the EAEC and the Governments of Japan, Russia

and the United States on the engineering design activities for the international thermonuclear experimental reactor.

- **Negotiating directives:** Bull. 12-1993, point 1.2.110
- **Commission proposal concerning conclusion:** COM(94) 53; Bull. 1/2-1994, point 1.2.84

Decision concluding the Agreement adopted by the Commission on 18 March.

Decision concerning the conclusion of the Agreement and the signing of the Agreement adopted by the Council on 21 March.

1.2.78. Bilateral cooperation agreements on research and training in the field of radiation protection between the EAEC and Norway, Sweden and Switzerland.

- **Reference:** Council Decision 91/626/Euratom adopting a research and training programme in the field of nuclear fission safety: OJ L 336, 7.12.1991; Bull. 11-1991, point 1.2.47

Decision concerning the conclusion of the Agreement adopted by the Commission on 15 March. Involves Sweden, Norway and Switzerland in Area 1 (radiation protection) of the research and training programme in the field of nuclear fission safety.

Trans-European networks

General

1.2.79. Proposal for a Council Regulation laying down general rules for the granting of Community financial aid in the field of trans-European networks.

- **References:**
Conclusions of the Copenhagen European Council: Bull. 6-1993, point 1.25
Conclusions of the Brussels European Council: Bull. 12-1993, point 1.3
White Paper on growth, competitiveness and employment: the challenges and ways forward into the 21st century: COM(93) 700, Bull. 12-1993, point 1.2.44 and Supplement 6/93 — Bull.

Adopted by the Commission on 2 March. In order to implement Article 129c of the EC Treaty which provides that the Community should support the financial efforts made by the Member States with regard to trans-European networks, and in response to the conclusions of the Brussels European Council which, by approving the Commission's White Paper on growth, competitiveness and employment, gave fresh impetus to the establishment of such networks, the Commission is proposing a regulation laying down the legal rules for the granting of financial assistance to infrastructure projects in the field of trans-European transport, telecommunications and energy networks in order to make use of the budget funds available (ECU 251 million for 1995, rising to ECU 640 million for 1999). In its proposal it defines the various types of aid, the project selection criteria, and the procedures for examining, assessing and monitoring applications for funding. The proposal provides for the possibility of contributing to project feasibility studies, granting interest-rate subsidies and loan-guarantee premiums and, by way of exception, co-financing certain projects.

OJ C 89, 26.3.1994; COM(94) 62

Transport networks

1.2.80. Proposal for a European Parliament and Council Decision on guidelines for the development of the trans-European transport network.

- **References:**
Council Decision 93/629/EEC on the creation of a trans-European road network: OJ L 305, 10.12.1993; Bull. 10-1993, point 1.2.75
Council Decision 93/630/EEC on the creation of a trans-European inland waterway network: OJ L 305, 10.12.1993; Bull. 10-1993, point 1.2.76
Council Decision 93/628/EEC on the creation of a trans-European combined transport network: OJ L 305, 10.12.1993; Bull. 10-1993, point 1.2.77
Commission communication on the development of guidelines for the trans-European transport network: COM (93) 701; Bull. 12-1993, point 1.2.116

Approved by the Commission on 29 March. The Commission is proposing guidelines aimed at the intermodal integration of all transport infrastructures in order to ensure by 2010 optimum and environmentally sound exploitation of

all modes of transport. The Commission sets out the objectives and the broad lines of action and identifies projects of common interest the implementation of which will contribute towards the development of the trans-European transport network. The guidelines are addressed to the Member States and set out a precise but flexible framework for action not only for the national authorities but also for the regions, third countries and other interested bodies. They will serve as a reference for Community intervention, in particular under the Cohesion Fund, the Community budget, the European Investment Bank and the European Investment Fund. The proposed trans-European network will comprise 58 000 km of roads, 70 000 km of railway lines, 12 000 km of inland waterways, corridors and intermodal terminals, specific measures aimed at improving the efficiency of ports, 250 airports of Community interest, and traffic management and control systems.

Establishing this network will require investment totalling at least ECU 400 billion to be provided on the basis of private/public sector partnership.

COM(94) 106

Energy

Internal energy market

Oil and gas exploration and production

1.2.81. Proposal for a European Parliament and Council Directive on conditions for granting and using authorizations for oil and gas prospecting, exploration and extraction.

- **Commission approval:** Bull. 3-1992, point 1.2.84
- **Commission proposal:** OJ C 139, 2.6.1992; COM(92) 110; Bull. 5-1992, point 1.1.84
- **European Parliament opinion (first reading):** OJ C 337, 21.12.1992; Bull. 11-1992, point 1.3.113
- **Economic and Social Committee opinion:** OJ C 19, 25.1.1993; Bull. 11-1992, point 1.3.113
- **Amended Commission proposal:** OJ C 23, 27.1.1993; COM(92) 587; Bull. 12-1992, point 1.3.140

- **Proposal subject to the co-decision procedure since 1 November 1993**
- **Council agreement on a common position and Council common position:** Bull. 12-1993, point 1.2.122

Amendment adopted by the European Parliament (second reading) on 9 March. The amendment concerns a derogation granted to Denmark and seeks to specify that it must not create a precedent for other Member States.

OJ C 91, 28.3.1994

Individual sectors

Solid fuels

1.2.82. Commission report on the market for solid fuels in the Community in 1993 and the outlook for 1994.

- **Preliminary report:** Bull. 12-1993, point 1.2.123

Adopted by the Commission on 22 March.

Endorsed by the ECSC Consultative Committee on 24 March. The Committee expressed concern about coal market trends.

Relations with energy-producing and energy-importing third countries

European Energy Charter

1.2.83. International Conference on the European Energy Charter.

- **Previous meeting:** Bull. 12-1993, point 1.2.124

Plenary meeting held in Brussels from 7 to 11 March. At the conference no agreement was reached on the commercial provisions or the investment provisions. The conference chairman, Mr Rutten, proposed to set out the broad lines of an overall compromise on which consultations will be held and which should shortly make it possible to conclude the first charter treaty which will give the commitments entered into under the charter a secure and binding international legal basis.

Transport

General strategy

Summer time

1.2.84. Proposal for a seventh European Parliament and Council Directive on summer time arrangements.

- **Commission proposal:** OJ C 278, 16.10.1993; COM(93) 439; Bull. 9-1993, point 1.2.72
- **Proposal subject to the co-decision procedure since 1 November 1993**
- **Economic and Social Committee opinion:** OJ C 34, 2.2.1994; Bull. 11-1993, point 1.2.88
- **Parliament opinion (first reading):** OJ C 20, 24.1.1994; Bull. 12-1993, point 1.2.128
- **Amended Commission proposal:** OJ C 88, 25.3.1994; COM(94) 54; Bull. 1/2-1994, point 1.2.92

Council common position adopted on 4 March. The common position provides that for 1995-97 summer time will begin at 1 a.m. Greenwich Mean Time on the last Sunday in March and end at 1 a.m. Greenwich Mean Time in 1995 on the last Sunday in September in 10 Member States and on the fourth Sunday in October in Ireland and the United Kingdom and in 1996 and 1997 on the last Sunday in October in all Member States.

The planned harmonization is aimed at facilitating transport and communications in the internal market.

Inland transport

Road transport

1.2.85. Proposal for a European Parliament and Council Decision on guidelines for the development of the trans-European transport network (→ point 1.2.80).

1.2.86. European Parliament resolution on an action programme on road safety.

- **References:**
Commission communication to the Council for an action programme on road safety: COM(93) 246; Bull. 6-1993, point 1.2.114

Council conclusions on an action programme on road safety: Bull. 11-1993, point 1.2.90

Council Decision 93/704/EC on the creation of a Community database on road accidents: OJ L 329, 30.12.1993; Bull. 11-1993, point 1.2.91

Resolution of the Council and the representatives of the governments of the Member States meeting within the Council, concerning young drivers: OJ C 351, 30.12.1993; Bull. 12-1993, point 1.2.134

Proposal for a Council Directive on the maximum permitted blood/alcohol concentration for vehicle drivers: COM(88) 707; Bull. 5-1989, point 2.1.213

Adopted on 11 March. Parliament welcomed the fact that with the ratification of the Treaty on European Union road safety policy has become a fully-fledged element of EC transport policy. It approved the seven priority fields for action selected by the Commission in its action programme, and the integrated approach adopted by the Council in its November conclusions, while concluding that the Community should harmonize the technical characteristics of cars, traffic regulations and road signs, and aspects relating to infrastructure and vehicle safety. It also emphasized the need to set a 20% reduction in the number of deaths on the road by the year 2000 as a minimum objective and to make greater efforts to promote public transport and car pooling. Parliament takes the view that greater attention should be focused on road safety in the Community's research programmes. It calls on the Commission to formulate proposals concerning vehicle safety and the education of young people with regard to road safety, and to make a social cost-benefit analysis of the impact of introducing speed-limiting devices for all categories of motor vehicles. It also urges the Council to adopt the Commission proposal to set the maximum permitted blood/alcohol level at 0.5 mg/ml throughout the Community, and calls for systematic information about the risks of certain medicines or drugs for vehicle drivers. It also recommends the adoption of a Directive on the approval of driving schools.

OJ C 91, 28.3.1994

1.2.87. European Parliament resolution on freedom of movement within intra-Community transport networks.

Adopted on 11 March. Parliament condemns the attacks made in certain Member States against vehicles and goods coming from other Member

States. It calls upon the governments concerned to guarantee the free movement of goods on their road networks and calls upon the Commission to take action, on the basis of Article 6 of the EC Treaty, against the Member States at fault.

OJ C 91, 28.3.1994

Inland waterway transport

1.2.88. Proposal for a Council Regulation amending Regulation (EEC) No 1101/89 on structural improvements in inland waterway transport.

□ **Regulation to be amended:** Council Regulation (EEC) No 1101/89: OJ L 116, 28.4.1989; Bull. 4-1989, point 2.1.175, as last amended by Council Regulation (EEC) No 3572/90: OJ L 353, 17.12.1990; Bull. 12-1990, point 1.2.1

□ **Commission proposal:** OJ C 341, 18.12.1993; COM(93) 553; Bull. 11-1993, point 1.2.93

□ **European Parliament opinion (first reading):** OJ C 44, 14.2.1994; Bull. 1/2-1994, point 1.2.93

□ **Economic and Social Committee opinion:** Bull. 1/2-1994, point 1.2.93

□ **Council common position:** Bull. 1/2-1994, point 1.2.93

□ **Amended Commission proposal:** COM(94) 51; Bull. 1/2-1994, point 1.2.93

Endorsed by Parliament (second reading) on 9 March.

OJ C 91, 28.3.1994

Sea transport

□ **References:**

Council conclusions on shipping safety and pollution prevention in the Community: Bull. 1/2-1993, point 1.2.103

Commission communication on a common policy on safe seas: COM(93) 66; Bull. 1/2-1993, point 1.2.104

Council resolution and conclusions on a common shipping safety policy: Bull. 6-1993, points 1.2.115 and 1.2.116

European Parliament resolution on maritime safety: OJ C 44, 14.2.1994; Bull. 1/2-1994, point 1.2.94

1.2.89. Council conclusions on maritime safety and prevention of marine pollution.

□ **Reference:** Amended proposal for a Council Regulation establishing a Community ship register and providing for the flying of the Community flag by sea-going vessels: OJ C 19, 25.1.1992; COM(91) 483; Bull. 12-1991, point 1.2.108

Adopted on 24 March. In its conclusions, the Council recorded its great concern about the serious accidents recently off European coasts resulting in loss of lives and considerable marine pollution. In this connection, it reaffirmed its conclusions on maritime safety and pollution prevention, recalled the Commission's communication and action programme on a common policy on safe seas, and recognized the role played by the International Maritime Organization (IMO) in this field. It urged the Member States and, where appropriate, the Community to support, within the IMO, amendments to the International Convention for the Safety of Life at Sea (SOLAS) making it obligatory for ships to report all necessary information when in transit in given areas, and providing for the establishment of mandatory routes on environmental or navigational grounds, and proposals concerning the carriage of dangerous goods and containers, liability for maritime claims, fuel quality, ship registration, and traffic near coastal areas. It also urged the Member States to take measures, where necessary, to improve their capabilities for dealing with accidents, to ratify the existing international conventions and protocols, to strengthen the port State control of ships, and to transmit to the Commission a list of environmentally sensitive maritime areas. The Council also urged the Commission in particular to encourage work directed towards the introduction of a Community register (EUROS) and to evaluate how the carriage of dangerous goods by ships can be made safer. It also invited the Member States and the Commission to pursue their efforts to protect environmentally sensitive maritime areas. It welcomed the progress made so far with implementing the Commission action programme, and the work carried out by the Member States and the Commission in the context of the IMO and the Paris Memorandum of Understanding on port State control.

1.2.90. European Parliament resolution on a common policy on safe seas.

□ **References:**

Commission communication to the Council entitled 'A future for the Community shipping industry: measures to improve the operating conditions

of Community shipping' (positive measures): OJ C 263, 16.10.1989; COM(89) 266; Bull. 7/8-1989, point 2.1.201

Amended proposal for a Council Regulation establishing a Community ship register and providing for the flying of the Community flag by sea-going vessels: OJ C 19, 25.1.1992; COM(91) 483; Bull. 12-1991, point 1.2.108

Adopted on 11 March. Parliament called for the adoption of the action programme set out in the Commission communication on a common policy on safe seas, for which it calls for a multiannual financial commitment by the Community. It called upon the Commission to propose, in conjunction with the IMO, international criteria for compulsory pilotage, and measures to improve safety standards on oil tankers, container ships and bulk carriers. It also calls for the introduction of a vessel traffic management system in Community waters and the creation of compulsory shipping routes to prevent the passage of vessels transporting dangerous and polluting substances through ecologically sensitive areas. Parliament considers it appropriate that the European Union should become a Contracting Party to the IMO Conventions, ratification of which by the Member States should be speeded up, and in the longer term a full member of the IMO. It called upon the Council to adopt the positive measures proposed by the Commission as soon as possible, and in particular the proposal concerning the Community shipping register (EUROS). It called upon the Commission to submit proposals concerning the training of members of the national ship inspection and coastguard services, the coordination of their activities at Community level, and the establishment of a data system containing details of substandard ships detained, and to review working conditions on board ships. Parliament would also like all European States to be involved in the establishment of a satellite navigation system.

OJ C 91, 28.3.1994

1.2.91. Proposal for a Council Directive concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions.

□ **Reference:** Proposal for a Council Directive concerning the enforcement, concerning shipping

using Community ports, of international standards for shipping safety and pollution prevention: OJ C 192, 30.7.1980

Adopted by the Commission on 16 March. This proposal, which replaces the 1980 proposal, ties in with the Community initiatives to improve shipping safety and pollution prevention submitted by the Commission in its communication on safe seas. It builds on the experience gained during 10 years of monitoring of the operation of the Paris Memorandum of Understanding on port State control which has been signed by all the Member States except Luxembourg, and by Norway, Sweden, Finland and Poland.

The purpose of the proposal for a Directive is to ensure that port States monitor more rigorously the compliance of vessels with standards relating to construction, operation and manning, and to take steps to ban all vessels failing to comply with those standards from Community waters. The main aim is to define common principles concerning the tightening-up of inspections, to harmonize inspection and detention criteria, to establish adequate national inspection structures and define qualification requirements for inspectors, to set up a mechanism to control and evaluate the effectiveness of those measures, and to achieve greater transparency in the results of inspections in the Community.

OJ C 107, 15.4.1994; COM(94) 73

1.2.92. Proposal for a Council Directive on the minimum level of training for maritime occupations.

□ **Commission proposal:** OJ C 212, 5.8.1993; COM(93) 217; Bull. 5-1993, point 1.2.73

□ **Economic and Social Committee opinion:** OJ C 34, 2.2.1994; Bull. 11-1993, point 1.2.95

Endorsed by Parliament (first reading) on 9 March, subject to a number of drafting amendments designed to take into account the entry into force of the Treaty on European Union.

OJ C 91, 28.3.1994

1.2.93. Proposal for a Council Directive on common rules and standards for ship inspection and survey organizations.

□ **Commission proposal:** OJ C 167, 18.6.1993; COM(93) 218; Bull. 5-1993, point 1.2.74

□ **Economic and Social Committee opinion:** OJ C 34, 2.2.1994; Bull. 11-1993, point 1.2.96

Endorsed by Parliament (first reading) on 9 March, subject to a number of technical and procedural amendments.

OJ C 91, 28.3.1994

Air transport

1.2.94. Proposal for a Council Directive establishing the fundamental principles governing the investigation of civil aviation accidents and incidents.

- **Commission proposal:** OJ C 257, 22.9.1993; COM(93) 406; Bull. 9-1993, point 1.2.78
- **Economic and Social Committee opinion:** OJ C 34, 2.2.1994; Bull. 11-1993, point 1.2.97

Endorsed by Parliament (first reading) on 9 March, subject to a number of technical amendments.

OJ C 91, 28.3.1994

Amended proposal adopted by the Commission on 29 March. The amended proposal takes up Parliament's amendments aimed at specifying the details of the investigation procedures and committing the Commission to submitting other proposals in the same field at a later date.

OJ C 109, 19.4.1994; COM(94) 102

1.2.95. European Parliament resolution on the future of European civil aviation

- **Reference:** Regulations (EEC) Nos 2407/92, 2408/92 and 2409/92 on the liberalization of air transport; OJ L 240, 24.8.1992; Bull. 7/8-1992, point 1.3.98

Adopted on 9 March. Parliament takes note of the report on European civil aviation submitted to the Commission on 1 February by the Committee of Wise Men, which analyses the current problems in the air transport sector. It emphasizes the need for liberalization to be accompanied by harmonization, the need to assess the environmental impact and the impact on safety of any solution proposed, and the need to reconcile public service requirements with the demands of competition. Parliament calls upon the Commission to harmonize and coordinate State aid which complies with the criteria of transparency and consistency with the aims of an integrated transport policy. It welcomes the conclusions of the Committee of Wise Men concerning airport infrastructure, and hopes that this infrastructure will be integrated into the multimodal trans-European networks. It also reiterates the need to harmonize air traffic control systems in the European Union.

OJ C 91, 28.3.1994

1.2.96. European Parliament resolution on passport checks carried out by certain airlines (→ point 1.1.1).

International cooperation

Relations with certain third countries

1.2.97. Pan-European Transport Conference.

- **Previous meeting:** Bull. 10-1991, point 1.2.61

Meeting in Crete from 14 to 16 March. The aim of this second ministerial transport conference organized jointly by the European Parliament and the Commission, which was represented by Mr Matutes, was to examine the future of European transport and to consider the basis for establishing a coordinated pan-European transport policy and developing infrastructure at pan-European level. It also took stock of the events since the first conference held in Prague in 1991, in particular the establishment of the European Economic Area, the conclusion of the transit agreements with Switzerland and Austria, the Europe (Association) Agreements with the Central and East European countries, and the opening of negotiations with the independent States of the former Soviet Union with a view to the conclusion of partnership and cooperation agreements.

The deliberations of the conference, culminating in the adoption of a final declaration which will serve as a reference framework for the formulation of a pan-European transport policy, covered infrastructure planning and funding, the provision of a general regulatory framework for transport, safety, and environmental protection. The indicative approach proposed by the Commission for the development of infrastructure in Central and Eastern Europe was adopted. This approach, set out in a progress report, consists in identifying nine priority pan-European transport corridors and common criteria for the selection of projects to be carried out in the short term.

Mr Matutes emphasized the importance that the Community attaches to the development of cooperation on transport with the Central and East European countries, the independent States of the former Soviet Union and the Mediterranean countries. He also said that combined transport was one of the Community's priorities.

1.2.98. European Parliament resolution on further steps towards a pan-European transport policy: measures following the first Pan-European Transport Conference.

□ **References:**

First Pan-European Transport Conference: Bull. 10-1991, point 1.2.61

Parliament resolution on action to be taken in respect of a pan-European transport policy: OJ C 176, 13.7.1992; Bull. 6-1992, point 1.3.87

Parliament resolution on further steps towards a pan-European transport policy: measures following the first Pan-European Transport Conference (Prague, 29 to 31 October 1991): OJ C 72, 15.3.1993; Bull. 1/2-1993, point 1.2.111

Adopted on 11 March. Parliament recalled the objectives of the Prague Declaration. It welcomed the fact that the various regional preparatory conferences had taken over projects indicated in the declaration, while regretting that it was not suitably involved in the conferences. It hoped that the second Pan-European Transport Conference would contribute towards the establishment of a pan-European transport policy.

OJ C 91, 28.3.1994

1.2.99. European Parliament resolution on the Commission recommendation for a Council Decision on the opening of negotiations between the Community and certain third countries concerning the carriage of goods and passengers by road.

□ **References:**

Recommendation for a Council Decision on the opening of negotiations between the Community and certain third countries concerning the carriage of goods and passengers by road: Bull. 12-1992, point 1.3.137

European Parliament resolution on the opening of negotiations with certain third countries concerning the carriage of goods and passengers by road: OJ C 44, 14.2.1994; Bull. 1/2-1994, point 1.2.96

Adopted on 11 March. Parliament wants the Council to authorize the Commission to start negotiations with certain third countries concerning the carriage of goods and passengers by road. It emphasizes that the negotiations should cover passenger transport, include a satisfactory clause regarding protection against dumping on the European transport market, and provide for compliance with the rules on drivers' hours of work and rest and the maximum weights and dimensions of vehicles. It also believes that Switzerland and Austria should agree to the full application of the common transport policy sub-

ject to agreements made in the past concerning the protection of the environment in the Alps. Parliament also made a number of specific remarks, mainly of a drafting nature.

OJ C 91, 28.3.1994

Bilateral relations

Switzerland

1.2.100. European Parliament resolution on the recommendation for a Council Decision on the opening of negotiations between the European Community and the Swiss Confederation on road and air transport.

□ **References:**

Regulations (EEC) Nos 2407/92, 2408/92 and 2409/92 on the liberalization of air transport: OJ L 240, 24.8.1992; Bull. 7/8-1992, point 1.3.98

Recommendation for a Council Decision on the opening of negotiations between the European Community and the Swiss Confederation on road and air transport: Bull. 1/2-1994, point 1.2.97

Parliament resolution on a recommendation for a Council Decision on the opening of negotiations between the European Community and the Swiss Confederation on road and air transport: OJ C 77, 14.3.1994; Bull. 1/2-1994, point 1.2.98

Adopted on 11 March. Parliament wants the Council to authorize the Commission to open negotiations with Switzerland on road and air transport. It takes the view that the European Union, Austria and Switzerland should find a joint approach to solving the problems of transit through the Alps. Where road transport is concerned, Parliament considers that the agreement should cover the *acquis communautaire* as a whole, and calls upon the Commission to define criteria for the 'sensitive area' concept. It notes that the negotiations on air transport will focus on the incorporation in the agreement of all the Community provisions currently in force, including the third liberalization package, and the granting by Switzerland of fifth freedom rights to Community carriers in respect of services between Switzerland and the other EFTA countries.

OJ C 91, 28.3.1994

Telecommunications, information services and industry

Telecommunications

Legislation

1.2.101. Proposal for a European Parliament and Council Directive on the mutual recognition of licences and other national authorizations for telecommunications services.

- **Reference:** Council Resolution relating to the Commission report on the situation in the telecommunications sector — OJ C 213, 6.8.1993; Bull. 6-1993, point 1.2.122
- **Commission proposal:** OJ C 248, 25.9.1992; COM(92) 254; Bull. 7/8-1992, point 1.3.87
- **Economic and Social Committee opinion:** OJ C 42, 15.2.1993; Bull. 1/2-1993, point 1.2.114
- **Proposal subject to the co-decision procedure since 1 November 1993**

Amended proposal adopted by the Commission on 22 March. The amended proposal, which takes account of the principles set out in the Council Resolution of June 1993, aims to simplify the proposed procedures and enable providers of telecommunications services to take full advantage of the single telecommunications market. It has the mutual recognition of licences as its main objective but provides for a transitional period in which a one-stop shopping procedure will be set up for categories of service for which harmonized licensing conditions are not yet established.

OJ C 108, 16.4.1994; COM(94) 41

1.2.102. Proposal for a European Parliament and Council Directive on the application of open network provision (ONP) to voice telephony.

- **Commission proposal:** OJ C 263, 12.10.1992; COM(92) 247; Bull. 7/8-1992, point 1.3.86
- **Economic and Social Committee opinion:** OJ C 19, 25.1.1993; Bull. 11-1992, point 1.3.92
- **Parliament opinion (first reading):** OJ C 115, 26.4.1993; Bull. 3-1993, point 1.2.75
- **Amended Commission proposal:** OJ C 147, 27.5.1993; COM(93) 182; Bull. 5-1993, point 1.2.77
- **Council agreement on a joint position:** Bull. 5-1993, point 1.2.77

- **Proposal subject to the co-decision procedure since 1 November 1993**
- **Council common position:** Bull. 6-1993, point 1.2.124
- **Parliament amendments (second reading):** OJ C 44, 14.2.1994; Bull. 1/2-1993, point 1.2.102

Opinion amending the proposal adopted by the Commission on 1 March. The Commission adopted and incorporated into its amended proposal four of the 14 amendments proposed by Parliament at second reading. The amendments are chiefly concerned with users' rights and transparency.

COM(94) 48

Meeting of the Conciliation Committee on 29 March.

Economic and social cohesion

Cohesion Fund

Planning and orientation

1.2.103. Council Regulation (EC) No 566/94 extending Regulation (EEC) No 792/93 establishing a cohesion financial instrument.

- **Regulation prolonged:** Council Regulation (EEC) No 792/93; OJ L 79, 1.4.1993; Bull. 3-1993, point 1.2.83
- **Commission proposal:** COM(93) 529; Bull. 10-1993, point 1.2.97

Adopted on 10 March. Extends to 31 December 1994 the validity of the Regulation establishing the cohesion financial instrument, pending creation of the Cohesion Fund.

OJ L 72, 16.3.1994

1.2.104. Parliament resolution on the proposal for a Council Regulation establishing a Cohesion Fund.

- **Reference:** Proposal for a Council Regulation establishing a Cohesion Fund: OJ C 39, 9.2.1994; COM(93) 699, Bull. 12-1993, point 1.2.145; Bull. 1/2-1994, point 1.2.103

Adopted on 24 March. Before giving its assent under Article 130d of the EC Treaty Parliament wished the proposal to be amended chiefly in order to integrate the proposed Regulation on implementing rules into the basic Regulation, and instructed its President to open the conciliation procedure with the Council.

OJ C 114, 25.4.1994

Financing

Cohesion financial instrument

1.2.105. Commission decisions: see Table 1.

Table 1 — Aid from cohesion financial instrument

<i>(million ECU)</i>	
Country/general purpose	Total assistance
Greece Environment	66.73

Structural action, regional policies

Planning and orientation

Financial instrument for fisheries guidance (FIFG)

1.2.106. Commission Decision on an indicative allocation between Member States of Structural Fund and FIFG commitment appropriations for agriculture under Objective 5a.

- **Reference:** Commission Decision on an indicative allocation between Objectives 2 to 5b of Structural Fund appropriations for 1994 to 1999: Bull. 12-1993, point 1.2.146

Approved on 2 March. Allocates on an indicative basis the ECU 4 631 million (at 1994 prices) assigned to agricultural action under Objective 5a for the period 1994 to 1999. The allocation is: ECU 170 million to Belgium, ECU 127 million to Denmark, ECU 1 742 million to France, ECU 1 068 million to Germany, ECU 680 million to Italy, ECU 39 million to Luxem-

bourg, ECU 118 million to the Netherlands, ECU 326 million to Spain and ECU 361 million to the United Kingdom.

1.2.107. Commission Decision on an indicative allocation between Member States of Structural Fund and FIFG commitment appropriations for adjustment of fisheries structures under Objective 5a.

- **Reference:** Commission Decision on an indicative allocation between Objectives 2 to 5b of Structural Fund appropriations for 1994 to 1999: Bull. 12-1993, point 1.2.146

Approved on 2 March. Allocates on an indicative basis the ECU 737 million assigned to structural action for fisheries under Objective 5a for the period 1994 to 1999. The allocation is: ECU 21.6 million to Belgium, ECU 135.51 million to Denmark, ECU 170.69 million to France, ECU 65.77 million to Germany, ECU 118.63 million to Italy, ECU 1 million to Luxembourg, ECU 41.21 million to the Netherlands, ECU 105.58 million to Spain and ECU 78.3 million to the United Kingdom.

1.2.108. Parliament resolution on the Commission's annual report on implementation of Structural Fund reform — 1992.

- **Reference:** Fourth annual report on implementation of Structural Fund reform — 1992: COM (93) 350; Bull. 10-1993, point 1.2.99

Adopted on 11 March. Parliament welcomed the improved presentation of information in the report. On the financial side it noted with satisfaction the attainability of the objective of doubling payment appropriations but regretted the continuing problem of absorption of appropriations in Italy. The salient events of 1992 in the Community's structural policy were noted and the importance of the European Social Fund's role and the need for adequate technical assistance stressed, as was the importance of on-the-spot control checks by the Commission. Parliament expressed concern at the poor application of Community open tendering rules, noted the Commission's efforts to ensure application of the principle of additionality, called for closer involvement by the European Investment Bank in the preparation and implementation of structural financing and, noting the Commission's efforts to quantify the effect of Community assistance, requested it to devise new indicators that took account of the various aspects of development.

OJ C 91, 28.3.1994

1.2.109. Parliament resolution on a draft Commission Decision on Member States' information and publicity measures in connection with assistance from the Structural Funds and the Financial instrument for fisheries guidance.

Adopted on 11 March. Parliament called for better provision of information on the procedures and administrative requirements to be followed and met by potential recipients of Structural Fund assistance and for the setting-up of genuine information networks involving the Committee of the Regions in particular, and requested the Commission to adapt the Decision in line with its recommendations.

OJ C 91, 28.3.1994

1.2.110. Parliament resolution on irregularities and the recovery of sums unduly paid in connection with the financing of structural policies (→ 1.5.25).

Community initiatives

□ **Reference:** Commission communication on the future of Community initiatives under the Structural Funds: see 1.2.113

1.2.111. Notice to Member States setting guidelines for operational programmes they are invited to establish under a Community initiative for urban areas (URBAN).

Approved by the Commission on 2 March. URBAN will provide Community aid, in the form of loans and grants, for integrated programmes addressing the economic, social and environmental problems of deprived urban areas. Eligible towns will, barring exceptional cases, have more than 100 000 inhabitants, be located in regions eligible under Objectives 1 (areas lagging behind in development) or 2 (areas in industrial decline) and exhibit a decayed urban fabric, bad housing conditions and a lack of social amenities.

The programmes financed may embrace, for example, launching of new economic activities, boosting employment for local people, improvement of social and health provisions, security, infrastructure and the environment, special workshops and improvement of local problem-solving capacity.

The budget is ECU 600 million, of which ECU 400 million is for towns in Objective 1 areas,

and the initiative will last for six years, the individual programmes running for up to four years.

COM(94) 61

1.2.112. Notice to Member States setting guidelines for an initiative on modernization of the Portuguese textile and clothing industry.

□ **References:**

Commission notice to the Member States setting guidelines for operational programmes under a Community initiative for areas heavily dependent on the textiles and clothing sector (RETEX): OJ C 142, 4.6.1992; Bull. 5-1992, point 1.1.104
Commission Decision 94/170/EC on establishment of the Community support framework for Portugal: OJ L 78, 22.3.1994; Bull. 1/2-1994, point 1.2.107

Approved by the Commission on 16 March. The initiative will support modernization of the textile and clothing industry in Portugal, threatened by the development of international competition. Aid will be granted for improvement of know-how in undertakings, exchange of experience, cooperation between entrepreneurs and modernization of production equipment. To prevent distortion of competition the Commission specifies that:

- projects financed under the initiative must be eligible under the existing general aid schemes;
- aid for investment in production equipment will be restricted to provision of access to risk capital and subsidized and/or guaranteed loans;
- projects must fit into a strategy for adjustment of the sector agreed by the Commission and Portugal.

The budget will be ECU 400 million. The initiative will supplement the Community support framework for Objective 1 (areas lagging behind in development) for Portugal and action under the RETEX initiative running until 1997.

COM(94) 82

1.2.113. Commission communication on the future of Community initiatives under the Structural Funds.

□ **Approval:** COM(94) 46; Bull. 1/2-1994, point 1.2.105

Adopted on 16 March.

International Fund for Ireland

1.2.114. Proposal for a Council Regulation on Community contributions to the International Fund for Ireland.

Adopted by the Commission on 2 March. The fund was set up in 1986, following the Anglo-Irish Agreement of 15 November 1985, in order to promote economic and social development in both parts of Ireland and encourage contact, dialogue and reconciliation between Republicans and Unionists. The Community has supported the initiative since 1989 with an annual contribution of ECU 15 million and the Commission proposes continued contribution of this amount in each of the years 1995 to 1997.

OJ C 89, 26.3.1994; COM(94) 60

Financing

Assistance for coal and steel workers

1.2.115. Commission decision granting readjustment aid under Article 56(2)(b) of the ECSC Treaty for Dutch steel workers.

Table 3 — *Other financing*

(million ECU)			
Type of action	Description/Country	Fund	Total assistance
Pilot technical assistance operation	CESAR (United Kingdom)	ERDF	0.35
Programme	Europartenariat France North-East (France)	ERDF	0.049
	<i>Handbook for local development actors</i> (Portugal)	ERDF	0.094
Pilot project	Management and diffusion of Community information (Portugal)	ERDF	0.171
Seminar	The role of medium-sized towns in the new European framework (Spain)	ERDF	0.057
	A cultural dynamic for Europe (France)	ERDF	0.01

Agriculture

Orientation of CAP

1.2.118. Commission reflection paper on possible developments in the policy of arable land set-aside.

□ **Reference:** Economic and Social Committee opinion on a proposal for a Council Regulation

Adopted on 30 March. Grants aid of ECU 4.5 million.

Regions lagging behind in development

1.2.116. Commission decisions: see Table 2.

Table 2 — *Financing under Objective 1*

(million ECU)		
Country	Fund	Total assistance
Portugal	ERDF, ESF, EAGGF, FIFG	5 304.5

Other financing

1.2.117. Commission decisions: see Table 3.

amending Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops: OJ C 352, 30.12.1993; Bull. 10-1993, point 1.2.134

□ **Commission reflection paper:** COM(93) 226; Bull. 5-1993, point 1.2.111

Economic and Social Committee opinion, 23 March. The Committee referred to its comments on the proposal for amendment of Regulation (EEC) No 1765/92 and insisted in particular that

set-aside must not establish a permanent strait-jacket on Community production levels.

Agricultural structures and rural development

Agricultural structures

1.2.119. Commission Decision 94/173/EC on selection criteria for investments to improve processing and marketing conditions for agricultural and forestry products and repealing Decision 90/342/EEC.

□ **References:** Council Regulations (EEC) Nos 866/90 and 867/90 on improving processing and marketing conditions for agricultural and forestry products: OJ L 91, 6.4.1990; Bull. 3-1990, point 1.1.108

□ **Decision repealed:** Commission Decision 90/342/EEC on selection criteria for investments to improve processing and marketing conditions for agricultural and forestry products: OJ L 163, 29.6.1990; Bull. 6-1990, point 1.3.148

Adopted on 22 March. Ensures that investments financed by the Community under Regulations (EEC) Nos 866/90 and 867/90 are consistent with the common agricultural policy, in particular the market organizations.

OJ L 79, 23.3.1994

Forestry

1.2.120. Parliament resolution on urgent measures to save European forests.

Adopted on 11 March. Parliament advocated a forestry policy balancing economic uses and environmental function and stressed the need to safeguard the biological and genetic diversity of forests by restricting monoculture of conifers and other fast-growing species, to reduce atmospheric pollution and that from industrial livestock units, to impose heavier penalties on infringement of forestry legislation and to make the public aware of the importance and usefulness of forests.

OJ C 91, 28.3.1994

Product quality

1.2.121. Proposal for a Council Regulation amending Regulation (EEC) No 2092/91 on organic production of agricultural products and

indications referring thereto on agricultural products and foodstuffs.

□ **Commission proposal:** OJ C 326, 3.12.1993; COM(93) 558; Bull. 11-1993, point 1.2.141

Economic and Social Committee opinion, 23 March. The Committee called for clear definition of certain terms, better consumer information, particularly on additives, compulsory use of a symbol where products are marketed as organic, and speedy presentation of a proposal covering organic products of animal origin.

Prices and related measures

1.2.122. Proposals for Council Regulations on agricultural prices and related matters (1994/95).

□ **Commission proposals:** OJ C 83, 19.3.1994; COM(94) 10; Bull. 1/2-1994, point 1.2.121

Economic and Social Committee opinion, 24 March. The Committee drew attention to the fall in farmers' incomes and the adverse effect on employment and investment of a general carry-over of last year's prices. The price freeze was unjustified in particular for products not covered by CAP reform. More aid should be allocated to new production sectors, for example mulberries and medicinal plants, and use of new technologies. The Committee also commented on individual sectors and wanted to see reform of the sugar market organization.

1.2.123. Council Regulation (EC) No 787/94 on special measures for farmers affected by the 1992/93 drought in Portugal.

□ **Commission proposal:** OJ C 81, 18.3.1994; COM(94) 31; Bull. 1/2-1994, point 1.2.123

Endorsed by Parliament on 11 March.

OJ C 91, 28.3.1994

Adopted on 29 March. Assigns for compensation of producers affected by the 1992/93 drought the unused portion of the funds allotted for compensation of those affected by the 1991/92 drought.

OJ L 92, 9.4.1994

Market organization

Fruit and vegetables

1.2.124. Proposal for a Council Regulation extending the period of application of Regulation (EEC) No 3438/92 laying down special

measures for the transport of certain fresh fruit and vegetables originating in Greece.

- **Regulation to be amended:** Council Regulation (EEC) No 3438/92: OJ L 350, 1.12.1992; Bull. 11-1992, point 1.3.189

Adopted by the Commission on 22 March. Continues in 1994 the special allowance on consignments by exporters affected by the impossibility of using routes from Greece to the rest of the Community through the former Yugoslavia.

OJ C 105, 13.4.1994; COM(94) 89

1.2.125. Parliament resolution on the crisis in the tomato sector.

Adopted on 11 March. Parliament pointed to the recent decline of the Community tomato market owing partly to an increase in imports from third countries and called on the Commission to introduce price rules and an entry timetable for imported tomatoes from the next marketing year, submit proposals for adjusting the fruit and vegetable market organization in order to protect tomato production, and not widen tomato import concessions unless the competitiveness of Community production can be safeguarded.

OJ C 91, 28.3.1994

Wine

- **Reference:** Commission communication on the development and future of wine sector policy: COM(93) 380; Bull. 7/8-1993, point 1.2.156

1.2.126. Parliament resolution on the development and future of wine sector policy.

Adopted on 9 March. Parliament welcomed the Commission's intention to embark on a comprehensive reform aimed at simplification and rationalization of the sector but feared that lack of harmonization and perpetuation of exceptional arrangements would impede its effectiveness, called for appropriate budgetary provision and suggested various adjustments in the Commission's proposals, regarding in particular higher minimum natural alcoholic strength, aid for production of rectified concentrated must, bottle labelling and promotion of Community wines.

OJ C 91, 28.3.1994

1.2.127. Commission report on the trend of areas under vines in the Community and the production/utilization balance in the wine sector.

- **Reference:** Council Regulation (EEC) No 822/87 on common organization of the market in wine (OJ L 84, 27.3.1987; Bull. 3-1987, point 2.1.167), last amended by Regulation (EEC) No 1566/93: OJ L 154, 25.6.1993; Bull. 6-1993, point 1.2.186

Adopted by the Commission on 21 March. The report, required under Regulation (EEC) No 822/87, contains the latest information on areas under vines and production in the Community, the trend of the production/utilization balance having been already covered in the Commission's communication on the development and future of wine sector policy. Areas under vines, production and vineyard numbers are down overall but the fall has been confined to the south of the Community, masking an increase in the north. Average yields are also increasing but vary markedly from one year to another.

COM(94) 28

Milk and milk products

1.2.128. Commission reports to the Council on the market situation for milk and milk products and application of the milk quota system in Italy, Spain and Greece, with proposals for Council Regulations:

- setting compensation for reduction of individual reference quantities in the milk sector and for permanent abandonment of milk production;
- amending Regulation (EEC) No 3950/92.

□ **References:**

Council conclusions on CAP reform proposals for the milk sector: Bull. 5-1992, point 1.1.141
1993/94 agricultural prices and related measures: OJ L 132, 29.5.1993; OJ L 154, 25.6.1993; Bull. 5-1993, point 1.2.115; Bull. 6-1993, point 1.2.186
1994/95 agricultural price and related measure proposals: COM(94) 10; Bull. 1/2-1994, point 1.2.121

- **Regulation to be amended:** Council Regulation (EEC) No 3950/92 establishing an additional levy in the milk and milk products sector (OJ L 405, 31.12.1992; Bull. 12-1992, point 1.3.239), last amended by Regulation (EEC) No 1560/93: OJ L 154, 25.6.1993; Bull. 6-1993, point 1.2.186

Adopted by the Commission on 2 March. These reports and proposals, presented at the Council's request, are intended to enable it to take appro-

appropriate action towards rebalancing the market in milk and milk products and towards rapid achievement of full application of the quota system in Greece, Spain and Italy.

The Commission found that the milk market had remained stable in 1993 but that an increase in milk deliveries, resulting in higher production of skimmed-milk powder, is very likely in 1994 and that butter consumption continues to fall. It accordingly proposes a 1% reduction in the maximum guaranteed quantities for 1994/95, accompanied by compensation and an aid scheme for abandonment of milk production. The Commission also confirmed the need for a 3% reduction in the butter intervention price in 1994/95.

The Commission welcomed the progress made in implementation of the milk quota system in Greece and Italy and in particular in Spain. In Greece the resources allotted to management of the system needed to be boosted and in Italy less milk had been withdrawn from the market than anticipated. It accordingly proposes that the 500 000 tonne increase in the Spanish quota be made definitive, the 100 000 tonne increase in the Greek quota be maintained for 1994/95 and that the increase in the Italian quota be cut to 550 000 tonnes in 1994/95 from 900 000 tonnes in 1993/94.

COM(94) 63, OJ C 108, 16.4.1994; COM(94) 64

1.2.129. Council Regulation (EC) No 777/94 derogating from Regulation (EEC) No 1637/91 as regards payment of compensation to milk producers for reduction of reference quantities.

□ **References:**

Council Regulation (EEC) No 1637/91 fixing compensation for reduction of the milk reference quantities referred to in Article 5c of Regulation (EEC) No 804/68 (OJ L 150, 15.6.1991; Bull. 6-1991, point 1.2.156), amended by Regulation (EEC) No 1188/92; OJ L 124, 9.5.1992; Bull. 4-1992, point 1.3.156

Council Regulation (EEC) No 1560/93 amending Regulation (EEC) No 3940/92 establishing an additional levy in the milk and milk products sector: OJ L 154, 25.6.1993; Bull. 6-1993, point 1.2.187

□ **Commission proposal:** OJ C 23, 27.1.1994; COM(93) 675; Bull. 12-1993, point 1.2.203

Endorsed by Parliament on 11 March.

OJ C 91, 28.3.1994

Adopted on 29 March. Authorizes Member States to assign to national milk abandonment programmes under Regulation (EEC) No 1560/93 the funds still available for compensation under Regulation (EEC) No 1637/91 of producers whose quota was reduced.

OJ L 91, 8.4.1994

1.2.130. Council Regulation (EC) No 720/94 extending the 1993/94 milk year.

□ **Commission proposal:** OJ C 83, 19.3.1994; COM(94) 10; Bull. 1/2-1994, point 1.2.121

Adopted on 29 March. Extends the 1993/94 milk year to 30 June 1994.

OJ L 87, 31.3.1994

Beef and veal

1.2.131. Council Regulation (EC) No 719/94 extending the 1993/94 marketing year in the beef and veal sector.

□ **Commission proposal:** OJ C 83, 19.3.1994; COM(94) 10; Bull. 1/2-1994, point 1.2.121

Adopted on 29 March. Extends the 1993/94 marketing year for the beef and veal sector to 30 June 1994.

OJ L 87, 31.3.1994

EAGGF Guarantee Section

1.2.132. Council Regulation (EC) No 776/94 repealing Regulation (EEC) No 3035/80 laying down general rules for granting export refunds on certain agricultural products in the form of goods not covered by Annex II to the Treaty and criteria for fixing the amount of these and amending Regulation (EEC) No 876/68 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of these.

□ **Regulation amended:** Council Regulation (EEC) No 876/68 (OJ L 155, 3.7.1968), last amended by Regulation (EEC) No 1344/86: OJ L 119, 6.5.1986

□ **Regulation repealed:** Council Regulation (EEC) No 3035/80 (OJ L 323, 29.11.1980), last amended by Regulation (EEC) No 3381/90: OJ L 327, 27.11.1990; Bull. 11-1990, point 1.3.115

□ **Commission proposal:** COM(93) 357; Bull. 9-1993, point 1.2.127

Amended proposal adopted by the Commission on 28 March. The purpose was to exclude from the scope of the proposal goods for which there is a risk of fraud.

COM(94) 98

Adopted by the Council on 29 March. Provides for replacement of Regulation (EEC) No 3035/80 by a Commission Regulation, provision being made for checks on goods resulting from the processing of base materials imported into the Community from preferential agreement countries.

OJ L 91, 8.4.1994

State aid

Decisions to raise no objection

France

1.2.133. Commission decision on aid to the Association nationale interprofessionnelle des vins de Table et des Vins de Pays de France.

Adopted on 16 March. The aid is financed by compulsory contributions not levied on imports from other Member States.

Luxembourg

1.2.134. Commission decision on draft amendments to a law on promotion of agricultural development.

□ References:

Council Regulation (EEC) No 1637/91 fixing compensation for reduction of the milk reference quantities referred to in Article 5c of Regulation (EEC) No 804/68 (OJ L 150, 15.6.1991; Bull. 6-1991, point 1.2.156), last amended by Regulation (EEC) No 1188/92: OJ L 124, 9.5.1992; Bull. 4-1992, point 1.3.156

Council Regulation (EEC) No 2328/91 on improving the efficiency of agricultural structures (OJ L 218, 6.8.1991; Bull. 7/8-1991, point 1.2.165), last amended by Regulation (EEC) No 3669/93: OJ L 338, 31.12.1993; Bull. 12-1993, point 1.2.149

Adopted on 29 March. The changes proposed to the Law of 18 December 1986 cover advisory services, installation of young farmers and col-

lection, storage, processing, treatment and marketing of agricultural products. Some of the measures in question fall within the scope of the Community Regulations on improving the efficiency of agricultural structures and on compensation for permanent cessation of milk production.

Netherlands

1.2.135. Commission decision on aid to the Produktschap for cattle and beef.

Adopted on 16 March. The aid, granted for research, quality control and action to combat epizootic diseases, is raised from a parafiscal charge on live animals, including those born and raised outside the Netherlands. In the case of animals not wholly reared in the Netherlands such a charge is compatible with the common market only where their origin can be considered as altering to become Dutch. The decision is therefore subject to reappraisal when Community origin rules for such animals are adopted.

Decision to initiate procedure

Italy

1.2.136. Commission decision on aid for agricultural cooperatives in Liguria.

Adopted on 10 March. On the information available the Commission considers this aid for financial restructuring of agricultural cooperatives to be an operational aid incompatible with the common market.

Decision in part to raise no objection and in part to initiate procedure

Italy

1.2.137. Commission decision on aid for the sheep and goat sectors in Sardinia.

Adopted on 10 March. No objection was raised to aid to certain communes for rebuilding pavilions used to house livestock markets but the procedure was initiated for aid under the same regional law appearing to clash with the State-aid rules: aid for financial restructuring of coop-

eratives, subsidies to rearers and covering of the expenses of certain producer groups.

Decision to terminate procedure

Italy

1.2.138. Commission decision relating to compensation for growers required by the health authorities to deliver their 1989/90 wine year grapes for separate vinification.

Adopted on 16 March. The Commission found that the reason for the measure giving rise to the aid, namely to keep contaminated grapes off the market, and the administrative procedures, which prevented any possibility of over-compensation of losses, made it compatible with the competition rules.

Fisheries

Orientation of common fisheries policy

1.2.139. Proposal for a Council Decision amending Decision 89/631/EEC on a Community financial contribution towards the expenditure incurred by Member States for the purposes of compliance with the Community system for conservation and management of fishery resources.

- **Commission proposal:** OJ C 334, 9.12.1993; COM(93) 546; Bull. 11-1993, point 1.2.168
- **Economic and Social Committee opinion:** Bull. 1/2-1994, point 1.2.144

Endorsed by Parliament on 11 March, subject to amendments in particular making the financial provisions more detailed and seeking to forestall any falsification of data.

OJ C 91, 28.3.1994

1.2.140. Proposal for a Council Regulation on adjustments to the fisheries arrangements provided for in the Act of Accession of Spain and Portugal.

- **Commission proposal:** OJ C 321, 27.11.1993; COM(93) 493; Bull. 10-1993, point 1.2.152
- **Economic and Social Committee opinion:** OJ C 52, 19.2.1994; Bull. 11-1993, point 1.2.170
- **Parliament opinion:** OJ C 20, 24.1.1994; Bull. 12-1993, point 1.2.234

Amended proposal adopted by the Commission on 7 March.

OJ C 92, 29.3.1994; COM(94) 35

Resource conservation and management

External side

Gambia

1.2.141. Protocol establishing fishing rights and financial compensation for the period 1 July 1993 to 30 June 1996 under the Agreement between the Community and Gambia on fishing off Gambia.

- **Commission proposal for conclusion of protocol:** COM(93) 338; Bull. 7/8-1993, point 1.2.182
- **Parliament opinion:** OJ C 61, 28.2.1994; Bull. 1/2-1994, point 1.2.147

Adoption on 10 March of Council Regulation (EC) No 634/94 on conclusion of the protocol. For the period 1 July 1993 to 30 June 1996, this protocol establishes fishing rights for the Community for 23 freezer tuna seiners and 7 pole-and-line tuna vessels and for fresh fish trawlers, freezer trawlers fishing for shrimps and freezer trawlers fishing for other species within capacity limits of 410, 2 000 and 750 gross register tons respectively. Financial compensation is set at ECU 1.1 million plus ECU 300 000 towards financing of scientific programmes and in study and training awards.

OJ L 79, 23.3.1994

Market organization

1.2.142. Parliament resolution on the problems in the fisheries sector.

Adopted on 11 March. Parliament pointed to the gravity of the crisis affecting the sector and

repeated its calls for more rigorous surveillance of imports, creation of a financial instrument to compensate for price falls, a special Council meeting on fisheries, and for the Commission to raise minimum import prices, extend them to other species and prolong their application.

OJ C 91, 28.3.1994

1.2.143. Commission Regulations (EC) Nos 585/94 and 586/94 making imports of certain fishery products subject to observance of a reference price and of Atlantic salmon to observance of a minimum price.

- **Reference:** Commission Regulations (EC) Nos 274/94 and 275/94 making imports of Atlantic salmon subject to observance of a minimum price and of certain fishery products to observance of a reference price: OJ L 32, 5.2.1994; Bull. 1/2-1994, point 1.2.151

Adopted on 16 March. On expiry of Regulations (EC) Nos 274/94 and 275/94, these new regulations prolong to 17 May 1994 the minimum import price requirement for Atlantic salmon, cod, coalfish, haddock, hake, monkfish and Alaska pollack.

OJ L 74, 17.3.1994

Environment

General

Economic, tax and legal instruments

1.2.144. Proposal for a Council Directive amending Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment.

- **Directive to be amended:** Council Directive 85/337/EEC: OJ L 175, 5.7.1985

Adopted by the Commission on 16 March. The purpose of the proposal is to clarify certain provisions of Directive 85/337/EEC in the light of experience since it came into force. It seeks in particular:

- to clarify the scope of the Directive with regard, in particular, to the types of projects for

which the Member State concerned has to decide, case by case, whether an assessment needs to be made (Annex II projects). The Commission is proposing that this decision should be based on selection criteria at Community level, e.g. the size of the project, its exact location, the production of waste and the risk of accidents, and that all projects liable to have a significant impact on special protection areas should be assessed;

- to specify the content of the assessment, by indicating in particular the precise nature of the information to be submitted by the developer;

- to strengthen cooperation between the Member States concerned by projects with trans-boundary effects.

COM(93) 575

1.2.145. European Parliament resolution on the need to assess the true costs to the Community of 'non-environment'.

Adopted on 9 March. Parliament draws attention to the consequences, in terms of environmental damage and economic costs to society, of failing to include external environmental costs in economic calculations. It calls upon the Commission to undertake a comprehensive study of the relationships between the economy, environmental deterioration and the depletion of natural resources, and to examine in particular ways in which the cost of environmental damage can be internalized in a market economy. It advocates the use of economic and tax instruments for this purpose, and recommends in particular changes in taxation in order to shift the burden of taxation from labour to energy, the use of natural resources and environmental damage. It also recommends establishing a coherent system of environmental statistics, including key indicators relating the environment to the economy, and calls for a tightening-up of the monitoring of the implementation of environmental Directives and, to this end, advocates setting up a corps of Community inspectors.

OJ C 91, 28.3.1994

1.2.146. Proposal for a Council Decision adopting a four-year programme (1994-97) to develop regular official statistics on the environment (→ point 1.6.2).

Industry and environment

Environmental control of products, industrial plants and biotechnology

1.2.147. Proposal for a Council Regulation amending for the first time Annex I to Council Regulation (EEC) No 2455/92 concerning the export and import of certain dangerous chemicals.

- **Commission proposal:** OJ C 112, 22.4.1993; COM(93) 120; Bull. 3/1993, point 1.2.96
- **Economic and Social Committee opinion:** OJ C 249, 13.9.1993; Bull. 6/1993, point 1.2.158

Endorsed by the European Parliament (first reading) on 9 March, subject to amendments designed to extend the scope of the proposal to include substances other than those proposed by the Commission and to provide for the subsequent revision of the Regulation.

OJ C 91, 28.3.1994

Emissions from industrial plants and products

1.2.148. Proposal for a Council Directive amending Directive 88/609/EEC on the limitation of emissions of certain pollutants into the air from large combustion plants.

- **Commission proposal:** OJ C 17, 22.1.1993; COM(92) 563; Bull. 12-1992, point 1.3.190
- **Economic and Social Committee opinion:** OJ C 201, 26.7.1993; Bull. 5-1993, point 1.2.100
- **Parliament opinion:** OJ C 268, 4.10.1993; Bull. 9-1993, point 1.2.104

Common position agreed by the Council of 24 March. The purpose of the proposal is to set an emission limit value for sulphur dioxide of 2000 mg/m³ for solid-fuel combustion plants between 50 and 100 MW.

Waste management

1.2.149. Proposal for a European Parliament and Council Directive on packaging and packaging waste.

- **Commission proposal:** OJ C 263, 12.10.1992; COM(92) 278; Bull. 7/8-1992, point 1.3.144
- **Economic and Social Committee opinion:** OJ C 129, 10.5.1993; Bull. 3-1993, point 1.2.98
- **European Parliament opinion (first reading):** OJ C 194, 19.7.1993; Bull. 6-1993, point 1.2.159

- **Amended Commission proposal:** OJ C 285, 21.10.1993; COM(93) 416; Bull. 9-1993, point 1.2.106
- **Proposal subject to the co-decision procedure since 1 November 1993**
- **Council agreement on a common position:** Bull. 12-1993, point 1.2.178

Common position formally adopted by the Council on 4 March. The purpose of the proposal is to harmonize the national measures for the management of packaging and packaging waste in order to reduce its environmental impact while guaranteeing the operation of the internal market. The proposed provisions concern in particular the prevention of the production of packaging waste, the reuse of packaging and the recycling and recovery of packaging waste. The common position seeks to reconcile the possibilities of Member States which have started to set up facilities for the management of packaging and packaging waste with the wishes of Member States with more developed facilities to achieve more ambitious objectives.

1.2.150. Council Decision on the negotiating directives concerning an amendment to the Basle Convention on the control of transboundary shipments of hazardous wastes and their disposal.

- **Reference:** Council Decision 93/98/EEC on the conclusion of the Basle Convention on behalf of the Community: OJ L 39, 16.2.1993; Bull. 1/2-1993, point 1.2.151

Commission recommendation adopted on 16 March.

Adopted by the Council on 24 March. The purpose of this Decision is to propose an amendment to the Basle Convention seeking to introduce a total ban, from 31 December 1997, on exports of hazardous waste to non-OECD countries, to limit, until that date, such exports to hazardous wastes intended for recovery, subject to the formal agreement of the importing countries, and to introduce a supervision procedure.

1.2.151. Proposal for a Council Directive on the incineration of hazardous waste.

- **Commission approval:** Bull. 1/2-1992, point 1.3.149
- **Commission proposal:** OJ C 130, 21.5.1992; COM(92) 9; Bull. 3-1992, point 1.2.128
- **Economic and Social Committee opinion:** OJ C 332, 16.12.1992; Bull. 10-1992, point 1.3.101

- **European Parliament opinion (first reading):** OJ C 115, 26.4.1993; Bull. 3-1993, point 1.2.99
- **Amended Commission proposal:** OJ C 190, 14.7.1993; COM(93) 296; Bull. 6-1993, point 1.2.160
- **Council agreement:** Bull. 6-1993, point 1.2.160

Second opinion delivered by the European Parliament (first reading) on 9 March. Parliament endorsed the change in the legal basis (Article 130s instead of Article 100a) for the proposal and confirmed its favourable opinion subject to various amendments.

OJ C 91, 28.3.1994

Environmental quality and natural resources

Protection of water and coastal zones, environment and tourism

1.2.152. Council resolution on integrated coastal-zone management.

- **Reference:** Council resolution concerning the European coastal zone: OJ C 59, 6.3.1992; Bull. 1/2-1992, point 1.3.162

Agreed on 25 March. Recalling its resolution concerning the European coastal zone, the Council reiterated the need for a Community strategy for the integrated management and development of coastal zones based on the principles of sustainability and sound ecological and environmental practice. It invited the Commission to propose a strategy within six months in order to provide a framework for the conservation and sustainable use of coastal zones, while taking into account their specific problems and potential, and invited the Member States to strengthen their own efforts with a view to further increasing the protection of coastal zones.

Urban environment, air quality, transport and noise

1.2.153. European Parliament and Council Directive 94/12/EEC amending Directive 70/220/EEC relating to measures to be taken against air pollution by emissions from motor vehicles.

- **Council Directive amended:** Council Directive 70/220/EEC: OJ L 76, 6.4.1970, as last amended by Directive 93/59/EEC: OJ L 186, 28.7.1993; Bull. 6-1993, point 1.2.171
- **Commission proposal:** OJ C 56, 26.2.1993; COM(92) 572; Bull. 12-1992, point 1.3.181
- **Economic and Social Committee opinion:** OJ C 201, 26.7.1993; Bull. 5-1993, point 1.2.107
- **European Parliament opinion (first reading):** OJ C 315, 22.11.1993; Bull. 10-1993, point 1.2.130
- **Proposal subject to the co-decision procedure since 1 November 1993**
- **Amended Commission proposal:** OJ C 345, 23.12.1993; COM(93) 626; Bull. 12-1993, point 1.2.180
- **Council agreement on a common position:** Bull. 12-1993, point 1.2.180
- **Council common position:** Bull. 12-1993, point 1.2.180

Approved by the European Parliament (second reading) on 9 March.

OJ C 91, 28.3.1994

Approved by the Council on 22 March. This Directive sets new limit values for pollutant emissions from private cars with petrol or diesel engines. The new limit values, which will bring about a 50% reduction in pollutant emissions, will bring the European standards up to the American federal standards. They will be compulsory from 1 January 1996 for new type-approvals and from 1 January 1997 for all newly registered vehicles. The Directive lays down the conditions subject to which Member States may grant tax incentives for the placing on the market of new vehicles complying with these limit values at an earlier date. The Directive also sets out the guidelines for a further reduction in limit values as from the year 2000.

Signed by the European Parliament and the Council on 23 March.

OJ L 100, 19.4.1994

1.2.154. Proposal for a European Parliament and Council Directive on the control of volatile organic compound emissions resulting from the storage of petrol and its distribution from terminals to service stations (the so-called Stage 1 Directive).

- **Commission proposal:** OJ C 227, 3.9.1992; COM(92) 277; Bull. 7/8-1992, point 1.3.157
- **Economic and Social Committee opinion:** OJ C 73, 15.3.1993; Bull. 1/2-1993, point 1.2.160
- **European Parliament opinion (first reading):** OJ C 194, 19.7.1993; Bull. 6-1993, point 1.2.170

- **Council agreement on a common position:** Bull. 6-1993, point 1.2.170
- **Amended Commission proposal:** OJ C 270, 6.10.1993; COM(93) 422; Bull. 9-1993, point 1.2.109
- **Council common position:** Bull. 10-1993, point 1.2.129
- **Proposal subject to the co-decision procedure since 1 November 1993**

Amendments adopted by the European Parliament (second reading) on 9 March. The amendments relate to oil-tanker loading operations and various technical aspects.

OJ C 91, 28.3.1994

1.2.155. Proposal for a European Parliament and Council Directive amending Council Directive 86/662/EEC on the limitation of noise emitted by earthmoving machinery.

- **Directive to be amended:** Council Directive 86/662/EEC: OJ L 384, 31.12.1986; Bull. 12-1986, point 2.1.193
- **Commission proposal:** OJ C 157, 9.6.1993; COM(93) 154; Bull. 5-1993, point 1.2.104
- **European Parliament opinion:** OJ C 255, 20.9.1993; Bull. 7/8-1993, point 1.2.145
- **Economic and Social Committee opinion:** OJ C 304, 10.11.1993; Bull. 9-1993, point 1.2.108
- **Proposal subject to the co-decision procedure since 1 November 1993**

Common position agreed by the Council on 25 March. The purpose of the proposal is to reduce the noise emitted by certain types of earthmoving machinery in two stages, with an initial four-decibel reduction in limit values from 30 December 1996 to 2001 and a further three-decibel reduction from 30 December 2001, the applicability of the limit values set by Directive 86/662/EEC being extended until 29 December 1996.

Global environment: climate change, geosphere and biosphere

1.2.156. Proposal for a Council Regulation on substances that deplete the ozone layer.

- **Commission proposal:** OJ C 232, 28.8.1993; COM(93) 202; Bull. 6-1993, point 1.2.173
- **Economic and Social Committee opinion:** OJ C 52, 19.2.1994; Bull. 12-1993, point 1.2.182
- **European Parliament opinion (first reading):** OJ C 61, 28.2.1994; Bull. 1/2-1994, point 1.2.173

Amended proposal adopted by the Commission on 24 March. Takes account of certain European Parliament amendments.

OJ C 109, 19.4.1994; COM(94)75

Nuclear safety

Radioactive waste

1.2.157. Commission communication on a Community strategy for radioactive waste management.

- **Reference:** European Parliament resolution on the revision of the Euratom Treaty: OJ C 240, 16.9.1991; Bull. 7/8-1991, point 1.2.282

Adopted on 2 March. In this communication submitted in response, in particular, to the wishes of the European Parliament, the Commission sets out the basis for a radioactive waste management strategy for the Community based on safety and environmental protection concerns and taking into account all the sectors involved (not only the energy sector but also industrial activities generating waste containing large quantities of natural radionuclides, and the use of radioisotopes in agriculture, medicine, research and industry). It identifies the main areas for action in which a common approach at Community level would be beneficial:

- harmonization of radioactive waste definitions and classifications;
- prevention of arisings, volume minimization, recycling and reuse;
- transport;
- optimization of the safety of radioactive waste management, and in particular definition of criteria for the safe disposal of long-lived and high-level radioactive waste and examination of the applicability of the proximity principle to radioactive waste management and the radioactive waste equivalence concept;
- public information;
- financing.

For each of these areas the Commission presents proposals for action to be implemented step by step as part of a comprehensive medium- and long-term programme.

COM(94) 66

International cooperation

1.2.158. Agreement with the European Bank for Reconstruction and Development (EBRD) on the Community's contribution to the nuclear safety account.

- **Recommendation for a Decision:** Bull. 3-1993, point 1.2.107
- **Negotiating directives:** Bull. 4-1993, point 1.2.114
- **Proposal for a Decision on the conclusion of the Agreement:** COM(93) 515; Bull. 10-1993, point 1.2.131

Endorsed by the European Parliament on 11 March, subject to various amendments. In particular, Parliament calls for a report on the utilization of the EBRD's nuclear safety account to be submitted to it each year.

OJ C 91, 28.3.1994

Decision on the conclusion of the Agreement adopted by the Council on 28 March. Provides for a Community contribution of ECU 20 million to the EBRD's nuclear safety account for the purpose of improving nuclear safety in the Central and East European countries.

set up and that a Community social solidarity scheme be organized. Parliament also called for the body of fundamental Community-wide social rights established by the Social Charter to be put fully into effect and expanded.

OJ C 91, 28.3.1994

1.2.160. Green Paper on European social policy: options for the Union.

- **Reference:** Commission Green Paper: COM (93) 551; Bull. 11-1993, point 1.2.119

Economic and Social Committee opinion delivered on 24 March. The opinion sets out the Committee's position on the various subjects addressed by the Commission's Green Paper on social policy. The Committee reiterated its opposition to any downward alignment of social standards and underlined the need for minimum standards in all the Member States. It laid particular stress on the immediate priority of tackling poverty and social exclusion, promoting equal opportunities and developing vocational training resources. It also drew attention to the important role of the social partners.

Employment

- **Reference:** Commission White Paper on growth, competitiveness and employment: COM (93) 700; Bull. 12-1993, point 1.2.44; Supplement 6/93 — Bull.

1.2.161. Parliament resolution on employment in Europe.

Adopted by Parliament on 10 March. Parliament welcomed the abandonment in the White Paper of the fatalistic acceptance of a continued rise in unemployment, arguing that the objective of employment for all should not be abandoned under the pressure of difficult circumstances. It demanded that the Council consider questions concerning employment and unemployment on the same footing as macro-economic and financial questions. Parliament considered that renewed economic growth would not be sufficient in itself to solve the unemployment problem, and advocated drawing up a plan of action for employment, focusing on education and training, improving the functioning of the labour markets, job sharing and new sources of em-

Social policy

General

1.2.159. Parliament resolution on the social policy implications of the EMU process.

- **Reference:** Commission communication concerning its action programme for the implementation of the Community Charter of the Fundamental Social Rights of Workers: COM(89) 568; Bull. 11-1989, point 2.1.180

Adopted by Parliament on 10 March. Parliament called for social policy to be placed on the same footing as economic policy and for social policy convergence to keep pace with economic and monetary convergence. It recommended that the Social Affairs Ministers be involved wherever necessary in the proceedings of the Ecofin Council, that social convergence programmes be

ployment, with special reference to the environmental protection aspect.

OJ C 91, 28.3.1994

1.2.162. G7 Conference on employment.

Held in Detroit on 13 and 14 March. The conference was attended by representatives of the seven industrially most advanced countries (G7: United States of America, Japan, Canada, Germany, France, Italy and the United Kingdom). The Commission was represented by Mr Christophersen and Mr Flynn, Vice-President and Member of the Commission respectively. This was the first G7 conference on employment. The talks centred on comparing the various countries' approaches to employment, taking a particular look at the links between employment, growth, flexibility and social protection. Mr Flynn highlighted the Commission's White Paper on growth, competitiveness and employment, and stressed that growth and labour market flexibility were not sufficient in themselves to resolve the employment issues; what was needed was an approach which brought in other aspects such as the new technologies, training, tax policy and social protection.

1.2.163. Standing Committee on Employment.

- **Previous meeting:** Bull. 9-1993, point 1.2.95

Forty-sixth meeting held in Brussels on 30 March. The meeting was chaired by Mr E. Yianopoulos, the Greek Minister for Labour. The Commission was represented by Mr Flynn, Member of the Commission. Discussions centred on the conditions for extending new forms of work, particularly part-time work, so as to create jobs.

Working conditions

Industrial relations

1.2.164. Parliament resolution on the state of the negotiations on a European Works Council.

- **Reference:** Parliament opinion on the 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: OJ C 240, 16.9.1991; Bull. 7/8-1991, point 1.2.143

Adopted by Parliament on 9 March. Parliament regretted that the Social Affairs Council had not managed to agree a common position on the European Works Council proposal, pointed out that it was possible to approve the proposal with a qualified majority under the Agreement on social policy, and called on the Commission to speed up the procedure having regard to the set period for consultation of the social partners.

OJ C 91, 28.3.1994

Health and safety at work

1.2.165. Proposal for a Council Directive on the protection of young people at work.

- **Commission proposal:** OJ C 84, 4.4.1992; COM(91) 543; Bull. 1/2-1992, point 1.3.121
- **Economic and Social Committee opinion:** OJ C 313, 30.11.1992; Bull. 9-1992, point 1.2.79
- **Parliament opinion (first reading):** OJ C 21, 25.1.1993; Bull. 12-1992, point 1.3.160
- **Amended Commission proposal:** OJ C 77, 18.3.1993; COM(93) 35; Bull. 1/2-1993, point 1.2.142
- **Council agreement on a common position:** Bull. 10-1993, point 1.2.111
- **Council common position:** Bull. 11-1993, point 1.2.126

Endorsed by Parliament (second reading) on 9 March, subject to amendments designed to prohibit in principle work done by children of less than 15 years, to limit derogations from this principle, to delete specific derogations for the United Kingdom, to guarantee adolescents the same unemployment benefit entitlements as adults, and to exclude any regression *vis-à-vis* the current level of protection for young people or *vis-à-vis* the provisions set out in ILO conventions.

OJ C 91, 28.3.1994

Re-examined proposal adopted by the Commission on 29 March. The Commission accepted some of Parliament's proposed amendments, particularly those seeking to clarify the provisions on a minimum working or employment age of not less than 15 years, imposing a limit on working time for adolescents still in full-time education, specifying the nature of activities covered by the derogation from the prohibition on night work, introducing a 'non-regression' clause and deleting the transitional period

granted to the United Kingdom for the implementation of provisions relating to children's weekly working time.

COM(94) 88

1.2.166. Proposal for a Council Directive amending Directive 89/655/EEC on the minimum safety and health requirements for the use of work equipment by workers at work.

□ **Directive to be amended:** Council Directive 89/655/EEC: OJ L 393, 31.12.1989; Bull. 11-1989, point 2.1.102

Adopted by the Commission on 14 March. Adds to Directive 89/655/EEC minimum requirements for certain specific items of work equipment, lays down rules for the use of equipment and sets up a system for the inspection of work equipment.

OJ C 104, 12.4.1994; COM(94) 56

Equal opportunities

1.2.167. Parliament resolution on the situation of women in the European Union.

Adopted by Parliament on 10 March. Parliament saluted the action by the Commission in promoting equal opportunities, reiterated the importance it attached to legislative progress in this field, and blamed the Council for the lack of progress in recent years. It also pointed out that women are currently under-represented in the decision-making bodies in the political sphere, advocated the adoption of target figures and called on the electorate to ensure that a greater number of women are elected in the forthcoming European elections.

OJ C 91, 28.3.1994

Education, vocational training and youth

Cooperation in the field of education

1.2.168. Commission report on the education of migrants' children in the European Union.

□ **References:**

Council Directive 77/486/EEC on the schooling of the children of migrant workers: OJ L 199, 6.8.1977

Parliament resolution on cultural plurality and the problems of school education for children of immigrants in the European Community: OJ C 42, 15.2.1993; Bull. 1/2-1993, point 1.2.92

Proposal for a European Parliament and Council Decision establishing the Community action programme 'Socrates': OJ C 66, 3.3.1994; Bull. 1/2-1994, point 1.2.184

Adopted by the Commission on 25 March. The Commission's report presents a general view of Community action aiming to promote the education of the children of legally established immigrants and gypsy children. With an ever-increasing proportion of children being educated in languages other than their mother tongue, the Commission proposes that consideration be given to education policy issues linked to cultural and linguistic diversity as a consequence of growing cross-frontier mobility in the Union and the presence of growing numbers of third country immigrants. The Commission wishes to instigate discussion and exchanges of experience and information among all concerned.

COM(94) 80

Vocational training

1.2.169. Proposal for a Council Decision establishing an action programme for the implementation of a European Community vocational training policy 'Leonardo da Vinci'.

□ **Commission proposal:** OJ C 67, 4.3.1994; COM(93) 686; Bull. 12-1993, point 1.2.113

Endorsed by the Economic and Social Committee on 23 March, although the Committee stressed the need for an increase in funding.

Youth

1.2.170. Proposal for a European Parliament and a Council Decision adopting the Youth for Europe programme (third phase) designed to promote the development of exchanges among young people and of youth activities in the European Community.

□ **Commission proposal:** COM(93) 523; Bull. 11-1993, point 1.2.81

Endorsed by the Economic and Social Committee on 23 March. However, the Committee wanted information for young people to be more readily available.

Public health and solidarity

Public health

Cancer

1.2.171. Proposal for a Parliament and Council Decision adopting an action plan 1995-99 to combat cancer within the framework for action in the field of public health, accompanied by a Commission communication concerning the fight against cancer.

□ **References:**

Commission communication concerning an action plan 1987-89 in the context of the 'Europe against cancer' programme: OJ C 50, 26.2.1987; Bull. 4-1988, point 2.1.95

Decision 90/238/EEC of the Council and the representatives of the governments of the Member States meeting within the Council adopting a 1990-94 action plan in the context of the 'Europe against cancer' programme: OJ L 137, 30.5.1990; Bull. 5-1990, point 1.2.235

Commission communication on the framework for action in the field of public health: COM(93) 559; Bull. 11-1993, point 1.2.191

Council resolution on future guidelines for the 'Europe against cancer' programme following its evaluation for the period 1987-92: OJ C 15, 18.1.1994; Bull. 12-1993, point 1.2.256

Adopted on 29 March. In its communication the Commission assesses the situation as regards cancer in the Member States and describes the proposed approach to combat the disease. It also proposes the adoption of a third action plan to combat cancer for the period 1995 to 1999 to ensure the continuity of the 'Europe against cancer' programme initiated in 1987 with special emphasis on the following areas: information and health education; the training of doctors, nurses and other health personnel; cancer registries and epidemiological studies; and early detection and systematic screening. The propos-

al comes within the framework for action in the field of public health adopted in November 1993 and seeks to encourage cooperation between the Member States and to provide support by developing and setting up networks, joint projects and information systems. Funding of ECU 64 million is envisaged.

COM(94) 83

1.2.172. Parliament resolution on upgrading the status of nursing staff.

Adopted on 11 March. Parliament called on the Commission to carry out a study on improving the working and living conditions of nursing staff and to ensure intra-Community mobility. It also asked the Member States to initiate cost-effectiveness studies with a view to reorganizing health care provision, with special emphasis on the development of palliative care.

OJ C 91, 28.3.1994

Consumers

Protection of consumers' economic and legal interests

1.2.173. Proposal for a European Parliament and Council Directive on the protection of purchasers in contracts relating to the purchase of a right to utilize one or more immovable properties on a timeshare basis.

□ **Commission proposal:** OJ C 222, 29.8.1992; COM(92) 220; Bull. 5-1992, point 1.1.189

□ **Economic and Social Committee opinion:** OJ C 108, 19.4.1993; Bull. 1/2-1993, point 1.2.119

□ **Parliament opinion (first reading):** OJ C 255, 20.9.1993; Bull. 7/8-1993, point 1.2.113

□ **Amended Commission proposal:** OJ C 299, 5.11.1993; COM(93) 487; Bull. 10-1993, point 1.2.95

□ **Proposal subject to the co-decision procedure since 1 November 1993**

□ **Council agreement on a common position:** Bull. 11-1993, point 1.2.106

Common position formally adopted by the Council on 4 March. The aim of the proposal is

to increase the protection of purchasers wishing to conclude a contract directly or indirectly relating to the purchase of a right to utilize immovable properties on a timeshare basis. Provision is made for informing the consumer of the constituent parts of the contract in advance, procedures for cancellation and withdrawal, and the prohibition of advance payments.

Culture

1.2.174. 1994 Niki Prize.

- **Reference:** Previous award: Bull. 3-1992, point 1.2.220

Presented in Lisbon on 7 March. The Niki Prize for the television broadcasts — fiction or documentary — which best illustrate the role of women in modern society was presented by Mr Pinheiro, Member of the Commission responsible for the audiovisual media, to the following programmes in the following three categories:

- documentary: *Major, the Miners and Me* produced by Brenda Nixon for the BBC;
- fiction: *Abgetrieben* (Aborted) produced by Ingeborg Janiczek for the ZDF (Germany);
- children's programme: *Midt i smørøyet* (Smack in the bull's eye) produced by Tanne Hougan for the NRK (Norway).

1.2.175. 1993 European Journalism Prize.

Presented in Brussels on 4 March. Awarded annually by the Association of European Journalists for outstanding contributions to journalism in Europe, this year's prize was presented by Mr Pinheiro to Mr Hermann Tertsch Del Valle-Lersundi (*El País*, Madrid) and Mr Bettencourt Resendes (*Diário de Notícias*, Lisbon).

1.2.176. Support for audiovisual festivals and other events.

- **Reference:** Call for proposals for 1994: OJ C 215, 10.8.1993

Projects selected by the Commission. Under its programme to support film and audiovisual festivals and other events designed to help promote European productions and to enhance public

awareness of the European audiovisual heritage, the Commission has selected 71 projects submitted in response to a call for proposals published in 1993. The selection was based on the opinion of a panel of independent experts and the chosen events will attract some 1 300 000 spectators.

1.2.177. Parliament resolution on the cultural and economic importance of design, and a European design offensive.

Adopted on 11 March. On the grounds that design creates a European cultural identity, helps express the cultural diversity within the European Union and is a constant factor for innovation, Parliament called on the Commission to work out a strategy for launching a Community initiative to support the design sector and proposed the setting-up of a design information centre and the establishment of design research projects. It also recommended the development of a postgraduate design course and the introduction of a 'European good design' mark.

OJ C 91, 28.3.1994

Information, communication and audiovisual media

Audiovisual policy

1.2.178. Commission communication to the Council and Parliament on the application of Articles 4 and 5 of Directive 89/552/EEC (television without frontiers).

- **Reference:** Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities: OJ L 298, 17.10.1989; Bull. 10-1989, point 2.1.18

Adopted on 3 March. In its communication the Commission reports on application of the measures to promote the production and distribution of programmes by European and independent producers put in place by the television without

frontiers Directive. The figures returned by the Member States are generally positive for the exercise overall, with the majority of broadcasters (between 65 and 70%) meeting the proportions set by Article 4 (a majority proportion of broadcasting time for European works) and Article 5 (at least 10% of the programming budget for European works by independent producers). However, differences in the criteria applied by the Member States and in the presentation of the national reports highlighted a series of methodological, technical and legal problems.

COM(94) 57

1.2.179. Proposal for a Council Decision amending Decision 90/685/EEC concerning the implementation of an action programme to promote the development of the European audiovisual industry (MEDIA).

□ **Commission proposal:** OJ C 322, 30.11.1993; COM(93) 462; Bull. 10-1993, point 1.2.175

Endorsed by the Economic and Social Committee on 23 March, but with a request to the Commission to make it clear which areas of distribution are to be supported and which groups are to be targeted by the measures to promote European films.

1.2.180. Proposal for a Parliament and Council Directive on the use of standards for the transmission of television signals (including repeal of Directive 92/38/EEC).

□ **Commission proposal:** OJ C 341, 18.12.1993; COM(93) 556; Bull. 11-1993, point 1.2.200

Endorsed by the Economic and Social Committee on 23 March.

3. Role of the Union in the world

Common foreign and security policy

General

1.3.1. Parliament resolution on the development of a common security and defence policy for the European Union — objectives, instruments and procedures.

Adopted on 24 March. Parliament noted that in the current world political situation the European Union needed a common foreign, security and defence policy more than ever, and expressed the view that its objectives should be to promote progressive disarmament and the re-establishment of the political, social, economic and ecological balance, to strengthen the security and territorial integrity of the European Union and its Member States, to preserve peace and strengthen international security, ensure respect for human rights, promote democracy and the rule of law, avert military conflicts through preventive diplomacy and promote a peacemaking and peacekeeping policy.

Parliament hoped that the intergovernmental conference planned for 1996 would agree gradually to replace intergovernmental procedures with Community procedures and, when the Treaty on the Western European Union (WEU) expired, to incorporate its main provisions into the Union Treaty.

It advocated that all Member States of the European Union become full members of a WEU with a wider operational role, and that organic relations be developed between the European Union, the WEU and those countries engaged in accession negotiations or with which Europe Agreements had either been concluded or were planned.

Parliament also urged that sufficient resources be set aside in the European Union's budget for joint action and unforeseeable CFSP measures.

OJ C 114, 25.4.1994

1.3.2. Parliament resolution on arms export controls and the non-proliferation of weapons of mass destruction.

□ **References:**

Proposal for a Council Regulation on the control of exports of certain dual-use goods and technologies and of certain nuclear products and technologies: OJ C 253, 30.9.1992; COM(92) 317; Bull. 7/8-1992, point 1.3.13

Commission notice setting guidelines for the Konver programme: OJ C 150, 31.5.1993; Bull. 4-1993, point 1.2.100

Adopted on 24 March. Taking the view that the European Union's foreign policy should be based on the prevention and peaceful resolution of conflict, with military action as a last resort, Parliament urged that European security policy be explicitly linked to the conversion of the arms industry to civilian purposes. Welcoming the adoption of the Konver programme, it called for the creation of a separate budget heading for it and for the funds earmarked for it to be increased to ECU 300 million.

Parliament called for Article 223 of the EC Treaty to be deleted, allowing the arms industry to be brought within the scope of the EU, and for continued arms export controls, the adoption of a common arms procurement policy and a debate on reducing arms exports to developing countries.

It called on the Council to agree a common interpretation of the criteria governing dual-use export controls, to draw up a list of countries to which arms exports would be controlled, and to harmonize penalties for fraudulent exports.

OJ C 114, 25.4.1994

1.3.3. Parliament resolution on the Conference on Security and Cooperation in Europe (CSCE) (→ point 1.3.80).

1.3.4. Parliament resolution on enlargement and neutrality (→ point 1.3.30).

1.3.5. Council conclusions on increasing political dialogue with Central and East European

countries which have concluded a Europe (Association) Agreement (→ point 1.3.37).

1.3.6. Visit to Ukraine by the Union troika and Mr Hans van den Broek, representing the Commission (→ point 1.3.52).

Joint action by the European Union

Bosnia-Herzegovina

1.3.7. Council Decision 94/158/CFSP extending the application of Decision 93/603/CFSP concerning the joint action decided on by the Council on the basis of Article J.3 of the Treaty on European Union on support for the conveying of humanitarian aid in Bosnia-Herzegovina.

□ **Decision extended:** Council Decision 93/603/CFSP (OJ L 286, 20.11.1993; Bull. 11-1993, point 1.4.1), as amended by Decision 93/729/CFSP: OJ L 339, 31.12.1993; Bull. 12-1993, point 1.4.5

Adopted on 7 March. Extends the application of Decision 94/158/CFSP until 30 September 1994.
OJ L 70, 12.3.1994

Common positions adopted by the European Union

Sudan

1.3.8. Council Decision 94/165/CFSP on the common position defined on the basis of Article J.2 of the Treaty on European Union concerning the imposition of an embargo on arms, munitions and military equipment on Sudan.

Adopted on 15 March. The Council decided to impose an embargo effective from 16 March on weapons designed to kill and ammunition for them, weapon platforms and platforms for non-weapon equipment, and ancillary equipment. The embargo also covered spare parts, repairs, maintenance and transfer of military technology. Contracts which took effect prior to 16 March were not covered.

OJ L 75, 17.3.1994

European Union statements and press statements on behalf of the presidency

1.3.9. The European Union statements and presidency press statements published in March are set out below.

Afghanistan

1.3.10. The following presidency press statement on behalf of the European Union was published in Brussels and Athens on 17 March:

□ **Reference:** Previous presidency press statement on the situation in Afghanistan: Bull. 1/2-1994, point 1.3.4

'The European Union welcomes the arrival in Kabul of the first convoy of six United Nations trucks and the distribution of food supplies among the suffering population in all areas of the capital. Those food supplies represent only a limited part of the assistance needed to alleviate the plight of several hundred thousand citizens exposed to starvation. The European Union expects that such deliveries will continue unhindered to all sections of the population in the future. In this connection, the EU values all efforts by neighbouring countries as essential in order to facilitate the purchase of goods and the transport of humanitarian assistance to Kabul and to other provinces of the country.'

The European Union expresses its full support for the efforts of the United Nations and other humanitarian agencies to relieve suffering in Afghanistan and urges all Afghan parties to take immediate unconditional steps for lifting the blockade of Kabul and to ensure free access of relief as well as rehabilitation supplies to Kabul City and to other parts of the country.

Recalling its statement of 7 February 1994, the European Union renews its appeal for an immediate cessation of hostilities in Afghanistan and for the beginning of peaceful negotiations.'

South Africa

1.3.11. The following presidency press statement on behalf of the European Union was published in Brussels and Athens on 2 March:

'The European Union welcomes the initiatives aimed at further consolidating the democratic foundations for the new South Africa as the country approaches its first democratic elections. It also welcomes initiatives aimed at accommodating the concerns of all the political parties including those which have yet to register for participation in the electoral process.'

The European Union is convinced that the only way to reflect their commitment to the process of democratic change in South Africa is for all parties to participate in the forthcoming elections. All South Africans must be allowed and encouraged to express their individual views on the country's future.

At the same time, the European Union strongly urges all parties to refrain from threatening violence and

from impeding the course of the elections, and from delaying a solution on the outstanding constitutional issues.

The European Union is firmly committed to assisting the transition to democracy, as reflected in the establishment of its election unit and deployment of several hundred election observers, so as to ensure fair and free elections, as well as in its announced intention to assist in the country's economic reconstruction and development after the elections.'

Burundi

1.3.12. The following European Union statement was published in Brussels and Athens on 25 March:

'The European Union notes that the situation is deteriorating in Bujumbura, where repeated confrontations between civilian militias and the forces of order are causing many victims, especially among the unarmed and innocent people of the two ethnic groups. The European Union condemns this violence, which, sustained by extremist elements among those in power and among the members of the opposition and the forces of order, is endangering the institutions of law and order in Burundi, so patiently and courageously set up by the democratic forces of the country.

The European Union appeals urgently to all members of Burundi society to end this violence and make every effort to achieve the necessary national reconciliation and the preservation of the safety of all Burundi's people under democratic law.'

North Korea

1.3.13. The following presidency press statement on the North Korean nuclear issue was published in Brussels and Athens on 31 March:

'The European Union expresses its deep concern that the Democratic People's Republic of Korea has failed to allow IAEA inspectors to complete inspection activities, agreed between the DPRK and the Agency on 15 February 1994, increasing thus the extent of its non-compliance with the provisions of the safeguards agreement under the DPRK's commitment to the NPT.

The European Union fully supports the IAEA Board of Governors' resolution of 21 March 1994, recalling in particular paragraph three, in which the Board of Governors strongly endorses and commends the patient and impartial efforts of the Director-General and the Secretariat to implement the safeguards agreement, and recalling paragraph six in which the Director-General of the IAEA is requested to transmit this resolution and his report to the Security Council in accordance with Article XII.C of the IAEA Statute.

The European Union considers nuclear proliferation a major threat to international peace and security and recalls its long-standing commitment to the aims of the Non-proliferation Treaty.

Therefore, we urge the DPRK immediately and fully to comply with the IAEA-DPRK safeguards agreement. We also urge the DPRK to enter into discussions with the Republic of Korea for the implementation of the Joint Declaration on the denuclearization of the Korean peninsula.

The European Union reiterates that prospects for a better relationship with the DPRK would be greatly enhanced if concerns over North Korea's nuclear intentions and activities could be alleviated.

The European Union calls upon the DPRK to display a responsible attitude and to refrain from its present position which constitutes a threat to peace, stability and security on the Korean peninsula and in the whole region.'

Baltic States

1.3.14. The following presidency press statement on behalf of the European Union concerning the withdrawal of Russian troops from the Baltic countries was published in Brussels and Athens on 18 March:

'The European Union welcomes the agreements initialled in Moscow on 15 March between Latvia and Russia on the withdrawal of Russian troops by 31 August 1994 and social guarantees for serving and retired Russian military personnel in Latvia, and the agreement on the arrangements for the Skrunda radar station.

The European Union considers the agreements, due to be signed in April by President Yeltsin and President Ulmanis, as an important step towards achieving the complete withdrawal of Russian troops from the Baltic States called for in the 1992 CSCE Helsinki Document, and towards the establishment of good, cooperative relations between Latvia and Russia.

In the same spirit, the European Union expects that Russia will complete its troop withdrawal from Estonia by 31 August 1994.'

1.3.15. The following presidency press statement on behalf of the European Union concerning the Skrunda radar station was published in Brussels and Athens on 3 March:

'The European Union welcomes the progress reported on the negotiations between Latvia and Russia on an agreement about the Skrunda radar station.

It views a transitional arrangement on Skrunda as facilitating final agreement concerning troop with-

drawal from Latvia. Such an arrangement is without prejudice to Latvia's sovereignty.

The European Union calls for the conclusion of an early agreement on Skrudna. Considerable flexibility and goodwill have been so far demonstrated during the negotiations, which hold promise for the future relationship between Latvia and Russia.

The European Union will continue to follow developments in this matter closely.'

1.3.16. The following presidency press statement on behalf of the European Union concerning the conclusion of a Treaty on friendship and cooperation between Lithuania and Poland was published in Brussels and Athens on 30 March:

'The European Union and its Member States welcome the completion of a Treaty on friendship and cooperation between the Republic of Lithuania and the Polish Republic. They view this Treaty as a substantial contribution towards enhanced stability in the entire region, in line with the European Union's endeavours to establish a stability pact in Europe.

They appreciate the successful efforts of both sides, while taking account of history, to look to the future and to open a new chapter in their bilateral relationship. Such a confidence-building measure will serve both countries well as they move down the path towards closer integration in European political and economic structures.'

Kazakhstan

1.3.17. The following presidency press statement on behalf of the European Union concerning Kazakhstan's accession to the Non-proliferation Treaty was published in Brussels and Athens on 9 March:

'The European Union welcomes the recent depositing in Washington by Kazakhstan of its instrument of accession to the Non-proliferation Treaty as a State not possessing nuclear weapons.

The European Union regards as a major priority the start of negotiations between Kazakhstan and the IAEA with a view to the rapid conclusion of an agreement on generalized guarantees.

The European Union would take this opportunity of repeating that it believes in universal accession to the NPT and full compliance with the commitments arising from the Lisbon Protocol.'

Liberia

1.3.18. The following presidency press statement on behalf of the European Union was published in Brussels and Athens on 22 March:

'The European Union welcomes the establishment, on 7 March, of the Council of State.

It expresses its strong wish to see the transitional government quickly established and functioning and looks forward to the implementation of other elements in the Cotonou Agreement.

The European Union welcomes such substantial progress on the road to peace and stability and underlines its strong wish that the disarmament and demobilization process be genuinely and timely carried out, paving the way to the electoral consultation aimed at founding the new democratic and peaceful Liberia which would enable the European Union to continue its support.'

Moldova

1.3.19. The following presidency press statement on behalf of the European Union concerning the elections in Moldova was published in Brussels and Athens on 24 March:

'The European Union welcomes the maturity shown by the Moldovan people in accomplishing their civic duty by participating in large numbers, despite some difficult conditions, as reported, in Transdnistria, in the parliamentary elections which took place in Moldova on 27 February.

The European Union expresses its satisfaction at the first Moldovan general elections held on the basis of a multiparty system having taken place by and large in accordance with democratic principles.

The European Union hopes that the outcome of the elections will enable the country to proceed with the process of political and economic reform and may promote the progress of negotiations on existing problems in the region within the context of the independence, sovereignty and territorial integrity of Moldova, and recalls its attachment to the active role of the CSCE in this process. It calls upon all political forces to work to that end.

The European Union looks forward to the continuation of the economic reform policies successfully pursued by the Moldovan Government, which has permitted agreement with the IMF on a stand-by arrangement, and expresses its willingness to continue its efforts to contribute to the success of these reforms, which are essential for the long-term prosperity of Moldova.'

Middle East

1.3.20. The following presidency press statement on behalf of the European Union was published in Brussels and Athens on 7 March:

'Whereas the recent tragic events in Hebron, which the European Union has already condemned, should not interrupt the peace process in the Middle East, the Council of the European Union:

- encourages the resumption of the peace process negotiations between all parties and appeals to the Security Council to adopt an appropriate resolution swiftly;
- while welcoming the measures recently adopted by the Israeli Government to ensure the safety of Palestinians, notes that Israel is responsible for the safety and protection of all inhabitants in the Occupied Territories;
- appeals to the parties to discuss the question of the safety of Palestinians, including the issue of certain settlements, and to agree on appropriate measures;
- supports the establishment in the Occupied Territories of an international presence in which the European Union declares its willingness to participate.'

Namibia

1.3.21. The following presidency press statement on behalf of the European Union was published in Brussels and Athens on 2 March:

'The European Union warmly congratulates the government and the people of the Republic of Namibia on the occasion of the reintegration of the enclave of Walvis Bay into Namibia, thereby achieving its territorial integrity through peaceful negotiation and dialogue. The international community has long supported the reintegration of Walvis Bay into Namibia and the European Union is delighted to witness this historic event.'

Poland

1.3.22. Presidency press statement on the conclusion of a Treaty on friendship and cooperation between Lithuania and Poland (→ point 1.3.16).

Somalia

1.3.23. The following presidency press statement on behalf of the European Union was published in Brussels and Athens on 4 March:

'The European Union has welcomed the adoption by the United Nations Security Council of Resolution 897 and reaffirms its full support for the work of the United Nations in furtherance of its revised mandate to encourage the process of political reconciliation, rehabilitation and reconstruction in Somalia which could otherwise be jeopardized.

The European Union continues to follow closely the situation in Somalia. Of particular concern is the increasing banditry and violence throughout the country which threatens the efforts of the organizations and personnel engaged in relief operations. The European Union supports the efforts made by the Somalis to reorganize the Somali police as an important element in restoring order.

The European Union believes that the Somali people bear the ultimate responsibility for setting up viable national political institutions. In this regard, the European Union welcomes the ongoing consultations and contacts among Somali clans and factions aimed at reaching a political settlement acceptable to all the parties concerned. Progress on political reconciliation is essential if the risk of renewed armed confrontation and further human suffering is to be avoided.

In addition, the European Union commends and supports the regional organizations and countries in their efforts to expedite dialogue and negotiations among Somali leaders on the future of their country.

The European Union is ready to contribute actively to the rehabilitation and reconstruction process in accordance with the Addis Ababa Declaration where prospects for reconciliation and security conditions make possible effective international assistance to economic and social recovery.'

Togo

1.3.24. The following presidency press statement on behalf of the European Union was published in Brussels and Athens on 23 March:

'The European Union notes with satisfaction the announcement of the results of the parliamentary elections in Togo, which strictly respects the votes cast and democratic rules.

The time has come for the people of Togo to commit themselves to national reconciliation and respect for the institutions, development and economic revival of their country.

The European Union expresses the wish that the next stages in the reinstatement of Togo's democratic institutions will take place peacefully and it calls on the principal participants to continue in this way with the meeting of the elected National Assembly and the establishment of a government representing the choice of the Togolese people.'

Turkey

1.3.25. The following presidency press statement on behalf of the European Union concerning human rights in Turkey was published in Brussels and Athens on 31 March:

'The European Union expresses its concern at the aggravation of the human rights situation in Turkey, including the lifting of the immunity of six deputies of the Turkish Democracy Party. It has repeatedly condemned terrorist acts in Turkey, but it believes that the fight against terrorism should be conducted within the law and with full respect for human rights. It further wishes to reiterate its appeal for a political solution of the problems in south-eastern Turkey.

The European Union wishes to underline that the right to express freely one's ideas and opinions is a fundamental freedom for all, and *a fortiori* for members of Parliament. It is enshrined in many international instruments, to which Turkey has subscribed. This right also forms the basis of the parliamentary immunity of elected representatives in democratic States.

The European Union calls on the Turkish Government to fulfil its earlier undertaking on constitutional reforms in the area of human rights.'

Enlargement

EFTA countries

1.3.26. Conferences on the accession of Austria, Sweden, Finland and Norway to the European Union.

- **Reference:** Ministerial conferences on the accession of Austria, Finland, Sweden and Norway to the European Union: Bull. 1/2-1994, points 1.3.21 to 1.3.24

Meetings held in Brussels from 25 February to 1 March, and on 8, 15 and 16, and 30 March. The negotiations with the four applicant countries were concluded following a compromise between the Member States of the European Union on the institutional questions outstanding (→ point 1.3.27). Once Parliament has given its assent, it will be possible to begin the procedures for ratification of the Treaties. Accession is due to take effect on 1 January 1995.

The applicant countries undertook to accept the entire *acquis communautaire*, including the Treaty on European Union, with no opt-outs, although technical adaptations were made or transitional periods granted in some areas in order to

accommodate certain specific problems. They agreed to participate fully in the common foreign and security policy, in cooperation on justice and home affairs, and in achieving economic and monetary union. As far as institutional matters were concerned, seats were allocated and the majority thresholds determined for decision-making within the various institutions, particularly the Council. An approach was adopted whereby the common agricultural policy was applied in combination with regional policy structural instruments. This means that the applicants will apply the common agricultural policy as from accession so as to avoid creating internal borders — even temporarily. As far as structural policies are concerned, they will be eligible for funds under various objectives, including a new objective to be set up to take account of the geographical, climatic and demographic factors peculiar to the sparsely populated regions of the Nordic countries. Budgetary measures were also adopted given the onset of certain agricultural expenditure and in view of the effort made by the applicant countries to adapt to the common agricultural policy.

For Austria, a compromise was reached on transit transport, with matters to be reviewed at the end of a three-year transitional period. Five-year transitional arrangements were also approved for second residences.

For Norway, agreement was reached on fisheries. This involved four main aspects: access to waters, access to resources, resource management north of the 62nd parallel and market access.

1.3.27. Council Decision on qualified-majority decision-making by the Council.

Adopted by the Council on 29 March. Following the agreement reached at the informal meeting of Ministers for Foreign Affairs held in Ioannina (Greece) on 26 and 27 March, the Council adopted a Decision, the text of which is contained in the third paragraph of the Declaration adopted by the Member States on 30 March (→ point 1.3.28), concerning qualified-majority decision-making should the European Union be enlarged to include Norway, Austria, Sweden and Finland.

OJ C 105, 13.4.1994

1.3.28. Declaration by the Member States and declaration by the four applicant countries.

On 30 March the representatives of the 12 Member States adopted the following Declaration at the end of the Intergovernmental Conferences concerning the accession of Norway, Austria, Sweden and Finland to the European Union:

'The 12 present Member States of the European Union agreed that if four new Member States join the Union, the threshold necessary for the qualified majority required by the Treaties will be fixed at 64 votes. They have also agreed that the question of the reform of the institutions, including the weighting of votes and the threshold for the qualified majority in the Council, will be examined at the Conference of representatives of the governments of the Member States which will be convened in 1996, in accordance with Article N(2) of the Treaty on European Union.

They have further agreed to invite the European Parliament, the Council and the Commission to draw up a report on the functioning of the Treaty on European Union. These reports will provide input for the work of a discussion group of representatives of the Ministers for Foreign Affairs, which shall be set up by the European Council in Corfu and start work in mid-1995. This Group will work in association with the European Parliament. It will, *inter alia*, prepare options based on the positions and arguments of all Member States on the weighting of votes and on the threshold for qualified majority decisions, taking into account future enlargement. These options should reconcile the need for efficient decision-making with further democratic development of the institutions.

They take note that the Council has decided that, if members of the Council representing a total of 23 to 26 votes indicate their intention to oppose the adoption by the Council of a decision by qualified majority, the Council will do all within its power to reach, within a reasonable time and without prejudicing the obligatory time-limits laid down by the Treaties and by secondary legislation, such as those in Articles 189b and 189c of the Treaty establishing the European Community, a satisfactory solution that can be adopted by at least 68 votes. During this period, and with full regard for the Rules of Procedure of the Council, the President, with the assistance of the Commission, will undertake any initiatives necessary to facilitate a wider basis of agreement in the Council. The members of the Council will lend him their assistance.

Lastly, they agree that the various elements of this Declaration will continue to apply until the entry into force of an amendment to the treaties, following the 1996 Conference.'

Norway, Austria, Sweden and Finland expressed their agreement on 30 March to the text of the Declaration by the twelve Member States and to the Council Decision on qualified-majority decision-making by the Council (→ point 1.3.27).

1.3.29. Statement by the Commission.

□ References:

Europe and the challenge of enlargement: Supplement 3/92 — Bull.
Lisbon European Council conclusions: Bull. 6-1992, point I.4

On 30 March the Commission published the following statement on the results of the Intergovernmental Conference on Enlargement:

'In its report to the Lisbon European Council on Europe and the challenge of enlargement the Commission warned against the institutional difficulties which might be caused by enlargement. It stated in particular that "non-members apply to join because the Community is attractive; the Community is attractive because it is seen to be effective; to proceed to enlargement in a way which reduces its effectiveness would be an error".

However, the European Council decided in Lisbon that this enlargement was possible on the basis of the institutional provisions contained in the Treaty on European Union and attached declarations.

It would have been proper at least for the Conference to have reiterated at the beginning of its statement the principles defined by the European Council at that time.

In order to avoid any unnecessary controversy when Parliament's assent is voted, or when enlargement is ratified at national level, it would be prudent to clearly define the status of the Conference declaration. It is a political declaration which commits, in good faith, the 12 Member States to act according to it.

The Commission notes that the Conference declaration (Article 1c) confirms that it can at any time call for a vote, in particular when it believes, on a case-by-case basis, that a reasonable time to find a wider majority than 64 votes, has elapsed.

The Commission finds support in the Council's rules of procedure, in particular Article 7, which is considered crucial.

It should be understood that these transitional arrangements, which are designed to accommodate two Member States, should not set a precedent which would influence the 1996 Intergovernmental Conference. It should be noted that an institutional framework will have to be found for a Union of more than 20 members. The majority voting rules will have to strengthen the Union's capacity to decide and to act.

Noting that these arrangements are valid only for a limited period, the Commission calls in this statement for the momentum of European construction and enlargement to be maintained in keeping with the wishes of previous European Councils and with a view to the 1996 Intergovernmental Conference.'

1.3.30. Parliament resolution on enlargement and neutrality.

Adopted by Parliament on 24 March. Parliament welcomed the fact that Austria, Finland, Sweden and Norway accepted the provisions concerning the common foreign and security policy and considered that enlargement would enhance the Union's capacity for international action. It thought that the accession of traditionally neutral countries which nevertheless made a very active contribution to the peace operations of non-partisan international organizations would give the European Union an opportunity to build up its own role by setting up civilian bodies and structures which could be called upon for conflict prevention, limitation, mediation and settlement and it emphasized the need for the European Union to be able to act as a peacekeeping and peacemaking force in accordance with the UN Charter.

Parliament also hoped that the four applicant countries would participate in EU peacekeeping or peace-making missions and in joint action even before their accession and as far as their constitutions allowed, and that they would revise their constitutions in order to make them compatible with the development of a common defence within the framework of the Union. It recommended that these countries participate actively and constructively in the framing of a common defence policy which might in time lead to a common defence. However, it was convinced that a common defence within the framework of the European Union must be purely defensive in nature and should include mutual assistance obligations modelled on the provisions of the WEU Treaty. Parliament therefore called on the applicant countries to examine the legal and political possibility of participating in the WEU's activities and hoped that all Member States of the European Union would become full members. On the other hand, it considered that there was no point in countries which could not also become full members of the European Union becoming full members of the WEU. In its opinion, the Conference on Security and Cooperation in Europe (CSCE) was the appropriate body to act as a regional system for the prevention and peaceful settlement of conflicts and it called on the Member States and the applicant countries to strengthen the structures and decision-making efficiency of the CSCE.

OJ C 114, 25.4.1994

European Economic Area (EEA), European Free Trade Association (EFTA)

European Economic Area

1.3.31. Draft Decision of the EEA Joint Committee amending Protocol 47 and certain Annexes to the EEA Agreement.

□ **Commission proposal:** Bull. 1/2-1994, point 1.3.30

Agreed by the Council (General Affairs) on 7 March.

Formally agreed by the Council with a view to a Decision by the EEA Joint Committee on 21 March. The purpose is to supplement the EEA Agreement by incorporating in it the *acquis communautaire* adopted between 1 August 1991 and 1 January 1994. This amounts to almost 400 instruments of Community legislation concerning, in particular, the internal market, the application of which will accordingly be extended to the EFTA countries which are signatories to the EEA Agreement.

Decision of the EEA Joint Committee on 21 March.

Central and Eastern Europe and the independent States of the former Soviet Union

Central and Eastern Europe

Assistance for Central and Eastern Europe

Technical assistance from the PHARE programme

□ **Reference:** Council Regulation (EEC) No 3906/89 on economic aid to certain countries of Central and Eastern Europe (PHARE pro-

gramme) (OJ L 375, 23.12.1989; Bull. 12-1989, point 2.2.25), as last amended by Regulation (EEC) No 1764/93: OJ L 162, 3.7.1993; Bull. 6-1993, point 1.3.13

1.3.32. 1994-95 PHARE indicative programme for Hungary.

Signed in Brussels on 29 March. In the interests of backing up the programme of reform on which Hungary has embarked, the indicative programme will focus on the following three priorities:

- developing the private sector, particularly in connection with banking reform, restructuring of companies, promotion of trade and investment, agricultural reform, SMEs and regional development;
- developing infrastructure, particularly in connection with transport, easing of border crossings, environmental protection and energy;
- developing human resources, chiefly by backing the Tempus programme and reform of the civil service.

1.3.33. Parliament resolution on exports of pesticides from the European Union to Albania under the PHARE programme.

Adopted by Parliament on 11 March. Parliament called on the Commission and all the bodies responsible for the implementation of the programme to act immediately to ensure withdrawal from the market of pesticides sent to Albania as humanitarian aid but considered toxic waste by virtue of having passed their use-by dates. It asked the Commission to provide a report on Phare aid (particularly aid for agriculture), to submit its plans for future aid and to say whether it had verified the need for the agrochemicals sent to Albania.

OJ C 91, 28.3.1994

Financial assistance

1.3.34. Meeting of the Group of Twenty Four (G24).

Meeting held in Brussels on 28 March. This meeting, which was chaired by Mr Christophersen, produced progress on the issues of macro-financial assistance for Albania and balance-of-payments assistance for Bulgaria and Romania. Mr Christophersen reported on the Commis-

sion's proposals for further financial assistance for those countries (→ points 1.3.35 and 1.3.36). With regard to Bulgaria, the G24 welcomed the introduction of the political and economic reform considered necessary by the IMF and the decision of some of the donors to provide an additional USD 260 million of financial assistance for the country's 1994/95 macroeconomic programme. The G24 noted Romania's progress in implementing necessary political reform. Some of the members of the Group said that they would examine the possibility of supplying additional financial assistance for the country. Also welcomed was the progress made by Albania under its ESAF (enhanced structural adjustment facility) arrangement and its determination to continue the macroeconomic reform which was under way. Some of the EFTA countries expressed their intention to provide additional financial assistance for Albania.

1.3.35. Proposal for a Council Decision providing further macro-financial assistance for Albania.

- **Reference:** Council Decision 92/482/EEC providing long-term financial assistance for Albania: OJ L 287, 2.10.1992; Bull. 9-1992, point 1.3.7

Adopted by the Commission on 29 March. The Commission proposal was for a grant totalling ECU 35 million to support Albania's balance of payments and bolster its reserves. The assistance is intended to make a substantial contribution to the country's adjustment efforts and ongoing political and economic reform and to cover approximately half of its outside financial obligations during 1994, the first year of its national stabilization and reform programme.

The grant is part of the G24's assistance for the reforms under way in Central and Eastern Europe. It will be paid in two ECU 17.5-million instalments, each subject to observance of the criteria attached to the July 1993 ESAF arrangement between the Albanian government and the IMF.

OJ C 112, 22.4.1994; COM(94) 112

1.3.36. Proposals for Council Decisions on further financial assistance for Bulgaria and Romania.

□ **References:**

Council Decision 91/384/EEC providing medium-term financial assistance for Romania: OJ L 208, 30.7.1991; Bull. 7/8-1991, point 1.3.18
Council Decision 92/511/EEC providing further medium-term financial assistance for Bulgaria: OJ L 317, 31.10.1992; Bull. 10-1992, point 1.4.14

Council agreement to financial assistance for Bulgaria given on 21 March.

Commission agreement to further financial assistance for Bulgaria and Romania given on 29 March.

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Relations with the associated countries of Central and Eastern Europe

1.3.37. Council conclusions on reinforcement of the political dialogue with Central and Eastern European countries which have concluded a Europe (association) Agreement.

□ **Reference:** Conclusions of the Copenhagen European Council: Bull. 6-1993, point I.26

Adopted by the Council on 7 March. The Council concurred with the need expressed at the Copenhagen European Council for greater dialogue regarding the common foreign and security policy with the six associated countries of Central and Eastern Europe (Bulgaria, Hungary, Poland, Slovakia, the Czech Republic and Romania). To that end, it agreed to make provision for:

- a yearly meeting between the Presidents of the European Council and the Commission and the Heads of State or Government of the six countries;
- briefings for the ambassadors of the countries in question from the presidency of the Union following each European Council;
- special Council meetings during each presidency to discuss matters connected with the common foreign and security policy, and issues of common interest agreed in advance, with the foreign ministers of the six countries. Such meetings should seek to reach joint operational conclusions, taking into account those countries' particular concerns. The opportunity would be left open for the presidency to organize troika meetings of foreign ministers;
- political directors' meetings (in the form of sittings of the Political Committee) during each

presidency, preferably in advance of the regular European Council meetings. In this case too, troika meetings could be organized by the presidency to discuss individual urgent matters;

□ meetings of experts on both sides during each presidency, particularly in the form of working parties on security, terrorism and human rights; again, these meetings could follow the troika pattern;

□ the opportunity in certain cases for the six countries to associate themselves jointly with European Union statements on individual matters;

□ the opportunity in certain cases for the associated countries jointly to back *démarches* by the Community troika;

□ the opportunity in certain cases for collective involvement of the associated countries in joint action by the European Union;

□ greater cooperation between the European Union and the associated countries within international organizations and in the run-up to and the course of international conferences. Where necessary, the countries in question would be invited to coordinate their positions with the position of the European Union;

□ the appointment by the associated countries of shadow European correspondents in order to facilitate coordination with the European Union;

□ the promotion of regular contacts between the European Union's missions to non-member countries and international organizations and conferences and the missions of the associated countries;

□ investigation by the European Union of the prospects for increasing cooperation between the diplomatic services of the Member States, the Commission and the associated countries.

The Council noted that in certain cases cooperation would require a single representative to be appointed for the associated countries as a whole. It took the view that the meetings described should focus on specific matters.

Bilateral relations

Hungary

□ **References:**

Conclusions of the Copenhagen European Council: Bull. 6-1993, point I.26

Europe (Association) Agreement between the European Communities and their Member States, of the one part, and Hungary, of the other part: OJ L 348, 31.12.1993; Bull. 12-1993, point 1.3.20

Council Decision 93/728/CFSP concerning the joint action adopted by the Council on the basis of Article J.3 of the Treaty on European Union on the inaugural conference on the stability pact: OJ L 339, 31.12.1993; Bull. 12-1993, point 1.4.9

Council conclusions on reinforcement of the political dialogue with Central and Eastern European countries which have concluded a Europe (Association) Agreement: point 1.3.37 of this Bulletin

1.3.38. Council Decision on a Community position in relation to the rules of procedure of the Association Council established by the Europe Agreement between the European Communities and Hungary and in relation to the delegation of powers of the said Association Council to the Association Committee.

Recommendation for a Decision adopted by the Commission on 4 March.

Adopted by the Council on 7 March. The decision sets out the position of the Council (acting on behalf of the Community) in preparation for the adoption at the Association Council's first meeting of its own rules of procedure and the rules of procedure of the Association Committee, as well as the Council position on the delegation of powers by the Association Council to the Association Committee.

1.3.39. EC-Hungary Association Council.

First meeting held in Brussels on 7 March. The meeting was chaired by Mr Theodoros Pangalos, Greece's Deputy Foreign Minister and President of the Council. The Commission was represented by Mr Van den Broek and Sir Leon Brittan, and Hungary by Mr Géza Jeszenszky, the Foreign Minister, and Mr Juhasz, State Secretary for International Economic Relations.

The participants welcomed the holding of this first meeting, which signalled the advent of a new phase in relations and constituted a practical step towards the translation into action of the Agreement's aims, one of which is eventual membership of the European Union for Hungary.

The parties agreed to maintain bilateral political dialogue and welcomed the establishment at the

Copenhagen European Council of a multilateral framework for improving this channel of communication, as was the Council's wish.

With regard to economic matters, the participants pointed out the increasing bias of trade in Hungary's favour, in line with the Copenhagen European Council's conclusions on improving access to the Community market for Hungarian exports. The importance of trade in agricultural products was emphasized. The Community reaffirmed its intention to continue to provide Hungary with assistance in customs matters. There was extensive discussion of the approximation of legislation, against the background of the importance of establishing a legal framework to ensure fair trade and competition along non-discriminatory lines as an essential condition of the process of accession. Also dealt with were the environment, infrastructure and trans-European transport networks, and the financial assistance provided by the Community under the PHARE programme and that provided by the European Investment Bank.

With regard to political matters, the participants discussed the situation in former Yugoslavia and the Stability Pact initiative.

1.3.40. Mr Delors visited Budapest on 3 March.

Mr Delors' hosts included Mr Péter Boross, the Prime Minister, with whom he discussed bilateral relations between the European Union and Hungary. Mr Boross emphasized the enormous effort which Hungary had already put into reforming its economy. He said that the country wished to apply soon to join the Union, although it understood the need for a four-year lead-up to accession. Mr Delors expressed the view that the vital short-term goal was to implement the Europe Agreement, and that this would require an approximation programme driven mainly by greater political dialogue.

Poland

□ References:

Conclusions of the Copenhagen European Council: Bull. 6-1993, point I.26

Europe (Association) Agreement between the European Communities and their Member States, of the one part, and Poland, of the other part: OJ L 348, 31.12.1993; Bull. 12-1993, point 1.3.20

Council Decision 93/728/CFSP concerning the joint action adopted by the Council on the basis

of Article J.3 of the Treaty on European Union on the inaugural conference on the stability pact: OJ L 339, 31.12.1993; Bull. 12-1993, point 1.4.9 Council conclusions on reinforcement of the political dialogue with Central and Eastern European countries which have concluded a Europe (Association) Agreement: point 1.3.37 of this Bulletin

1.3.41. Council Decision on a Community position in relation to the rules of procedure of the Association Council established by the Europe Agreement between the European Communities and Poland and in relation to the delegation of powers of the said Association Council to the Association Committee.

Recommendation for a Decision adopted by the Commission on 4 March.

Adopted by the Council on 7 March. The Decision sets out the position of the Council (acting on behalf of the Community) in preparation for the adoption at the Association Council's first meeting of its own rules of procedure and the rules of procedure of the Association Committee, as well as the Council position on the delegation of powers by the Association Council to the Association Committee.

1.3.42. EC-Poland Association Council.

First meeting held in Brussels on 7 March. The meeting was chaired by Mr Theodoros Pangalos, Greece's Deputy Foreign Minister and President of the Council. The Commission was represented by Mr Van den Broek and Sir Leon Brittan, and Poland by Mr Andrzej Olechowski, the Foreign Minister.

The participants welcomed the holding of this first meeting, which, as was the case with Hungary, signalled the advent of a new phase in relations and constituted a practical step towards the translation into action of the Agreement's aims, one of which is eventual membership of the European Union for Poland.

With regard to economic matters, the participants noted the substantial increase in bilateral trade, although Poland continued to run a deficit. They acknowledged, however, that the decisions taken at the Copenhagen European Council had improved access to the Community market for Polish goods. The importance of trade in agricultural products was emphasized. The Community reaffirmed its intention to continue to pro-

vide Poland with assistance in customs matters. There was extensive discussion of the approximation of legislation, against the background of the importance of establishing a legal framework to ensure fair trade and competition along non-discriminatory lines as an essential condition of the process of accession. Also dealt with were the environment, infrastructure and trans-European transport networks, and the financial assistance provided by the Community under the PHARE programme and that provided by the European Investment Bank.

With regard to political matters, the participants discussed the preparation for a conference to launch the Stability Pact for Europe.

Czech Republic

1.3.43. Mr Vaclav Klaus, the Prime Minister, visited the Commission on 10 March.

□ **Reference:** draft Europe Agreement between the Community and its Member States, of the one part, and the Czech Republic, of the other part: Bull. 10-1993, point 1.3.14

Mr Klaus met Mr Delors for talks which covered bilateral relations between the Czech Republic and the European Union. Mr Klaus emphasized his country's wish to join the Union, and he and Mr Delors discussed the manner in which the groundwork for accession could be laid. Mr Klaus also called for closer political and economic cooperation.

Independent States of the former Soviet Union

Assistance for the independent States of the former Soviet Union

Technical assistance under the TACIS programme

□ **Basic Regulation:** Council Regulation (Euratom, EEC) No 2053/93 on the provision of technical assistance to economic reform and recovery in the independent States of the former Soviet Union and Mongolia (TACIS programme): OJ L 187, 29.7.1993; Bull. 7/8-1993, point 1.3.15

1.3.44. Commission Decision approving a TACIS multidisciplinary technical assistance programme for 1994.

Adopted by the Commission on 3 March. The Decision allocates ECU 10 million to the 1994 multidisciplinary technical assistance programme in order to finance preparation and co-ordination for the various fields of the TACIS programme. The allocation will be used primarily for fact-finding missions and feasibility studies, preparation for implementation of multiannual action programmes, urgent training needs, project evaluation and administration and evaluation of TACIS submissions and monitoring.

1.3.45. Commission Decision approving an overall programme of multidisciplinary technical assistance for the independent States of the former Soviet Union and Mongolia (cooperation with the European Bank for Reconstruction and Development).

Adopted by the Commission on 30 March. As part of an overall programme, the Decision provides ECU 5 million as the 1994 allocation for a multidisciplinary technical assistance fund. The programme seeks to increase cooperation between the Commission and the European Bank for Reconstruction and Development (EBRD) by financing technical, market, feasibility and fact-finding studies, use of the services of experts, exchanges of know-how, training operations and work relating to implementation of the programme.

1.3.46. Commission Decision approving 1993-94 technical assistance action programmes for Azerbaijan, Georgia, Turkmenistan and Uzbekistan.

Adopted by the Commission on 30 March. The Decision allocates a total of ECU 39 million to some of the independent States of the former Soviet Union for the implementation of their 1993-94 action programmes. In more specific terms, the breakdown of the allocation is as follows: ECU 8 million to Azerbaijan to finance operations in the fields of energy, development and restructuring of enterprises and human resources; ECU 8 million to Georgia to finance operations relating to the development and restructuring of enterprises, development of human resources and food production, processing and distribution; ECU 8 million to Turkmenistan to finance operations relating to the development and restructuring of enterprises, development of human resources and food production, processing and distribution, and ECU 15 million to

Uzbekistan to finance operations relating to the development and restructuring of enterprises, development of human resources and food production, processing and distribution

Financial assistance

1.3.47. Decision granting an additional loan to Kazakhstan under Council Decision 91/658/EEC.

□ **Reference:** Council Decision 91/658/EEC granting a medium-term loan to the Soviet Union and its constituent republics: OJ L 362, 31.12.1991; Bull. 12-1991, point 1.3.6

Adopted by the Commission on 1 March. The Commission reapportioned the ECU 1 250 million granted as a loan to the Soviet Union and its constituent republics, reallocating to Kazakhstan ECU 30 million which had remained unused by Uzbekistan. The additional loan would be used to import medical supplies.

1.3.48. Proposal for a Council Decision providing macro-financial assistance for Moldova.

Adopted by the Commission on 29 March. Moldova will be granted a loan totalling ECU 45 million for a maximum of 15 years to help its balance of payments and bolster its reserves. The assistance will back up that provided by the International Monetary Fund, the World Bank and a number of bilateral donors to support Moldova's 1994 stabilization and structural adjustment programme.

The loan will be paid in two instalments, each subject to observance of the criteria attached to the Moldovan Government's stand-by arrangement with the IMF.

OJ C 111, 21.4.1994; COM(94)110

Bilateral relations

Independent States of the former Soviet Union apart from the Russian Federation and Ukraine

1.3.49. Council guidelines for a case-by-case approach to the establishment of contractual relations with the countries of the Commonwealth of Independent States (other than the Russian Federation and Ukraine).

□ **Reference:** Draft partnership and cooperation agreements between the European Community and the independent States of the former Soviet Union: Bull. 10-1992, point 1.4.19

Adopted by the Council on 7 March. The Council called for a flexible and evolutionary approach to the establishment of contractual relations with the countries of the Commonwealth of Independent States (other than Russia and Ukraine) with which partnership and cooperation agreements were in the process of negotiation, in order to take account of a constantly changing economic and political situation. It was emphasized that the agreements and the domestic and foreign policies of the countries in question would be governed by respect for democratic principles, human rights and the tenets of the market economy, and that those principles would be considered an essential component of the agreements themselves.

The Council took the view that partnership and cooperation agreements could be negotiated with Belarus and Moldova, possibly on the basis of the negotiating directives for the agreement with Ukraine (→ point 1.3.51), which included provision for a future developments clause seeking ultimately to establish a free-trade area.

The Council intended to continue negotiations for partnership and cooperation agreements with Kazakhstan and Kyrgyzstan, using the original negotiating directives as a basis and placing special emphasis on provisions to encourage investment.

It considered that 'first generation' trade and cooperation agreements could be negotiated with Turkmenistan and Uzbekistan. They would include provisions to encourage investment and possibly a future developments clause paving the way for a transition to a partnership and cooperation agreement when the appropriate conditions were met. The Council observed that Tadjikistan's instability did not for the moment make it possible to establish institutionalized cooperation.

The Council considered that the Commission could begin exploratory talks for an agreement with Georgia. The shape of the agreement would have to be determined by the outcome of the talks themselves. It also expressed the view that the situation in Armenia and Azerbaijan currently prevented a contractual basis for cooper-

ation from being established properly. It urged, however, that the European Union confirm its intention to begin negotiating agreements once the situation showed signs of improving, pointing out that the ultimate objective remained to conclude partnership and cooperation agreements with the three republics of the Caucasus on the basis of the original negotiating directives.

Moldova

1.3.50. Mr Mircea Snegur, Moldova's President, visited the Commission on 16 March.

Mr Snegur met Sir Leon Brittan for talks which covered the situation in Moldova and developments in bilateral relations. Mr Snegur stressed that for the sake of its economic development Moldova had to achieve full integration within Europe. In this connection, he expressed the country's wish for a rapid start to negotiations with the European Union for a bilateral partnership and cooperation agreement. Sir Leon, meanwhile, welcomed the steps which Moldova had taken as part of its process of economic reform. The pace of that reform could be increased by the opening of negotiations for an agreement.

Ukraine

1.3.51. Draft partnership and cooperation agreement between the European Community and Ukraine.

- **Commission recommendation:** Bull. 7/8-1992, point 1.4.3
- **Negotiating directives:** Bull.10-1992, point 1.4.19
- **Proposal for a Council Decision amending the negotiating directives:** Bull. 1/2-1994, point 1.3.52

Decision amending the negotiating directives adopted by the Council on 7 March.

Agreement initialled in Brussels on 23 March. The partnership and cooperation agreement was initialled by Mr Anatoly Zlenko, Ukraine's Foreign Minister, and by Mr Van den Broek and Sir Leon Brittan. This event marked the beginning of an important new phase in relations with the new independent states of the former Soviet Union, as it made Ukraine the first of those

States to have completed negotiations for an agreement of that type. The agreement will make it possible to institutionalize and step up bilateral cooperation in many areas, and covers the following in particular: political dialogue, trade in goods, promotion of business and investment, cross-border trade in services, financial services, competition, protection of intellectual property and economic cooperation.

1.3.52. The Community troika and Mr Van den Broek visited Kiev on 10 March.

The Troika of Community ministers, composed of Mr Theodoros Pangalos, Greece's Deputy Foreign Minister and President of the Council, Mr Willy Claes, Belgium's Foreign Minister and Mr Helmut Schäfer, German Minister of State for Foreign Affairs, accompanied by Mr Van den Broek, met Mr Leonid Kravchuk, Ukraine's President, Mr Anatoly Zlenko, the Foreign Minister and Mr Slepichev, Minister for External Economic Relations. Discussions took place on a large number of political, economic and security issues, with particular emphasis on the situation in Ukraine and the elections of 27 March. Talks also covered the partnership and cooperation agreement (→ point 1.3.51).

Mediterranean and Middle East

Northern Mediterranean

Bosnia-Herzegovina

1.3.53. Parliament resolution on the situation in Bosnia-Herzegovina.

Adopted by Parliament on 10 March. Parliament called on the European Union and its Member States to do all in their power to make the Security Council's resolutions effective, to send troop reinforcements to monitor the ceasefire and to accept, support and give proper recognition to deserters and those who have refused to fight in former Yugoslavia, while condemning

all cooperation aimed at sending such persons back to their country of origin. Parliament also called on the Commission and the Council to make available the budget funds needed to support democracy and insisted that these funds should not be used to offset the damage caused by the embargo. Parliament also called for every effort to be made to guarantee supplies of humanitarian aid and to ensure that the Serb militia stop their attacks on population centres, while expressing the hope that the agreement between Croats and the Bosnian government would be extended to the Bosnian Serbs in order to preserve a multi-ethnic society in Bosnia-Herzegovina.

OJ C 91, 28.3.1994

Cyprus

1.3.54. Visit by Mr Van den Broek on 24 and 25 March.

Mr Van den Broek saw President Clerides and the Foreign Minister, Mr Michaelides. Their talks focused on the negotiations conducted under the auspices of the United Nations with a view to restoring trust between the two Cypriot communities. They also discussed ways of deepening and broadening cooperation between the European Union and Cyprus.

1.3.55. Draft fourth financial Protocol between the European Community and Cyprus.

□ **References:**

Council Regulation (EEC) No 1246/73 concluding the Agreement establishing an Association between the European Community and the Republic of Cyprus: OJ L 133, 21.5.1973, as last amended by Regulation (EEC) No 4165/87: OJ L 397, 31.12.1987

Protocol concerning the implementation of the second stage of the Agreement establishing an Association between the Community and Cyprus: OJ L 393, 31.12.1987; Bull. 12-1987, point 2.2.24

Third Protocol on financial and technical cooperation between the Community and Cyprus: OJ L 82, 29.3.1990; Bull. 1/2-1990, point 1.2.35

Adopted by the Commission on 29 March. Its purpose is to continue financial cooperation with Cyprus in accordance with the Association Agreement in order to contribute to the island's economic and social development and to integrating its economy with the European economy.

Malta

1.3.56. Draft fourth financial Protocol between the European Community and Malta.

- **Reference:** Third Protocol concerning financial and technical cooperation between the Community and Malta: OJ L 180, 27.6.1989; Bull. 6-1989, point 2.2.21

Adopted by the Commission on 29 March. Its purpose is to enable Malta to benefit from a new financial Protocol that will include grants for technical assistance and economic cooperation, to support economic transition and help the island prepare itself for the adoption of the *acquis communautaire*.

1.3.57. Visit by Mr Van den Broek on 29 March.

- **References:**
Council conclusions on the Commission opinions on the applications for membership by Cyprus and Malta: Bull. 7/8-1993, point 1.3.2
Draft fourth financial Protocol between the Community and Malta: point 1.3.56 of this Bulletin

Mr Van den Broek saw President Tabone, the Prime Minister Mr Fenech Adami, Mr De Marco, Foreign Minister, and Mr Dalli, Minister of Finance. Their talks focused mainly on the question of Malta's future accession to the European Union and the negotiation of the fourth financial Protocol between the Community and Malta. The Maltese Government hoped that the accession negotiations would commence before the elections scheduled for 1997, or at least that the Union would make a commitment before then.

Former Yugoslav Republic of Macedonia

1.3.58. Parliament resolution on the Former Yugoslav Republic of Macedonia.

Adopted by Parliament on 10 March. Parliament regretted the restrictive trade measures taken by Greece against the FYROM and called on the Greek Government to review its decision. Parliament also called on the Greek and FYROM Governments to resume their negotiations under the auspices of the United Nations, or the European Union if they so wished. Parliament considered that the modification of the FYROM flag and the amendment of certain articles of its constitution could improve the climate, and,

reaffirming its attachment to the principle of the inviolability of borders, welcomed the Commission's efforts to contribute to a solution of the conflict between Greece and the FYROM.

OJ C 91, 28.3.1994

Slovenia

1.3.59. Visit to the Commission by Mr Drnovsek, Prime Minister, and Mr Peterle, Foreign Minister, on 29 March.

The Slovenian delegation met Mr Delors, with whom they discussed their country's economic reform policies and the possibility of negotiating an Association, or Europe Agreement. Their talks also addressed the situation in Bosnia-Herzegovina.

Maghreb

Libya

1.3.60. Proposal for a Council Regulation preventing the supply of certain goods and services to Libya and restricting the use of funds or other financial resources owned or controlled by Libya.

- **Regulation to be repealed:** Council Regulation (EC) No 3274/93 preventing the supply of certain goods and services to Libya: OJ L 295, 30.11.1993; Bull. 11-1993, point 1.3.24

Adopted by the Commission on 25 March. The proposal incorporates the provisions of Regulation (EC) No 3274/93 and extends the embargo to prevent the Libyan Government or companies or individuals under its control from disposing of funds or financial resources, and to prevent other parties from providing it or them with funds or financial resources. Exceptions are made for the cases specifically mentioned by the United Nations Security Council, and for any prohibitions that would have counter-productive consequences, for example in respect of trade in sectors not affected by the embargo.

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Financial and technical cooperation

Occupied Territories

1.3.61. Proposal for a Council Regulation on financial and technical cooperation with the Occupied Territories and amending Council

Regulation (EEC) No 1763/92 concerning financial cooperation in respect of all Mediterranean non-member countries.

- **Commission proposal:** OJ C 24, 28.1.1994; COM(93) 719; Bull. 1/2-1994, point 1.3.63
- **Parliament opinion (first reading):** OJ C 61, 28.2.1994; Bull. 1/2-1994, point 1.3.63

Common position adopted by the Council on 4 March. The purpose is to lay down the administrative rules and procedures governing aid to the Occupied Territories from the Community budget and EIB loans, and to include the Occupied Territories in the Community's horizontal Mediterranean policy.

Former Yugoslav Republic of Macedonia

1.3.62. Financing decision.

- **Reference:** Council Regulation (EEC) No 3906/89 on economic aid for certain countries of Central and Eastern Europe (PHARE programme): OJ L 375, 23.12.1989; Bull. 12-1989, point 2.2.25, as last amended by Council Regulation (EEC) No 1764/93: OJ L 162, 3.7.1993; Bull. 6-1993, point 1.3.13

Adopted by the Commission on 15 March. The purpose is to allocate a grant of ECU 2 million under the PHARE programme to help with a census of the population of the Former Yugoslav Republic of Macedonia.

Support for the peace process

- **Reference:** Peace Agreement between Israel and the PLO: Bull. 9-1993, point 1.3.19

1.3.63. Visit by Mr Van den Broek and Mr Papoulias, Greek Foreign Minister, to Israel, Egypt and Syria, from 3 to 6 March.

Mr Van den Broek and Mr Papoulias met Israeli Prime Minister Rabin and Foreign Minister Peres, who were in favour of an unarmed international presence in Gaza and Jericho, as provided for in the Israel-Palestine Agreement of September 1993.

In East Jerusalem, a Palestinian delegation headed by Mr Faisal Husseini told Mr Van den Broek and Mr Papoulias that the Palestinians had lost confidence in the peace process; they stressed the need for an Israeli undertaking to

protect the population of Gaza and the West Bank, and requested the presence of an armed international force.

In Egypt, the Union team met President Mubarak, and Mr Mussa, the Foreign Minister, who said that negotiations between the Israelis and the Palestinians should resume quickly.

In Syria, President Assad and Mr al-Shara', the Foreign Minister, confirmed to the Union team that Syria's main priority was Israeli withdrawal from the Golan Heights, while expressing concern for the security of the Palestinian population in the Occupied Territories.

1.3.64. Parliament resolution on the Middle East peace process.

Adopted by Parliament on 10 March. Reaffirming its support for the current peace process, Parliament emphasized the need for prompt application of the Declaration of Principle concluded between Israel and the PLO on 13 September 1993. Parliament reiterated its condemnation of all forms of extremism, and called for stringent measures to be taken against all those who jeopardized the peace negotiations by their acts of violence. Parliament welcomed the measures taken by the Israeli Government to prevent such acts, but recognized that further steps would have to be taken, including the dismantling of certain Israeli settlements in the Occupied Territories, if the climate of trust required to bring the peace negotiations to a successful conclusion were to be restored. Parliament felt that the questions of Jewish settlements and an international presence in the Occupied Territories should be placed on the agenda for the negotiations, and called on the Council and the Commission to offer their good offices to further the negotiation process and to help launch international monitoring measures to ensure security and respect for human rights in the Occupied Territories.

OJ C 91, 28.3.1994

United States, Japan and other industrialized countries

United States

1.3.65. Parliament resolution on relations between the European Union and the United States of America.

- **Reference:** Joint declaration on relations between the Community and the United States of America: Bull. 11-1990, point 1.5.3

Adopted by Parliament on 24 March. Parliament expressed the wish that in order to underscore the depth and permanence of relations between the two sides the joint declaration of 22 November 1990 become a transatlantic treaty encompassing the political, economic and security fields. It welcomed the United States' readiness to maintain substantial numbers of troops in Europe and advocated a partnership for peace between the Atlantic Alliance and the countries of Central and Eastern Europe and the former Soviet Union, calling for continued efforts to promote arms control and disarmament and to prevent the proliferation of weapons of mass destruction and their delivery systems. It asked the European Union, its Member States and the United States to coordinate their aid to Russia and the countries of Central and Eastern Europe and to adopt common priority action programmes to assist them. Parliament also noted that progress was still necessary in multilateral trade negotiations and called on the Council to create a trilateral dialogue between the Union, the US and Japan. It also commented on international political and environmental issues and called for the development of cultural links between the European Union and the US.

OJ C 114, 25.4.1994

1.3.66. Council conclusions on preparations for the Marrakech ministerial conference (→ point 1.3.76).

Other industrialized countries

South Africa

1.3.67. Visit to the Commission by members of the South African Transitional Executive Council on 22 March.

The delegation, led by Mr Pahad, Chairman of the Foreign Affairs Subgroup of the Transitional Executive Council, saw Mr Marín, Mr Van den Broek and Sir Leon Brittan. Talks focused on the political situation in South Africa, the forthcoming elections there and future relations with the European Union. Discussions on this last point centred on trade, development, economic cooperation and political dialogue.

Asia

Bilateral relations

China

1.3.68. Visit to Beijing by Sir Leon Brittan, from 26 February to 1 March.

- **Reference:** EC-China Joint Committee: Bull. 1/2-1994, point 1.3.72

On the occasion of the EC-China Joint Committee meeting of 28 February, chaired jointly by Sir Leon Brittan and Mrs Wu Yi, Minister for Foreign Trade and Economic Cooperation, Sir Leon had bilateral talks with his Chinese counterpart, and also met Mr Li Lanqing, Deputy Prime Minister, and Mr Jiang Enzhu, Deputy Foreign Minister. The discussions focused on the economic reform process in China and the desire of both sides to develop bilateral trade and investment. In that connection, Sir Leon raised the question of market access, stressing that there was much still to be done in a number of sectors. The two sides agreed to hold sectoral meetings in the fields of agriculture, financial services and intellectual property, and to set up a working group on the environment. They also assessed the progress made in several areas of cooperation, particularly in the industrial, environmental and training sectors. The Chinese authorities expressed their worries with regard to Community quantitative restrictions, while Sir Leon raised the issues of human rights, the importance attached by the Union to non-discrimination and the question of China's accession to GATT.

Laos

1.3.69. Mr Lengsavath, the Laotian Foreign Minister, visited the Commission on 1 March.

Mr Lengsavath saw Mr Marín, to whom he described the significant economic progress made by Laos over the last two years, stressing his country's desire to play an active part in the regional cooperation and integration process and to strengthen its ties with the European Union, in the light of which he called for the negotiation of a bilateral economic and trade cooperation

agreement. Mr Marín confirmed the Union's readiness to play a practical part in Laos's transition to a market economy, while retaining certain development measures designed to secure self-sufficiency in food for the rural population. He also said that the Union would consider whether the political, economic and trade conditions were favourable to the negotiation of an agreement. During the visit, the two sides signed a financing agreement for ECU 8 million for an integrated rural development project in Luang Nam Tha province.

Cooperation with Asia

1.3.70. Project financing.

- **Basic Regulation:** Council Regulation (EEC) No 443/92 on financial and technical assistance to, and economic cooperation with, the developing countries in Asia and Latin America: OJ L 52, 27.2.1992; Bull. 1/2-1992, point 1.4.40

Commission financing decisions to provide assistance to the following projects (see Table 4).

Table 4 — *Cooperation with Asia*

<i>(million ECU)</i>		
Country	Purpose	Amount (grant)
Bangladesh	Technical and administrative support	0.990
Thailand	European Community Business Information Centre (ECBIC)	2.204

Aid for refugees and displaced persons

1.3.71. Commission decision to allocate ECU 260 000 to Thailand to finance a medical assistance project for Karen refugees (Burma).

Proposed framework Cooperation Agreement between the European Community and the countries party to the General Treaty on Central American Economic Integration (Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua) and Panama: Bull. 7/8-1993, point 1.3.49

- **Previous meeting:** Bull. 1/2-1993, point 1.3.40

Tenth meeting, held in Athens on 28 and 29 March. The Conference was part of a continuing dialogue begun in San José in 1984. It was attended by the French Minister for European Affairs, the Foreign Ministers of the other 11 Member States of the European Union and Central America (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama), those of the cooperating countries of Colombia, Mexico and Venezuela, and Mr Marín. The Conference concluded with the adoption of a political and economic communiqué outlining the positive results of 10 years of cooperation and intense dialogue between the two regions, with cooperation now entering a new phase. During the meeting, which provided an opportunity to establish guidelines for future cooperation between the European Union and Central America, discussions focused on democratization and human rights, cooperation and trade matters.

Latin America

Relations with regional bodies

1.3.72. Ministerial Conference on political dialogue and economic cooperation between the European Union, the countries of Central America and Colombia, Mexico and Venezuela (San José X).

□ **References:**

Council Regulation (EEC) No 3900/91 suspending Common Customs Tariff duties for products covered by Regulation (EEC) No 3833/90 and originating in Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama: OJ L 368, 31.12.1991; Bull. 12-1991, point 1.3.42

While acknowledging the progress made on peace, the consolidation of democracy and the promotion of human rights in Central America, the two sides stressed the need for other initiatives, such as anti-corruption measures, moves to improve the effectiveness of the public services and to step up contacts between the authorities and civil society. Financial resources would primarily be allocated to strengthening the rule of law and civil society, supporting the electoral process and post-election measures and backing regional or local initiatives to promote human rights.

The ministers recognized the need to incorporate future cooperation projects into a medium and long-term strategy in order to give them greater impact and consistency. The parties would therefore identify the priority areas for Central America's economic and social development in a multiannual planning context. A central plank of this new approach would be the new Cooperation Agreement signed in 1993.

On the trade front, Central America asked for an extension of the special tariff concessions granted by the Community in 1991 under the generalized preferences system and which were due to expire at the end of the year. The two sides decided to hold bilateral consultations to discuss trade issues.

Cooperation with Latin America

1.3.73. Project financing.

- **Basic Regulation:** Council Regulation (EEC) No 443/92 on financial and technical assistance to, and economic cooperation with, the developing countries in Asia and Latin America: OJ L 52, 27.2.1992; Bull. 1/2-1992, point 1.4.40

Commission financing decisions. See Table 5.

Table 5 — *Cooperation with Latin America*

<i>(million ECU)</i>		
Recipient	Purpose	Amount (grant)
Community and Latin America further education institutions	Community-Latin America university exchange programme	32.0
Colombia	Reconstruction of Popayan	0.2

ACP countries and OCTs

Relations with ACP countries

Bilateral relations

Sudan

1.3.74. Council Decision 94/165/CFSP on the common position defined by the Council on the basis of Article J.2 of the Treaty on European

Union concerning the imposition of an embargo on arms, munition and military equipment on Sudan (→ point 1.3.8).

Financial and technical cooperation

1.3.75. Financing of projects.

Commission decisions allocating a total of ECU 77 430 000 under the sixth and seventh EDFs (see Table 6).

Table 6 — *Financing of operations under the sixth and seventh EDFs*

		<i>(million ECU)</i>	
Country	Project	Amount	
		Grant	Special loan
	<i>Industrialization</i>		
Cape Verde	Sustainability of industrial zones	1.29	—
	<i>Economic infrastructure</i>		
Papua New Guinea	Road repairs	4.56	15.44
Fiji	Bridge repairs	10.24	—
	<i>Social development</i>		
Zimbabwe	Education infrastructure	9.10	—
Regional Southern Africa	Training in wildlife management	8.00	—
All ACPs	Community support for training in statistics	9.65	—
Niger	Vocational training	3.15	—
Solomon Islands	Rural infrastructure	6.00	—
	<i>Other</i>		
Central African Republic	Support for structural adjustment	10.00	—
	Total	61.99	15.44

International organizations and conferences

General Agreement on Tariffs and Trade (GATT)

Uruguay Round

- **Reference:** Final Act of the Uruguay Round trade negotiations: Bull. 12-1993, point 1.3.99

1.3.76. Council conclusions on the preparation of the Ministerial Conference in Marrakesh.

Adopted by the Council on 7 March. In preparation for the ministerial meeting scheduled to take place in Marrakesh on 15 April for the purpose of signing the Agreement reached on conclusion of the Uruguay Round negotiations, the Council took positions on a series of unresolved issues, but left open the matter of whether the Agreement falls under joint or Community jurisdiction.

With regard to the market access negotiations, the Council noted the delay in the official presentation of the final list of definitive offers by the United States, which could compromise the balance of mutual concessions and oblige the

Community to adjust its schedules. It agreed that any adjustments should be made by the Commission and target products of which the USA supplied more than 90% of the Union's imports.

The Council also decided that the Final Act and the Agreement establishing the World Trade Organization (WTO) should be signed by representatives of the Member States and — on behalf of the Community — by Mr Theodoros Pangalos, President of the Council, and Sir Leon Brittan, Member of the Commission.

The Council also expressed its concern at the announcement by the United States that it would be resuscitating the Super 301 procedures of the 1974 Trade Act. The Council reiterated its opposition to the use of unilateral measures in trade disputes and stressed the need to apply GATT procedures and rules properly, including obligations contracted in the Uruguay Round. It called on the Commission to study the legality of the provisions in question.

1.3.77. Parliament resolution on the outcome of the Uruguay Round of GATT multilateral trade negotiations.

□ **Reference:** Parliament resolution on GATT: OJ C 44, 14.2.1994; Bull. 1/2-1994, point 1.3.92

Adopted on 24 March. Convinced that the conclusion of the negotiations would provide the stimulus to growth and employment needed at a time of economic recession in the Western industrialized countries, Parliament welcomed the extension of the multilateral trade system to services and the protection of intellectual property and commercial investments, while regretting that the concessions made by certain partners fell short of their economic potential.

Parliament welcomed the establishment of the WTO and considered that Community membership would strengthen the common commercial policy established on the basis of Article 113 of the EC Treaty.

Commenting on a series of subjects tackled by the negotiators, it regretted that the agreement lacked a social clause based on the minimum standards drawn up by the International Labour Organization and asked the Commission to state clearly that it advocates putting the subject on the WTO's agenda.

Parliament also reiterated its wish to be consulted immediately after the agreement had been signed, so that it could give its assent in accord-

ance with the second indent of Article 228(3) of the EC Treaty.

OJ C 114, 25.4.1994

1.3.78. Parliament resolution on recommendations of the European Parliament to the Commission concerning the negotiations in the Trade Negotiations Committee of GATT on an agreement on a trade and environment work programme.

Adopted on 24 March. Welcoming the commitment of the developed and developing countries to the quest for sustainable development and the protection and preservation of the global environment, Parliament considered it vital to set up a 'horizontal' Permanent Committee on Trade and the Environment within the future World Trade Organization.

Parliament also recommended that the Commission call on the Ministerial Conference scheduled for 15 April in Marrakesh to adopt a programme of work on trade and the environment. The programme should contain measures aimed at following up the United Nations Conference on the Environment and Development (UNCED), incorporating the Montreal, Basle and CITES Conventions and all related multilateral conventions into GATT and establishing guidelines for future multilateral conventions in the field, working out general principles on the trade-related aspects of measures intended to enhance sustainable development and adopting institutional mechanisms aimed at integrating all the work of the WTO and its subsidiary bodies concerning the environment into a coherent system. Parliament stipulated that the programme should be founded on two principles, namely that environmental clauses must not have a protectionist effect that would work to the advantage of the industrialized countries and that they must be accompanied by an increase in development aid.

OJ C 114, 25.4.1994

Management of the Agreement

1.3.79. Council Regulation (EC) No 532/94 extending the measures taken under the Agreement between the European Economic Community and the United States of America for the conclusion of negotiations under GATT Article XXIV.6.

- **Agreement extended:** Agreement between the European Economic Community and the United States of America for the conclusion of negotiations under GATT Article XXIV.6: OJ L 98, 10.4.1987; Bull. 1-1987, points 1.2.1 and 1.2.2

Adopted on 7 March. The Regulation's purpose is to extend the Agreement until 31 December 1994, pending the conclusion of a new GATT.

OJ L 68, 11.3.1994

Conference on Security and Cooperation in Europe (CSCE)

1.3.80. Parliament resolution on the Conference on Security and Cooperation in Europe.

Adopted on 24 March. Noting that the CSCE can be a forum for joint action under the common foreign and security policy, and in view of its key role in establishing rules to prevent conflicts and improving relations and cooperation between its members, Parliament welcomed the strengthening of the CSCE's structures. It found that the CSCE's capacities to settle conflicts and manage crises were still unsatisfactory, mainly owing to the complexity of its crisis mechanisms, the consensus rule and a lack of financial and operational resources.

Parliament believed that the Union as such, in addition to its Member States, should become a participant in the CSCE process, speaking for them on matters for which powers have been transferred to it. It called on the Union to make proposals aimed at establishing improved arrangements for consultations and the division of tasks and responsibilities between the UN, CSCE, NATO, WEU and the European Union, support actively the efforts to enhance the operational capacities of the CSCE for early warning, conflict prevention and crisis management, and present to Parliament a comprehensive proposal on these issues.

OJ C 114, 25.4.1994

European Bank for Reconstruction and Development

General matters

1.3.81. Parliament resolution on the democratic control of the financial policy of the EIB and the EBRD (→ point 1.7.36).

Common commercial policy

General matters

Operation of the customs union

1.3.82. Proposal for a Council Regulation laying down measures to prohibit the release for free circulation, export or transit of counterfeit and pirated goods.

- **Commission proposal:** OJ C 238, 2.9.1993; COM(93) 329; Bull. 7/8-1993, point 1.3.64
- **Economic and Social Committee opinion:** OJ C 52, 19.2.1994; Bull. 12-1993, point 1.3.71
- **Parliament opinion:** OJ C 61, 28.2.1994; Bull. 1/2-1994, point 1.3.102
- **Amended Commission proposal:** OJ C 86, 23.3.1994; COM(94) 43; Bull. 1/2-1994, point 1.3.102

Agreed by the Council on 10 March. The Council signified its agreement to the content of the proposal which is intended to strengthen the Community mechanism for dealing with counterfeit goods from third countries by extending its scope to cover copyright, design and model protection, simplifying application and increasing the deterrent effect of the penalties laid down.

1.3.83. Council Decision 94/167/EC concerning the amendments to the reservations entered by the Community in respect of some provisions of certain Annexes to the International Convention on the Simplification and Harmonization of Customs Procedures.

- **Commission proposal:** COM(93) 610; Bull. 11-1993, point 1.3.57

Adopted by the Council on 10 March. The aim is to amend the reservations entered by the Community in respect of some provisions of the International Convention on the Simplification and Harmonization of Customs Procedures (Kyoto Convention) to take account of the special requirements of the customs union.

OJ L 76, 18.3.1994

1.3.84. Council Regulation (EC) No 665/94 on the introduction of transitional tariff measures for Bulgaria, the Czech Republic, Slovakia, Hungary, Poland, Romania, Armenia, Azerbai-

jan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Uzbekistan, Russia, Tadjikistan, Turkmenistan, Ukraine, Croatia, Bosnia-Herzegovina, Slovenia and the former Yugoslav Republic of Macedonia, until 31 December 1994 to take account of German unification.

- **Commission proposal:** COM(93) 676; Bull. 1/2-1994, point 1.3.103

Adopted by the Council on 21 March. The aim is to extend until 31 December 1994 the transitional tariff arrangements designed to take account of traditional trade flows between the former German Democratic Republic and Central and Eastern Europe, subject to the exclusion of agricultural products from the arrangements.

OJ L 83, 26.3.1994

Commercial policy instruments

General

1.3.85. Council Regulation (CE) No 522/94 on the streamlining of decision-making procedures for certain Community instruments of commercial defence and amending Regulations (EEC) Nos 2641/84 and 2423/88.

- **Regulations amended:** Council Regulation (EEC) No 2641/84 on the strengthening of the common commercial policy, with regard in particular to protection against illicit commercial practices: OJ L 252, 20.9.1984
Council Regulation (EEC) No 2423/88 on protection against dumped or subsidized imports from countries not members of the European Community: OJ L 209, 2.8.1988; Bull. 7/8-1988, point 2.2.8
- **Commission proposal:** OJ C 181, 17.7.1992; Bull. 6-1992, point 1.4.50
- **Parliament opinion:** OJ C 44, 14.2.1994; Bull. 1/2-1994, point 1.3.106
- **Amended Commission proposal:** Bull. 1/2-1994, point 1.3.106
- **Council agreement:** Bull. 1/2-1994, point 1.3.106

Formally adopted by the Council on 7 March.

OJ L 66, 10.3.1994

1.3.86. Council Regulation (EC) No 521/94 on the introduction of time limits for investigation procedures carried out against dumped or subsidized imports from countries not members of

the European Community and amending Regulation (EEC) No 2423/88.

- **Regulation amended:** Council Regulation (EEC) No 2423/88 on protection against dumped or subsidized imports from countries not members of the European Community: OJ L 209, 2.8.1988; Bull. 7/8-1988, point 2.2.8
- **Commission proposal:** OJ C 328, 4.12.1993; COM(93) 541; Bull. 11-1993, point 1.3.60
- **Council agreement:** Bull. 12-1993, point 1.3.73
- **Parliament opinion:** OJ C 44, 14.2.1994; Bull. 1/2-1994, point 1.3.107
- **Amended Commission proposal:** Bull. 1/2-1994, point 1.3.107
- **Council agreement:** Bull. 1/2-1994, point 1.3.107

Formally adopted by the Council on 7 March.

OJ L 66, 10.3.1994

1.3.87. Council Regulation (EC) No 520/94 establishing a Community procedure for administering quantitative quotas.

- **Regulations repealed:** Council Regulations (EEC) Nos 1203/70 establishing a common procedure for administering quantitative quotas and 1024/70 concerning the application of Regulation (EEC) No 1023/70 to the French overseas departments: OJ L 124, 8.6.1970
- **Commission proposal:** COM(92) 288; Bull. 7/8-1992, point 1.4.92
- **Amended Commission proposal:** Bull. 1/2-1994, point 1.3.108
- **Council agreement:** Bull. 1/2-1994, point 1.3.108

Formally adopted by the Council on 7 March.

OJ L 66, 10.3.1994

1.3.88. Council Regulation (EC) No 518/94 on common rules for imports and repealing Regulation (EEC) No 288/82.

- **Regulation repealed:** Council Regulation (EEC) No 288/82 on common rules for imports (OJ L 35, 9.2.1982), as last amended by Council Regulation (EEC) No 2875/92: OJ L 287, 2.10.1992; Bull. 9-1992, point 1.3.64
- **Commission proposal:** COM(92) 374; Bull. 9-1992, point 1.3.65
- **Amended Commission proposal:** Bull. 1/2-1994, point 1.3.109
- **Council agreement:** Bull. 1/2-1994, point 1.3.109

Formally adopted by the Council on 7 March.

OJ L 67, 10.3.1994

1.3.89. Council Regulation (EC) No 519/94 on common rules for imports from certain non-Community countries and repealing Regulations (EEC) Nos 1765/82, 1766/82 and 3420/83.

□ **Regulations repealed:**

Council Regulation (EEC) No 1765/82 on common rules for imports from State-trading countries (OJ L 195, 5.7.1982), as last amended by Council Regulation (EEC) No 1013/93: OJ L 105, 30.4.1993; Bull. 4-1993, point 1.3.64

Council Regulation (EEC) No 1766/82 on common rules for imports from the People's Republic of China (OJ L 195, 5.7.1982), as last amended by Commission Regulation (EEC) No 1409/86: OJ L 128, 14.5.1986

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), as last amended by Council Regulation (EEC) No 848/92: OJ L 89, 4.4.1992; Bull. 3-1992, point 1.3.71

□ **Commission proposal:** COM(92) 455; Bull. 11-1992, point 1.4.78

□ **Amended Commission proposal:** Bull. 1/2-1994, point 1.3.110

□ **Council agreement:** Bull. 1/2-1994, point 1.3.110

Formally adopted by the Council on 7 March.

OJ L 67, 10.3.1994

Council anti-dumping measures

1.3.90. Council Regulation (EC) No 486/94 imposing definitive anti-dumping duties on imports of fluorspar originating in the People's Republic of China and collecting definitively the provisional anti-dumping duty.

□ **Commission proposal:** COM(94) 27; Bull. 1/2-1994, point 1.3.115

Adopted by the Council on 4 March.

OJ L 62, 5.3.1994

1.3.91. Council Regulation (EC) No 621/94 imposing a definitive anti-dumping duty on imports of ferro-silicon originating in South Africa and in the People's Republic of China.

□ **Commission proposal:** COM(94) 18; Bull. 1/2-1994, point 1.3.114

Adopted by the Council on 17 March.

OJ L 77, 19.3.1993

1.3.92. Council Regulation (EC) No 721/94 imposing a definitive anti-dumping duty on

imports of isobutanol originating in the Russian Federation.

□ **References:**

Provisional duty: OJ L 246, 2.10.1993; Bull. 9-1993, point 1.3.73

Extension of provisional duty: OJ L 24, 29.1.1994; Bull. 1/2-1994, point 1.3.111

Proposal adopted by the Commission on 8 March.

COM(94) 72

Adopted by the Council on 29 March.

OJ L 87, 31.3.1994

1.3.93. Proposal for a Council Regulation imposing a definitive anti-dumping duty on imports of silicon carbide originating in the People's Republic of China, Poland, the Russian Federation and Ukraine.

□ **References:**

Undertakings: OJ L 287, 10.10.1986; Bull. 10-1986, point 2.2.4

Initiation of review proceedings: OJ C 279, 26.10.1991; Bull. 10-1991, point 1.3.62

Adopted by the Commission on 9 March.

COM(94) 30

1.3.94. Council Regulation (EC) No 643/94 amending Regulation (EEC) No 3068/92 in respect of definitive anti-dumping duties on imports of potassium chloride originating in Belarus, Russia and Ukraine.

□ **Commission proposal:** COM(94) 45; Bull. 1/2-1994, point 1.3.117

Adopted by the Council on 21 March.

OJ L 80, 24.3.1994

1.3.95. Proposal for a Council Regulation amending Regulations (EEC) Nos 2089/84 and 1739/85 concerning definitive anti-dumping duties on imports of certain ball bearings originating in Japan.

□ **References:**

Definitive duty (ball bearings with a greatest external diameter not exceeding 30 mm): OJ L 193, 21.7.1984

Modification of definitive duty: OJ L 256, 20.9.1990; Bull. 9-1990, point 1.3.51

Definitive duty (ball bearings with a greatest external diameter exceeding 30 mm): OJ L 167, 27.6.1985

Modification of definitive duty: OJ L 286, 1.10.1992; Bull. 9-1992, point 1.3.53

Adopted by the Commission on 14 March.

COM(94) 76

1.3.96. Council Decision not to terminate the anti-dumping proceeding concerning imports into Spain of Portland cement originating in Turkey, Romania and Tunisia.

□ **References:**

Council Regulation (EEC) No 2423/88 on protection against dumped or subsidized imports from countries not members of the European Community: OJ L 209, 2.8.1988; Bull. 7/8-1988, point 2.2.8

Notice of initiation: OJ C 100, 22.4.1992; Bull. 4-1992, point 1.4.37

Commission Decision to terminate the procedure Bull. 1/2-1994, point 1.3.126

Adopted by the Council on 7 March. The Decision was taken pursuant to Article 9(1) of Commission Regulation (EEC) No 2423/88 which lays down that, within one month after a Commission decision to terminate a procedure, the Council may by qualified majority decide not to terminate that procedure.

Commission anti-dumping measures

1.3.97. Notice of initiation of an anti-dumping procedure concerning imports of peroxodisulphates (persulphates) originating in the People's Republic of China.

Published on 2 March.

OJ C 64, 2.3.1994

1.3.98. Notice of initiation of an anti-dumping procedure concerning imports of activated powdered carbon originating in the People's Republic of China.

Published on 2 March.

OJ C 64, 2.3.1994

1.3.99. Commission Regulation (EC) No 534/94 imposing a provisional anti-dumping duty on imports of certain magnetic disks (3.5" microdisks) originating in Hong Kong and the Republic of Korea.

□ **Reference:** Notice of initiation: OJ C 239, 18.9.1992; Bull. 9-1992, point 1.3.57

Adopted by the Commission on 9 March.

OJ L 68, 11.3.1994

1.3.100. Notice of initiation of a partial review of Council Regulation (EEC) No 830/92 impos-

ing a definitive anti-dumping duty on imports of certain polyester yarns (man-made or artificial staple fibres) originating in Indonesia and several other countries.

□ **Reference:** Definitive duty: OJ L 88, 3.4.1992; Bull. 3-1992, point 1.3.57

Published on 12 March.

OJ C 74, 12.3.1994

1.3.101. Notice of initiation of an investigation provided for in Article 13(11) of Council Regulation (EEC) No 2423/88 concerning imports of certain electronic weighing scales originating in Japan.

□ **References:**

Council Regulation (EEC) No 2423/88: OJ L 209, 2.8.1988; Bull. 7/8-1988, point 2.2.8

Definitive duty: OJ L 104, 29.4.1993; Bull. 4-1993, point 1.3.65

Published on 12 March. The aim is to investigate whether the anti-dumping duty has been borne by certain of the exporters concerned.

OJ C 74, 12.3.1994

1.3.102. Commission Decision 94/202/EC accepting undertakings offered in connection with the anti-dumping proceeding concerning imports of silicon carbide originating in the People's Republic of China, Norway, Poland and the former Soviet Union and terminating the proceeding against imports originating in Norway and several republics previously part of the former Soviet Union.

□ **References:**

Undertakings: OJ L 287, 10.10.1986; Bull. 10-1986, point 2.2.4

Initiation of review proceedings: OJ C 279, 26.10.1991; Bull. 10-1991, point 1.3.62

Adopted by the Commission on 9 March.

OJ L 94, 13.4.1994

Individual sectors

Textiles

1.3.103. Proposal for a Council Decision on the conclusion of the protocol maintaining in force the Arrangement regarding international trade in textiles (MFA).

□ **Reference:** Council Decision 86/590/EEC on the conclusion of the protocol extending the MFA: OJ L 341, 4.12.1986

Adopted by the Commission on 29 March. The Decision approves on behalf of the Community the Protocol maintaining the Multifibre Arrangement in force for 1994.

COM(94) 101

1.3.104. Council Regulation (CE) No 517/94 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules.

□ **Commission proposal:** COM(92) 543; Bull. 12-1992, point 1.4.65

□ **Council agreement:** Bull. 1/2-1994, point 1.3.139

Formally adopted by the Council on 7 March.

OJ L 67, 10.3.1994

Development policy

General

Population

1.3.105. Parliament resolution on the demographic situation and development.

Adopted by Parliament on 11 March. Parliament emphasized the link between a balanced population density and socio-economic development and pointed to the need for the formulation and implementation by the Union of a comprehensive policy aimed at equitable and sustainable international development. To this end it called on the Member States to step up and coordinate better their efforts and on the Commission to develop initiatives to help achieve this. From an ethical point of view, said Parliament, authoritarian family planning policies were not acceptable; the cultural, social and economic conditions of the people concerned had to be taken into account. Any family policy also had

to provide for the education of, and promotion of literacy among, adolescents and young people of both sexes and also include dissemination of information on reliable and legal methods of birth control. The importance of women's access to education and employment was also stressed in the resolution. Parliament asked the Commission and the Member States not to provide any support for family planning programmes involving coercive measures or health risks for the people concerned and to pay attention to the demographic impact of Commission-financed development programmes, especially in the areas of health and education. It also pointed to the need for reliable statistical services in the developing countries and better training for family planning workers.

OJ C 91, 28.3.1994

Health

1.3.106. Commission communication to the Council and Parliament on the policy of the Community and the Member States on cooperation with the developing countries in the field of health.

□ **References:**

Declaration of the Council and of representatives of governments of Member States meeting in the Council on aspects of development cooperation policy in the run-up to 2000: Bull. 11-1992, point 1.4.47

Council conclusions on the coordination of development policies: Bull. 5-1993, point 1.3.39

Adopted by the Commission on 24 March. The communication sets out proposals for coordinating Member State and Community policies on cooperation with the developing countries in the health sector. One proposal is to make the operations of the Community and the Member States in the sector more pertinent and effective by establishing principles and a consistent framework for action, and by drawing on past experience and making operations more complementary by stepping up consultation and coordination. Despite some progress, the health situation in the developing countries remains very worrying, especially as new problems, such as the AIDS epidemic, are emerging. The Commission believes that priority should be given to satisfying people's basic needs and ensuring greater social justice, notably in the form of better access to health care.

It proposes that two main strategies be adopted: the creation of a more favourable health environment and support for health service reforms. This would require firstly a new investment policy with priority given to improving living conditions and hygiene and correcting structural imbalances, and secondly support for institutional reforms designed to make for a better balance between the public and private sectors and to put in place a system that would mobilize and manage resources rationally. While the bulk of Community aid would still go to projects and programmes, the Commission would reserve the right to provide direct budget aid. The Commission also stresses the need to tailor the approach to the needs of the country concerned.

COM(94) 77

Commodities and world agreements

Coffee

1.3.107. International Coffee Council.

- **Reference:** Council Decision 87/485/EEC approving the Coffee Agreement 1983: OJ L 276, 29.9.1987; Bull. 9-1987, point 2.2.28
- **Previous meeting:** Bull. 4-1992, point 1.4.30

Fifty-ninth meeting, held in London from 21 to 30 March. The 54 member states on the International Coffee Council adopted a new five-year agreement that is scheduled to come into force on 1 October. The new agreement, in contrast to the four previous ones, is focused on economic analysis of the international coffee market.

Natural rubber

1.3.108. Proposed third International Natural Rubber Agreement (INRA).

- **Commission recommendation:** Bull. 1/2-1994, point 1.3.145

Negotiating directives adopted by the Council on 24 March. The new agreement should enable the same basic objectives to be pursued and contain the same economic provisions as the current agreement, notably the maintenance of buffer stocks to stabilize market prices.

Cooperation via non-governmental organizations

1.3.109. Projects in developing countries.

Commission cofinancing: ECU 4 792 329 for 55 operations.

1.3.110. Campaigns to raise public awareness of development issues.

Commission contribution: ECU 1 043 929 for eight operations.

Food aid

Storage programmes and early warning systems

1.3.111. Commission decisions. Total financing of ECU 288 000, of which ECU 165 000 for the World Food Programme's Food Aid Information System (FAIS), ECU 68 000 for the Lutheran World Federation's operations in Eritrea and ECU 55 000 for the 'Movimento Liberazione e Sviluppo' in Mozambique.

Aid for refugees

1.3.112. Parliament resolution on refugees in Africa

Adopted by Parliament on 11 March. In Parliament's view, the best means of preventing future refugee flows were policies to improve economic conditions, reduce discrimination against ethnic, religious or social groups, promote observance of human rights and good governance, and prevent armed conflict. Security and conflict settlement should no longer be viewed in purely military terms. It insisted that refugee assistance be fully integrated into national and regional development policies and, stressing the link between environmental management and the number of refugees, called for the setting-up of early-warning systems to reduce the impact of natural disasters which cause refugee flows.

Parliament recognized the vital role played by the Community, especially the Commission and the European Community Humanitarian Office, but thought that refugees and displaced persons needed greater assistance, though the long-term aim must be the return of these people or their integration into society. In this connection the resolution emphasized refugees' education and vocational training requirements. Other points raised included the importance of greater harmonization of Community and Member States' pol-

icies, better coordination of aid and more flexibility in considering asylum applications by the Member States where humanitarian reasons exist.

OJ C 91, 28.3.1994

Support for democratization and human rights

1.3.113. Commission financing decisions. See Table 7.

Table 7 — *Projects to support democratization and human rights*

		(ECU)
Date	Purpose	Amount
2 March	Five projects to finance rehabilitation centres for torture victims and the organization of aid victims of human rights violations	580 000
2 March	Eight human rights projects mounted by NGOs	767 000
9 March	Aid for democratization in Mozambique	2 000 000
9 March	Two projects to aid democratization, one in the Occupied Territories and the other in Mozambique	2 040 000
14 March	Aid for the preparation of elections in Malawi	132 859

Humanitarian aid

Emergency aid

1.3.114. Commission decisions: see Table 8.

munity, the Commission and Member States to contribute to the cost of the initiative taken by the Organization of African Unity to send a small peacekeeping force to Burundi and called on the Commission to step up humanitarian aid to displaced persons in Burundi and to the refugee camps in neighbouring countries, in particular Rwanda.

OJ C 91, 28.3.1994

Cambodia

1.3.116. Parliament resolution on strengthening Commission programmes to consolidate democracy and human rights in Cambodia.

Adopted on 10 March. Parliament called for a special effort to help restore the rule of law through immediate support, in technical and material terms and in terms of human resources, for State institutions and for education programmes in the human sciences to encourage education in human rights in schools and to promote such rights in the media. It also called for continuing support to be given to the huge number of victims of anti-personnel mines and the war and for additional substantial resources to be devoted to mine clearance in association with rural development programmes. Finally it called for an

Human rights in the world

Burundi

1.3.115. Parliament resolution on the situation in Burundi.

Adopted on 10 March. Parliament appealed to all ethnic groups in Burundi to stop the killing and engage in negotiations in a spirit of national reconciliation. It condemned the massacre of the civilian population perpetrated by the army in Bujumbura and asked that the military chiefs responsible be identified and brought to justice without delay. It called on the international com

embargo on all future supplies of anti-personnel mines.

OJ C 91, 28.3.1994

Table 8 — *Emergency aid*

<i>(ECU million)</i>		
Country	Purpose	Amount
<i>Financing: EDF (ACP countries)</i>		
Burundi	Refugees and displaced persons	14
Eritrea	Repatriation of refugees	1
Haiti	Incidents	1
Liberia	Fighting	2.8
Madagascar	Flooding	0.7
Mozambique	Displaced persons	0.9
Rwanda, Tanzania, Zaire	Burundian refugees	13.5
Sudan	Displaced persons	0.5
Sudan	Internal clashes	0.2
<i>Financing under the provisions on the association of the OCTs with the European Union</i>		
Mayotte	Earthquake	0.5
<i>Financing: 1994 ECHO budget</i>		
Albania	Domestic problems	0.2
Algeria	Sahrawi refugees	1.1
Armenia	Severe winter	0.2
Bolivia	Cholera epidemic	0.4
Cambodia	Displaced persons	1
West Bank and Gaza	Domestic unrest	2.3
Croatia	Displaced persons	24.4
Peru	Flooding	0.5
Ukraine and Belarus	Medical aid	1.3

Colombia

1.3.117. Parliament resolution on the murder of children in Colombia.

Adopted on 10 March. Parliament appealed to the Colombian Government to increase its efforts to end 'social cleansing' of which many

children were victim and called for the apparent impunity of police officers involved in these crimes to be stopped. It underlined the need for measures to integrate into the society the increasing number of abandoned children and believed this should be a condition for granting EU aid to Colombia.

OJ C 91, 28.3.1994

1.3.118. Parliament resolution on respect for the human rights of candidates in the forthcoming elections in Colombia.

Adopted on 10 March. Parliament called on the Colombian authorities to release immediately the three members of the Unión Patriótica and to protect candidates for the presidential elections on 13 March and opposition leaders, and appealed to the irregular forces and guerrilla fighters to end the violence.

OJ C 91, 28.3.1994

India

1.3.119. Parliament resolution on the situation of the Jumma refugees from Bangladesh in India.

Adopted on 10 March. Parliament called on the Indian Government to ensure there was no repatriation of Jumma refugees who had fled from the Chittagong Hill Tracts against their will and to ensure that adequate food and medical supplies were provided to the refugee camps. The Commission was called upon to offer humanitarian aid for the repatriation of the Jumma people and to impress upon the Bangladesh authorities the need to respect the human rights of the indigenous people of the Chittagong Hill Tracts.

OJ C 91, 28.3.1994

Rwanda

1.3.120. Parliament resolution on the situation in Rwanda.

Adopted on 10 March. Parliament condemned the murder of Mr Gatabazi, Minister of Transport, and Mr Bucyana, Chairman of the Committee for the Defence of the Republic (CDR), and the fresh outbreak of violence which had claimed at least 37 lives in the last few weeks in Rwanda. It regretted the further postponement of the setting-up of the government and transitional

assembly and called on all warring fractions to put an immediate end to hostilities. It called on the international community, in particular the European Union, to do its utmost to stop the massacres in Rwanda and to establish the minimal conditions of dialogue with a view to implementing the Arusha agreements.

OJ C 91, 28.3.1994

Senegal

1.3.121. Parliament resolution on arrest in Senegal.

Adopted on 10 March. Parliament called for the immediate release of the opposition leaders and called on the Senegalese Government to start negotiations with a view to a political dialogue with the opposition as a means of seeking, in a democratic institutional framework, a solution to the crisis following the devaluation of the CFA franc. It also condemned the violence perpetrated during the riots on 16 February and demanded an independent inquiry into the reports of torture by members of the criminal investigations division.

OJ C 91, 28.3.1994

East Timor

1.3.122. Parliament resolution on the exposure of the massacre in East Timor.

□ **References:** Parliament resolution on the massacres in East Timor: OJ C 326, 16.12.1991; Bull. 11-1991, point 1.3.105

Adopted on 10 March. Shocked at reports of fresh cold-blooded executions of survivors of the November 1991 massacre in Dili, East Timor, Parliament urged the United Nations to publish the findings of the special UN mission. It called on the Presidency to take the necessary steps, via the UN Commission on Human Rights, to ensure that this took place and to restrict official contacts between the European Union and Indonesia to an absolute minimum until the results were known.

OJ C 91, 28.3.1994

Togo

1.3.123. Parliament resolution on the elections in Togo

Adopted on 10 March. Parliament noted that, in the opinion of all the observers, the elections on 6 and 20 February were conducted in a satis-

factory way, but condemned all the acts of violence which had occurred throughout the electoral process and the human rights violations. It called for the results for all the polling stations to be published by the Electoral Commission and the Supreme Court pursuant to the agreements entered into by all the parties and for the results to be observed by all the authorities of the country.

OJ C 91, 28.3.1994

Turkey

1.3.124. Parliament resolution on the arrest of Kurdish members of parliament in Turkey.

□ References:

Parliament resolution on the danger of a resumption of executions in Turkey: OJ C 44, 14.2.1994; Bull. 1/2-1994, point 1.3.167

Parliament resolution on local elections in Turkey in March: OJ C 61, 28.2.1994; Bull. 1/2-1994, point 1.3.168

Adopted on 10 March. Parliament condemned the recent decision of the Turkish Grand National Assembly to lift the parliamentary immunity of eight Kurdish MPs and the fact that they had been arrested as they left Parliament and charged with separatism and endangering the security of the State, crimes tried by the State Security Court and carrying the death penalty. It also condemned the attitude of the Turkish Government towards democratically elected MPs whose only crime was to have had defended the interests of the Kurdish people in Turkey by peaceful means and called for their immediate release. It also called on the Council and Commission to apply the same principles concerning respect for human rights to Turkey as they applied in cooperation agreements with other non-Community countries.

OJ C 91, 28.3.1994

1.3.125. Parliament resolution on the situation of Christians in Kurdistan.

Adopted on 10 March. Parliament condemned the acts of violence committed against the Christian minority remaining in Kurdistan and the violent attitude adopted by fanatical Muslim forces and by the militant radical marxist-orientated PKK towards the Christian minority. It called on all the governments of the Member States of the European Union to grant the necessary entry permits to Christians in Kurdistan wishing to escape persecution and seeking asylum in the Union.

OJ C 91, 28.3.1994

4. Justice and home affairs cooperation

Judicial, customs and police cooperation

1.4.1. Parliament resolution on terrorism and its effects on security in Europe.

Adopted on 10 March. Recognizing the serious problem posed by terrorism in several Member States Parliament considers that police measures alone are inadequate to combat it and that consequently all available national resources should be permanently deployed and Member States should coordinate their anti-terrorist policies at political and police levels. It believes that it is necessary to solve political, ethnic/national, social and ecological problems without delay and to remove any sources of tension that could

provide apparent justification for terrorist acts but that recourse should not normally be had to exceptional laws or measures. Economic and diplomatic sanctions against States which support terrorism is considered acceptable.

Parliament called on the Council to adopt a common position on the reform of the European Convention on the Suppression of Terrorism designed to make the use of non-automatic firearms an extraditable offence and to remove the option open to Member States to express reservations at the time of signature which enables them to refuse extradition in cases where they regard the terrorist act as a political offence.

OJ C 91, 28.3.1994

5. Financing Community activities

Budgets

General budget

General matters

1.5.1. Parliament resolution on relations between bodies responsible for control of the Community budget.

Adopted on 11 March. Parliament welcomed the improved working relationship with the Court of Auditors and made a number of suggestions for further progress. After stressing the key role of the financial controllers of the institutions, it called on the Commission's financial controller to keep it informed of progress in his efforts to institutionalize cooperation with his counterparts in the Member States, to develop sound systems for monitoring Community expenditure in third countries, and to clarify the situation with respect to financial control of Community contributions to international organizations.

To combat fraud, Parliament proposed measures to target national controls on the basis of risk

analysis. It also called on the Commission to submit proposals for imposing penalties on Member States if they fail to report cases of fraud and irregularities, to run a trial 'fraud free-phone' and to present a report on the recovery of sums unduly paid out or evaded.

OJ C 91, 28.3.1994

Financial perspective

□ **Reference:** Interinstitutional Agreement on budgetary discipline and improvement of the budgetary procedure: OJ C 331, 7.12.1993; Bull. 10-1993, point 1.5.1

1.5.2. Commission communication to the Council and Parliament on the technical adjustment of the financial perspective in line with movements in GNP and prices in 1995.

Adopted on 10 March. The Commission has made its annual adjustment to the financial perspective for 1993-95 (drawn up in 1992 prices) in line with movements in prices and GNP in the year in question. For 1995 it assumes 3.1% inflation and a 2.1% rise in GNP.

Table 9 — *Technical adjustment of the financial perspective for 1995*

	(million ECU)	
	1995 current prices	Financial perspective for 1995
Common agricultural policy	37 052	35 722
Structural operations	25 264	23 480
Structural Funds	23 112	21 480
Cohesion Fund	2 152	2 000
Internal policies	4 652	4 323
External action	4 605	4 280
Administration	3 852	3 580
Reserves	1 146	1 100
Monetary reserve	500	500
Guarantee	323	300
Emergency aid	323	300
Total	76 571	72 485

The result of this adjustment is shown in Table 9.

There is no need to adjust the monetary reserve which was fixed in 1992 at current prices.

The maximum amount of payment appropriations will be ECU 72 662 million, the equivalent of 1.21% of Community GNP.

1.5.3. Commission communication to the Council and Parliament on the adjustment of the financial perspective to take account of the conditions of implementation.

Adopted on 10 March. The Commission's examination of the conditions of implementation for 1993 has revealed that there are no grounds for adjusting the financial perspective as regards either the total appropriations for payments to ensure an orderly progression in relation to the appropriations for commitments or the transfer to subsequent years of allocations for the Structural Funds and the Cohesion Fund not used in the previous year.

Budgetary procedures

1993 financial year

1.5.4. Parliament resolution on the closure of Parliament's accounts for the 1993 financial year (administrative expenditure).

Adopted on 11 March.

OJ C 91, 28.3.1994

1995 financial year

1.5.5. Parliament resolution on guidelines for the 1995 budget, Section III — Commission.

Adopted on 24 March. After pointing out that the 1995 budgetary procedure will be governed by the Interinstitutional Agreement of October 1993, which lays down an *ad hoc* procedure for compulsory expenditure and a new financial perspective, Parliament noted that the financial perspective will have to be revised on completion of the enlargement negotiations.

After noting that there will be a deficit of some ECU 320 million between the ceiling of revenue from own resources and the expenditure in the financial perspective, Parliament stated that it will not tolerate cuts being made in the Community budget so as to achieve savings in national budgets.

As regards agriculture, Parliament deplored the fact that farm spending is continuing to increase to the full extent allowed by the guideline and expressed concern at the trend in certain countries towards reductions in Community spending matched by increases in national spending. It also noted that there will be a significant increase (8%) in Structural Fund resources, but regretted the slowness in the presentation of the Community initiative programmes.

Parliament also stressed that the fourth framework programme for research must get under way, that the specific programmes must be implemented and that measures to combat unemployment and foster economic recovery should be stepped up.

As regards external policies, Parliament expressed willingness to consider the decisions which the Council plans to take under the terms of Title V of the Treaty on European Union, pointed out that the European Union must honour the undertakings it gave at the UNCED Conference in Rio, called for the financial assistance for third countries and, in particular, NGOs to be maintained, and resolved to assess the progress made in implementing the appropriations earmarked for the PHARE and TACIS programmes before deciding what priority to attach to them.

OJ C 114, 25.4.1994

1.5.6. Parliament resolution on the budget guidelines for the 1995 budget: Section I — Parliament, Section II — Council, Section IV — Court of Justice, Section V — Court of Auditors, Section VI — Economic and Social Committee and Committee of the Regions.

Adopted on 24 March. After pointing out that the 1995 budgetary procedure for the administrative budgets of the Community institutions and bodies is also governed by the financial perspective annexed to the Interinstitutional Agreement of October 1993 on budgetary discipline and improvement of the budgetary procedure, Parliament expressed the view that, on the basis of the macroeconomic forecasts designed to provide the frame of reference for the annual adjustments of the financial perspective, the amount available under heading 5 'administrative expenditure', should be increased in nominal terms by ECU 218 million, i.e. 6%, in relation to the 1994 level. It also called for the

submission of a supplementary and amending budget for 1994 in order to avoid counterproductive management of the budget of the Economic and Social Committee and the Committee of the Regions.

It also noted that in certain administrative budgets, in particular those of the new Community bodies, the demand for certain types of expenditure could increase, and therefore considers that each institution and body should set priorities so that the budgetary authority can make the necessary choices when reading the draft budget for 1995.

OJ C 114, 25.4.1994

Discharge procedure

1992 financial year

Discharge in respect of the general budget

1.5.7. Council recommendation concerning the discharge to be given to the Commission in respect of the implementation of the general budget of the European Communities for 1992.

Adopted on 21 March.

Discharge in respect of EDF operations

1.5.8. Council recommendation concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (fifth, sixth and seventh EDF) for the financial year 1992.

Adopted on 21 March.

OJ L 84, 29.3.1994

Financial Regulations

□ **Reference:** Conclusions of the Edinburgh European Council: Bull. 12-1992, point I.60 and points I.46 to I.50

1.5.9. Proposal for a Council Decision concerning budgetary discipline.

- **Commission proposal:** OJ C 68, 11.3.1993; COM(93) 20; Bull. 1/2-1993, point 1.5.2
- **Court of Auditors' opinion:** Bull. 4-1993, point 1.6.17
- **Parliament opinion:** OJ C 329, 6.12.1993; Bull. 11-1993, point 1.6.7

Common position agreed by the Council on 21 March.

Common position adopted on 22 March. In order to start the conciliation procedure with Parliament the Council adopted a common position on this proposal, which is intended to give legal form to the second package of structural and financial measures endorsed by the Edinburgh European Council in December 1992.

1.5.10. Proposal for a Council Decision replacing Decision 88/376/EEC, Euratom on the system of own resources.

- **Commission proposal:** OJ C 300, 6.11.1993; COM(93) 438; Bull. 9-1993, point 1.5.3
- **Economic and Social Committee opinion:** OJ C 52, 19.2.1994; Bull. 12-1993, point 1.6.5
- **Parliament opinion:** OJ C 61, 28.2.1994; Bull. 1/2-1994, point 1.5.6

Amended proposal adopted by the Commission on 8 March. The Commission has made the following changes in line with the opinions of Parliament and the Economic and Social Committee:

- Article 3(2) has been amended to stipulate that the total commitment appropriations entered in the general budget of the Communities over the period 1995 to 1999 may not exceed 1.335% of the total GNP of the Community in 1999, subject to a possible adjustment agreed by the budgetary authority.
- The first sentence of Article 4 has been amended to read as follows: 'The United Kingdom shall continue to be granted a correction in respect of budgetary imbalances'.
- Article 9 has been amended to state that the Commission will present a study on the options for reforming the financing of the Communities, possibly before the report scheduled for 1999.

OJ C 88, 25.3.1994; COM(94) 71

Common position agreed by the Council on 21 March.

Court of Auditors' opinion delivered on 23 March.

OJ C 115, 26.4.1994

1.5.11. Proposal for a Council Regulation amending the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities.

- **Commission proposal:** OJ C 254, 1.10.1992; COM(92) 358; Bull. 9-1992, point 1.5.3
- **Parliament opinion:** OJ C 329, 6.12.1993; Bull. 11-1993, point 1.6.8
- **Amended Commission proposal:** OJ C 56, 24.2.1994; COM(94) 14; Bull. 1/2-1994, point 1.5.5

Court of Auditors' opinion delivered on 23 March.

OJ C 115, 26.4.1994

Financial operations

General

1.5.12. Council Decision 94/179/Euratom amending Decision 77/270/Euratom, to authorize the Commission to contract Euratom borrowings in order to contribute to the financing required for improving the degree of efficiency and safety of nuclear power stations in certain non-member countries.

- **Decision amended:** Council Decision 77/270/Euratom empowering the Commission to issue Euratom loans for the purpose of contributing to the financing of nuclear power stations: OJ L 88, 6.4.1977
- **Commission proposal:** OJ C 22, 26.1.1993; COM(92) 467; Bull. 12-1992, point 1.6.7
- **Council agreement:** Bull. 6-1993, point 1.5.6
- **First Parliament opinion:** OJ C 20, 24.1.1994; Bull. 12-1993, point 1.6.12
- **Second Parliament opinion:** OJ C 44, 14.2.1994; Bull. 1/2- 994, point 1.5.9

Adopted on 21 March. The Commission is empowered to use Euratom borrowings, initially intended for investment in nuclear energy in the Community, to finance projects to increase the safety and efficiency of nuclear power stations in Armenia, Bulgaria, Hungary, Lithuania, the Czech Republic, Slovakia, Romania, Russia and Slovenia. The projects, which must first receive a favourable opinion from the Commission at

technical and financial level, could relate to the safety of nuclear power stations and installations in the nuclear fuel cycle or to the dismantling of installations which cannot be brought up to standard for technical or economic reasons.

OJ L 84, 29.3.1994

1.5.13. Memorandum from the ECSC Consultative Committee on the future of ECSC financial activities.

- **References:** Commission communication on the future of the ECSC Treaty: borrowing/lending activity: COM(93) 512; Bull. 10-1993, point 1.5.10

Adopted on 24 March. The Committee considers that, until the Treaty expires, ECSC financial resources must be concentrated on the urgent and priority needs of the coal and steel industries.

The transfer of certain ECSC borrowing/lending activities to the EIB should make it possible to release the maximum amount of reserves as soon as possible and to allocate them as a first priority to the process of restructuring the coal and steel industries with a view to mitigating the social and industrial costs involved and preparing the way for a further reduction in the levy rate.

OJ C 116, 27.4.1994

1.5.14. Proposal for a Council Decision providing further macrofinancial assistance for Albania (→ point 1.3.35).

1.5.15. Proposal for Council Decisions providing further assistance for Bulgaria and Romania (→ point 1.3.36).

1.5.16. Council Decision granting an additional loan to Kazakhstan under Council Decision 91/658/EEC (→ point 1.3.47).

Financing

Loans raised

1.5.17. In March the Commission contracted a private placing in Belgian francs on behalf of the ECSC for the equivalent of ECU 11 million.

Loans granted

1.5.18. Acting under Articles 54 and 56 of the ECSC Treaty, the Commission granted loans totalling ECU 8.1 million.

Industrial loans

1.5.19. No industrial loans were made in March.

Conversion loans

1.5.20. Conversion loans (Article 56) totalling ECU 8.1 million were granted in France.

Workers' housing

1.5.21. No loans were granted in March for steelworkers and mineworkers.

Measures to combat fraud

General

1.5.22. Commission communication to the Council, Parliament and the Court of Auditors on the Commission's anti-fraud strategy: Work programme for 1994.

□ References:

Conclusions of the Copenhagen European Council: Bull. 6-1993, point I.23
 Commission Decision 94/140/EC setting up an Advisory Committee for the Coordination of Fraud Prevention: OJ L 61, 4.3.1994; Bull. 1/2-1994, point 1.5.16

Adopted on 23 March. In response to the request of the European Council meeting in June 1993 in Copenhagen, the Commission has adopted new guidelines for its anti-fraud strategy now that the internal market has been completed and the Treaty on European Union has come into force. Its approach is based on a simple observable fact: the current development of fraud calls for transnational and Community countermeasures. In order to be fully effective, apart from modernization and rationalization of methods and an increase in human and technical resources these measures must involve closer partnership between all those engaged in combating fraud. Although this area is primarily the responsibility of the Member States, it is essential that complementary action be developed at

Community level through close and constructive cooperation between the Member States and the Commission. This partnership is anchored in the provisions of Article 209a of the EC Treaty. In addition, Title VI of the Union Treaty opens up new possibilities for action in tackling fraud.

The new strategy seeks to define a coherent set of guidelines to provide a framework for specific activities and focuses on four key aspects.

Firstly, it seeks to step up operations in every area of Community finance. With more human resources the Commission plans to reinforce its presence on the ground and will apply risk analysis techniques to Community fraud. It will concentrate on the areas considered most sensitive, such as export refunds for agricultural products and fraudulent imports, or on sectors for which it has had little information up to now, such the Structural Funds.

Secondly, the Commission's strategy entails reinforcing the partnership with the Member States. Cooperation will be stepped up between the anti-fraud services in the Member States and the Commission, largely through the new Advisory Committee for the Coordination of Fraud Prevention. Efforts will focus on the collection and analysis of intelligence, especially by installing an experimental freephone service to the Commission and by developing a more effective information system based on the IRENE database; improvements will be sought in the methods used to combat complex international fraud and large-scale financial crime, including its links to organized crime; measures concerning training and exchanges of knowledge and experience will be stepped up.

Thirdly, the plan is to improve the Community legislative framework from the fraud-prevention angle. The Commission plans to make proposals aimed at clarifying and simplifying current legislation, to continue the systematic introduction of administrative sanctions into regulations, and to strengthen control procedures and specific anti-fraud measures. Lastly, in the light of a comparative study of the laws of the Member States applicable to fraud against the Community budget, the Commission considers that urgent measures are needed to ensure coherent action within and between the Member States. The basis for implementing this common approach and the specific measures it implies

rests on the provisions of the EC Treaty and on those of Title VI of the Union Treaty. The Commission will put forward proposals with the aim of ensuring that fraud against the Community is treated as a criminal offence by the Member States and that an adequate legal framework is set up to bring those responsible for fraud to account.

COM(94) 92

1.5.23. The Commission's fifth annual report on protecting the Community's financial interests and on the fight against fraud (1993).

Previous report: Bull. 4-1993, point 1.5.13

Adopted on 23 March. In this report the Commission reviews the most significant aspects of activities in 1993, a transition year before the entry into force of the Treaty on European Union. Besides the development of the computerized structure of the Commission's anti-fraud departments, these activities included the launch of the IRENE database, which contains details of cases of fraud communicated by the Member States, more widespread use of remote sensing, jointly financed by the Commission and the Member States, the start-up of CIS (the customs information system) and the development of a network of administrative anti-fraud cooperation agreements negotiated or concluded by the Commission with non-member countries.

The Commission's coordination and monitoring role depends on information supplied by the Member States as required in certain areas by Community legislation. In all, 1 298 cases of irregularities concerning the EAGGF Guarantee Section were notified, amounting to ECU 248.3 million (in 1992, 1 028 cases were reported involving ECU 117.8 million) and 1 001 cases involving own resources amounting to ECU 145.9 million (in 1992, 996 cases were reported involving ECU 151.2 million).

The Commission has launched or actively participated in a number of surveys which highlight fraudulent mechanisms, presumed or detected, inquiry methods, the financial impact on the Community budget, sanctions, and the conclusions to be drawn from them, especially as regards changes in the law.

The report also shows the execution of the 1993 budget, in which appropriations allocated for fraud prevention totalled ECU 133.24 million.

COM(94) 94

1.5.24. Parliament resolution on the independent power of investigation and inquiry which the Union may exercise for the purposes of legal protection of its financial interests.

Adopted on 11 March. With a view to enhancing the effectiveness and consistency of instruments for the legal protection of the Community's financial interests and pursuant to Article 138b of the EC Treaty, Parliament called on the Commission to present a proposal for a Regulation setting up a fraud prevention unit with the power of coordination, the right of access to information and the right to conduct on-the-spot inquiries; a proposal for a Directive to harmonize the protection afforded to the Union's financial interests under the Member States' criminal law; a proposal for a Regulation laying down general rules to regulate the administrative penalties provided for in Community legislation; and a legislative proposal concerning the liability of persons involved in implementing the budget.

OJ C 91, 28.3.1994

Specific questions

1.5.25. Parliament resolution on irregularities and the recovery of sums wrongly paid in connection with the financing of structural policies.

□ **Reference:** Council Regulation (EEC) No 4253/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards co-ordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments (OJ L 374, 31.12.1988; Bull. 12-1988, point 2.1.200), as amended by Regulation (EEC) No 2083/93: OJ L 193, 31.7.1993; Bull. 7/8-1993, point 1.2.116

Adopted on 11 March. Parliament requested the Commission to lay down rules whereby the

Member States will be required to take measures ensuring clear identification and attribution of responsibility to the national authorities administering Structural Fund policies, and to provide specific information on irregularities reported, on failure to comply with Community or national legislation, on the administrative and legal steps taken, and on the legislative and ad-

ministrative framework set up for the prevention and punishment of irregularities. Parliament considers that these rules should lead to rigorous enforcement of the principle, laid down in Article 23(1) of Regulation (EEC) No 2083/93, that the Member States are liable for the reimbursement of any sums unduly paid.

OJ C 91, 28.3.1994

6. Statistical system

Policy aspects

1.6.1. Proposal for a Council Regulation on Community action in the field of statistics.

Adopted by the Commission on 10 March. The aim of the proposal is to lay down rules for Community action in the field of statistics and to specify the arrangements for partnership between Eurostat and the statistical authorities of the Member States. Further key objectives are to define the decision-making procedure for multi-annual, annual and specific Community programmes and the division of responsibilities between national and Community authorities, reiterate the principles on which Community statistics are to be founded (impartiality, transparency, reliability and pertinence) and establish the rules for safeguarding statistical confidentiality and for the transmission to Eurostat of confidential data held by the national authorities.

OJ C 106, 14.4.1994; COM(94) 78

1.6.2. Proposal for a Council Decision adopting a four-year programme (1994-97) to develop regular official statistics on the environment.

- **Commission proposal:** OJ C 209, 22.8.1990; COM(90) 319; Bull. 7/8-1990, point 1.7.1
- **Economic and Social Committee opinion:** OJ C 332, 31.12.1990; Bull. 9-1990, point 1.6.2
- **Parliament opinion:** OJ C 67, 16.3.1992; Bull. 1/2-1992, point 1.3.5
- **Amended Commission proposal:** OJ C 328, 12.12.1992; COM(92) 483; Bull. 11-1992, point 1.3.10

Council agreement on a common position on 25 March. Purpose: to develop an environmental component within the Community statistical system in order to compile regular official statistics on the environment, and to facilitate coordination in this field between the national statistical offices and the Community system. The statistics will cover those aspects of human activities which affect the environment either in a negative sense, by damaging the environment and natural resources, or in a positive sense, by taking measures to alleviate such damage and its

effects and to improve environmental conditions.

Results

The economic situation in the European Union

Unemployment in the regions in 1993

1.6.3. The rate of unemployment in the European Union (excluding the French overseas departments) rose from 9.3% in April 1992 to 10.4% in April 1993. The total number of persons out of work increased by over 1.9 million over the 12 months, with the labour market situation showing a marked deterioration in most regions, especially those in the east and south of Spain and the Highlands of Scotland. In contrast, unemployment fell slightly in the new German *Länder*.

In several regions of Spain (Andalusia, Extremadura, the Canary Islands, Murcia, Valencia and the Basque Country) and southern Italy (Sicily, Basilicata and Campania), over a fifth of the labour force is now jobless. At the other end of the scale, the rate is still under 5% in southern Germany (Bavaria and Baden-Württemberg), some regions of northern Italy (Lombardy, Trentino-Alto Adige and Emilia-Romagna), the Grand-Duchy of Luxembourg and Portugal (except Alentejo and the Lisbon region). In most Member States, unemployment rates in the hardest-hit regions are two to three times as high as in the least-affected regions. Regional disparities are widest in Germany and Italy: the rate of unemployment in the new *Länder* is three to four times as high as in Bavaria or Baden-Württemberg; in southern Italy it is up to seven times as high as in the north. Although there are only 2.5 times as many jobless in the worst-affected regions of Spain as in the best-off areas, the absolute difference represents 15 percentage points — the widest disparity after Italy.

Although the rise in unemployment between April 1992 and April 1993 was steeper for men than for women (+1.3% compared to +0.8%), the female unemployment rate (12.2%) is still noticeably higher than the rate for males (9.2%), particularly in Benelux, Italy, Spain and most regions of France and Portugal. In Hamburg, Bremen and most regions of the United Kingdom, however, fewer women than men are unemployed.

The jobless rate amongst young people has again risen steeply. With rates of over 30%, Hainaut (Belgium), two-thirds of the regions in Spain, Liguria and southern Italy are worst off in this respect.

Per capita gross domestic product (GDP) in 1991

1.6.4. Regional GDP for 1991 was calculated including the new German *Länder*. The low per capita GDP in these regions caused a 3% drop in the Community average. Per capita GDP for 1991, expressed as purchasing power standards, revealed marked differences between Member States, the lowest rates being in Greece (49% of the Community average) and Portugal (60 % of the Community average). Ireland (72%), Spain (80%) and the United Kingdom (98%) also had below-average per capita GDP. The Member States with above-average per capita GDP were, in descending order: Luxembourg (131%), France (115%), Denmark (111%), Belgium (108%) Italy and Germany (106%) and the Netherlands (104%).

The regions showed even wider disparities than in previous years:

□ the inclusion of the new German *Länder* added to the number of regions with a per capita GDP well below the Community average, so that over 20% now have a GDP of less than 75% of the average. Rates were particularly low in the new German *Länder* (30-35%), Alentejo (36%) in Portugal and all regions of Greece except Sterea Ellada and Attiki. The overseas French departments were in a similar position (their indices relate to 1989).

□ The drop in the Community average also meant that the most prosperous regions further increased their lead. Over 10% of regions recorded a per capita GDP of more than 125% of

the average, with the highest rates in Hamburg (209%), Darmstadt (173%), Bremen (159%) and Upper Bavaria (155%) in Germany, Ile-de-France (172%) in France and Greater London (148%) in the United Kingdom.

The group of countries with the widest regional disparities — Spain, Italy and the United Kingdom — has now been joined by Germany, where the disparities are even wider: 18% of the population lives in regions where per capita GDP is 35% of the Community average or less, while an equal number live in regions where GDP is more than 140% of the average.

During the period 1980-91, some regions — the Canary Islands, the Balearic Islands, Madrid, Ceuta-Melilla, Catalonia, Aragon, Murcia and Navarra in Spain, Ireland, and Lisbon and Vale do Tejo and Norte in Portugal — saw their per capita GDP increase to levels closer to the Community average. Others whose levels were already above average — Darmstadt, Hamburg, Upper Bavaria, Lower Bavaria and Mittelfranken in Germany, Ile-de-France in France, Friuli-Venezia-Giulia and Lazio in Italy, and Luxembourg — gained even further ground. Per capita GDP plummeted in a small group of regions such as Picardy and Lorraine in France and Drenthe and Groningen in the Netherlands; in Groningen the trend in gas production proved a major factor. A large slump, of over 12 points, was also recorded in Sterea Ellada in Greece and Alentejo in Portugal, leaving these regions further below the Community average.

The following regional features deserve mention:

□ for the first time, four regions of Spain — the Balearic Islands (106%), Madrid (100%), Navarra (100%) and Catalonia (98%), together accounting for some 30% of the national population — showed a per capita GDP close to the Community average; Spain as a whole moved up to 80% of the Community average;

□ the United Kingdom index, on the other hand, fell below the Community average (98%), and some 30% of the UK population now lives in regions whose per capita GDP is less than 90% of the average;

□ the contrast between the regions in the north and south of Italy widened still further, with Valle d'Aosta (133%), Lombardy (139%) and Emilia-Romagna (132%) amongst the most

prosperous regions in the Community while Basilicata, in the south, fell to less than 60% of the Community average.

Information

1.6.5. New publications available from sales offices:

□ Country reports: *Poland*;

□ *External trade and balance of payments*: 1993 statistical yearbook;

□ *External trade — generalized system of tariff preferences (GSP) — Imports 1992* (2 volumes);

□ *External trade* — monthly statistics (including Intrastat);

□ *Rapid reports (External trade and balance of payments)*: European Union trade with the African, Caribbean and Pacific countries (ACP).

7. Community institutions

Institutional affairs

Enlargement

1.7.1. Council Decision on qualified majority decision-making by the Council (→ point 1.3.27).

1.7.2. Declaration by the Member States and declaration by the four applicant countries (→ point 1.3.28).

1.7.3. Commission statement on the results of the Intergovernmental Conference on Enlargement (→ point 1.3.29).

The Community's external powers

1.7.4. Commission communication to the Council on the notification of a change in the distribution of competence between the European Community and its Member States pursuant to Article 11(7) of the Food and Agriculture Organization of the United Nations (FAO).

- **Reference:** Council Decision on the accession of the European Community to the FAO: Bull. 11-1991, point 1.3.64

Adopted on 17 March. The object of the exercise is to amend the declaration of competence annexed to the Council Decision on the accession of the European Community to the FAO to take account of the entry into force of the Treaty on European Union, and in particular the new powers conferred on the Community.

Parliament

Strasbourg, 7 to 11 March

1.7.5. The first part-session in March was marked by the speech given by Mr Vaclav Havel, President of the Czech Republic, and the

debates on the White Paper on Growth, Competitiveness and Employment and the accession negotiations.

Mr Havel delivered a very well-received speech to the House in which he highlighted the need for reflection on European identity and a new and clear articulation of European responsibility. Answering the question why his country wanted to join the European Union, the President said that he understood European integration as a peaceful means of determining where we should each sit in the boat we all find ourselves in.

During the debate on the White Paper on growth, competitiveness and employment, Mr Christophersen stressed the importance of measures aimed at improving the provision of training, increasing the flexibility of the labour market and reducing statutory charges on labour. He also spoke of the importance of trans-European networks for job creation. Mr Flynn drew attention to the seriousness of youth unemployment and stressed the need for better training, lower non-wage labour costs for least skilled jobs and a more flexible labour market. After the debate, Parliament adopted a resolution (→ point 1.2.1).

Mr Papoulias, President of the Council, and Mr Van den Broek made statements on the state of play in the accession negotiations. In the ensuing debate, members highlighted the need to amend Article N of the Treaty on European Union so as to involve Parliament in the procedure for amending the Treaties and change the number of votes in the Council required to block a decision. It was also pointed out that the deadlines would be extremely tight if Parliament were to give its assent before June.

Turning to external relations, Mr Papoulias and Mr Van den Broek made statements on the situation in Bosnia at Parliament's request. Mr Papoulias welcomed the return of normality to life in Sarajevo and the agreement between the Croats and the Muslims. Mr Van den Broek shared the hopes expressed by the Presidency of the Council with regard to the outcome of devel-

opments in Bosnia. After the debate, Parliament adopted a resolution on the situation in Bosnia-Herzegovina (→ point 1.3.53) and the Former Yugoslav Republic of Macedonia (→ point 1.3.58). Resolutions were also adopted on the Middle East peace process (→ point 1.3.64), the opening of negotiations with Switzerland on road and air transport (→ point 1.2.100), demography and development (→ point 1.3.105) and refugees in Africa (→ point 1.3.112).

Parliament passed resolutions on the human rights situation in East Timor, Rwanda, Colombia, Cambodia, Burundi, Senegal and Togo and on the situation with regard to Jumma refugees in India, the arrest of Kurdish Members of Parliament in Turkey and the situation with regard to Christians in Kurdistan (→ points 1.3.115 to 1.3.125).

In the institutional field, Parliament adopted a Decision on the regulations and conditions governing the performance of the Ombudsman's duties (→ point 1.1.2).

Two resolutions were adopted on budgetary matters — one on relations between bodies responsible for control of the Community budget and another on the closure of Parliament's accounts for the 1993 financial year (→ points 1.5.1 and 1.5.4).

Parliament delivered its opinion under the consultation procedure on four proposals for Regulations relating to the opening of a special import quota for imports of beef and veal, compensation for milk producers (→ point 1.2.129), measures for farmers affected by the drought in Portugal (→ point 1.2.123) and approval of establishments operating in the animal feed sector (→ point 1.2.25), and on two proposals for Decisions on a financial contribution from the Community towards the cost of enforcing the system for management of fishery resources (→ point 1.2.139) and on expenditure in the veterinary field (→ point 1.2.24). Opinions were also delivered on a proposal for a Decision concluding an agreement with the EBRD (→ point 1.2.158) and a proposal for a Directive on a special scheme for VAT on gold (→ point 1.2.31). Parliament also adopted a resolution on democratic control of the financial policy of the EIB and the EBRD (→ point 1.7.36).

Under the cooperation procedure Parliament adopted opinions at first reading on a proposal

for a Directive on the incineration of hazardous waste (→ point 1.2.151) and a proposal for a Regulation on exports and imports of dangerous chemicals (→ point 1.2.147), and, in the field of transport, on three proposals for Directives on ship inspection and survey organizations (→ point 1.2.93), minimum training for maritime occupations (→ point 1.2.92) and the principles governing the investigation of civil aviation accidents and incidents (→ point 1.2.94). It also adopted positions at second reading on the Council common positions on the proposal for a Regulation on restructuring of inland waterway transport (→ point 1.2.88) and the proposal for a Directive on the protection of young people at work (→ point 1.2.165). Under the co-decision procedure Parliament adopted an opinion at first reading on the proposal for a Directive on prudential supervision (→ point 1.2.29) and decisions at second reading on the common positions on proposals for Directives on colouring agents (→ point 1.2.20) sweeteners (→ point 1.2.19), coupling devices for motor vehicles (→ point 1.2.11), recreational craft (→ point 1.2.13), the control of volatile organic compound emissions (→ point 1.2.154), deposit-guarantee schemes (→ point 1.2.27) and authorizations for the prospecting, exploration and extraction of hydrocarbons (→ point 1.2.81). It endorsed common positions on three proposals for Directives on labelling of materials used in footwear (→ point 1.2.14), motor vehicle emissions (→ point 1.2.153) and food additives (→ point 1.2.18).

Parliament adopted resolutions on foundations (→ point 1.2.67), intellectual property rights (→ point 1.2.33), the future of civil aviation in Europe (→ point 1.2.95), maritime safety (→ point 1.2.90), road safety (→ point 1.2.86), an all-Europe transport policy (→ point 1.2.98), transport networks (→ point 1.2.87), a European works council (→ point 1.2.164), the closure of the Suzuki plant in Spain (→ point 1.2.66), employment in Europe (→ point 1.2.161), the social policy implications of EMU (→ point 1.2.159), women in the European Union (→ point 1.2.167), the status of nursing staff (→ point 1.2.172), the development of wine-sector policy (→ point 1.2.126), the crisis in the tomato sector (→ point 1.2.125), problems in the fisheries sector (→ point 1.2.142), the financing of structural policies (→ point 1.5.25), information measures regarding the Structural Funds (→ point 1.2.109), the Commission report on the Structural Funds in 1992 (→ point 1.2.108), the

Union's independent power of investigation for the purposes of the legal protection of its financial interests (→ point 1.5.24), the need to assess the cost of 'non-environment' (→ point 1.2.145), the protection of European forests (→ point 1.2.120), the exportation of pesticides to Albania (→ point 1.3.33), terrorism (→ point 1.4.1), passport checks (→ point 1.1.1), access to third countries' markets (→ point 1.2.34), negotiations with certain third countries on road transport (→ point 1.2.99), the European Centre for the Validation of Alternative Methods of Animal Testing (→ point 1.2.74) and the importance of design (→ point 1.2.177).

Report of proceedings:

OJ Annex 3-442

Full text of opinions and resolutions:

OJ C 91, 28.3.1994

Brussels, 23 and 24 March

1.7.6. The additional part-session was dominated by the debate on enlargement, in which the main issue was the change in the number of votes needed to block a decision with the accession of the new Member States. Mr Van den Broek expressed his concern at the situation and reaffirmed the Commission's determination to bring the enlargement procedure to a successful conclusion.

Sir Leon Brittan made a statement on the outcome of the Uruguay Round, in which he highlighted the most important achievements of the negotiations, i.e. the primacy of open trade rules, the strengthening of multilateral dispute settlement disciplines, the inclusion of services in the multilateral agreements, institutional improvements such as the establishment of a World Trade Organization, and significant tariff reductions. Parliament adopted two resolutions on the Uruguay Round (→ points 1.3.77 and 1.3.78) and another on relations between the European Union and the United States (→ point 1.3.65).

Mr Christophersen presented the main points in the Commission's Annual Economic Report, drawing particular attention to the prospect of an economic upturn in the Union, which would bring about lower budget deficits, the likelihood of positive growth in 1994 and a levelling-off of unemployment. Mr Pangalos, the Greek Deputy

Foreign Minister and President of the Council, told the House that a great deal of importance would be attached to unemployment in the review of the general thrust of economic policy in June.

Parliament adopted two resolutions on the guidelines for the 1995 budget (→ points 1.5.5 and 1.5.6) following a debate in which Mr Schmidhuber reminded the House of the provisions of the Interinstitutional Agreements, designed to improve the budgetary procedure for 1995. He also spoke of the difficult economic situation providing the backdrop for the forecasts for 1995 and identified areas which should be given priority, such as economic and monetary union.

Parliament adopted a resolution on the proposal for a Regulation establishing a Cohesion Fund (→ point 1.2.104), in which it called for the assent procedure to be used for the implementing rules too. It also adopted two resolutions on security and defence policy (→ points 1.3.1 and 1.3.2), one on the CSCE (→ point 1.3.80) and another on enlargement and neutrality (→ point 1.3.30).

Report of proceedings:

OJ Annex 3-443

Full text of opinions and resolutions:

OJ C 114, 25.4.1994

Council

1734th meeting

1.7.7. Research (Brussels, 4 and 21 March).

□ **Previous meeting:** Bull. 12-1993, point 1.7.16

President: Mr Simitis, Greek Minister for Industry, Energy and Technology.

Commission: Mr Ruberti.

Main items

- Fourth framework programme (1994-98): exchange of views.
- Follow-up to the White Paper: discussed.

1735th meeting

1.7.8. General affairs (Brussels, 7 and 8 March).

□ **Previous meeting:** Bull. 1/2-1994, point 1.7.16

President: Mr Papoulias, Greek Minister for Foreign Affairs, and Mr Pangalos, Greek Deputy Minister for Foreign Affairs.

Commission: Mr Delors, Mr Van den Broek, Sir Leon Brittan, Mr Steichen, Mr Paleokrassas and Mr Schmidhuber.

Main items

- Association with Hungary and Poland: two Decisions adopted (→ points 1.3.38 and 1.3.41).
- Reinforcement of the political dialogue with the associated countries of Central and Eastern Europe: conclusions adopted (→ point 1.3.37).
- Support for the conveying of humanitarian aid in Bosnia-Herzegovina: Decision adopted (→ point 1.3.7).
- Uruguay Round — preparations for the Ministerial Conference in Marrakesh: conclusions adopted (→ point 1.3.76).
- EEA Agreement — interim package: draft Decision agreed (→ point 1.3.31).

Other business

- Enlargement: discussions continued.
- Implementation of the White Paper: exchange of views.
- Immigration and asylum: Commission statement.
- Financing of the CFSP: progress report.
- Former Yugoslavia: exchange of views.
- Middle East peace process: statement.
- Withdrawal of the Russian army from the Baltic countries: statement.
- Visit to China by Sir Leon Brittan: report.
- Budgetary discipline: examined.
- New Decision on own resources: examined.
- Arrangements for applying the EEA Agreement: examined.
- Importation of steel products from Russia, Ukraine and Kazakhstan: progress report.

1736th meeting

1.7.9. Internal market (Brussels, 10 March).

- **Previous meeting:** Bull. 12-1993, point 1.7.23

President: Mr Papantoniou, Greek Deputy Minister for Economic Affairs.

Commission: Mr Bangemann, Mrs Scrivener and Mr Vanni d'Archirafi.

Main item

- Prohibition of the release for free circulation, export or transit of counterfeit goods: proposal for a Regulation agreed (→ point 1.3.82).

Other business

- Operation of the internal market: discussed.
- Novel foods and novel food ingredients: general discussion.
- Construction products: exchange of views.
- Increasing coach safety: discussed.

1737th meeting

1.7.10. Economic and financial affairs (Brussels, 21 March).

- **Previous meeting:** Bull. 1/2-1994, point 1.7.14

President: Mr Papantoniou, Greek Deputy Minister for Economic Affairs.

Commission: Mr Delors, Mr Christophersen, Mr Schmidhuber and Mrs Scrivener.

Main items

- Court of Auditors' report for 1992 and Commission discharge in respect of implementation of the 1992 budget: recommendation adopted (→ point 1.5.7).
- Financial assistance for the countries of Central and Eastern Europe: agreed in principle (→ point 1.3.36).
- Denmark's convergence programme: conclusions adopted (→ point 1.2.6).

Other business

- Fight against fraud: exchange of views.
- Budgetary discipline: examined.
- Own resources: discussed.
- Follow-up to the White Paper: progress report.
- Taxation of savings: discussed.
- Corporate taxation: exchange of views.

- Commission recommendation on the taxation of non-residents: examined.
- US proposal to charge foreign banks fees: discussed.

1738th meeting

1.7.11. Justice and home affairs (Brussels, 23 March).

- **Previous meeting:** Bull. 11-1993, point 1.7.20

President: Mr Kouvelakis, Greek Minister for Justice, and Mr Papatthemelis, Greek Minister for Public Order.

Commission: Mr Flynn and Mr Schmidhuber.

Main items

- Immigration and asylum: exchange of views.
- European information systems: examined.
- Europol — Drugs Unit: progress report.
- Telecommunications: examined.
- Combating terrorism: report approved.
- Extradition: exchange of views.
- Combating fraud: exchange of views.
- Community accession to the European Convention on Human Rights: progress report.

Extraordinary meeting

1.7.12. Environment and transport (Brussels, 24 March).

- **Previous meeting:** Bull. 1/2-1993, point 1.6.7

President: Ms Papazoi, Greek State Secretary for the Environment, Regional Planning and Public Works.

Commission: Mr Matutes and Mr Paleokrassas.

Sole item

- Maritime safety and prevention of pollution of the sea: conclusions adopted (→ point 1.2.89).

1740th meeting

1.7.13. Environment (Brussels, 24 and 25 March).

- **Previous meeting:** Bull. 12-1993, point 1.7.13

President: Ms Papazoi, Greek State Secretary for the Environment, Regional Planning and Public Works.

Commission: Mr Paleokrassas.

Main items

- Limitation of pollution caused by large combustion plants: common position on a proposal for a Directive agreed unanimously (→ point 1.2.148).
- Limitation of noise emitted by earthmoving machinery: common position on a proposal for a Directive agreed unanimously; UK delegation abstained (→ point 1.2.155).
- Four-year programme (1994-97) to develop statistics on the environment: common position on a proposal for a Decision agreed (→ point 1.6.2).
- Integrated coastal-zone management: resolution adopted (→ point 1.2.152).
- Basle Convention: negotiating directives adopted unanimously (→ point 1.2.150).

Other business

- Landfill of waste: discussed.
- Conservation of wild birds: discussed.
- Community strategy on climate change: conclusions adopted.
- Integrated pollution prevention and control: general discussion.
- White Paper: progress report.

1741st meeting

1.7.14. General affairs (Brussels, 15 March).

- **Previous meeting:** point 1.7.8 of this Bulletin

President: Mr Pangalos, Greek Deputy Minister for Foreign Affairs.

Commission: Mr Delors, Mr Van den Broek, Mr Paleokrassas, Mr Schmidhuber and Mr Steichen.

Main items

- Enlargement: discussions continued.
- New Decision on own resources: examined.
- Budgetary discipline: discussed.

1742nd meeting

1.7.15. Agriculture (Brussels, 28 and 29 March).

- **Previous meeting:** Bull. 1/2-1994, point 1.7.15

President: Mr Moraitis, Greek Minister for Agriculture.

Commission: Mr Steichen.

Main items

- Extension of the marketing years for milk and for beef and veal: two Regulations adopted (→ points 1.2.130 and 1.2.131).
- Drought in Portugal: Regulation adopted (→ point 1.2.123).
- Refunds on certain agricultural products: Regulation adopted by qualified majority; Italian delegation voted against (→ point 1.2.132).
- Compensation for milk producers for the reduction of reference quantities: Regulation adopted (→ point 1.2.129).

Other business

- Agricultural prices and related measures 1994/95: exchange of views.
- Milk quotas: examined.
- Community tariff quotas in the context of the Community's agricultural commitments under the GATT: Regulation adopted.
- Programmes relating to measures accompanying reform of the common agricultural policy: examined.
- Risk of disturbance to trade and the single market in the beef sector: exchange of views.

1743rd meeting

1.7.16. Health (Brussels, 30 March).

- **Previous meeting:** Bull. 12-1993, point 1.7.21

President: Mr Kremastinos, Greek Minister for Health.

Commission: Mr Flynn.

Sole item

- Prevention measures against the risk of BSE transmission to humans: exchange of views.

1744th meeting

1.7.17. General affairs (Brussels, 22 March).

- **Previous meeting:** point 1.7.14 of this Bulletin

President: Mr Pangalos, Greek Deputy Minister for Foreign Affairs.

Commission: Mr Delors, Mr Van den Broek and Mr Steichen.

Sole item

- Enlargement: discussions continued.

Commission

Proposals adopted

1.7.18. The Commission adopted a proposal for a Directive simplifying the VAT arrangements for certain transactions (→ point 1.2.30). It also adopted proposals for Decisions relating to specific programmes implementing the fourth EC framework programme and the Euratom framework programme (→ point 1.2.69). In the field of trans-European networks it adopted a proposal for a Regulation laying down general rules for the granting of Community financial aid (→ point 1.2.79) and approved a proposal for a Parliament and Council Decision on guidelines for the development of the trans-European transport network (→ point 1.2.80). It also adopted a proposal for amending the Directive on the assessment of the effects of certain projects on the environment (→ point 1.2.144). In the field of public health it adopted a proposal for a Parliament and Council Decision adopting an action plan 1995-99 to combat cancer (→ point 1.2.171). Finally, it adopted a proposal for a Regulation on Community action in the field of statistics (→ point 1.6.1).

Communications, Green Papers and reports

1.7.19. The Commission adopted the Annual Economic Report for 1994 (→ point 1.2.7) and its first annual report on the Community internal

market (→ point 1.2.8). It also adopted a communication on the outlines of an industrial policy for the pharmaceutical sector (→ point 1.2.65).

On the environment front it adopted a communication on a Community strategy for radioactive waste management (→ point 1.2.157). Finally, it adopted a communication on its anti-fraud strategy (→ point 1.5.22).

Other decisions

1.7.20. The Commission approved guidelines for Community initiatives for urban areas (URBAN) and for the Portuguese textile and clothing industry (→ points 1.2.111 and 1.2.112). Finally, it adopted a statement on the conclusion of the accession negotiations with Austria, Sweden, Finland and Norway (→ points 1.3.26 to 1.3.29).

Community lawcourts

Legislation

1.7.21. Council Decision 94/149/ECSC, EC amending Decision 93/350/Euratom, ECSC, EEC amending Decision 88/591/ECSC, EEC, Euratom establishing a Court of First Instance of the European Communities.

- **Decision amended:** Decision 93/350/Euratom, ECSC, EEC: OJ L 144, 16.6.1993; Bull. 6-1993, point 1.6.19
- **Council agreement:** Bull. 1/2-1994, point 1.7.19

Adopted on 7 March. Purpose: to set 15 March 1994 as the date for the transfer of jurisdiction in respect of measures to protect trade from the Court of Justice to the Court of First Instance.

OJ L 66, 10.3.1994

Court of Justice

1.7.22. Decisions given by the Courts are covered in the Bulletin for the month in which they are reported in the Official Journal. The op-

erative part of the main decisions is reproduced; other decisions are simply listed by field and legal basis. Decisions in disputes between the Community and its staff are not reported.

Main decisions

Free movement of goods

Article 177 of the EC Treaty

□ 2.2.1994: Case C-315/92 *Verband Sozialer Wettbewerb v Clinique Laboratories and Estée Lauder Cosmetics*

Articles 30 and 36 of the EEC Treaty and Article 6(2) of Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products must be interpreted as precluding a national measure which prohibits the importation and marketing of a product classified and packaged as a cosmetic on the ground that the product bears the name 'Clinique'.

OJ C 76, 12.3.1994

Free movement of persons, companies and services

Article 177 of the EC Treaty

□ 9.2.1994: Case C-319/92 *Haim v Kassenzahnärztliche Vereinigung Nordrhein*

1. Article 20 of Council Directive 78/686/EEC of 25 July 1978 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications of practitioners of dentistry, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services, does not prohibit a Member State from requiring a national of another Member State who has none of the qualifications listed in Article 3 of the Directive to complete a preparatory training period in order to be eligible for appointment as a dental practitioner of a social security scheme even though he is authorized to practise in the territory of the first State.

2. Article 20 of Directive 78/686/EEC does not exempt from the preparatory training period a national of a Member State who holds a qualification awarded by a non-member State, where that qualification has been recognized by another Member State as equivalent to one listed in Article 3 of the Directive.

3. It is not permissible under Article 52 of the EEC Treaty for the competent authorities of a Member State to refuse appointment as a dental practitioner of

a social security scheme to a national of another Member State who has none of the qualifications mentioned in Article 3 of Directive 78/686/EEC, but who has been authorized to practise, and has been practising, his profession both in the first and in another Member State, on the ground that he has not completed the preparatory training period required by the legislation of the first State, without examining whether and, if so, to what extent the experience already established by the person concerned corresponds to that required by that provision.

OJ C 76, 12.3.1994

□ 9.2.1994: Case C-154/93 *Tawil-Albertini v Ministre des Affaires sociales*

Article 7 of Directive 78/686/EEC of 25 July 1978 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications of practitioners of dentistry, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services, does not require Member States to recognize diplomas, certificates and other evidence of formal qualifications which do not testify to dental training acquired in one of the Member States of the Community.

OJ C 90, 26.3.1994

Social policy and free movement of workers

Article 177 of the EC Treaty

□ 23.2.1994: Case C-419/92 *Scholz v Opera Universitaria di Cagliari and Porcedda*

Article 48 of the EEC Treaty must be interpreted as meaning that, where a public body of a Member State, in recruiting staff for posts which do not fall within the scope of Article 48(4) of the EEC Treaty, provides for account to be taken of candidates' previous employment in the public service, that body may not, in relation to Community nationals, make a distinction according to whether such employment was in the public service of that particular State or in the public service of another Member State.

OJ C 90, 26.3.1994

Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters

Protocol of 3 June 1971 and Convention of 27 September 1968

□ 10.2.1994: Case C-398/92 *Mund & Fester v Hatrex Internationaal Transport*

Article 7 of the EEC Treaty, read in conjunction with Article 220 of the Treaty and the Convention of 27

September 1968 on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters, precludes a national provision of civil procedure which, in the case of a judgment to be enforced within national territory, authorizes seizure only on the ground that it is probable that enforcement will otherwise be made impossible or substantially more difficult, but, in the case of a judgment to be enforced in another Member State, authorizes seizure simply on the ground that enforcement is to take place abroad.

OJ C 76, 12.3.1994

Other decisions

European Atomic Energy Community

Article 188 of the EAEC Treaty

□ 3.2.1994: Case C-308/87 *Grifoni v EAEC*

OJ C 76, 12.3.1994

Social policy and free movement of workers

Article 177 of the EC Treaty

□ 17.1.1994: Case C-380/93 *Winkler v Bundesanstalt für Arbeit*

OJ C 90, 26.3.1994

□ 3.2.1994: Case C-13/93 *Office National de l'Emploi v Minne*

OJ C 76, 12.3.1994

□ 4.2.1994: Case C-343/92 *De Weerd née Roks and Others v Bestuur van de Bedrijfsvereniging voor de Gezondheid, Geestelijke en Maatschappelijke Belangen and Others*

OJ C 90, 26.3.1994

Competition

Article 177 of the EC Treaty

□ 13.1.1994: Case C-77/92 *Bundesanstalt für den Güterfernverkehr v Rohde und Liesenfeld*

OJ C 76, 12.3.1994

□ 27.1.1994: Case C-48/92 *Wimmer*

OJ C 90, 26.3.1994

State aids

Article 177 of the EC Treaty

□ 4.2.1994: Case C-99/92 *Terni and Italsider v Cassa Conguaglio per il Settore Elettrico*

OJ C 90, 26.3.1994

- 24.2.1994: Case C-100/92 *Fonderia A. v Cassa Conguaglio per il Settore Elettrico*
OJ C 90, 26.3.1994

Taxation

Article 177 of the EC Treaty

- 21.1.1994: Case C-223/92 *Corsi*
OJ C 90, 26.3.1994

Infringements

Article 169 of the EC Treaty

- 26.1.1994: Case C-381/92 *Commission v Ireland*
OJ C 76, 12.3.1994
- 9.2.1994: Case C-119/92 *Commission v Italy*
OJ C 76, 12.3.1994
- 23.2.1994: Case C-289/93 *Commission v Italy*
OJ C 90, 26.3.1994
- 23.2.1994: Case C-336/93 *Commission v Belgium*
OJ C 90, 26.3.1994

Court of First Instance

Main decisions

Competition

Article 173 of the EC Treaty

- 23.2.1994: Joined Cases T-39/92 and T-40/92 *Groupement des cartes bancaires 'CB' and Europay International v Commission*

1. Articles 1 and 3 of Commission Decision 92/212/EEC of 25 March 1992 relating to a proceeding pursuant to Article 85 of the EC Treaty (IV/30.717-A — Eurocheque: Helsinki Agreement) are annulled in so far as they refer to Eurocheque International.

2. The amount of the fine imposed on the Groupement des cartes bancaires 'CB' in Article 3 of the Decision is set at ECU 2 000 000.

3. For the rest, the application of the Groupement des cartes bancaires 'CB' is dismissed.

4. The Commission is ordered to bear its own costs and to pay the costs incurred by Europay and one half of the costs incurred by the Groupement. The Groupement shall bear one half of its own costs.

OJ C 90, 26.3.1994

Other decisions

Agriculture

Articles 178 and 215 of the EC Treaty

- 7.2.1994: Case T-74/93 *Große-Brochtrup v Council and Commission*
OJ C 90, 26.3.1994

Articles 185 and 186 of the EC Treaty

- 12.1.1994: Case T-554/93R *Abbott Trust v Council and Commission*
OJ C 76, 12.3.1994
- 25.1.1994: Case T-20/94R *Hartmann v Council and Commission*
OJ C 90, 26.3.1994
- 25.1.1994: Cases T-21/94R to T-32/94R *Murr and Others v Council and Commission*
OJ C 90, 26.3.1994

- 28.1.1994: Cases T-87/93R, T-130/93R, T-33/94R to T-35/94R and T-38/94R to T-52/94R *Wüllner and Others v Council and Commission*

OJ C 90, 26.3.1994

- 1.2.1994: Cases T-278/93R, T-555/93R and T-280/93R *Jones and Others v Council and Commission* and T-541/93R *McCutcheon and Others v Council*

OJ C 90, 26.3.1994

European Social Fund

Article 173 of the EC Treaty

- 10.2.1994: Case T-468/93 *Frinil-Frio Naval e Industrial v Commission*
OJ C 90, 26.3.1994

Analysis of judgments delivered between 1 January and 31 March 1994

General principles of Community law

1.7.23. Judgment of 10 February, Case C-398/92 *Mund & Fester v Hatrex Internationaal Transport* — Seizure order — Sufficient grounds: en-

forcement — of a judgment in another Contracting State party to the Brussels Convention — Prohibition of discrimination; Judgment of 23 February, Case C-419/92 *Scholz v Opera Universitaria di Cagliari and Porcedda* — Free movement of workers — Competition for a post in the public service — Practical experience acquired in another Member State.

In both these cases, which exemplify how Court decisions are helping to complete the single market, the Court relied on the rule of equal treatment (for Community nationals) in holding that, where the legislation of a Member State considers certain material facts to be without legal impact if they do not arise in the domestic context, it must treat facts arising in another Member State as if they had arisen in that context.

In *Mund & Fester* the Court held that Article 7 of the EEC Treaty (now Article 6 of the EC Treaty) precluded a national provision of civil procedure which authorized the seizure of goods if enforcement was to take place in another Member State but did not authorize seizure if enforcement was to take place on national territory unless enforcement would otherwise be made impossible or more difficult.

And in *Scholz* the Court interpreted Article 48(2) of the EEC Treaty as meaning that a public body of a Member State, when recruiting staff for the public service and assessing candidates' previous employment, may not make a distinction according to whether a candidate has been employed in its own public service or in that of another Member State.

Free movement of goods and customs union

1.7.24. Judgment of 2 February, Case C-315/92 *Verband Sozialer Wettbewerb v Clinique Laboratories and Estée Lauder Cosmetics* — Free movement of goods — Name of a cosmetic product liable to mislead consumers.

The Court was asked to rule whether the German prohibition on the use of the name 'Clinique' for the marketing of cosmetics constituted an obstacle to intra-Community trade under Article 30 of the EEC Treaty or whether the prohibition could be justified on grounds of consumer protection (an imperative requirement) or public health (under Article 36 of the Treaty).

The Court held that the prohibition was incompatible with Community law, having consistently ruled that Article 30 prohibited obstacles to the free movement of goods resulting from rules that laid down requirements to be met by such goods (as regards designation, form, size, weight, composition, presentation, labelling or packaging), even if those rules applied without distinction to all products, unless their application could be justified by a public-interest objective taking precedence over the free movement of goods.

Taking account of the information set out in the order for reference, the Court found that the hospital or medicinal connotations of the name 'Clinique' were not so strong as to mislead.

Free movement of persons and services

1.7.25. Judgment of 9 February, Case C-319/92 *Haim v Kassenzahnärztliche Vereinigung Nordrhein* and Case C-154/93, *Tawil-Albertini v Ministre des Affaires Sociales* — Establishment and freedom to provide services — Dentist — Recognition of diplomas.

Having made the point that Member States were at liberty to authorize persons holding qualifications from a non-member country to practise dentistry on their own territory under their own laws, the Court ruled that recognition by one Member State (e.g. under an international agreement) of a qualification awarded by a non-member country did not bind the other Member States.

1.7.26. Judgment of 24 March, Case C-275/92 *Her Majesty's Customs and Excise v Schindler* — Free movement of services — Prohibition on lotteries — Social policy and fraud prevention.

The Court held that each Member State, given its particular social and cultural characteristics, was entitled to take discretionary measures as regards the organization of lotteries, the size of the stakes and the use made of the profits. Even if in the case in issue such measures constituted an obstacle to the free movement of services (by their very nature they were likely to impede the activities of service-providers established in other Member States), it was for the Member States themselves to assess not only whether restrictions should be placed on lotteries but also whether they should be prohibited, provided that

any restrictions imposed were not discriminatory.

Competition — State aid

1.7.27. Judgment of 19 January, Case C-364/9 *SAT Fluggesellschaft v Eurocontrol* — Articles 86 and 90 of the Treaty — Concept of undertaking — International organization.

The dispute concerned the recovery of route charges which SAT refused to pay, pleading that Eurocontrol had infringed Articles 86 and 90 of the EC Treaty. The airline claimed in particular that the procedures followed by Eurocontrol in fixing charges at different rates for equivalent services, so that they varied from one country to another and from one year to another, constituted an abuse of a dominant position.

The Court, endorsing the position taken by the Commission and several Member States, held that taken as a whole Eurocontrol's activities, by their nature, their purpose and the rules to which they were subject, were connected with the exercise of powers relating to the control and supervision of air space which were typically those of a public authority. They were not of an economic nature such as to warrant the application of the Treaty's rules of competition. An international organization such as Eurocontrol did not therefore constitute an undertaking within the meaning of Articles 86 and 90.

1.7.28. Judgment of 24 March, Case T-3/93 *Air France v Commission* — Competition — Merger of undertakings — Commission decisions not to intervene.

This case is interesting in two respects. As regards admissibility, the Court of First Instance found that an application for annulment could be lodged against a statement made by the spokesman for the Member of the Commission responsible for competition in which he made public a Commission decision declining jurisdiction in respect of a merger under Council Regulation (EEC) No 4064/89 of 21 December 1989 (the Merger Control Regulation).

As regards the substance of the case, the Court held that to assess the real size of a merger such as the partial takeover of Dan Air by British Airways, only the turnover of those parts of the business actually acquired over should be taken into account.

1.7.29. Judgment of 9 March, Case C-188/92 *Textilwerke Deggendorf v Germany* — State aid — Action against internal measures implementing a Commission decision — Preliminary reference — Definitive nature of the decision *vis-à-vis* the recipient of the aid to which it relates — Assessment of validity.

This ruling settles an important question as regards the relationship between an action for annulment and a preliminary reference for the assessment of validity. The Court held that where a firm receiving State aid had failed to bring an action under the second paragraph of Article 173 of the EC Treaty for the annulment of the Commission decision finding the aid unlawful within the time allowed (and where the firm was fully informed of the decision), it could not challenge the validity of the decision in an action before the national courts brought against the measures taken by the national authorities to implement the decision.

Environment and consumer protection

1.7.30. Judgment of 19 January, Case C-435/92 *Association pour la protection des animaux sauvages and Others v Préfet de Maine-et-Loire and Préfet de la Loire-Atlantique* — Conservation of wild birds — Hunting season.

The Court held that Council Directive 79/409/EEC on the conservation of wild birds required Member States, when fixing the closing dates of hunting seasons, to guarantee full protection for the species concerned. It was therefore incompatible with the Directive to use any method whose effect would be to allow a certain percentage of a species to escape such protection.

1.7.31. Judgment of 25 January, Case C-212/91 *Angelopharm v Freie und Hansestadt Hamburg* — Cosmetic products — Validity of the addition of a substance to the list of substances which must not form part of the composition of cosmetic products — Committee procedure.

The Court declared invalid the addition of 11 alpha-OHP and its esters to the 'list of substances which cosmetic products must not contain' by the 12th Commission Directive (90/121/EEC) adapting to technical progress Council Directive 76/768/EEC on the approximation of laws relating to cosmetic products, on the ground that the Scientific Committee on Cosme-

tology had not been consulted beforehand as required by Article 8(2) of the Cosmetics Directive.

There had been considerable uncertainty as to the exact import of Article 8(2), which could be interpreted as meaning that consultation of the Committee was mandatory or that it was optional. The Court settled the matter, stating that the Committee, which consisted of scientists highly qualified in the disciplines relevant to cosmetology, played a decisive role in the procedure whereby the basic Directive was adapted to take account of technical progress, whereas the Commission itself was not capable of making scientific or technical assessments of this kind.

The Court's interpretation is now reflected in the new wording of Article 8(2), as amended by Directive 93/35/EEC.

Institutional matters

1.7.32. Judgment of 2 March, Case C-316/91 Parliament v Council — Action for annulment — Parliament — Conditions of admissibility — Act of the Council — Lomé Convention — Financial Regulation — Legal basis.

Parliament had brought an action for the annulment of Financial Regulation 91/491/EEC applicable to development finance cooperation under the fourth ACP-EEC Convention. This Regulation is based on an Intergovernmental Agreement adopted by the Representatives of the Governments of the Member States meeting with the Council (Internal Agreement 91/401/EEC on the financing and administration of Community aid under the Lomé Convention), which provides that the Council, acting by a qualified majority, is to adopt a Financial Regulation on the basis of a Commission draft, having consulted the EIB and the Court of Auditors. Parliament contested the choice of legal basis, favouring instead Article 209 of the Treaty, which deals with Community Financial Regulations and requires that Parliament be consulted.

The Court held that Parliament's action was admissible, irrespective of whether the instrument in question had been adopted by the Council pursuant to Treaty provisions, since it was intended to have legal effects. The right to be consulted in accordance with a provision of the

Treaty was a prerogative of Parliament, which was therefore entitled to bring an action in this case.

On the substance, the Court found that the powers of the Member States and of the Community in matters of development aid were not exclusive and that, where the Lomé Convention was concerned, the obligation to grant financial assistance fell on the Community and on its Member States, considered to be jointly responsible *vis-à-vis* the ACP States. Since powers in this field were shared between the Community and its Member States, it was for them to choose the source and manner of financing, as they had in fact done by the Internal Agreement. Since the Fund set up by that Agreement was financed directly by the Member States, each providing a specified share of the costs, the expenditure in question was not Community expenditure which had to be entered in the Community budget and to which Article 209 of the Treaty had to be applied. The fact that the Commission and the other institutions were associated with the administration of the Fund by virtue of the Agreement did not affect the Court's ruling. Parliament's application was therefore dismissed.

Court of Auditors

1.7.33. Special report No 2/94 on the import programmes carried out under the sixth EDF.

Adopted on 10 March. The report has been sent to the other Community institutions and will be published in the Official Journal.

OJ C 97, 6.4.1994

1.7.34. Opinion No 1/94 on the proposal for a Council Regulation (EC, Euratom) amending Regulation (EEC, Euratom) No 1552/89 implementing Decision 88/376/EEC, Euratom on the system of the Communities' own resources (→ point 1.5.10).

1.7.35. Opinion No 1/94 on the proposal for a Council Regulation (ECSC, EC, Euratom) amending the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities (→ point 1.5.11).

European Investment Bank

General

1.7.36. Parliament resolution on the democratic control of the financial policy of the European Investment Bank (EIB) and the European Bank for Reconstruction and Development (EBRD).

Adopted on 11 March. Arguing that the EIB forms an integral part of the European institutional and political framework and that its activities are political in nature, Parliament considers it has a duty to ensure effective democratic control over the Bank's activities. It requested that the Court of Auditors be empowered to carry out audits of all its operations and to produce an annual audit report. In view of the difficulties in implementing the agreement between the Court of Auditors, the EIB and the Commission concerning the Court's powers to carry out audits into operations involving budgetary funds, Parliament proposed the introduction of a discharge procedure for these operations. At the same time it emphasized its commitment to the autonomy of the EIB in the day-to-day management of its affairs, in particular as regards the allocation of loans.

Given that over half the capital of the EBRD is constituted by money belonging to the Community taxpayer, Parliament asked the Member States to coordinate their activities in the field of budgetary control by entrusting this task to the Court of Auditors, which would be required to report to Parliament. It is planning to institute an annual review of the activities of the EBRD.

OJ C 91, 28.3.1994

Financing

1.7.37. In March the EIB granted loans totalling ECU 807.4 million, of which ECU 92.3 million went outside the European Union.

European Union

Links with Union policies

1.7.38. Loans were made for the following measures:

□ ECU 419.5 million for the economic development of disadvantaged regions;

□ ECU 37 million for the improvement of transport and telecommunications infrastructure projects of benefit to the Community;

□ ECU 50.4 million for the protection of the environment and improvement of the quality of life;

□ ECU 298.8 million for the pursuit of Community objectives in the field of energy;

□ ECU 15.2 million for the enhancement of the international competitiveness of industry and its integration within the Union.

The Bank also continued its operations to support small businesses: a total of ECU 329.6 million has been granted in global loans since the beginning of the year.

In many cases individual loans come under several Union policies; some are therefore counted more than once in the above amounts.

Geographical breakdown

Denmark

1.7.39. ECU 5.5 million went towards the construction of a high-voltage DC electricity cable across the Skagerrak between Denmark and Norway.

Germany

1.7.40. Loans totalling ECU 113.65 million (including ECU 77.5 million under the Edinburgh lending facility) were allocated for the conversion of the existing network to natural gas in the eastern region. ECU 10.34 million was allocated for the construction of a toxic waste incineration plant at Ebenhausen, north of Munich. ECU 51.66 million was made available for the construction of a plant for the production of newspaper from de-inked pulp and recycled paper. ECU 41.33 million went towards the conversion of the existing network to natural gas and extension of the distribution network in south-east Saxony. ECU 4.96 million went towards the construction of a warehousing, logistics and distribution centre in Leipzig.

Spain

1.7.41. ECU 31.46 million was granted under the Edinburgh lending facility to renovate roads

in the Balearic Islands. ECU 5.51 million was allocated for the purchase, launch and exploitation of the telecommunications and television satellites to cover the Iberian peninsula, the Canaries and the Balearic Islands. ECU 30.83 million was made available for the reinforcement and modernization of the electricity grid in Catalonia. ECU 100.05 million (including ECU 46.9 million under the Edinburgh lending facility) was granted for the reinforcement and modernization of the electricity grid in Galicia, Castilla La Mancha, Castilla y León and Madrid.

France

1.7.42. ECU 159.64 million (including ECU 53.2 million under the Edinburgh lending facility) was granted as a global loan to finance small and medium-scale public infrastructures for the environment. ECU 68.42 (including ECU 22.8 million under the Edinburgh lending facility) was granted as a global loan to finance small and medium-scale investments in the field of the environment. ECU 22.81 million was made available to finance small and medium-scale real estate investments by a leasing technique. ECU 37.08 million went towards financing new effluent treatment equipment in the titanium dioxide plants at Calais and Grimsby (United Kingdom). A loan of ECU 15.20 million was granted for the development and production of the propulsion unit for the Ariane 5 European rocket project.

Italy

1.7.43. ECU 9.25 million went to finance small and medium-scale investments.

Portugal

1.7.44. ECU 2.94 million went towards the modernization of three food and detergent factories.

Other operations

1.7.45. ECU 4.5 million was granted for the construction of a high-voltage electricity cable between Denmark and Norway, a project of Community interest located in a non-member country but treated in the same way as a Union loan (→ point 1.7.39).

Development cooperation policy

ACP countries

Conditional loan on risk capital

1.7.46. ECU 1.3 million was granted from risk capital to Industrialiseringsfonden for Udviklingslandene (IFU), Denmark to part-finance direct or indirect stakes in capital projects implemented by the private sector in the ACP countries. The IFU is one of a small group of public institutions in the European Union concerned with development financing with which the EIB cooperates to underpin support for the private sector in the ACP countries under the fourth Lomé Convention.

Equatorial Guinea

1.7.47. ECU 14 million was made available for agro-industrial units in Equatorial Guinea.

British Virgin Islands

1.7.48. ECU 2 million was allocated in the form of a global loan to finance investment projects by small and medium-sized firms in industry, agro-industry, fisheries and tourism.

Lesotho

1.7.49. ECU 20 million went towards the construction of a hydroelectric plant at Muela.

Mediterranean countries

Egypt

1.7.50. ECU 55 million was provided for the extension and modernization of the electricity grid in Alexandria.

Economic and Social Committee

314th plenary session

1.7.51. The Economic and Social Committee held its 314th plenary session on 23 and 24 March, chaired by Mrs Tiemann and attended by Mr Jacques Blanc, Chairman of the Committee of the Regions.

1.7.52. In his speech Mr Blanc stressed that the two committees, along with a stronger European Parliament, would help promote democracy in Europe. He also presented the main priorities of the Committee of the Regions, namely:

- to provide economic hope for the citizens of Europe, especially the young;
- to give true substance to the principle of economic and social cohesion;
- to prevent exclusion;
- to offer new hope to those of Europe's neighbours in the throes of serious upheaval.

1.7.53. The Economic and Social Committee debated and adopted opinions on the following:

- agricultural prices for 1994/95 (→ point 1.2.122);
- the Green Paper on European social policy (→ point 1.2.160);
- articles of precious metal (→ point 1.2.15);
- the organic production of agricultural products (→ point 1.2.121).

1.7.54. The Economic and Social Committee adopted opinions on the following, without debate:

- the Leonardo da Vinci action programme for vocational training (→ point 1.2.169);
- the 'Youth for Europe III' programme (→ point 1.2.170);
- the development of the European audiovisual industry (Media) (→ point 1.2.179);
- the transmission of television signals (→ point 1.2.180);
- set-aside (→ point 1.2.118);
- animal feed (→ point 1.2.25);
- veterinary expenditure (→ point 1.2.24).

ECSC Consultative Committee

312th meeting (ordinary)

1.7.55. Madrid, 24 March.

Chairman: Mr González.

Items discussed

- Solid fuel market in the Community in 1993 and outlook for 1994: consultation (→ point 1.2.82).

- Financial aid for technical steel research projects and pilot and demonstration projects: consultation (→ point 1.2.72).

- Financial aid for technical coal research projects: discussion.

- The future of ECSC financial activities: adoption of a memorandum (→ point 1.5.13).

- Problems associated with the restructuring of the Community steel industry: Commission statement.

- Commission proposal for the transfer of certain ECSC activities in the social field (vocational training) to the European Social Fund: exchange of views.

- Implementation of social measures to accompany the restructuring of the Community coal industry (Rechar II): exchange of views.

Committee of the Regions

Inaugural session

1.7.56. The Committee of the Regions held the inaugural session of its first term on 9 and 10 March. Mr Jacques Blanc, President of the Regional Council of Languedoc-Rousillon, was elected Chairman and Mr Pasqual Maragall, Mayor of Barcelona, was elected Vice-Chairman, both for a two-year period.

The meeting was addressed by Mr Klepsch, President of the European Parliament, Mr Tsohatzopoulos, Greek Minister of the Interior and President of the Council, Mr Delors, President of the Commission, and Mrs Tiemann, Chairman of the Economic and Social Committee, all of whom stressed the important role to be played by the Committee of the Regions in narrowing the gap between the institutions and the citizens of Europe.

Mr Klepsch welcomed the setting-up of the committee as a major step forward in the democratization of the European Union and called on the elected representatives of the local and regional authorities to increase public awareness

at the forthcoming European elections with a view to affirming the legitimacy of the European venture.

Also welcoming the establishment of the committee as a milestone in the democratic process, Mr Tsohatzopoulos called on its members to make an active contribution to European unification, notably by exercising the committee's right of initiative.

Mr Delors pointed out that the function of the committee was to reinforce the democratic legitimacy of the European Union. The role of the regions and local authorities had already been recognized with the setting-up of the Consultative Council of Local and Regional Authorities and with the development of the concept of partnership in the structural policies. Stressing that the setting-up of the committee was part of the general move to involve the individual citizen in the European venture, President Delors also

pointed out that the Committee of the Regions was unique, reflecting as it does the diversity of the internal structures of the Member States and, looking ahead to the 1996 Intergovernmental Conference, he stressed that the committee had two years to position itself on the institutional stage with its right of initiative enabling it to play its full role. He concluded by drawing attention to a number of crucial issues on which the committee would have to concentrate, including subsidiarity, implementation of the White Paper, European regional planning, the new Community initiatives, the Cohesion Fund and trans-European networks.

Mrs Tiemann recalled that as far back as 1979 the Economic and Social Committee had pointed out the value of involving regions and municipalities more closely in Community policy. Regional interests must be fully integrated into the overall vision of Europe.

PART TWO

DOCUMENTATION

1. The ecu

Values in national currencies of ECU 1

March 1994 ¹		
BFR/ LFR	Belgian franc and Luxembourg franc	39.7980
DKR	Danish krone	7.56754
DM	German mark	1.93113
DR	Greek drachma	281.644
ESC	Portuguese escudo	198.705
FF	French franc	6.58226
HFL	Dutch guilder	2.17017
IRL	Irish pound	0.795832
LIT	Italian lira	1904.10
PTA	Spanish peseta	158.483
UKL	Pound sterling	0.765454
AUD	Australian dollar	1.60543
CAD	Canadian dollar	1.55795
FMK	Finnish markka	6.31596
ISK	Icelandic króna	82.3681
NKR	Norwegian krone	8.38396
NZD	New Zealand dollar	1.99838
OS	Austrian schilling	13.5861
SFR	Swiss franc	1.63171
SKR	Swedish krona	9.03510
USD	United States dollar	1.14190
YEN	Japanese yen	120.004
ZAR	South African rand	3.94553

¹ Average for the month : OJ C 95, 6.4.1994.

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

March 1994

National currency/Sector		Value in national currency of ECU 1	National currency/Sector		Value in national currency of ECU 1
BFR/ LFR	Belgian franc and Luxembourg franc — All products	49.3070	FF	French franc — All products	7.98191
DKR	Danish krone — All products	9.34812	HFL	Dutch guilder — All products	2.65256
DM	German mark — All products	2.35418	IRL	Irish pound — All products	0.976426
DR	Greek drachma — All products	334.226	LIT	Italian lira — All products	2274.93
ESC	Portuguese escudo — All products	236.933	PTA	Spanish peseta — All products	192.319
			UKL	Pound sterling — All products	0.920969

2. Infringement proceedings

Reasoned opinions

Failure to communicate any measures incorporating Directives into national law

2.2.1. In March the Commission delivered reasoned opinions in the following cases:

Industry

Directive 90/385/EEC (OJ L 189, 20.7.1990)
Active implantable medical devices
Germany

Directive 91/321/EEC (OJ L 175, 4.7.1991)
Infant formulae
France

Environment, nuclear safety and civil protection

Directive 91/157/EEC (OJ L 78, 26.3.1991)
Batteries and accumulators containing certain dangerous substances
Germany

Directive 91/244/EEC (OJ L 115, 8.5.1991)
Conservation of wild birds
Denmark

Directive 91/271/EEC (OJ L 135, 30.5.1991)
Urban waste-water treatment
Denmark

Infringements of the Treaties or of Regulations; failure properly to apply Directives in practice

2.2.2. In March the Commission delivered reasoned opinions in the following cases:

Internal market and financial services

Article 30 of the EC Treaty
Importation of dietary products
Germany

Customs and indirect taxation

Directive 79/72/EEC (OJ L 331, 27.12.1979)
Incorrect application of the eighth VAT Directive
Spain

Cases referred to the Court of Justice

Failure to communicate any measures incorporating Directives into national law

2.2.3. In March the Commission referred the following cases to the Court of Justice:

Agriculture

Directive 90/667/EEC (OJ L 363, 27.12.1990)
Disposal and processing of animal waste
Netherlands

Internal market and financial services

Directive 89/117/EEC (OJ L 44, 16.2.1989)
Publication of accounting documents
Greece

Infringements of the Treaties or of Regulations; failure properly to apply Directives in practice

2.2.4. In March the Commission referred the following cases to the Court of Justice:

Internal market and financial services

Directive 77/62/EEC (OJ L 13, 15.1.1977)
Public supply contracts: framework agreement for the purchase of pharmaceutical products
Greece

Directive 90/531/EEC (OJ L 297, 29.10.1990)
Public supply contracts: Société régionale wallonne du transport
Belgium

3. Additional references in the Official Journal

2.3.1. This section lists the titles of legal instruments, communications and notices that have appeared recently in the Official Journal but relate to items appearing in earlier issues of the Bulletin; the references were not available when those issues went to press.

The number of the Bulletin and the point to which this additional information refers are followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

Bull. 9-1993

Point 1.2.51

Commission Decision 94/172/EEC of 22 September 1993 concerning Italian law No 102 of 2 May 1990 providing for the reconstruction and regeneration of the Valtellina
OJ L 79, 23.3.1994

Bull. 11-1993

Point 1.2.205

Council resolution of 5 November 1993 on the first century of the cinema
OJ C 85, 22.3.1994

Bull. 12-1993

Point 1.2.122

Common position (EC) No 2/94 of 22 December 1993 adopted by the Council, in accordance with the procedure referred to in Article 189b of the Treaty establishing the European Community, with a view to adopting a European Parliament and Council Directive on the conditions for granting and using authorizations for the prospecting, exploration and production of hydrocarbons
OJ C 101, 9.4.1994

Point 1.2.180

Common position (EC) No 1/94 of 10 December 1993 adopted by the Council, acting in accordance with the

procedure referred to in Article 189b of the Treaty establishing the European Community, with a view to adopting a European Parliament and Council Directive relating to measures to be taken against air pollution by emissions from motor vehicles and amending Directive 70/220/EEC
OJ C 101, 9.4.1994

Point 1.6.4

Proposal for a Council Regulation (EC, Euratom) amending Regulation (EEC, Euratom) No 1552/89 implementing Decision 88/376/EEC, Euratom on the system of the Communities' own resources

Proposal for a Council Regulation (ECSC, EC, Euratom) amending the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities
OJ C 89, 26.3.1994

Bull. 1/2-1994

Point 1.1.1

Proposal for a Council Directive laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals
OJ C 105, 13.4.1994

Point 1.2.12

Proposal for a European Parliament and Council Directive on certain methods for the quantitative analysis of binary textile fibre mixtures
OJ C 96, 6.4.1994

Point 1.2.13

Proposal for a European Parliament and Council Directive on textile names
OJ C 96, 6.4.1994

Point 1.2.36

Common position (EC) No 4/94 of 7 February 1994 adopted by the Council, acting in accordance with the

procedure referred to in Article 189b of the Treaty establishing the European Community, with a view to adopting a European Parliament and Council Directive on the legal protection of biotechnological inventions
OJ C 101, 9.4.1994

Point 1.2.79

Common position (EC) No 3/94 of 14 January 1994 adopted by the Council, acting in accordance with the procedure referred to in Article 189b of the Treaty establishing the European Community, with a view to adopting a European Parliament and Council Decision concerning the fourth framework programme of the European Community activities in the field of research and technological development and demonstration (1994 to 1998)
OJ C 101, 9.4.1994

Point 1.2.93

Common position (EC) No 5/94 of 14 February 1994 adopted by the Council, acting in accordance with the procedure referred to in Article 189c of the Treaty establishing the European Community, with a view to adopting a Council Regulation amending Regulation (EEC) No 1101/89 on structural improvements in inland waterway transport
OJ C 101, 9.4.1994

Point 1.2.161

Proposal for a Council Directive on the control of major-accident hazards involving dangerous substances (COMAH)
OJ C 106, 14.4.1994

Point 1.2.170

Proposal for a Council Directive amending Directive 79/409/EEC on the conservation of wild birds
OJ C 100, 9.4.1994

Point 1.2.195

Proposal for a European Parliament and Council Decision introducing a Community system of information on home and leisure accidents
OJ C 104, 12.4.1994

Point 1.7.22

Special Report No 1/94 concerning follow up to the Court's Special Report No 2/92 and continuation of the Court's audit of major beneficiaries of export refunds accompanied by the replies of the Commission
OJ C 75, 12.3.1994

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