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References in the text

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

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

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PART ONE

ACTIVITIES IN MARCH 1992

News in brief

Delors II package: structural and financial measures 1993-97

The Commission adopts four documents supporting the second package (→ points 1.1.2 to 1.1.5).

The single market and the Community economic and social area

Internal market

The Commission adopts a working document on cross-border payments (→ point 1.2.7).

The Council adopts Directives on the type-approval of motor vehicles (→ points 1.2.8 to 1.2.11).

The Council adopts a Regulation on the monitoring of precursors (→ point 1.2.12).

Enterprise policy, industrial policy and services

European Week for Business (→ point 1.2.55).

Energy

The Commission approves a proposal for a Directive on the conditions for granting and using authorizations for oil and gas prospecting, exploration and extraction (→ point 1.2.84).

The Commission adopts a communication on electricity and natural gas transmission infrastructures in the Community (→ point 1.2.85).

Social dimension

The European Year of Safety, Hygiene and Health at Work opens in Lisbon (→ point 1.2.91).

Environment

The Commission adopts the fifth Community environment programme (→ point 1.2.115).

The Council adopts negotiating directives for Community participation in the negotiations concerning the adjustments and amendments to the Montreal Protocol (→ point 1.2.116).

The Commission adopts a proposal for a Regulation to speed up the phasing-out of substances that deplete the ozone layer (→ point 1.2.117).

Agriculture

The Commission adopts proposals on agricultural prices and related measures (1992-93) (→ point 1.2.141).

Fisheries

The Commission adopts a report on monitoring the implementation of the common fisheries policy (→ point 1.2.197).

The Commission adopts a proposal for a Regulation on the common organization of the market in fishery products (→ point 1.2.198).

Consumer policy

Parliament adopts a resolution on consumer protection and public health policy with a view to completion of the internal market (→ point 1.2.211).

Role of the Community in the world*European Free Trade Association*

Finland applies for accession to the Community (→ point 1.3.1).

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

The Commission adopts a communication on the economic situation of the former Soviet Union and the potential for international assistance (→ point 1.3.4).

The Council adopts conclusions on relations with the independent States of the former Soviet Union (→ point 1.3.5).

The Commission adopts a communication on the establishment of an International Science and Technology Centre (→ point 1.3.7) and a recommendation for a Decision authorizing it to negotiate the necessary international agreement (→ point 1.3.9).

Mr Kozyrev visits the Commission (→ point 1.3.11) and Mr Andriessen visits Moscow (→ point 1.3.12).

Mediterranean and Middle East

The Council adopts Decisions on the conclusion of the fourth financial protocols with Algeria, Egypt, Jordan, Lebanon and Israel (→ point 1.3.20).

Asia and Latin America

The Commission adopts a recommendation for a Decision concerning a cooperation agreement between the Community and the countries of the Andean Pact (→ point 1.3.33).

1. Delors II package: structural and financial measures 1993-97

1.1.1. Second package of structural and financial measures: Commission supporting documents.

• **References:**

Interinstitutional Agreement on budgetary discipline and improvement of the budgetary procedure: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.3.8

Council Decision 88/376/EEC, Euratom on own resources: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.3.5

From the Single Act to Maastricht and beyond: The means to match our ambitions: Commission communication to the Council: COM(92) 2000; Bull. EC 1/2-1992, point 1.2.1; Supplement 1/1992 — Bull. EC

Adopted on 9, 10 and 18 March. The Commission communication 'From the Single Act to Maastricht and beyond: The means to match our ambitions' sets out guidelines for Community policies following the agreement on European Union reached at the Maastricht European Council. The four supporting documents translate these guidelines into detailed financial and budget proposals dealing respectively with the Community's finances between now and 1997 (→ point 1.1.2), application of the 1988 Interinstitutional Agreement (→ point 1.1.4) and the system of own resources (→ point 1.1.3), both of which constitute specific elements of the Community's financial system, and Community structural policies (→ point 1.1.5).

1.1.2 Commission communication to the Council on the Community's finances between now and 1997.

Adopted on 10 March. The Commission proposals are based on what has been achieved by and what can be learned from the 1988 reforms, which laid the financial basis for the objectives of the Single Act and completion of the internal market, and in particular on the reports on application of the Interinstitutional Agreement and the system of own resources. The role of the proposed new financial framework is two-fold: to support Stage II of economic and

monetary union, during which a high degree of convergence has to be achieved; and to translate into budget terms the extension of the powers devolving upon the Community under European Union. The new framework also reflects the constraints imposed on public expenditure in the Member States; it meets the same rigorous criteria and will be implemented in strict compliance with the principle of subsidiarity.

In line with the guidelines set out in 'From the Single Act to Maastricht and beyond', Community expenditure must be concentrated on three main types of operation: measures geared to economic and social cohesion, horizontal measures designed to maximize the effectiveness of the internal market and boost the competitiveness of European industry, and external action enabling the Community to assume its international responsibilities. This expenditure is evaluated in the new financial perspective proposed for 1993 to 1997, which sets an overall ceiling of ECU 87 500 million on commitment appropriations in 1997. The changes to the various headings of the financial perspective are necessary to ensure that the breakdown reflects the Community's main policy objectives during the period in question and to maintain sufficient flexibility of budgetary management by avoiding excessive fragmentation of expenditure. Finally, the margin of 0.03% of GNP is retained to allow for revision, particularly in the field of external relations. The broad lines of the proposals for each heading are as follows.

1. *Common agricultural policy.* All expenditure on the reformed agricultural policy is to be placed under a single heading. The Commission is planning to retain the guideline limiting the increase in agricultural spending to 74% of GNP growth, since a continued reduction in spending in relative terms remains a political objective. However, the level of the guideline will have to be raised by ECU 1 500 million in 1994 to

bridge the gap between the old and the new system when the reform is introduced.

2. *Structural measures for economic and social cohesion.* Combining the structural Funds and the Cohesion Fund, this heading reflects the increased Community effort in this area, with the total allocation rising to ECU 29 300 million by 1997. The proposed increase for the structural Funds is approximately 58%, with the largest increase going to the Objective 1 regions, which should receive 67% of available resources. The current Objectives 3 and 4 will also have to be redefined, with greater emphasis placed on training and occupational redeployment in anticipation of and concurrently with industrial and technological change. Structural measures in the fishing industry, currently covered by heading 4 of the financial perspective, are to be integrated into the structural Funds as a new Objective 6. The plan is to increase the total allocation for Objectives 2, 3, 4, 5b and 6 from ECU 5 070 million in 1992 to ECU 7 600 million in 1997.

In addition, the Cohesion Fund, intended to assist Member States whose per capita GNP is less than 90% of the Community average, is to be set up straightaway in 1993, with an annual allocation of ECU 1 500 million, to be raised gradually to ECU 2 500 million by 1997. Combined measures under Objective 1 of the structural Funds and the Cohesion Fund would therefore mean that the four least prosperous Member States (Spain, Portugal, Ireland and Greece) would receive twice as much in 1997 as they received in 1992 under Objective 1.

3. *Horizontal internal policies.* As improving the competitiveness of European industry is one of its priorities, the Commission is proposing the gradual introduction of a new approach to R&TD policy directed more towards the needs of business and consisting of multidisciplinary programmes centred on technologies targeted at major industrial priorities. This will lead to a significant increase in expenditure, up to some ECU 4 200 million by 1997 from

ECU 2 450 million in 1992, representing an annual growth rate of 11.5%.

Other internal policies are to focus on three themes: trans-European networks, the allocation for which could reach ECU 900 million by 1997; the internal aspect of environment policy, involving horizontal measures aimed at promoting sustainable development and concentrating on preventing and remedying hazards at source; and internal flanking policies accompanying Community integration. The ceiling for this heading will total ECU 6 900 million in 1997.

4. *External action.* The Commission is proposing a new heading covering existing cooperation and financial assistance measures financed from the Community budget and the external elements of Community policies which also have an internal dimension (in particular the environment and fisheries).

In the Commission's view the development and expansion of existing external action will mean raising the ceiling to ECU 6 300 million, an annual growth rate of 12% from 1992 to 1997. If the reserve for exceptional expenditure is taken into account, the financial capacity of the budget for external action would thus be doubled.

5. *Administrative expenditure of the institutions.* Within this heading, which is confined to administrative expenditure and does not include expenditure on stock disposal measures and reimbursements to certain Member States, a distinction needs to be made between expenditure on buildings and other administrative expenditure and separate ceilings should be applied. The Commission's staff and administrative expenditure should also be kept separate from that of the other institutions.

6. *Reserves.* Another reserve, in addition to the agricultural monetary reserve, is proposed to cover exceptional expenditure. It is intended to cover emergency humanitarian aid and activation of Community guarantees on loan operations to non-mem-

ber countries. The Commission is also planning to produce a framework Regulation on loan guarantees.

On the basis of these estimated requirements the Commission is proposing the financial perspective set out in Table 1.

Table 1 — *Financial perspective 1992-97*

	<i>(million ECU — 1992 prices)</i>					
	1992	1993	1994	1995	1996	1997
<i>Commitment appropriations</i>						
1. Common agricultural policy	35 348	35 340	37 480	38 150	38 840	39 600
2. Structural operations	18 559	21 270	22 740	24 930	27 120	29 300
Structural Funds	17 965	19 770	20 990	22 930	24 870	26 800
Cohesion Funds (IMPs/ Pedip)	594	1 500	1 750	2 000	2 250	2 500
3. Internal policies ¹	3 991	4 500	5 035	5 610	6 230	6 900
4. External action	3 645	4 070	4 540	5 060	5 650	6 300
5. Administrative expenditure of the institutions	4 049	3 310	3 465	3 720	3 850	4 000
Staff and administration						
• Commission	1 696	1 760	1 825	1 890	1 960	2 035
• Other institutions ²	895	930	960	1 000	1 040	1 070
• Pensions (all insti- tutions)	249	290	325	380	400	445
Buildings	287	330	355	450	450	450
(Repayments)	922					
6. Reserves	1 000	1 500	1 600	1 200	1 300	1 400
Monetary reserve	1 000	1 000	1 000	500	500	500
Exceptional expenditure		500	600	700	800	900
Total	66 592	69 990	74 860	78 670	82 990	87 500
<i>Payment appropriations required</i>	63 241	67 005	71 650	75 110	79 060	83 200
<i>Payment appropriations (% GNP)</i>	1.15	1.19	1.24	1.27	1.30	1.34
<i>Margin for revision (% GNP)</i>	0.05	0.03	0.03	0.03	0.03	0.03
<i>Own resources (% GNP)</i>	1.20	1.22	1.27	1.30	1.33	1.37

¹ Indicative amounts set for R&TD policy: 1992: 2 448; 1993: 2 730; 1994: 3 040; 1995: 3 380; 1996: 3 770; 1997: 4 200.

² Subject to confirmation by the institutions concerned.

As regards the system of own resources, the Commission is proposing to take better account of the Member States' ability to pay by reducing the VAT call-in rate from 1.4% to 1%. It is also planning to reduce the capping level of the VAT base from 55% to 50% of GNP. The benefits of these two changes for the less prosperous countries would be balanced out by increased contributions from Member States with a low VAT base. These changes would also have an important influence on the proportion of the budget represented by the VAT resource, which would fall from 55% of total own resources to a mere 35% of the budget. The fourth resource (GNP) would thus become the major source of financing for the Community budget.

On the question of budgetary procedure and management, the Commission is proposing that the 1988 Interinstitutional Agreement be renewed in accordance with the guidelines set out in the report on its application (→ point 1.1.4). It is also suggesting arrangements for mobilizing reserves for exceptional expenditure and for revising the financial perspective. In view of the need to improve budgetary management it is suggesting tighter budgetary discipline, notably by continuing measures taken since 1988 as regards execution, by ensuring stricter compliance with the principle of subsidiarity, and by rationalizing budgetary nomenclature.

On the matter of revenue, the Commission feels that the system of calculating VAT and GNP resources by reference to actual bases should be changed and the rates used for payments by reference to provisional bases adjusted in line not only with the revised bases but also with budget outturn.

COM (92) 2001

1.1.3. Commission report on the system of own resources.

Adopted on 10 March. Submitted in accordance with Article 10 of Decision 88/376/EEC, Euratom on own resources, the report reviews the operation of the Community system of own resources and proposes a

number of improvements in the light of the Maastricht agreements and the Delors II package, including increasing the use of the GNP resource, which takes better account of the Member States' ability to pay. The Commission also looks at the longer-term prospects, criteria and conditions for a possible fifth own resource — a genuine Community tax from a harmonized base, justified on economic grounds and linked to increased responsibilities for the European Parliament. The political development of the Community will make such a resource necessary in the medium term and the Commission will do all it can to promote the conditions needed to create it.

COM(92) 81

1.1.4. Commission report on application of the Interinstitutional Agreement of 29 June 1988 on budgetary discipline and improvement of the budgetary procedure.

Adopted on 9 March. Presented under point 19 of the Interinstitutional Agreement, the report takes stock of the early years of application of the Agreement and makes proposals for its renewal. After listing the revisions and amendments of the initial financial framework and commenting on the difficulties encountered, the Commission advocates retaining the present guiding principles with a number of modifications to take account of past experience and to clarify certain implementing rules. This analysis forms part of the basis for the Commission communication on the Community's finances between now and 1997.

COM (92) 82

1.1.5. Commission communication on Community structural policies — assessment and outlook.

Adopted on 18 March. The purpose of this document, which supports the approach to cohesion advocated in the communication 'From the Single Act to Maastricht and beyond: The means to match our ambitions', now one of the pillars of European integration, is to assess the reform of the structural Funds and propose adjustments to take account of the economic and

social changes triggered by progress towards European integration and by a profoundly altered world economic order. After describing the structural disparities and handicaps affecting certain regions of the Community before the reform of the structural Funds, whether in terms of income and productivity, human resources or factors of economic development, the Commission makes a preliminary evaluation of the results of the assessment work currently being carried out in partnership with national, regional and local authorities, followed up by the monitoring committees and supported by other work carried out by independent experts. Subjects being assessed include whether the Community support frameworks and other programming instruments are adequate to cope with the specific development problems encountered by the regions receiving assistance under the regional Objectives (Objectives 1, 2 and 5b) and with problems of vocational integration (Objectives 3 and 4), as well as Objective 5a measures. These preliminary evaluations show that action taken since 1989 has had a positive impact and paved the way for significant progress towards greater cohesion. The appropriations for 1989 to 1991 have been virtually used up and the prospects for 1992 and 1993 are also good.

This analysis is backed up by an examination objective by objective. The Objective 1 regions (those which are lagging behind) were and remain central to the efforts to improve cohesion. There are four priority areas: improving access (upgrading basic infrastructure), developing the productive sectors, developing human resources by means of apprenticeships and training programmes, and exploiting agricultural and fisheries resources. Community aid should help create approximately 500 000 jobs in the least prosperous regions between 1989 and 1993 and represents some 3% of the GNP of some member countries (Portugal, Greece, Ireland).

The measures carried out in the declining industrial areas (Objective 2) have on the whole produced good results. The allo-

cation of resources to a single priority, namely the creation of alternative activities and, by extension, jobs, has proved to be an appropriate response to the needs of these areas.

An assessment of measures undertaken under Objectives 3 and 4 shows that Community aid for training has given a boost to policies to help the long-term unemployed and young people in search of their first job. That said, the volume of Community assistance is not commensurate with the scale of the problems currently affecting the labour market and Community expenditure remains modest in comparison to national expenditure (between 3 and 11%).

Co-financed operations under Objective 5a constitute a major component of Community support for the adaptation and modernization of agriculture. The aid has been tailored specially to accompany market management measures for curbing agricultural surpluses and has been largely directed to small farms and farms in less-favoured areas.

Rural development measures under Objective 5b are recent and financing limited but their successful implementation has revealed the existence of an unquestionable need.

As well as implementing the five objectives of the reform, the Community has had to make further efforts to assist the integration of the five new *Länder* and the former East Berlin. In general, implementation follows the pattern of reform for the Objective 1 regions. A definite upturn in economic activity can already be detected, although the number of unemployed is still rising.

The fundamental principles of the reform — concentration of resources, programming, partnership and additionality — are sound, tried and tested and should therefore continue to govern the Funds' activities between now and 1997. However, improvements can and should be made to increase the effectiveness of the structural policies by means of simplified programming and decision-making procedures, improved integration

between the structural instruments, more programming, greater complementarity between Community and national measures, and increased partnership — including involvement of the social partners — reflecting the respective responsibilities of the Member States and the regional and local authorities. Detailed monitoring, systematic evaluation and greater flexibility to meet real needs without undermining the concentration of resources will also be required. Improving the financial channels between the Community and the recipients is also vital if Community action is to be more effective.

However, disparities between the regions remain considerable and the gap is closing only too slowly. Action must therefore be not only stepped up but also adapted to the changing economic and social context, marked *inter alia* by the creation of economic and monetary union, support for the liberalization of world trade within the framework of GATT, which makes it more important than ever to increase the Community's competitiveness, progress towards a market economy in the countries of Central and Eastern Europe, and improving relations with the developing countries. Similarly, the progress made at Maastricht will accentuate the need to harmonize social and environmental conditions across the Community.

Operations should continue to concentrate on priority objectives but certain adjustments will be needed, in particular to facili-

tate essential industrial change, to increase competitiveness, to tackle the growing problems of migration, and to respond more effectively to the requirements of rural development. Although there will be no major changes to Objectives 1 and 2, some aspects of the social and rural objectives will have to be modified. Workers must be helped to adapt to industrial change and production developments and to changes in training systems. And increasing rural development needs must be faced.

Financial transfers from the structural Funds must be integrated as closely as possible into the overall convergence strategy of the recipient economy and provide the necessary back-up. Besides promoting growth and, by extension, convergence the structural Funds will help encourage cohesion by boosting the recipient economies, especially in the area of basic public facilities, which might otherwise suffer in the rapid adjustment to economic and monetary union.

The link between convergence of the least-favoured Member States towards EMU and Community financial assistance is reflected clearly in the planned Cohesion Fund. Like the existing structural Funds, the Cohesion Fund will concentrate on reducing economic and social disparities. It will also help finance the economic and social structure of the recipient Member States (Greece, Ireland, Portugal and Spain) in the environment and transport infrastructure sectors.

COM(92) 84

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

Statistical area

those responsible for supplying information.

COM(92) 97

General

Gross National Product

1.2.1. Report on the application of Council Directive 89/130/EEC, Euratom, on the harmonization of the compilation of gross national product at market prices.

- **Reference:** Council Directive 89/130/EEC, Euratom: OJ L 49, 21.2.1989; Bull. EC 2-1989, point 2.5.1

Adopted by the Commission on 31 March. This report, provided for by Directive 89/130/EEC, Euratom, examines the comparability of Member States' GNP and ways of improving it: complying with the ESA (European system of integrated economic accounts) and improving the reliability and exhaustiveness of GNP, including the adjustments made to account for the black economy.

Statistics relating to the trading of goods

1.2.2. Proposal for a Council Regulation on transit statistics and storage statistics relating to the trading of goods between Member States.

- **Basic Regulation:** Regulation (EEC) No 3330/91 on the statistics relating to the trading of goods between Member States (Intrastat): OJ L 316, 16.11.1991; Bull. EC 11-1991, point 1.6.1

Adopted by the Commission on 30 March. Purpose: to define, in accordance with Council Regulation (EEC) No 3330/91, the framework within which Member States will be able to collect the information needed to compile statistics on transit and storage, without adding to the burden on

Labour statistics

1.2.3. Proposal for a Council Regulation on the organization of a survey of labour costs in industry and the services sector.

- **Previous survey:** Council Regulation (EEC) No 1612/88: OJ L 145, 11.6.1988

Adopted by the Commission on 31 March. Since the last survey of labour costs in industry, the distributive trades, banking and insurance dates from 1989 and is based on 1988 data, the Commission proposes to conduct a new survey in 1993, on the basis of 1992 data, and to extend its scope to cover hotels and restaurants, travel agencies and tour operators, real estate and letting agents and services to businesses, none of which were covered by the 1989 survey.

COM(92) 125

Results

Sharp rise in ecu bond issues following the Maastricht summit

1.2.4. Measured by settlement date, ECU 33 600 million were raised on the bond markets (Euro and national issues) in 1991 — a monthly average of some ECU 2 800 million. In January and February 1992 respectively, again on the basis of the settlement date, ECU 4 100 million and ECU 5 400 million were raised and new issues are now being announced in rapid succession. The Kingdom of Denmark has gone ahead with the expected issue of ECU 1 000 million at 8.5% for 10 years (another 300 million having been retained to regulate the market).

Table 2 — *Ecu bond issues*¹

(million ECU)

	Total	European Community				Extra-Community			
		Total	Companies	Governments	Institutions	Total	Companies	Governments	Organizations
1986	6 840	4 226	2 358	558	1 310	2 614	2 204	350	60
1987	7 236	4 303	2 058	900	1 345	2 933	2 180	453	300
1988	9 248	5 335	3 390	100	1 845	3 913	3 138	576	200
1989	11 127	6 461	4 400	500	1 561	4 666	4 141	425	100
1990	15 040	10 525	3 990	5 000	1 535	4 515	3 565	550	400
1991	26 379	18 301	7 056	7 650	3 595	8 078	4 478	2 500	1 100
1990									
III	2 105	1 805	805	1 000	0	300	300	0	0
IV	4 850	3 625	1 125	2 500	0	1 225	975	250	0
1991									
I	11 795	9 760	1 100	6 250	2 410	2 035	1 535	500	0
II	5 556	4 656	2 906	1 400	350	900	800	0	100
III	3 940	1 950	1 115	0	835	1 990	990	1 000	0
IV	5 088	1 935	1 935	0	0	3 153	1 153	1 000	1 000
1991									
December	125	0	0	0	0	125	125	0	0
1992									
January	2 640	1 140	700	0	440	1 500	700	100	700
February	5 415	2 900	900	1 500	500	2 515	800	1 550	165

¹ Recorded by date of settlement.

The Community's international trade in services

1.2.5. The services surplus improved in 1989 after three years of decline. The European Community's 1989 balance of trade in services stood at ECU 13 800 million — an improvement of ECU 4 300 million over 1988, which would seem to have curbed the steep decline in the Community's surplus on services recorded in 1986, 1987 and 1988. The improvement is shallow, however, since there is no significant differential in growth rates between exports and imports, which increased by approximately 15% in ecu terms.

In 1989, Community imports of services rose by 15.5%, slightly outstripping exports, which improved by 14.6%. However, the Community surplus improved

because the value of exports rose by more than that of imports (the 'base effect'). The deterioration in the Community's trade balance over the previous three years was halted, but there was no real upturn and the cover rate (113% in 1989) actually fell slightly from its 1988 level.

The improvement in the Community's balance of trade in services was due chiefly to the surpluses in tourism and the 'other services' group, each of which rose by ECU 1 400 million. The transport surplus increased by only ECU 300 million. Other goods and services not elsewhere classified showed an improvement of ECU 1 300 million.

Looking at geographical zones, the most notable improvements were in the overall balances with the EFTA countries, Japan

and the developing countries of Latin America, North Africa and Asia ('other developing countries').

Much of the improvement in the Community balance was due to France, whose

surplus rose by ECU 2 300 million to ECU 9 200 million in 1989. The United Kingdom's surplus remained stable at around ECU 8 600 million, while Germany's deficit increased by ECU 900 million to ECU 10 400 million.

Table 3 — Community balance of trade in services on current account

	EUR 12						USA		Japan	
	Credit ¹		Debit ¹		Balance ¹		Balance		Balance	
	1988	1989	1988	1989	1988	1989	1988	1989	1988	1989
<i>Goods</i>	352.8	401.7	353.4	416.3	16.7	4.3	- 107.4	- 104.3	80.4	69.8
<i>Services</i>	121.0	138.7	106.7	123.1	9.5	13.8	13.2	13.2	- 29.2	- 37.3
<i>Transport</i>	39.6	45.9	37.6	44.2	0.2	0.5	0.1	0.1	- 5.9	- 6.6
of which:										
Sea freight	13.1	15.4	14.4	16.6	- 2.5	- 2.1	- 4.9	- 5.1	0.8	1.8
Air passengers	8.0	9.9	8.3	8.6	0.1	2.0	0.7	1.4	- 3.1	- 4.6
<i>Tourism</i>	30.0	34.0	25.8	28.6	2.8	4.2	- 3.5	- 0.5	- 13.4	- 17.6
<i>Other services</i>	47.9	54.6	42.1	49.2	1.0	2.4	16.6	22.4	- 9.9	- 13.1
of which:										
Insurance	4.5	3.1	2.2	2.5	1.1	- 0.6	- 0.8	0.5	- 0.6	- 0.6
Trade	1.9	3.2	—	—	3.1	5.4	—	—	—	—
Financial services	5.8	7.6	2.6	3.9	3.7	4.6	1.8	2.7	—	—
Advertising	1.4	1.5	1.7	1.8	- 0.7	- 0.9	0.0	- 0.1	- 1.3	- 1.6
Business services	8.5	9.6	5.5	6.3	3.0	2.4	2.0	2.3	—	—
Construction	5.2	6.3	2.7	3.1	2.2	2.9	0.5	0.7	—	—
Communications	2.3	2.3	2.3	2.5	- 0.3	- 0.2	- 2.0	- 2.4	—	—
Film/TV rights	0.8	0.9	1.3	1.4	- 1.0	- 1.1	0.6	0.9	- 0.2	- 0.5
Patents	3.5	3.9	6.7	7.3	- 4.0	- 4.0	7.4	8.7	- 2.9	- 3.0
<i>Current account balance</i> ²	618.6	724.3	618.1	734.8	5.6	0.2	- 119.6	- 120.2	67.3	51.9

¹ Balance with intra-EUR 12 + extra-EUR 12 total; credits and debits with extra-EUR 12.

² The current account balance also includes investment income, general government services and unrequited transfers.

Table 4 — *Geographical breakdown of Community trade*

	All services			Transport		Tourism		Other services	
	Structure of trade ¹ in 1989 (%)	Cover rate		Cover rate		Cover rate		Cover rate	
		1988	1989	1988	1989	1988	1989	1988	1989
Extra-EUR 12	100	114	113	105	104	116	119	114	111
Industrialized countries of which:	66.2	113	111	120	122	128	131	95	91
USA	30.9	113	107	118	121	151	143	94	86
Japan	4.8	177	183	133	136	364	438	187	183
EFTA	22.2	103	104	118	117	118	124	75	75
Developing countries of which:	26.8	119	117	88	86	88	89	188	186
ACP	5.2	149	134	94	83	119	93	254	250
OPEC	6.6	200	187	120	113	315	249	259	267
Other DCs	16.0	93	97	79	80	61	71	141	145
Former planned economies	3.7	84	87	90	83	24	28	108	121
Other	3.4								

¹ The term 'trade' denotes half the sum of the credits and debits.

Information

Publications

1.2.6. New publications available from sales offices:

Digest of statistics on social protection in Europe, Volume 1: Old age (1980-89);

Labour force survey 1983-89 (covers population, employment, working hours and unemployment in the Community);

Energy yearbook, 1990;

External trade by mode of transport, 1990;

Money and finance, 1/1991.

- **Reference:** Discussion paper on making payments in the internal market: COM(90) 447; Bull. EC 9-1990, point 1.2.26

Adopted on 25 March. This work programme, which was drawn up in close cooperation with representatives of the banking community, users and public authorities, follows on from the discussion paper presented in September 1990 and takes account of the comments it prompted. The programme is geared to two main objectives: helping the private sector to provide better systems and giving the consumer more power to insist on a better service.

Internal market

I

Cross-border payments in the Community

1.2.7. Commission working document on easier cross-border payments: breaking down the barriers.

The help which the Commission intends to give the private sectors is in the following main areas:

- development of soundly based legal and technical standards for payment systems;
- clarification of the competition rules applying to banks which seek to set up cross-border networks;

- (iii) ensuring access to the telecommunications systems which provide the infrastructure for cross-border payment networks;
- (iv) easing of the reporting requirements for cross-border funds movements.

As far as consumers are concerned, the Commission is presenting a Users' Charter setting out what users are in its view entitled to expect when making a cross-border payment:

- (i) the bank must inform the user of the most appropriate payment services available;
- (ii) the user must be given in advance full information regarding the total cost of a payment;
- (iii) the user must have the option of paying all charges so that the beneficiary receives the full sum sent;
- (iv) cross-border payments should be accelerated. The objective is to achieve, before Stage III of economic and monetary union, the same speed and reliability as for domestic payments;
- (v) the user should have access to a redress procedure at least equivalent to that existing for domestic payments.

At the end of 1992 the Commission will assess the services actually provided by banks in the light of these principles and will decide whether further action is called for, including legislative measures.

SEC(92) 621

Type-approval of motor vehicles

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

1.2.8. Proposal for a Council Directive amending Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers.

- **Commission proposal:** COM(91) 279; OJ C 301, 21.11.1991; Bull. EC 7/8-1991, point 1.2.2
- **Economic and Social Committee opinion:** Bull. EC 1/2-1992, point 1.3.20
- **Parliament opinion (first reading):** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.20

Amended proposal adopted by the Commission on 24 March.

OJ C 92, 11.4.1992; COM(92) 120

Common position agreed by the Council on 31 March. The aim of the proposal is to adjust the administrative rules laid down in framework Directive 70/156/EEC in order to introduce a modern, workable and transparent type-approval procedure based on the principle of total harmonization and replacing the system of optional harmonization. The national procedures currently in force will therefore be abolished and replaced by a single type-approval procedure which is valid throughout the Community. Any type of vehicle which has been granted type-approval in a Member State may thus be freely marketed and registered throughout the Community without having to undergo further tests.

It should, however, be noted that the EEC type-approval procedure is restricted to harmonizing national type-approval systems, i.e. those applicable to vehicles manufactured and marketed in large numbers, and that the proposal is not directed towards harmonization of national registration procedures. Until 31 December 1995, the new Directive will apply only at the request of the party seeking EEC type-approval; during the three-year transitional period, the manufacturer may continue to opt for national type-approval. National type-approval granted before 1 January 1996 will remain valid until 31 December 1997, from which date the EEC type-approval procedure will be compulsory.

1.2.9. Council Directive on safety glazing and glazing materials on motor vehicles and their trailers.

- **Commission proposal:** OJ C 95, 12.4.1990; COM(89) 653; Bull. EC 1/2-1990, point 1.1.19

- **Economic and Social Committee opinion:** OJ C 225, 10.9.1990; Bull. EC 7/8-1990, point 1.3.23
- **Parliament opinion (first reading):** OJ C 284, 12.11.1990; Bull. EC 10-1990, point 1.3.18
- **Amended Commission proposal:** OJ C 51, 27.2.1991; COM(91) 38; Bull. EC 1/2-1991, point 1.2.24
- **Council common position:** Bull. EC 12-1991, point 1.2.17
- **Parliament opinion (second reading):** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.21

Adopted on 31 March. Completes the EEC motor vehicle type-approval system with respect to glazing.

1.2.10. Council Directive on the masses and dimensions of motor vehicles of category M1.

- **Commission proposal:** OJ C 95, 12.4.1990; COM(89) 653; Bull. EC 1/2-1990, point 1.1.19
- **Economic and Social Committee opinion:** OJ C 225, 10.9.1990; Bull. EC 7/8-1990, point 1.3.24
- **Parliament opinion (first reading):** OJ C 284, 12.11.1990; Bull. EC 10-1990, point 1.3.19
- **Amended Commission proposal:** OJ C 51, 27.2.1991; COM(91) 38, Bull. EC 1/2-1991, point 1.2.25
- **Council common position:** Bull. EC 12-1991, point 1.2.18
- **Parliament opinion (second reading):** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.22

Adopted on 31 March. Completes the EEC motor vehicle type-approval system with respect to the masses and dimensions of private cars.

1.2.11. Council Directive on pneumatic tyres for motor vehicles and their trailers.

- **Commission proposal:** OJ C 95, 12.4.1990; COM(89) 653; Bull. EC 1/2-1990, point 1.1.19
- **First Economic and Social Committee opinion:** OJ C 225, 10.9.1990; Bull. EC 7/8-1990, point 1.3.25
- **First Parliament opinion (first reading):** OJ C 284, 12.11.1990; Bull. EC 10-1990, point 1.3.20
- **Amended Commission proposal:** OJ C 51, 27.2.1991; COM(91) 38; Bull. EC 1/2-1991, point 1.2.26
- **Second Parliament opinion (first reading):** OJ C 13, 20.1.1992; Bull. EC 12-1991, point 1.2.19
- **Second Economic and Social Committee opinion:** OJ C 49, 24.2.1992; Bull. EC 12-1991, point 1.2.19

- **Council common position:** Bull. EC 12-1991, point 1.2.19
- **Parliament opinion (second reading):** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.23

Adopted on 31 March. Completes the EEC motor vehicle type-approval system with respect to tyres.

Monitoring of precursors

1.2.12. Council Regulation (EEC) No 900/92 amending Regulation (EEC) No 3677/90 laying down measures to be taken to discourage the diversion of certain substances to the illicit manufacture of narcotic drugs and psychotropic substances.

- **Reference:** Western Economic Summit in London: Bull. EC 7/8-1991, point 2.2.4
- **Regulation amended:** Regulation (EEC) No 3677/90: OJ L 357, 20.12.1990; Bull. EC 12-1990, point 1.3.9
- **Commission proposal:** COM(91) 455; Bull. EC 11-1991, point 1.2.15

Adopted on 31 March. The Regulation, which follows on from the conclusions of the London Summit on the question of drugs, is intended to strengthen the monitoring system for precursors, i.e. chemicals which are liable to be diverted to the manufacture of narcotics and psychotropic substances. It classifies precursors into three categories which determine the scope of administrative obligations, the strictness of checks and the extent to which existing monitoring measures are strengthened. The measures concerned relate to the following in particular:

- registers to be kept by the economic operators involved (importers, manufacturers, distributors);
- orders and transactions to be monitored by the authorities through registers kept by operators;
- introduction of export licences which, where required, are dependent on the issue of corresponding import licences by the authorities of the country of destination;
- bans to be imposed on exports if diversion is suspected;

(v) checks on free zones and free ports to be stepped up;

(vi) international cooperation to be intensified, in particular with 'sensitive' regions.

OJ L 96, 10.4.1992

II

Removal of technical frontiers

Free movement of goods

Industrial products

1.2.13. Proposal for a Council Directive amending Directive 89/336/EEC on the harmonization of the laws of the Member States relating to electromagnetic compatibility.

- **Commission proposal:** OJ C 162, 21.6.1991; COM(91) 126; Bull. EC 5-1991, point 1.2.8
- **Economic and Social Committee opinion:** OJ C 339, 31.12.1991; Bull. EC 9-1991, point 1.2.6
- **Parliament opinion (first reading):** OJ C 13, 20.1.1992; Bull. EC 12-1991, point 1.2.13
- **Council common position:** Bull. EC 12-1991, point 1.2.13

Endorsed by Parliament (second reading) on 11 January, subject to amendments concerning presentation, by the Commission, of regular reports on implementation of the Directive.

OJ C 94, 13.4.1992

1.2.14. Proposal for a Council Directive on the approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres.

- **Commission proposal:** OJ C 46, 20.2.1992; COM(91) 516; Bull. EC 12-1991, point 1.2.14

Endorsed by the Economic and Social Committee on 25 March. The Committee stresses the distinction between electrical and non-electrical hazards.

1.2.15. Proposal for a Council Directive 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 final consumer.

Adopted by the Commission on 6 March. The aim of the proposal is to harmonize rules on the labelling of footwear to facilitate consumer information and the free movement of these goods in the Community.

OJ C 74, 25.3.1991; COM(91) 529

Motor vehicles

1.2.16. Council Directive on speed limitation devices or similar speed limitation systems fitted to certain categories of motor vehicle.

- **Reference:** Council Directive 92/6/EEC on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community: OJ L 57, 2.3.1992; Bull. EC 1/2-1992, point 1.3.113
- **Commission proposal:** OJ C 229, 4.9.1991; COM(91) 240; Bull. EC 7/8-1991, point 1.2.20
- **Economic and Social Committee opinion:** OJ C 40, 17.2.1992; Bull. EC 11-1991, point 1.2.16
- **Parliament opinion (first reading):** OJ C 13, 20.1.1992; Bull. EC 12-1991, point 1.2.24
- **Council common position:** Bull. EC 12-1991, point 1.2.24
- **Parliament opinion (second reading):** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.26

Re-examined proposal adopted by the Commission on 12 March.

COM(92) 88

Adopted by the Council on 31 March. The Directive harmonizes the technical requirements to be met by the design and installation of speed limitation devices fitted to certain vehicles. It is directly related to Directive 92/6/EEC, which concerns the use of these devices.

1.2.17. Proposal for a Council Regulation on the type-approval of two- or three-wheel motor vehicles.

- **Commission proposal:** OJ C 110, 25.4.1991; COM(90) 669; Bull. EC 3-1991, point 1.2.7

- **Economic and Social Committee opinion:** OJ C 14, 20.1.1992; Bull. EC 10-1991, point 1.2.17
- **Parliament opinion (first reading):** OJ C 13, 20.1.1992; Bull. EC 12-1991, point 1.2.21
- **Council agreement on a common position:** Bull. EC 12-1991, point 1.2.21
- **Formal adoption of a Council common position:** Bull. EC 1/2-1992, point 1.3.28

Amended proposal adopted by the Commission on 24 March.

OJ C 97, 16.4.1992; COM(92) 42

1.2.18. Proposal for a Council Directive relating to the mechanical coupling devices of motor vehicles and their trailers and their attachment to these vehicles.

Adopted by the Commission on 30 March. The aim is to harmonize the technical requirements for the mechanical coupling devices of motor vehicles and their trailers while ensuring that they are compatible and interchangeable.

COM(92) 108

Pharmaceutical products

1.2.19. Council Directive 92/26/EEC concerning the classification for the supply of medicinal products for human use.

- **Commission proposal:** OJ C 58, 8.3.1990; COM(89) 607; Bull. EC 1/2-1990, point 1.1.24
- **Economic and Social Committee opinion:** OJ C 225, 10.9.1990; Bull. EC 7/8-1990, point 1.3.30
- **Parliament opinion (first reading):** OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.2.25
- **Amended Commission proposal:** OJ C 207, 8.8.1991; COM(91) 245; Bull. EC 7/8-1991, point 1.2.3
- **Council agreement on a common position:** Bull. EC 7/8-1991, point 1.2.12
- **Parliament opinion (second reading):** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.33

Adopted on 31 March. Harmonizes the criteria applied in deciding the status for the supply of medicinal products when the marketing authorization is granted.

OJ L 113, 30.4.1992

1.2.20. Council Directive 92/27/EEC on the labelling of medicinal products for human use and on package leaflets.

- **Commission proposal:** OJ C 58, 8.3.1990; COM(89) 607; Bull. EC 1/2-1990, point 1.1.24
- **Economic and Social Committee opinion:** OJ C 225, 10.9.1992; Bull. EC 7/8-1990, point 1.3.31
- **Parliament opinion (first reading):** OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.2.26
- **Amended Commission proposal:** OJ C 207, 8.8.1991; COM(91) 245; Bull. EC 7/8-1991, point 1.2.4
- **Council agreement on a common position:** Bull. EC 7/8-1991, point 1.2.4
- **Formal adoption of a Council common position:** Bull. EC 10-1991, point 1.2.13
- **Parliament opinion (second reading):** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.34

Adopted on 31 March. Improves consumer information and facilitates the free movement of medicinal products in the Community by making them subject to identical requirements as regards labelling and package leaflets, irrespective of the Member States in which they are manufactured and the one where they are marketed.

OJ L 113, 30.4.1992

1.2.21. Council Directive 92/25/EEC on the wholesale distribution of medicinal products for human use.

- **Commission proposal:** OJ C 58, 8.3.1990; COM(89) 607; Bull. EC 1/2-1990, point 1.1.24
- **Economic and Social Committee opinion:** OJ C 225, 10.9.1990; Bull. EC 7/8-1990, point 1.3.32
- **Parliament opinion (first reading):** OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.2.27
- **Amended Commission proposal:** OJ C 207, 8.8.1991; COM(91) 245; Bull. EC 7/8-1991, point 1.2.5
- **Council agreement on a common position:** Bull. EC 7/8-1991, point 1.2.5
- **Formal adoption of a Council common position:** Bull. EC 10-1991, point 1.2.14
- **Parliament opinion (second reading):** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.35

Adopted on 31 March. Harmonizes the arrangements for authorizing and monitoring the wholesale distribution of medicinal products. The holder of an authorization, obtained in a Member State where he has storage premises, may engage in the wholesale distribution of medicinal products throughout the Community.

OJ L 113, 30.4.1992

1.2.22. Council Directive 92/28/EEC on the advertising of medicinal products for human use.

- Commission proposal: OJ C 163, 4.7.1990; COM(90) 212; Bull. EC 5-1990, point 1.2.7
- Economic and Social Committee opinion: OJ C 60, 8.3.1991; Bull. EC 12-1990, point 1.3.37
- Parliament opinion (first reading): OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.2.28
- Amended Commission proposal: OJ C 207, 8.8.1991; COM(91) 245; Bull. EC 7/8-1991, point 1.2.6
- Council agreement on a common position: Bull. EC 7/8-1991, point 1.2.6
- Formal adoption of a Council common position: Bull. EC 10-1991, point 1.2.15
- Parliament opinion (second reading): OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.36

Adopted on 31 March. Harmonizes the conditions in which advertising is allowed in the Community and establishes the standards with which such advertising must comply.

OJ L 113, 30.4.1992

1.2.23. Proposal for a Council Directive widening the scope of Directive 81/851/EEC on the approximation of the laws of the Member States on veterinary medicinal products and laying down additional provisions on homeopathic veterinary medicinal products.

- Commission proposal: OJ C 108, 1.5.1990; COM(90) 72; Bull. EC 3-1990, point 1.1.16
- Economic and Social Committee opinion: OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.24
- Parliament opinion (first reading): OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.2.29
- Amended Commission proposal: OJ C 244, 19.9.1991; COM(91) 313.
- Council agreement on a common position: Bull. EC 1/2-1992, point 1.3.38

Common position formally adopted by the Council on 31 March.

Foodstuffs

1.2.24. Council Directive 92/11/EEC amending Directive 89/396/EEC on indications or marks identifying the lot to which a foodstuff belongs.

- Directive amended: Directive 89/396/EEC: OJ L 186, 30.6.1989; Bull. EC 6-1989, point 2.1.20
- Commission proposal: OJ C 219, 22.8.1991; COM(91) 297; Bull. EC 7/8-1991, point 1.2.27
- Parliament opinion (first reading): OJ C 305, 25.11.1991; Bull. EC 10-1991, point 1.2.11
- Economic and Social Committee opinion: OJ C 40, 17.2.1992; Bull. EC 11-1991, point 1.2.12
- Council common position: Bull. EC 12-1991, point 1.2.28
- Parliament opinion (second reading): OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.40

Adopted on 3 March. Allows an extra year for implementing Directive 89/396/EEC.

OJ L 65, 11.3.1992

1.2.25. Proposal for a Council Directive on assistance to the Commission and cooperation by the Member States in the scientific examination of questions relating to food.

- Commission proposal: OJ C 108, 23.4.1991; COM(91) 16; Bull. EC 3-1991, point 1.2.8
- Economic and Social Committee opinion: OJ C 14, 20.1.1992; Bull. EC 10-1991, point 1.2.10

Endorsed by Parliament (first reading) on 12 March, subject to amendments aimed in particular at strengthening the role of the Scientific Committee for Food.

OJ C 94, 13.4.1992

Amended proposal adopted by the Commission on 30 March.

COM(92) 128

1.2.26. Proposal for a Council Directive amending for the first 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 11, 17.1.1992; COM(91) 502; Bull. EC 12-1991, point 1.2.31

Endorsed by Parliament (first reading) on 11 March.

OJ C 94, 13.4.1992

1.2.27. Proposal for a Council Directive on infant formulae and follow-on formulae intended for export to third countries, accompanied by a proposal for a Council

resolution on the marketing practices for breast-milk substitutes in developing countries by Community-based manufacturers.

- **Commission proposal:** COM(91) 441; Bull. EC 11-1991, point 1.2.11

Endorsed by the Economic and Social Committee on 25 March, subject to various suggestions aimed at clarifying the scope of the proposals.

Public procurement

1.2.28. Proposal for a Council Directive amending Directive 90/531/EEC on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors.

- **Commission proposal:** OJ C 337, 31.12.1991; COM(91) 347; Bull. EC 9-1991, point 1.2.2

Endorsed by the Economic and Social Committee on 25 March, subject to comments, *inter alia* on the separation of services into two categories.

1.2.29. Proposal for a Council Directive concerning the coordination of procedures for the award of public works contracts.

- **Commission proposal:** OJ C 46, 20.2.1992; Bull. EC 1/2-1992, point 1.3.46

Endorsed by the Economic and Social Committee on 25 March. The Committee would like the list of bodies and categories of bodies covered by the proposal to be considered purely indicative.

Creation of a financial area

1.2.30. Council Directive 92/16/EEC amending Directive 89/299/EEC on the own funds of credit institutions.

- **Directive amended:** Directive 89/299/EEC: OJ L 124, 5.5.1989; Bull. EC 4-1989, point 2.1.10
- **Commission proposal:** OJ C 172, 3.7.1991; COM(91) 188; Bull. EC 6-1991, point 1.2.33
- **Economic and Social Committee opinion:** OJ C 339, 31.12.1991; Bull. EC 9-1991, point 1.2.12
- **Parliament opinion (first reading):** OJ C 13, 20.1.1992; Bull. EC 12-1991, point 1.2.39

- **Council common position:** Bull. EC 12-1991, point 1.2.39
- **Parliament opinion (second reading):** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.48

Adopted on 16 March. The Directive is intended to allow Danish mortgage credit institutions, organized as cooperative societies or funds, a transitional period during which such societies which have been converted into public limited liability companies may continue to count joint and several commitments of their members as capital.

OJ L 75, 24.3.1992

1.2.31. Proposal for a Council Directive relating to the supervision of credit institutions on a consolidated basis.

- **Commission proposal:** OJ C 315, 14.12.1990; COM(90) 451; Bull. EC 10-1990, point 1.3.5
- **Economic and Social Committee opinion:** OJ C 102, 18.4.1991; Bull. EC 1/2-1991, point 1.2.32
- **Parliament opinion (first reading):** OJ C 326, 16.12.1991; Bull. EC 11-1991, point 1.2.18
- **Amended Commission proposal:** OJ C 332, 21.12.1991; COM(91) 491; Bull. EC 12-1991, point 1.2.38
- **Council common position:** Bull. EC 12-1991, point 1.2.38

Endorsed by Parliament (second reading) on 11 March.

OJ C 94, 13.4.1992

Company taxation

1.2.32. Proposal for a Council Directive concerning arrangements for the taking into account by enterprises of the losses of permanent establishments and subsidiaries situated in other Member States.

- **Commission proposal:** OJ C 53, 28.2.1991; COM(90) 595; Bull. EC 11-1990, point 1.3.103
- **Economic and Social Committee opinion:** OJ C 120, 6.5.1991; Bull. EC 3-1991, point 1.2.54

Endorsed by Parliament on 11 March, subject to amendments designed in particular to prevent Member States introducing methods of taking losses into account other than those proposed by the Commission.

OJ C 94, 13.4.1992

1.2.33. High-level committee on company taxation after completion of the single market.

• **References:**

Inaugural meeting of the committee: Bull. EC 1/2-1991, point 1.2.73

Commission communication on guidelines on company taxation: COM(90) 601; Bull. EC 4-1990, point 1.1.87

Report presented to the Commission on 18 March. The committee, which was set up at the instigation of Mrs Scrivener, member of the Commission with special responsibility for taxation, and chaired by Mr Ruding, a former Dutch Finance Minister, examined what impact taxation was having on company decision-making and whether taxation should be harmonized. It came to the conclusion that, in view of the company-tax differences still remaining between Member States and the distortions of competition they create, there is a case for Community action. This should, in the committee's view, be confined to the harmonization that is strictly necessary and should be aimed in particular at eliminating the elements of discrimination in tax systems which impede cross-frontier investment and shareholdings and at setting a minimum corporation tax rate of 30%.

Removal of tax frontiers

Excise duties and other indirect taxes

1.2.34. Proposal for a Council Directive amending Directives 72/464/EEC and 79/32/EEC on taxes other than turnover taxes which are levied on the consumption of manufactured tobacco (harmonization of structures).

- **Commission proposal:** OJ C 322, 21.12.1990; COM(90) 433; Bull. EC 9-1990, point 1.2.4
- **Economic and Social Committee opinion:** OJ C 69, 18.3.1991; Bull. EC 1/2-1991, point 1.2.40

Endorsed by Parliament on 10 March, subject to amendments designed in particular to distinguish between fine-cut and rough-cut smoking tobacco and extend the list of exemptions to limited quantities of manu-

factured tobacco distributed free of charge by a manufacturer to his employees and to tobacco rendered unfit for consumption under administrative supervision.

OJ C 94, 13.4.1992

Agreed by the Council on 16 March. The proposal aims to harmonize the structures of excise duties on manufactured tobacco in the Member States, the basis of assessment being the retail selling price. Exemptions are allowed for tobacco used for industrial, horticultural or scientific purposes and for tobacco which is destroyed under administrative supervision.

1.2.35. Proposal for a Council Directive on the approximation of taxes on cigarettes.

- **Commission proposal:** OJ C 251, 19.9.1987; COM(87) 325; Bull. EC 7/8-1987, points 1.2.1 and 1.2.3
- **First Economic and Social Committee opinion:** OJ C 237, 12.9.1988; Bull. EC 7/8-1988, point 2.4.59
- **Amended Commission proposal:** OJ C 12, 18.1.1990; COM(89) 525; Bull. EC 10-1989, point 2.1.38
- **Second Economic and Social Committee opinion:** OJ C 225, 10.9.1990; Bull. EC 7/8-1990, point 1.3.43

Endorsed by Parliament on 10 March, subject to amendments designed in particular to replace the minimum levels proposed by the Commission for the specific and proportional excise duties with a system whereby the combined incidence of the specific duty and the proportional duty on cigarettes in the most popular price category would be not less than 57% of the maximum retail selling price and not less than ECU 35 per 1 000 cigarettes, and the specific duty on the same category of cigarettes would be not less than 5% and not more than 55% of the combined incidence of the specific duty, the proportional duty and the VAT.

OJ C 94, 13.4.1992

1.2.36. Proposal for a Council Directive on the approximation of taxes on manufactured tobacco other than cigarettes.

- **Commission proposal:** OJ C 251, 19.9.1987; COM(87) 326; Bull. EC 7/8-1987, points 1.2.1 and 1.2.3
- **First Economic and Social Committee opinion:** OJ C 237, 12.9.1988; Bull. EC 7/8-1988, point 2.4.59
- **Amended Commission proposal:** OJ C 12, 18.1.1990; COM(89) 525; Bull. EC 10-1989, point 2.1.38
- **Second Economic and Social Committee opinion:** OJ C 225, 10.9.1990; Bull. EC 7/8-1990, point 1.3.43

Endorsed by Parliament on 10 March, subject to amendments aimed at deleting the reference to snuff and chewing tobacco and replacing it with a distinction between fine-cut and rough-cut smoking tobacco and changing certain rates (ultimately, 25% instead of 36% of the retail selling price for cigars and cigarillos and 38% for rough-cut smoking tobacco; no reduced rate of 37% for snuff and chewing tobacco from 1 January 1993).

OJ C 94, 13.4.1992

1.2.37. Proposal for a Council Directive on the approximation of the rates of excise duty on alcoholic beverages and on the alcohol contained in other products.

- **Commission proposal:** OJ C 250, 18.9.1987; COM(87) 328; Bull. EC 7/8-1987, points 1.2.1 and 1.2.3
- **First Economic and Social Committee opinion:** OJ C 237, 12.9.1988; Bull. EC 7/8-1988, point 2.4.61
- **Amended Commission proposal:** OJ C 12, 18.1.1990; COM(89) 527; Bull. EC 10-1989, point 2.1.38
- **Second Economic and Social Committee opinion:** OJ C 225, 10.9.1990; Bull. EC 7/8-1990, point 1.3.41

Endorsed by Parliament on 10 March, subject to amendments aimed in particular at dropping target rates and the distinction between still and sparkling wines and at halving the minimum rates proposed.

OJ C 94, 13.4.1992

Trans-European networks

1.2.38. Council conclusions on trans-European networks.

- **Reference:** proposals for Council Regulations introducing a declaration of European interest to facilitate the establishment of trans-European networks in the transport, electricity and natural gas and telecommunications domains: OJ C 71, 20.3.1992; COM(92) 15; Bull. EC 1/2-1992, point 1.3.15

Adopted on 31 March.

'The Council:

Hereby reaffirms that the establishment and development throughout the territory of the Community of trans-European networks in the areas of transport, telecommunications and energy infrastructures is intended to permit the balanced operation of the internal market in the context of a system of open and competitive markets and to strengthen economic and social cohesion in accordance with Articles 129b to 129d of the Treaty on European Union;

Stresses that the establishment and development of such networks on a Community scale is necessary in order to deepen progressively the process of European union, including in the event of a possible enlargement of the Community, and notes that the Community may decide to cooperate with third countries to promote projects of mutual interest and to ensure the interoperability of networks;

Considers that the Community's action to ensure the full attainment of the objectives set out in the Treaty on Union must be initiated in 1993;

Considers that the initiatives to be implemented in order to achieve this objective should comply, as of now, with the provisions of the Treaty on Union;

Takes note of the submission of proposals for Regulations relating to a declaration of European interest and of the fact that other measures are being prepared by the Commission for submission to the Council in the course of this year;

Calls on the Member States and the Commission to coordinate such actions as may have a significant impact on the establishment and development of trans-European networks;

Notes the Commission's intention of submitting to it guidelines concerning trans-European networks which can serve as a reference point for preparing, as soon as possible, the implementation of Title XII of the Treaty on Union;

Calls on the Commission to submit regularly to the Internal Market Council a progress report, which the Council undertakes to examine.'

Competition

Application of the competition rules to businesses: specific cases

Prohibited horizontal agreements

Commission decisions under Article 85(1) of the EEC Treaty

Newitt and Dunlop Slazenger

1.2.39. *Adopted on 18 March.* The decision finds that Dunlop Slazenger International and its former sole distributors in the Benelux countries, All Weather Sports and Pinguin, have pursued a commercial policy which amounted to a general ban on the export of Dunlop Slazenger products. Beginning in 1985 or earlier, the export ban was implemented by a series of concrete measures intended to prevent any export of certain products — tennis and squash balls, tennis rackets and golfing equipment — to other Member States, particularly the Benelux countries; this was done in cooperation with the sole distributors in those countries, and was intended to protect them from parallel imports.

The measures taken consisted of export bans, refusals to supply, price measures, the buying-in of goods which had been exported through parallel channels, the marking of products with a view to establishing their origin and final destination, and the exclusive use of tennis federation quality marks by the Dunlop Slazenger distribution network.

The decision imposes heavy fines on two of the companies involved: Dunlop Slazenger is to pay ECU 5 million, and All Weather Sports ECU 150 000.

Eurocheque: Helsinki Agreement

1.2.40. *Adopted on 25 March.* The decision fines Groupement des cartes bancaires, which represents all the French banks

which are members of the Eurocheque system, for concluding an agreement in 1983 under which French banks charged French retailers the same commission for cashing foreign Eurocheques as they charged for payment by bank card; the agreement remained in force until 1991. Not only did it constitute a pricing agreement caught by the prohibition in Article 85(1), but it also infringed the Package Deal agreement of 1980, which the Commission exempted in 1984 on the understanding that a Eurocheque would be free of charge to the recipient, with the payee's bank receiving an interbank commission debited to the drawer's bank.

The decision imposes a fine of ECU 5 million on Groupement des cartes bancaires and a fine of ECU 1 million on Eurocheque International; this is the first time the Commission has imposed fines in the banking sector.

Mars, Langnese and Schöller

1.2.41. *Adopted on 25 March.* The decision imposes interim measures which prevent Langnese-Iglo GmbH and Schöller Lebensmittel GmbH & Co KG from enforcing contractual rights so as to oblige retailers to purchase ice cream exclusively from them. The interim measures follow a complaint lodged by Mars GmbH, which alleged that the contracts were damaging the sale of its own ice cream bars in Germany.

The marketing of industrial ice cream by Langnese and Schöller is characterized by a twofold contractual practice, freezer exclusivity and outlet exclusivity. The Commission believes that these practices substantially restrict access to the market and that there is a prima-facie infringement of the Community competition rules. The Commission considers that without immediate intervention on its part Mars would suffer serious and irreparable damage, particularly because other undertakings are applying similar marketing strategies while Mars is largely prevented from entering the market.

The interim measures relate to outlet exclusivity only. They will remain in effect until the end of the year.

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

Ifint and Exor

1.2.42. *Adopted on 2 March.* The decision approves the planned merger between Ifint and Exor in the mineral water sector in France.

Ifint, a member of the Agnelli group, has launched a takeover bid for the entire capital of Exor, whose main asset is the Perrier group. Since the Agnelli group is no longer active in the mineral water sector, the operation would not result in the combination of two market shares.

The Agnelli group's interests in BSN, the main competitor of the Perrier group, are essentially financial. The Commission notes that the Agnelli group has undertaken not to participate in the deliberations and decisions regarding mineral waters in the BSN management bodies on which it is represented, and not to exchange any information with BSN that might influence the competitive behaviour of the companies concerned.

Henkel and Nobel

1.2.43. *Adopted on 23 March.* The decision approves the acquisition of the consumer goods branch of Nobel Industrier AB by Henkel KGaA, a German chemical company.

The transaction will affect a number of markets in the cosmetic industry; there is

no serious doubt as to its compatibility with the common market. Henkel and Nobel achieve only small market shares in most of the affected product and geographic markets. Even on markets where their market shares are strongest the concentration will not establish a dominant position. Henkel and Nobel compete with large groups which have higher shares of most of these markets than the new group will have, and which in any event are able to maintain effective competition on the markets concerned.

Nestlé and Perrier

1.2.44. *Adopted on 25 March.* The Commission here initiates proceedings under Article 6(1) (c) of the Merger Control Regulation in order to carry out an in-depth investigation of the markets affected by the proposed takeover of Perrier, the French mineral water producer, by Nestlé. The Commission has concluded that there is serious doubt as to the compatibility with the common market of the takeover bid launched by Nestlé.

Application of the competition rules to government intervention

State aid

Decisions to raise no objection

Germany

1.2.45 Commission decision under the framework for certain steel sectors not covered by the ECSC Treaty.

- **Reference:** framework for certain steel sectors not covered by the ECSC Treaty: OJ C 320, 13.12.1988

Adopted on 11 March. The decision approves several regional aid measures for the benefit of Mannesmann Röhrenwerke GmbH. The measures are in line with schemes already approved.

1.2.46. Commission decision under the Community framework for State aids for research and development.

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

Adopted on 11 March. The decision approves a scheme to promote research into new materials ('Materialforschung'). This scheme has been in force since 1989, but was not notified to the Commission in advance. The maximum aid intensity is to be 50%; a 10% increase is permitted for the new Länder.

France

1.2.47. Commission decision on a public capital injection into Société française de production.

Adopted on 26 March. The Commission finds that a capital injection of FF 320 million constitutes State aid. The aid is compatible with the Treaty, however, as it will help finance a restructuring programme intended to return the company to viability. The Commission takes note of an undertaking given by the French Government that it will not intervene to help the company again.

1.2.48. Commission decision on the Decentralization Assistance Fund.

Adopted on 26 March. In regions which do not qualify for regional aid, the Decentralization Assistance Fund ('Fonds d'aide à la décentralisation') will be used to benefit only firms small enough to satisfy the rules on aid measures of minor importance; in regions which do qualify for regional aid the ceiling on the combination of various types of regional aid will apply.

Luxembourg

1.2.49. Commission decision under the Community rules on aid to the steel industry.

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

Adopted on 11 March. The decision approves several measures to assist R&D being carried out by the Galvalanche company. The measures are in line with schemes already approved, and comply with the Community R&D framework and the bilateral steel agreement between the United States and the Community.

United Kingdom

1.2.50. Commission decision on Eureka project No 194 (industrial application of high power lasers).

- **Reference:**
Community framework for State aids for research and development: OJ C 83, 11.4.1986; Bull. EC 3-1986, points 1.1.1 to 1.1.6
Commission Decision No 3855/91/ECSC establishing Community rules for aid to the steel industry: OJ L 362, 31.12.1991; Bull. EC 11-1991, point 1.2.26

Adopted on 26 March. The intensity of the aid to applied research and basic research is compatible with the rules in force. Applied research accounts for 64% of the project, and basic research for 36%.

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

Italy

1.2.51. Commission decision on a capital injection into Costruzioni metalliche Finisider Sud.

Adopted on 11 March. CMF Sud is a wholly owned subsidiary of the Italmimpianti group, which is in turn a wholly owned subsidiary of the public holding company IRI. CMF Sud operates in steel and construction. On a prima-facie examination the Commission takes the view that a capital injection of LIT 32 907 million to cover CMF Sud's past operating losses and to reconstruct its share

capital constitutes State aid incompatible with the Treaty.

The company's profitability is very low; the aid will enable it artificially to continue all its operations and appears to constitute operating assistance.

United Kingdom

1.2.52. Commission decision on aid to British Aerospace for its purchase of the Rover Group.

- **Reference:** Commission Decision 89/58/EEC of 13 July 1988 on aid to the Rover Group: OJ L 25, 28.1.1989; Bull. EC 7/8-1988, point 2.1.65

Adopted on 11 March. The decision is in response to the judgment of the Court of Justice in *B Ae and Rover v Commission*, which was delivered on 4 February. The Court there annulled the Commission Decision of 17 July 1990, which required British Aerospace to repay UKL 44.4 million to the United Kingdom Government. The Court found in particular that before deciding that an aid measure was incompatible with the Treaty the Commission always had to initiate proceedings under Article 93(2) of the EEC Treaty in order to give interested parties the opportunity to submit their observations to it.

The Commission here initiates the necessary proceedings, it repeats its view that the contested UKL 44.4 million constitute State aid which was granted in breach of the terms of Decision 89/58/EEC and is consequently incompatible with the common market.

Final decisions under Article 93(2) of the EEC Treaty

Spain

1.2.53. Commission decision on measures to assist textile firms.

Adopted on 26 March. The decision concerns capital injections into three textiles manufacturers between 1986 and 1989 and again when they were privatized in 1989 and 1990. The companies involved are Imepiel

(ECU 46 million between 1986 and 1988 and ECU 65 million upon privatization); Hytasa (ECU 55 million before and ECU 33 million upon privatization); and Intelhoce (ECU 60 million before and ECU 45 million upon privatization). The Commission applies the principle of the private investor in the market economy, and concludes that all of these injections included an aid element. The aid is rescue aid, but it did not enable the enterprises to return to viability. The Commission nevertheless considers that the aid granted before privatization was compatible with the Treaty, in view of the fact that from 1986 onward several sectors of industry in Spain had to be restructured as a consequence of accession to the Community. The aid granted in connection with privatization, however, is found to be incompatible with the Treaty, as it was not accompanied by a restructuring plan and enabled production to be maintained at a level which could not have been achieved otherwise, thus increasing the danger of distortion of competition.

Netherlands

1.2.54. Final decision on a scheme to promote the recycling of surplus manure.

- **Reference:** proceedings initiated: OJ C 229, 14.9.1990; Bull. EC 6-1990, point 1.3.46

Adopted on 11 March. The Dutch authorities have set up a national manure bank (Stichting Landelijke Mestbank), which is to collect manure from farmers, to store it and to deliver it to processing plants. Part of the cost is to be met from a parafiscal levy charged to farmers on surplus manure. The Commission considers that the protection of the environment, which is the main objective of the scheme, justifies meeting the manure bank's fixed costs out of the levy.

The variable costs, however, should be met out of the price paid by farmers, as the scheme would otherwise amount to operating aid for their benefit. The Commission has therefore made its approval of the scheme subject to the condition that variable costs are not to be met from the

levy after 1994. The Commission has agreed that variable costs may be met for the period 1992 to 1994, in view of the innovative character of the scheme and in order to allow farmers to become familiar with it.

Enterprise policy, industrial policy and services

I

European Week for Business

1.2.55. Inaugural meeting.

- **References:**

Commission communication: BC-Net activity report: COM(90) 476; Bull. EC 10-1990, point 1.3.106

Second annual conference of Euro-Info-Centres: Bull. EC 9-1991, point 1.2.35

Opened in Brussels on 17 March. The aim of this week, which was organized by the Euro-Info-Centres, BC-Net and the Commission's Business Cooperation Centre (BRE), was to improve awareness of the various Community programmes to assist businesses and of the action taken to promote the provision of seed capital and sub-contracting.

The week was officially launched on 17 March, at the meeting of the chairmen of the Euro-Info-Centre host structures. Mr Jacques Delors, President of the Commission, Mr António Cardoso e Cunha, Member of the Commission, and Mr Luís Mira Amaral, acting President of the Council, took part in this inaugural meeting. The week itself, from 23 to 27 March, involved more than 2 000 events (conferences, seminars and workshops) organized in all the regions of the Community. Together, these events were attended by a very large number of firms and were a great success.

II

Industrial policy

General matters

1.2.56. Proposal for a Council Decision confirming the consolidation of the EC-Japan Centre for Industrial Cooperation.

- **Commission proposal:** OJ C 173, 4.7.1991; COM(91) 193; Bull. EC 5-1991, point 1.2.48

Endorsed by Parliament on 11 March.

OJ C 94, 13.4.1992

Research and technology

Research

Joint Research Centre

1.2.57. Proposal for a Council Decision adopting specific research programmes to be implemented by the JRC for the EEC (1992-94).

- **Commission proposal:** OJ C 234, 7.9.1991; COM(91) 281; Bull. EC 7/8-1991, point 1.2.89
- **Parliament opinion (first reading):** OJ C 13, 20.1.1992; Bull. EC 12-1991, point 1.2.79
- **Economic and Social Committee opinion:** OJ C 49, 24.2.1992; Bull. EC 12-1991, point 1.2.79
- **Amended Commission proposal:** OJ C 45, 20.2.1992; COM(92) 1; Bull. EC 1/2-1992, point 1.3.101

Common position adopted by the Council on 2 March.

1.2.58. Proposal for a Council Decision adopting specific research programmes to be implemented by the JRC for the EAEC (1992-94); proposal for a Council Decision adopting a supplementary research programme to be implemented by the JRC for the EAEC.

- **Commission proposals:** OJ C 234, 7.9.1991; COM(91) 281; Bull. EC 7/8-1991, point 1.2.89

- **Parliament opinion:** OJ C 13, 20.1.1992; Bull. EC 12-1991, point 1.2.79
- **Economic and Social Committee opinion:** OJ C 49, 24.2.1992; Bull. EC 12-1991, point 1.2.79
- **Amended Commission proposals:** OJ C 45, 20.2.1992; COM(92) 1; Bull. EC 1/2-1992, point 1.3.101

Joint guidelines adopted by the Council on 2 March.

Industrial and materials technologies

Measurement and testing

1.2.59. Proposal for a Council Decision adopting a specific research and technological development programme in the field of measurement and testing (1990-94).

- **Commission approval:** Bull. EC 4-1990, point 1.1.60
- **Formal adoption by the Commission:** OJ C 174, 16.7.1990; COM(90) 157; Bull. EC 5-1990, point 1.2.97
- **Economic and Social Committee opinion:** OJ C 41, 18.2.1991; Bull. EC 11-1990, point 1.3.72
- **Parliament opinion (first reading):** OJ C 326, 16.12.1991; Bull. EC 11-1991, point 1.2.48
- **Amended Commission proposal:** OJ C 4, 8.1.1992, COM(91) 503; Bull. EC 12-1991, point 1.2.82
- **Council common position:** Bull. EC 12-1991, point 1.2.82

Endorsed by Parliament (second reading) on 11 March, subject to amendments aimed at providing funds for the assessment of technological choices and risks and leaving it to the budgetary authority to determine the funds available each year.

OJ C 94, 13.4.1992

Re-examined proposal adopted by the Commission on 24 March.

COM(92) 102

Life sciences and technologies

Biotechnology

1.2.60. Council Decision adopting a specific research and technological development

programme in the field of biotechnology (1990-94).

- **Commission proposal:** OJ C 174, 16.7.1990; COM(90) 160; Bull. EC 5-1990, point 1.2.100
- **Economic and Social Committee opinion:** OJ C 31, 6.2.1991; Bull. EC 10-1990, point 1.3.65
- **Parliament opinion (first reading):** OJ C 280, 28.10.1991; Bull. EC 10-1991, point 1.2.43
- **Amended Commission proposal:** OJ C 289, 7.11.1991; COM(91) 386; Bull. EC 10-1991, point 1.2.43
- **Council agreement on a common position:** Bull. EC 10-1991, point 1.2.43
- **Formal adoption of a Council common position:** Bull. EC 11-1991, point 1.2.45
- **Parliament opinion (second reading):** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.102
- **Re-examined Commission proposal:** COM(92) 60; Bull. EC 1/2-1992, point 1.3.102

Adopted on 26 march. This programme, which has been allocated a budget of ECU 164 million, covers the following main areas: molecular approaches, cell and organism biology, impact of biotechnology on the environment and conservation of genetic resources.

Human capital and mobility

1.2.61. Council Decision adopting a specific research and technological development programme in the field of human capital and mobility (1990-94).

- **Commission approval:** Bull. EC 4-1990, point 1.1.68
- **Formal adoption by the Commission:** OJ C 174, 16.7.1990; COM(90) 165; Bull. EC 5-1990, point 1.2.105
- **Economic and Social Committee opinion:** OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.75
- **Parliament opinion (first reading):** OJ C 158, 17.6.1991; Bull. EC 5-1991, point 1.2.60
- **Amended Commission proposal:** OJ C 188, 19.7.1991; COM(91) 234; Bull. EC 6-1991, point 1.2.71
- **Council agreement on a common position:** Bull. EC 10-1991, point 1.2.44
- **Formal adoption of a Council common position:** Bull. EC 11-1991, point 1.2.46
- **Parliament opinion (second reading):** OJ C 39, 17.2.1992; Bull. EC 1/2 1992, point 1.3.103
- **Re-examined Commission proposal:** COM(92) 21; Bull. EC 1/2-1992, point 1.3.103

Adopted on 16 March. This programme, which has been allocated a budget of ECU 490 million, is aimed at increasing the quantity and quality of the human resources available for research and technological development which will be needed by the Member States in the coming years. It focuses mainly on the training and mobility of staff and the setting-up of cooperation networks.

Promotion, support, monitoring and other activities

Steel research

1.2.62. Draft Commission Decision on the granting of financial aid for steel research projects and steel pilot/demonstration projects.

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

Adopted on 27 March. Purpose: to grant support totalling ECU 58 million for 118 research projects, 10 pilot/demonstration projects, and for the dissemination and exploitation of the results of the projects.

International cooperation

1.2.63. Proposal for a Council Decision concerning the conclusion of a Cooperation Agreement between the European Economic Community and the Republic of Finland on a research and technological development programme in the field of renewable raw materials: forestry and wood products, including cork (Forest).

- **Commission proposal:** OJ C 316, 6.12.1991; COM(91) 403; Bull. EC 11-1991, point 1.2.53

Endorsed by Parliament (first reading) on 11 March.

OJ C 94, 13.4.1992

Endorsed by the Economic and Social Committee on 25 March.

1.2.64. Proposal for a Council Decision concerning the conclusion of a Cooperation

Agreement between the European Economic Community and the Kingdom of Sweden on a research and technological development programme in the fields of renewable raw materials: forestry and wood products, including cork (Forest) and the recycling of waste (Reward).

- **Reference:** Council Decision 92/133/EEC concerning the conclusion of bilateral Cooperation Agreements between the EEC and Iceland and Sweden respectively on research and development in the field of the environment: STEP and Epoch: OJ L 54, 28.2.1992; Bull. EC 1/2-1992, point 1.3.106
- **Commission proposal:** OJ C 316, 6.12.1991; COM(91) 402; Bull. EC 11-1991, point 1.2.54

Endorsed by Parliament (first reading) on 11 March.

OJ C 94, 13.4.1992

Endorsed by the Economic and Social Committee on 25 March. The Committee urged the Commission to ensure that cooperation activities with Sweden under the Forest and Reward programmes supplement the activities under the STEP programme.

1.2.65. Council Decision 92/182/EEC concerning the conclusion of a Cooperation Agreement between the European Economic Community and COST third States on 11 concerted action projects in the field of food science and technology (Flair programme).

- **Commission proposal:** OJ C 224, 29.8.1991; COM(91) 289; Bull. EC 7/8-1991, point 1.2.94
- **Parliament opinion (first reading):** OJ C 326, 16.12.1991; Bull. EC 11-1991, point 1.2.50
- **Economic and Social Committee opinion:** OJ C 40, 17.2.1992; Bull. EC 11-1991, point 1.2.50
- **Council common position:** Bull. EC 12-1991, point 1.2.84
- **Parliament opinion (second reading):** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.107

Adopted on 2 March.

OJ L 85, 31.3.1992

1.2.66. Council Decision 92/181/EEC concerning the conclusion of a Cooperation Agreement between the European Economic Community and COST third States on five concerted action projects in the field of biotechnology (Bridge programme).

- **Commission proposal:** COM(91) 290; OJ C 224, 29.8.1991; Bull. EC 7/8-1991, point 1.2.93
- **Parliament opinion (first reading):** OJ C 326, 16.12.1991; Bull. EC 11-1991, point 1.2.51
- **Economic and Social Committee opinion:** OJ C 40, 17.2.1992; Bull. EC 11-1991, point 1.2.51
- **Council common position:** Bull. EC 12-1991, point 1.2.85
- **Parliament opinion (second reading):** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.108

Adopted on 2 March.

OJ L 85, 31.3.1992

1.2.67. Commission communication concerning the establishment of an International Science and Technology Centre in Moscow (→ point 1.3.7).

1.2.68. Proposal for a Council Decision concerning the conclusion by the Commission of the Cooperation Agreement between the EAEC, the Government of Japan, the Government of the Russian Federation and the Government of the United States of America concerning engineering design activities for the International thermonuclear Experimental Reactor (ITER) and Protocol No 1 to the Agreement.

- **Recommendation for a Decision:** Bull. EC 9-1990, point 1.2.82
- **Negotiating directives:** Bull. EC 11-1990, point 1.3.83

Adopted by the Commission on 5 March.

Purpose: to authorize the Commission to conclude the Cooperation Agreement concerning the detailed engineering design of the ITER. The Government of the Russian Federation replaces the Government of the former Soviet Union as a contracting party to the Agreement.

Telecommunications, information services and industry

Telecommunications policy

1.2.69. Proposal for a Council Directive on the adoption of standards for satellite broadcasting of television signals (→ point 1.2.219).

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

- **Commission proposal:** OJ C 157, 15.6.1991; COM(91) 165; Bull. EC 5-1991, point 1.2.63
- **Economic and Social Committee opinion:** OJ C 269, 14.10.1991; Bull. EC 7/8-1991, point 1.2.100
- **Parliament opinion (first reading):** OJ C 326, 16.12.1991; Bull. EC 11-1991, point 1.2.61
- **Council common position:** Bull. EC 12-1991, point 1.2.87

Endorsed by Parliament (second reading) on 11 March.

OJ C 94, 13.4.1992

1.2.71. Proposal for a Council directive on the frequency bands to be designated for the coordinated introduction of digital short-range radio (DSRR) in the Community.

- **Commission proposal:** OJ C 189, 20.7.1991; COM(91) 215; Bull. EC 6-1991, point 1.2.79
- **Economic and Social Committee opinion:** OJ C 40, 17.2.1992; Bull. EC 11-1991, point 1.2.57

Endorsed by Parliament (second reading) on 11 March.

OJ C 94, 13.4.1992

Telematics services of general interest

1.2.72. Final report on the performance and results of the Delta programme.

- **Reference:** Council Decision 88/417/EEC on a Community action in the field of learning technologies (Delta: OJ L 206, 30.7.1988; Bull. EC 6-1988, point 2.1.81)

Adopted by the Commission on 10 March.

This report concerns the pre-normative and pre-competitive Delta programme of action on learning technologies, particularly the use of advanced technologies to develop learning. The Commission considers the scheme worthwhile and proposes to continue research and development in this field, with emphasis on the problems connected with the application of technologies and the human and social dimensions of such applications rather than on the technologies themselves.

International cooperation

1.2.73. World Administrative Radio Conference.

One hundred and twenty-seven countries and a large number of international organizations were represented at this conference in Torremolinos from 3 February to 2 March. Discussion centred on satellites in low earth orbit, high-definition television, public aircraft telephone systems and satellite broadcasting. The Member States and the Commission put forward a coordinated position and ensured that the systems developed within the Community framework were not called into question.

Transport

General policy

Observing the markets

1.2.74. Council resolution on the extension of the system for observing the markets for the carriage of goods by rail, road and inland waterway.

- **References:**

Council resolution on the extension of the system for observing the markets for the carriage of goods by rail, road and inland waterway between the Member States: OJ C 328, 21.12.1988; Bull. EC 12-1988, point 2.1.327

Proposal for a Council Decision concerning the European system for observing the markets for the inland carriage of goods: OJ C 29, 5.2.1991; COM(90) 652; Bull. EC 12-1990, point 1.3.280

Adopted by the Council on 26 March. This resolution extends the system for observing the markets laid down in the Council resolution of 8 December 1988 until the implementation of a definitive system.

OJ C 86, 7.4.1992

Summer time

1.2.75. Sixth Council Directive 92/20/EEC on summer time arrangements.

- **Commission proposal:** OJ C 219, 22.8.1991; COM(91) 253; Bull. EC 7/8-1991, point 1.2.105
- **Economic and Social Committee opinion:** OJ C 40, 17.2.1992; Bull. EC 11-1991, point 1.2.65
- **Parliament opinion (first reading):** OJ C 13, 20.1.1992; Bull. EC 12-1991, point 1.2.98
- **Council common position:** Bull. EC 1/2-1992, point 1.3.112

Endorsed by Parliament (second reading) on 11 March.

OJ C 94, 13.4.1992

Adopted by the Council on 26 March. In 1993 and 1994 clocks will go forward one hour between the last Sunday in March and the last Sunday in September. Ireland and the United Kingdom may elect to end summer time on the fourth Sunday in October.

OJ L 89, 4.4.1992

Inland transport

Road transport

1.2.76. Council Regulation (EEC) No 881/92 on access to the market for the carriage of goods by road in the European Community to or from the territory of a Member State or passing across the territory of one or more Member States.

- **Commission proposal:** OJ C 238, 13.9.1991, COM(91) 293; Bull. EC 7/8-1991, point 1.2.103
- **Economic and Social Committee opinion:** OJ C 40, 17.2.1991; Bull. EC 11-1991, point 1.2.69
- **Council agreement:** Bull. EC 12-1991, point 1.2.94
- **Parliament opinion:** OJ C 39, 17.2.1992; Bull. EC 1/2-1992, point 1.3.115

Amended proposal adopted by the Commission on 25 March.

COM(92) 104

Formally adopted by the Council on 26 March.

OJ L 95, 9.4.1992

1.2.77. Council Regulation (EEC) No 684/92 on common rules for the international carriage of passengers by coach and bus.

- **Commission proposal:** OJ C 120, 6.5.1987; COM(87) 79; Bull. EC 2-1987, point 2.1.170

- **Economic and Social Committee opinion:** OJ C 356, 31.12.1987; Bull. EC 11-1987, point 2.4.46
- **Parliament opinion:** OJ C 94, 11.4.1988; Bull. EC 3-1988, point 2.1.186
- **First amended Commission proposal:** OJ C 301, 26.11.1988; COM(88) 595; Bull. EC 10-1988, point 2.1.180
- **Second amended Commission proposal:** OJ C 31, 7.2.1989; COM(88) 770; Bull. EC 12-1988, point 2.1.330
- **Council agreement:** Bull. EC 12-1991, point 1.2.95

Formally adopted by the Council on 16 March.

OJ L 74, 20.3.1992

1.2.78. Commission communication to the Council on the introduction of the concept of 'working time' in Regulations (EEC) Nos 3820/85 and 3821/85 on driving time and rest periods in road transport.

- **References:**
 Council Regulation (EEC) No 3820/85 on the harmonization of certain social legislation relating to road transport: OJ L 370, 31.12.1985; Bull. EC 12-1985, point 2.1.214
 Council Regulation (EEC) No 3821/85 on recording equipment in road transport (OJ L 370, 31.12.1985; Bull. EC 12-1985, point 2.1.214), as amended by Regulation (EEC) No 3314/90: OJ L 318, 16.11.1990; Bull. EC 11-1990, point 1.3.184

Adopted by the Commission on 20 March. The purpose of this communication is to launch a preliminary debate within the Council on the concept of 'working time'. The objectives of Community action in this field include social progress, road safety and fair competition.

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

- **Commission proposal:** OJ C 189, 20.7.1991; COM(91) 243; Bull. EC 7/8-1991, point 1.2.109
- **Economic and Social Committee opinion:** OJ C 49, 24.2.1992; Bull. EC 12-1991, point 1.2.104

Endorsed by Parliament on 13 March, subject to certain amendments such as the extension of the proposed directive to apply to private cars, the laying down of brake

operating standards at a later date and the barring of vehicles failing the test.

OJ C 94, 13.4.1992

Road and inland waterway transport

1.2.80. Proposal for a Council Regulation on the transfer of controls in the field of road and inland waterway transport to the Community's external frontiers.

Adopted by the Commission on 27 March. The purpose of this proposal is to create the legal framework required for the transfer of controls on means of transport registered or put into circulation in a non-Community country to the Community's external frontiers. These controls will have to be carried out by the authorities of the Member State whose border forms the external frontier, and will have to cover any authorization required for the means of transport in question to operate on Community territory right up to its final destination. Where necessary, the controls will also have to ensure compliance with any other requirements laid down in existing bilateral agreements.

COM(92) 105

International cooperation

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

- **Commission proposal:** COM(91) 299; Bull. EC 7/8-1991, point 1.2.115
- **Economic and Social Committee opinion:** OJ C 40, 17.2.1992; Bull. EC 11-1991, point 1.2.72

Endorsed by Parliament on 12 March, subject to certain amendments providing for the immediate opening of negotiations leading to the conclusion of similar agreements with Switzerland, Austria, Finland and Iceland.

OJ C 94, 13.4.1992

Agreed by the Council on 26 March. The purpose of the future agreement is to make

Community legislation in the field of civil aviation applicable in Norway and Sweden.

1.2.82. Proposal for a Council Decision on the conclusion of agreements on transit traffic between the Community and Switzerland and the Community and Austria.

- Commission recommendation: Bull. EC 9-1988, point 2.1.135
- Negotiating directives: Bull. EC 12-1988, point 2.1.341
- Council agreement: Bull. EC 10-1991, point 1.2.53
- Agreements initialled: Bull. EC 12-1991, point 1.2.113

Adopted by the Commission on 25 March. The proposal reproduces in its entirety the text of the two agreements negotiated between the Commission, Austria and Switzerland. The Commission has opted for Article 113 of the Treaty as the legal basis for these agreements, given that certain aspects of this proposal are linked with the common commercial policy.

COM(92) 107

1.2.83. Parliament resolution on the opening of negotiations between the Community and third countries on the rules applicable to carriage of freight and passengers by inland waterways between the parties concerned.

Adopted by Parliament on 13 March. Parliament calls on the Member States to apply their bilateral agreements with third countries in such a manner as to give EC vessels preference with regard to cabotage and intra-Community carriage. It considers that existing bilateral agreements should be replaced by multilateral agreements based on fair competition, non-discrimination and reciprocity, and that, where necessary, Switzerland should be involved in the conclusion of these agreements.

OJ C 94, 13.4.1992

Energy

I

Internal energy market

- **References:**
Proposal for a Council Directive concerning common rules for the internal market in elec-

tricity: COM(91) 548; Bull. EC 1/2-1992, point 1.3.117

Proposal for a Council Directive concerning common rules for the internal market in natural gas: COM(91) 548; Bull. EC 1/2-1992, point 1.3.117

1.2.84. Proposal for a Council Directive on the conditions for granting and using authorizations for oil and gas prospecting, exploration and extraction.

Approved by the Commission on 25 March. The Commission's proposal is aimed at ensuring equal access for all firms to exploit oil and gas resources and the free movement of these products between the Member States. It establishes common rules to ensure that authorizations are granted in accordance with a non-discriminatory and transparent procedure and specifies the conditions which may be imposed on firms regarding access to and exercise of these activities. It lays down a framework and general principles with which national rules will be required to comply.

The proposal complements the action already started on liberalizing the transmission and distribution stages of the gas market. It is also aimed at removing the last remaining major obstacles to completion of the internal market in oil.

Under the proposal, the Member States retain their sovereignty over their oil and gas resources and their rights concerning long-term management of resources, revenue from resources and short-term administration of resources.

COM(92) 110

1.2.85. Commission communication to the Council on electricity and natural gas transmission infrastructures in the Community.

- **Reference:** Proposals for Council Regulations introducing a declaration of European interest to facilitate the establishment of trans-European networks in the transport, electricity and natural gas and telecommunications sectors: COM(92) 15; Bull. EC 1/2-1992, point 1.3.15

Adopted on 25 March. This communication, which is also part of the work on the development of trans-European networks,

complements the proposals aimed at completing the internal energy market.

It expresses the Commission's initial thinking regarding a more integrated approach at Community level. The aims are to integrate these networks, with the advent of the internal market, and to strengthen economic and social cohesion.

The Commission identifies the needs regarding the stepping-up and development of interconnections in Member States, between Member States and with the networks in the rest of Europe and the Mediterranean Basin. It reviews the major interconnections planned for 1995.

It also addresses the question of more effective use of the major electricity and natural gas transmission networks.

II

Community energy strategy

Promotion of energy efficiency

1.2.86. Proposal for a Directive concerning the efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels.

- **Commission proposal:** OJ C 292, 22.11.1990; COM(90) 368; Bull. EC 10-1990, point 1.3.203
- **Economic and Social Committee opinion:** OJ C 102, 18.4.1991, Bull. EC 1/2-1991, point 1.2.107
- **Parliament opinion:** OJ C 129, 20.5.1992; Bull. EC 4-1991, point 1.2.60
- **Council common position:** Bull. EC 12-1991, point 1.2.120

Endorsed by parliament on 11 March.

OJ C 94, 13.4.1992

Common energy policy

1.2.87. Parliament resolution on a common energy policy.

- **References:**
Council Decision 89/236/EEC on a specific research and technological development programme in the field of energy: non-nuclear

energies and rational use of energy 1989-92 (Joule programme): OJ L 98, 11.4.1989; Bull. EC 3-1989, point 2.1.48

Regulation (EEC) No 2008/90 concerning the promotion of energy technology in Europe (Thermie programme): OJ L 185, 17.7.1990; Bull. EC 6-1990, point 1.3.256

European Energy Charter: Bull. EC 12-1991, point 1.2.114

Adopted on 12 March. Regretting that the revision of the EEC Treaty which was completed in Maastricht does not include any principles on which a true common energy policy could be based, Parliament repeated its insistence that matters currently governed by the ECSC and Euratom Treaties should be incorporated into the EEC Treaty and stressed that the common energy policy must rely not only on the criteria of efficiency (competition) and adaptation of production to needs (market) but also on the criteria of independence (security of supply), knowledge (research into new energy sources), safety (hazard-free technologies) and sustainability (sustainable development).

Parliament called on the Commission to apply in the field of energy the principle of economic and social cohesion to assist the less-developed regions and to take the necessary steps to extend the Joule and Thermie programmes to include the countries of Central and Eastern Europe and the developing countries.

Parliament also called for rapid progress in negotiating specific and legally binding agreements arising from the European Energy Charter.

OJ C 94, 13.4.1992

Specific aspects

Solid fuels

1.2.88. Commission report on the market for solid fuels in the Community in 1991 and the outlook for 1992

- **Previous report:** Bull. EC 3-1991, point 1.2.75

Adopted (first reading) on 27 March. Total Community consumption of solid fuels

(coal, lignite and peat) remained virtually constant in 1991 at 234.8 million toe (tonnes of oil equivalent), representing 20.5% of gross internal energy consumption. Community coal production again fell (by 3%) following restructuring measures by the coal industry. Imports from non-Community countries, on the other hand, rose by 11.3%

The outlook for 1992 is for a 3% decline in production and a slight increase in consumption of solid fuels. Imports from non-Community countries are likely to increase less sharply than in 1991.

1.2.89. Parliament resolution on coal and the internal energy market.

• **References:**

Notice to the Member States laying down guidelines for operational programmes in the framework of a Community initiative concerning the economic conversion of coalmining areas, which Member States are invited to establish (Rechar): OJ C 20, 27.1.1990; Bull. EC 12-1989, point 2.1.132

European Energy Charter: Bull. EC 12-1991, point 1.2.114

Adopted by Parliament on 11 March. Affirming that coal is the only fossil fuel which Europe has available in sufficient quantities to constitute a strategic resource, Parliament declared that the process of European integration in relation to energy markets must take place in such a way that each Member State may choose its own energy strategy within the framework of Community energy guidelines.

Emphasizing that decisions taken in the coal sector will have a significant and lasting impact on the level of employment, Parliament pointed out that certain Community regions — particularly peripheral regions — are extremely dependent on trends in this sector of the economy, and highlighted the urgency for industrial diversification.

Parliament called on the Commission to initiate a dialogue with both sides of industry and other interested parties with a view to finding optimum ways of guaranteeing security of supply, to propose a 10-year research and development programme and

to ensure the reinforcement of the Rechar programme.

Parliament called on the Commission and the Member States to take security of supply as one of their objectives in the negotiations under the European Energy Charter.

OJ C 94, 13.4.1992

1.2.90. Draft Commission Decision concerning the granting of financial aid to 130 technical coal research projects in 1992.

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

Adopted on 31 March. Purpose: to grant a total of ECU 45.5 million for research projects concerned with improving economic performance, safety and working conditions in mines, improving product quality and, in particular, environmental protection.

Social dimension

I

European Year of Safety, Hygiene and Health at Work

1.2.91. Opening in Lisbon on 12 March of the 1992 European Year of Safety, Hygiene and Health at Work.

- **Reference:** Council Decision 91/388/EEC on an action programme for the European Year of Safety, Hygiene and Health at Work (1992): OJ L 214, 2.8.1991; Bull. EC 7/8-1991, point 1.2.141

At the official conference opening the 1992 European Year, Mrs V. Papandreou, Member of the Commission, and Mr José Albino da Silva Peneda, President of the Council of Social Affairs Ministers, explained that the main aim of the Year was to continue on a joint basis with the major work already done by the Member States to reduce risks and improve the quality of life at work in the Community.

Four topics had been selected as being of interest and relevance to all the Member States and most sectors of activity, namely:

- (i) clean air at the workplace;
- (ii) safety at work;
- (iii) well-being at work;
- (iv) combating noise and vibrations.

II

European Social Fund and other structural measures

1.2.92. Structural measures are now dealt with under the heading 'Economic and social cohesion'.

Employment

Free movement of workers

1.2.93. Proposal for a Council Regulation amending Part II of Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community.

- **Commission proposal:** OJ C 254, 28.9.1991; COM(91) 316; Bull. EC 9-1991, point 1.2.57
- **Economic and Social Committee opinion:** OJ C 40, 17.2.1992; Bull. EC 11-1991, point 1.2.86

Endorsed by Parliament (first reading) on 11 March, subject to amendments designed to incorporate more detail on the deadlines in respect of vacancies and applications messages.

OJ C 94, 13.4.1992

Amended proposal adopted by the Commission on 27 March.

COM(92) 115

Social security

Social security for migrant workers

1.2.94. Proposal for a Council Regulation amending Regulation (EEC) No 1408/71 on

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

- **Commission proposal:** OJ C 46, 20.2.1992; COM(91) 528; Bull. EC 12-1991, point 1.2.138
- **Economic and Social Committee opinion:** Bull. EC 1/2-1992, point 1.3.124

Endorsed by Parliament on 13 March.

OJ C 94, 13.4.1992

Working conditions

Industrial relations

1.2.95. Proposal for a Council Directive amending Directive 75/129/EEC on the approximation of the laws of the Member States relating to collective redundancies.

- **Commission proposal:** OJ C 310, 30.11.1991; COM(91) 292; Bull. EC 9-1991, point 1.2.55
- **Economic and Social Committee opinion:** Bull. EC 1/2-1992, point 1.3.125

Endorsed by Parliament on 11 March, subject to certain amendments centring on the definition of 'collective redundancies' and 'employer', and on employers' duties in respect of forward management of labour and the implementation of a social plan for the reintegration of workers. Parliament also proposed the establishment of a Guarantee Fund for redundant workers.

OJ C 94, 13.4.1992

Amended proposal adopted by the Commission on 31 March.

COM(92) 127

Measures for workers in the ECSC industries

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

- **Commission draft:** Bull. EC 7/8-1991, point 1.2.142

Assent given by the Council on 2 March.

OJ C 64, 13.3.1992

Health and safety at work

Protection of crew members on board vessels

1.2.97. Council Directive 92/29/EEC on the minimum health and safety requirements for improved medical treatment on board vessels.

- **Commission proposal:** OJ C 183, 24.7.1990; COM(90) 272; Bull. EC 6-1990, point 1.3.74
- **Economic and Social Committee opinion:** OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.57
- **Parliament opinion (first reading):** OJ C 48, 25.2.1991; Bull. EC 1/2-1991, point 1.2.118
- **Amended Commission proposal:** OJ C 74, 20.3.1991; COM(91) 65; Bull. EC 1/2-1991, point 1.2.118
- **Council agreement:** Bull. EC 6-1991, point 1.2.115
- **Council common position:** Bull. EC 10-1991, point 1.2.83
- **Parliament opinion (second reading):** OJ C 326, 16.12.1991; Bull. EC 11-1991, point 1.2.91
- **Re-examined Commission proposal:** COM(91) 552; Bull. EC 12-1991, point 1.2.146

Adopted by the Council on 31 March.

OJ L 113, 30.4.1992

Solidarity

Equal opportunities

1.2.98. Council recommendation on child care.

- **Commission proposal:** OJ C 242, 17.9.1991; COM(91) 233; Bull. EC 7/8-1991, point 1.2.129
- **Parliament opinion:** OJ C 326, 16.12.1991; Bull. EC 11-1991, point 1.2.96
- **Economic and Social Committee opinion:** OJ C 40, 17.2.1992; Bull. EC 11-1991, point 1.2.96
- **Council agreement:** Bull. EC 12-1991, point 1.2.133

Adopted by the Council on 31 March.

Education, vocational training and youth

Continuing training

1.2.99. Council Decision 92/170/EEC amending Decision 89/657/EEC establishing an action programme to promote innovation in the field of vocational training resulting from technological change in the Community (Eurotecnet) and Decision 90/267/EEC establishing an action programme for the development of continuing vocational training in the European Community (Force) in order to establish an advisory committee for continuing education and training embracing Force and Eurotecnet.

- **Commission proposal:** OJ C 24, 31.1.1991; COM(90) 648; Bull. EC 12-1990, point 1.3.106
- **Economic and Social Committee opinion:** OJ C 120, 6.5.1991; Bull. EC 3-1991, point 1.2.81
- **Parliament opinion:** OJ C 240, 16.9.1991; Bull. EC 7/8-1991, point 1.2.145

Adopted by the Council on 16 March.

OJ L 75, 21.3.1992

1.2.100. Proposal for a Council Decision on the adoption of an action plan for the exchange of national officials between Member State administrations who are engaged in enforcement of Community legislation required to build the single market.

- **Commission proposal:** OJ C 299, 20.11.1991; COM(91) 408; Bull. EC 10-1991, point 1.2.6
- **Economic and Social Committee opinion:** Bull. EC 1/2-1992, point 1.3.136

Endorsed by Parliament on 11 March, subject to a number of amendments relating more particularly to the date of implementation of the action plan.

OJ C 94, 13.4.1992

Amended proposal adopted by the Commission on 24 March.

OJ C 92, 11.4.1992; COM(92) 113

Cooperation with non-member countries on education, training and youth

Central and Eastern Europe

1.2.101. Proposal for a Council Decision amending Decision 90/233/EEC of 7 May 1990 establishing a trans-European mobility scheme for university studies (Tempus).

- **Commission proposal:** OJ C 11, 17.1.1992; COM(91) 513; Bull. EC 12-1991, point 1.3.14
- **Economic and Social Committee opinion:** Bull. EC 1/2-1992, point 1.3.137

Endorsed by Parliament on 13 March.

OJ C 94, 13.4.1992

Economic and social cohesion: structural measures

1.2.102. As part of the process of implementing its communication 'From the Single Act to Maastricht and beyond: the means to match our ambitions', the Commission adopted four supporting documents intended to translate the new guidelines for Community policies into more detailed financial and budgetary proposals. Three of these concern the definition of a new financial framework and the fourth deals more specifically with the Community's structural policies (→ point 1.1.5). The aim of this document, entitled 'Community structural policies — assessment and outlook', is to assess the reform of the structural Funds at the halfway point and propose the changes required by economic and social developments and the introduction of economic and monetary union.

Development, coordination and implementation of policies and measures

1.2.103. Annual report on the implementation of the reform of the structural Funds: 1990.

- **Commission report:** COM(91) 400; Bull. EC 12-1991, point 1.2.128

Endorsed by the Economic and Social Committee on 25 March. The Committee regretted that the Commission had been unable to offer specific conclusions on the impact of assistance in the Objective 2 areas (declining industrial areas) and that it had not assessed the probable impact of the single market on the areas covered by the Funds. It also stressed that the principle of additionality should be respected by all the Member States as the best guarantee of the effectiveness of the structural Funds.

1.2.104. Parliament resolution on the fourth periodic report on the social and economic situation and development of the regions of the Community — 'The regions in the 1990s'.

- **Reference:** Fourth periodic report on the regions of the Community: COM(90) 609; Bull. EC 12-1990, point 1.3.107

Adopted on 12 March. After noting the main conclusions of the fourth periodic report on the social and economic situation and development of the regions of the Community, Parliament made a number of comments. It began by welcoming the decision taken at the Maastricht summit to strengthen economic and social cohesion and stressed the need for global measures.

It regretted in particular the failure to assess the effects of Community policies and urged introduction of a separate fiscal policy for the most remote regions.

It also suggested a reorientation of the structural measures entailing greater concentration of resources on the less advanced regions and a revision of the criteria for eligibility.

It concluded by asking the Commission to pay particular attention to aspects such as decentralization, regionalization and subsidiarity in its fifth annual report.

OJ C 94, 13.4.1992

Financial assistance*Less-developed regions*

1.2.105. Commission decision on the establishment of a supplement to the Community support frameworks for Community structural assistance in the French overseas departments concerning the improvement of the conditions under which agricultural products are processed and marketed (1991-93).

- **Reference:** Commission Decision 89/637/EEC on the establishment of Community support frameworks in the French regions concerned by Objective 1: OJ L 370, 19.12.1989; Bull. EC 10-1989, point 2.1.102

Adopted on 31 March. Provides indicative Community financing of ECU 10 397 000 for the three-year period 1991 to 1993.

1.2.106. Commission decisions: see Table 5.

Table 5 — *Financing under Objective 1*

<i>(million ECU)</i>		
Country/purpose	Fund	Total assistance
<i>Italy</i>	ERDF	69
<i>Portugal</i>	ERDF	4.5
<i>Spain</i>	ESF	
Valencia		0.09
Castile-Leon		0.12

Table 8 — *Financing of Community initiatives*

<i>(million ECU)</i>			
Community initiative	Country/region	Fund	Total assistance
Stride	United Kingdom	ERDF/ESF	15.5
Interreg	Upper Rhine on both sides of the Franco-German border	ERDF	10
	Italy (border area with Slovenia)	ERDF	2.5
Prisma	Greece	ERDF	1

Declining industrial areas

1.2.107. Commission decision: see Table 6.

Table 6 — *Financing under Objective 2*

<i>(million ECU)</i>		
Country/purpose	Fund	Total assistance
<i>France</i>		
Aquitaine	ESF/ERDF	41
Rhône-Alpes		
Poitou-Charentes		
Loire Region		

Development of rural areas

1.2.108. Commission decision: see Table 7.

Table 7 — *Financing under Objective 5b*

<i>(million ECU)</i>		
Country/purpose	Fund	Total assistance
<i>France</i>		
(Poitou-Charentes)	ERDF	5

Community initiatives

1.2.109. Commission decisions: see Table 8.

Table 9 — *Other financial assistance*

<i>(million ECU)</i>			
Type	Country/purpose	Fund	Total assistance
Study	Regional policy seminar	ERDF	0.002
Study	Spain: investment impact	ERDF	0.053
Study	Spain: technical assistance	ERDF	3.5
Study	Cooperation between Portugal and Bavaria	ERDF	0.2

Other financial assistance

1.2.110. Commission decisions: see Table 9.

Measures for the most remote regions**Implementation of the Poseidom, Poseican and Poseima programmes**• **References:**

Council Decision 89/687/EEC establishing a programme of options specific to the remote and insular nature of the French overseas departments (Poseidom): OJ L 399, 30.12.1989; Bull. EC 12-1989, point 2.1.142

Council Decision 91/314/EEC setting up a programme of options specific to the remote and insular nature of the Canary Islands (Poseican): OJ L 171, 29.6.1991; Bull. EC 6-1991, point 1.2.120

Council Decision 91/315/EEC setting up a programme of options specific to the remote and insular nature of Madeira and the Azores (Poseima): OJ L 171, 29.6.1991; Bull. EC 6-1991, point 1.2.121

1.2.111. Proposal for a Council Regulation authorizing an enhanced aid system as established in Regulation (EEC) No 3687/91 for the formation of producers' organization in the French overseas departments, in the Canary Islands, in Madeira and in the Azores.

- **Basic Regulation:** Council Regulation (EEC) No 3687/91 on the common organization of the market in fishery products: OJ L 354, 23.12.1991; Bull. EC 11-1991, point 1.2.176

Adopted by the Commission on 24 March. Permits the granting of enhanced aid to producers' organizations to be established in the most remote regions under the Poseidom, Poseican and Poseima programmes. OJ C 97, 16.4.1992; COM(92) 103

1.2.112. Proposal for a Council Regulation amending Regulation (EEC) No 2504/88 on free zones and free warehouses.

- **Regulation to be amended:** Council Regulation (EEC) NO 2504/88: OJ L 225, 15.8.1988; Bull. EC 7/8-1988, point 2.1.46

Adopted by the Commission on 26 March. The proposal waives the economic conditions laid down by the inward processing arrangements for processing operations carried out in the free zones of the Canary Islands, the Azores, Madeira and the overseas departments.

COM(92) 112

1.2.113. Proposal for a Council Regulation temporarily suspending the autonomous Common Customs Tariff duties on imports of certain industrial products into the Canary Islands; proposal for a Council Regulation temporarily suspending autonomous Common Customs Tariff duties, subject to a specific ceiling, on imports into the Canary Islands of certain tobaccos falling within CN headings 2402 and 2403; draft Decision of the Representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council, temporarily suspending the customs duty applying to the

import into the Canary Islands of a product covered by the ECSC Treaty.

Adopted by the Commission on 26 March. The first proposal for a regulation concerns total suspension of CCT duties until 31 December 1995 on a number of industrial products which are particularly sensitive from the point of view of the economy of the Canary Islands.

The second proposal is intended to ensure continuity until 30 June 1992 in the conditions of supply for tobaccos falling under CN codes 2402 and 2403.

The draft ECSC Decision proposes the total suspension until 31 December 1995 of import duties on iron and non-alloy steel bars and rods.

COM(92) 111

1.2.114. Proposal for a Council Regulation temporarily derogating from implementation of Community anti-dumping measures on imports into the Canary Islands of certain sensitive products.

Adopted by the Commission on 26 March. Would exempt from anti-dumping duties until 31 December 1995 imports into the Canary Islands of espadrilles and certain electronic goods and establish a schedule for the gradual reintroduction of duties over the period 1 January 1996 to 1 January 2000.

OJ C 97, 16.4.1992; COM(92) 109

Environment

I

Fifth environment programme

1.2.115. Fifth European Community programme of policy and action in relation to the environment and sustainable development: 'Towards sustainability', accompanied by a proposal for a Council res-

olution adopting the programme, and a report on the state of the environment.

• **Previous programme:** OJ C 3, 7.1.1987; Bull. EC 12-1986, point 2.1.178

• **References:**

Conclusions of the Dublin European Council: Bull. EC 6-1990, point I.14

Proposal for a Council Regulation establishing a financial instrument for the environment (LIFE): Bull. EC 12-1991, point 1.2.296

Notice to the Member States laying down guidelines for operational programmes which Member States are invited to establish within the framework of a Community initiative concerning the environment (Envireg): OJ C 115, 9.5.1990; Bull. EC 5-1990, point 1.2.77

Adopted by the Commission on 18 March. This fifth programme is intended to serve as the basis, initially, for a wide-ranging debate within the Community institutions and among all parties directly concerned and, subsequently, for establishing priorities which will set the Community and the rest of the world on course for 'sustainable development', i.e. development which meets the needs of the present without compromising the ability of future generations to meet their own needs. Another objective of the fifth programme is to combine the principle of subsidiarity with the wider concept of shared responsibility.

The fifth programme marks a complete change of strategy compared with its four predecessors. As is clear from the report attached to the programme, the legislative approach taken hitherto has failed to reverse the adverse trends observed in the past.

In order to achieve tangible improvements during the period covered by the programme, priority will be given to action in six fields:

- (i) sustainable management of natural resources;
- (ii) integrated pollution control and waste management;
- (iii) reduction in consumption of non-renewable energy;
- (iv) improved mobility management;

(v) improvements in environmental quality in urban areas;

(vi) improvement of public health and safety.

The programme sets long-term objectives and performance targets for the period up to 2000. These have no legal status, but serve as a guide for the action to be taken on the priorities in the five selected target sectors: industry, energy, transport, agriculture and tourism.

In the case of industry, the accent will be placed on improved resource management, information for consumers and Community standards for manufacturing processes and products.

In the energy sector, the main aim will be to improve energy efficiency and to reduce consumption of fuels with a high carbon content.

A strategy for sustainable mobility, including improved land use, better public transport and more efficient use of transport infrastructure, will be the predominant concern in the transport sector.

For agriculture, the essential objective of the programme is to work towards balanced, dynamic development of rural areas.

Finally, three main lines of action are set out for tourism: diversification of tourist activities, improvement of the quality of tourist services and action concerning the behaviour of tourists.

Four categories of instruments have been proposed to attain these objectives:

(i) legislative instruments, which have proved effective for setting minimum levels of protection for public health and the environment, particularly in cases of high risk, and for implementing international commitments or laying down the Community-wide rules and standards necessary to preserve the integrity of the internal market;

(ii) market-based instruments (economic and fiscal incentives, rules on civil liability, etc.) designed to encourage producers and

consumers to make responsible use of natural resources and to avoid pollution and waste. Economic instruments also ensure that environment-friendly goods and services are not at a disadvantage *vis-à-vis* more polluting or wasteful competitors;

(iii) general supporting instruments, including improved baseline and statistical data, measures to promote scientific research and technological development (on cleaner technologies and solutions to current environmental problems), improved sectoral and spatial planning, fuller information for the public and better vocational training;

(iv) financial support mechanisms: apart from the budget headings with direct environment objectives (e.g. LIFE) the structural Funds, notably Envireg, contribute significant amounts towards funding environmental improvement schemes. Moreover, the new Cohesion Fund decided upon at the Maastricht Summit will part-fund projects to improve the environment in Spain, Greece, Portugal and Ireland. It will also be necessary to ensure that all funding from the Community budget, particularly from the structural Funds, is as sensitive as possible to environmental considerations and in conformity with the legislation on this subject.

The new strategy proposed implies the involvement of all economic circles and sectors of society and the establishment of a dialogue between all the partners. This dialogue will be held within a number of forums convened by the Commission:

(i) a general consultative forum comprising representatives of firms, consumers, trade unions, non-governmental organizations, and local and regional authorities;

(ii) an implementation and enforcement network to exchange information and develop joint practical approaches, under the supervision of the Commission;

(iii) an environmental policy review group comprising representatives of the Commission and the Member States to facilitate exchanges of views on environmental protection policy and measures.

The fifth programme also focuses on the global environmental problems (climate change, depletion of the ozone layer, loss of biodiversity, deforestation, etc.) which the Community cannot ignore if it is to assume the international role conferred on it by the European Council in Dublin in 1990. In this context, the fifth programme indicates that the United Nations Conference on Environment and Development in Rio De Janeiro in June 1992 will pave the way forward by adopting an 'Earth Charter' and 'Agenda 21', which will be the work programme for the international community on the environment for the period beyond 1992.

COM(92) 23

Protection of the ozone layer

• References:

Montreal Protocol on substances that deplete the ozone layer: Bull. EC 9-1987, point 2.1.114

London Conference on the revision of the Montreal Protocol: Bull. EC 6-1990, point 1.3.121

1.2.116. Council Decision on participation by the Community in the negotiations concerning the adjustments and amendments to the Montreal Protocol on substances that deplete the ozone layer.

Recommendation for a Decision adopted by the Commission on 4 March. The aim of the proposal is to authorize the Community to participate in the negotiations to be held in Nairobi from 6 to 15 April.

Adopted by the Council on 23 March. The negotiating directives call for tighter schedules for reducing production and consumption of substances covered by the Montreal Protocol.

The adjustments and amendments will be submitted to the fourth meeting of the parties to the Montreal Protocol in Copenhagen in November 1992.

1.2.117. Proposal for a Council Regulation amending Regulation (EEC) No 594/

91 in order to speed up the phasing-out of substances that deplete the ozone layer.

- **Regulation to be amended:** Council regulation (EEC) No 594/91 on substances that deplete the ozone layer: OJ L 67, 14.3.1991; Bull. EC 3-1991, point 1.2.160

Adopted by the Commission on 20 March. The aim of the proposal is to speed up the phasing-out of substances that deplete the ozone layer, on the basis of the scientific and technical data produced by the Scientific Evaluation Group of the United Nations Environment Programme.

OJ C 90, 10.4.1992; COM(92) 106

1.2.118. Parliament resolution on protection of the ozone layer.

Adopted on 12 March. Parliament called on the Council to request revision of the Montreal Protocol on substances that deplete the ozone layer and to propose a substantial acceleration of the schedules for reducing production and use of such substances.

OJ C 94, 13.4.1992

Reduction of sulphur in gasoil

1.2.119. Proposal for a Council Directive on the approximation of the laws of the Member States relating to the sulphur content of gasoil.

- **Reference:** Council Directive 91/542/EEC amending Directive 88/77/EEC on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous pollutants from diesel engines for use in vehicles: OJ L 295, 25.10.1991; Bull. EC 10-1991, point 1.2.176
- **Commission proposal:** OJ C 174, 5.7.1991; COM(91) 154; Bull. EC 4-1991, point 1.2.135
- **Economic and Social Committee opinion:** OJ C 14, 20.1.1992; Bull. EC 10-1991, point 1.2.181

Endorsed by Parliament on 11 March, subject to certain amendments specifying the sulphur content of diesel fuels and gasoils and proposing that the European Investment Bank make credit available to small

refineries to help fund the investments needed.

OJ C 94, 13.4.1992

Amended proposal adopted by the Commission on 20 March.

COM(92) 119

Common position adopted by the Council on 23 March. The main aim of the proposal is to introduce a single level of 0.2% for the sulphur content of the various gasoils in the Community by 1 October 1994.

The second stage will be to bring down the sulphur content of gasoil even further in the continuing interests of reducing the level of pollution caused by sulphur dioxide emissions and in order to meet the requirements of Directive 91/542/EEC relating to the measures to be taken against the emission of particulate pollutants from diesel engines for use in heavy goods vehicles.

The agreement reached sets the following limit values:

- (i) for automotive gasoils: 0.2% by weight as from 1 October 1994; 0.05% by weight as from 1 October 1996;
- (ii) for gasoils other than automotive gasoils, except aviation kerosenes: 0.2% by weight as from 1 October 1994.

In addition, the Commission will submit to the Council a proposal on which the Council will take a decision by 31 July 1994 aimed, in the more general framework of policy to improve air quality, at transition to a second phase providing for a lower value by 1 October 1999 and at setting new limit values for aviation kerosenes.

Member States must, moreover, ensure that automotive gasoils with a sulphur content not exceeding 0.05% by weight are gradually available on the market from 1 October 1995, so that Directive 91/542/EEC can be implemented.

II

Horizontal activities

International cooperation

United Nations Conference on Environment and Development

1.2.120. Council Decision on the status of the Community at the United Nations Conference on Environment and Development and on the arrangements for its participation.

- **Commission recommendation:** Bull. EC 1/2-1992, point 1.3.153

Adopted on 2 March. The Decision will enable the Community to be a full participant at the Conference in Rio de Janeiro.

1.2.121. Report from the Commission to the United Nations Conference on Environment and Development in Rio de Janeiro in June 1992.

Adopted on 20 March. This report describes the general context in which the Community is operating, particularly the clauses of the new Treaty on European Union which complete the legislative framework for the action taken by the Community on the environment. It outlines first the legislative approach behind the Community's past activities, then the challenge posed by the need to ensure sustainable development and, finally, the action taken by the Community on global environmental issues.

It particularly highlights the Community's commitment to sustainable development compatible with the demands of the environment both inside and outside the Community. It also stresses that the Community will mobilize all the instruments at its disposal and will contribute to the international efforts to make the progress essential to maintain healthy, viable living conditions for the present generation and

to guarantee the generations of the future equally good, if not better, conditions.

SEC(91) 2448

Assessment of transboundary impact

1.2.122. Proposal for a Council Decision concerning the conclusion, on behalf of the Community, of the Convention on Environmental Impact Assessment in A Transboundary Context, under the auspices of the United Nations Economic Commission for Europe.

- Recommendation for a Decision on signature of the Convention: Bull. EC 1/2-1991, point 1.2.238
- Council Decision on signature, and signature of the Convention: Bull. EC 1/2-1991, point 1.2.238

Adopted by the Commission on 24 March.

COM(92) 93

Financial instruments

1.2.123. Commission financial Decision granting additional aid to three projects with an incentive effect.

- Reference: Council Regulation (EEC) No 3907/91 on action by the Community relating to nature conservation (Acnat): OJ L 370, 31.12.1991; Bull. EC 12-1991, point 1.2.310

Adopted on 25 March. The aim of this Decision is to grant a total of ECU 2.2 million to three projects contributing to the maintenance or re-establishment of seriously threatened biotopes.

Industry and environment, civil protection

Environmental controls on products, industrial plants and biotechnology

1.2.124. Council Regulation (EEC) No 880/92 on a Community eco-label award scheme

- Commission approval: Bull. EC 11-1990, point 1.3.88

- Commission proposal: OJ C 75, 20.3.1991; COM(91) 37; Bull. EC 1/2-1991, point 1.2.235
- Economic and Social Committee opinion: OJ C 339, 31.12.1991; Bull. EC 9-1991, point 1.2.125
- Parliament opinion: OJ C 13, 20.1.1992; Bull. EC 12-1991, point 1.2.292
- Amended Commission proposal: OJ C 12, 18.1.1992; COM(91) 544; Bull. EC 12-1991, point 1.2.292
- Council agreement: Bull. EC 12-1991, point 1.2.292

Formally adopted on 23 March.

OJ L 99, 11.4.1992

1.2.125. Proposal for a Council Regulation allowing voluntary participation by companies in the industrial sector in a Community eco-audit scheme.

- Commission approval: Bull. EC 12-1991, point 1.2.297

Formally adopted by the Commission on 9 March.

OJ C 76, 27.3.1992; COM(91) 459

1.2.126. Council Decision on the opening of negotiations for an International Convention on Damage Resulting from Activities Dangerous to the Environment.

- Commission recommendation: Bull. EC 4-1991, point 1.2.138

Adopted on 26 March.

Waste management

1.2.127. Proposal for a Council Directive on procedures for harmonizing the programmes for the reduction and eventual elimination of pollution caused by waste from the titanium dioxide industry.

- Reference: Judgment delivered by the Court of Justice on 11 June 1991 in Case C-300/89 (*Commission v Council*): OJ C 180, 11.7.1991; Bull. EC 7/8-1991, point 1.7.12
- Commission proposal: OJ C 317, 7.12.1991; COM(91) 358; Bull. EC 10-1991, point 1.2.185
- Economic and Social Committee opinion: Bull. EC 1/2-1992, point 1.3.159

Endorsed by Parliament on 11 March.

OJ C 94, 13.4.1992

Common position agreed by the Council on 23 March. This proposal aims at filling the legal void created by the judgment delivered by the Court of Justice on 11 June 1991 which annulled Directive 89/428/EEC, in particular on the grounds that it lacked a proper legal basis.

The common position retains the technical provisions (prohibition of dumping and discharge, and limit values) of the annulled Directive to maintain the continuity of the measures taken to achieve the environmental protection objectives and sets a new implementation schedule.

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

- **Commission approval:** COM(92) 9; Bull. EC 1/2-1992, point 1.3.149

Formally adopted by the Commission on 20 March.

1.2.129. Proposal for a Council Regulation on the supervision and control of shipments of waste within, into and out of the European Community.

- **Commission proposal:** OJ C 289, 17.11.1990; COM(90) 415; Bull. EC 9-1990, point 1.2.85
- **Economic and Social Committee opinion:** OJ C 269, 14.10.1991; Bull. EC 7/8-1991, point 1.2.269

Endorsed by Parliament (first reading) on 12 March, subject to amendments defining 'further use' and the role of the waste shipment task force and, in particular, prohibiting exports of waste, with the exception, for a period of seven years, of exports of waste intended for further use in OECD countries which are parties to the Basle Convention. Parliament also called for a ban on the shipment of hazardous waste on passenger aircraft or ferries and for shipments to be switched to the railways as far as possible.

OJ C 94, 13.4.1992

Amended proposal adopted by the Commission on 23 March.

COM(92) 121

Emissions from industrial plants and products

1.2.130. Convention on the Transboundary Impacts of Industrial Accidents under the auspices of the United Nations Economic Commission for Europe.

- **Negotiating directives:** Bull. EC 7/8-1991, point 1.2.264
- **Proposal for a Decision on signature of the Convention:** Bull. EC 1/2-1992, point 1.3.160

Decision on the signature of the Convention adopted by the Council on 16 March.

Signed in Helsinki on 18 March. The aim of the Convention is to introduce measures to prevent and respond to industrial accidents, particularly where there is a danger that the impact will be felt in other countries. It encourages exchanges of information and provides for a rapid alert system and mutual assistance between the signatories.

Environmental quality and natural resources

Protection of water, coastal zones, environment and tourism

1.2.131. Convention on the Protection and Use of Transboundary Watercourses and International Lakes under the auspices of the United Nations Economic Commission for Europe.

- **Negotiating directives:** Bull. EC 1/2-1992, point 1.3.155

Proposal for a Decision on signing the Convention adopted by the Commission on 5 March.

COM(92) 70

Decision on signing the Convention adopted by the Council on 16 March.

Signed in Helsinki on 18 March. Some of the areas covered by the Convention come

under the Community's responsibilities as regards water resources.

1.2.132. Convention on the Protection of the Marine Environment of the Baltic Sea Area (Helsinki Convention, as revised in 1992).

Recommendation for a Decision on the negotiations adopted by the Commission on 18 March.

Proposal for a Decision on signature of the Convention adopted by the Commission on 31 March.

1.2.133. Parliament resolution on the risks of a disaster in the Baltic and North Seas.

Adopted on 12 March. In view of the hazards posed by the massive quantities of armaments dumped in these Seas following the two World Wars, Parliament called for charting of the dumping grounds, indicating the quantities and types of weapons in the sea plus, in particular, an in-depth study on the enormous gas bubble produced by dumping off the island of Bornholm.

OJ C 94, 13.4.1992

1.2.134. Parliament resolution on the ecological disaster in part of the Santarém district of Portugal.

Adopted on 12 March. In particular, Parliament called on the Commission to take emergency measures to control and prevent an ecological disaster in this region of Portugal which is ravaged by seasonal flooding and fires and constant damage by industrial effluent and domestic sewage.

OJ C 94, 13.4.1992

Protection of nature, environment and agriculture

1.2.135. Parliament resolution on the Winter Olympic Games.

Adopted on 13 March. Parliament regretted the environmental, social and cultural dam-

age caused by the preparations and construction work for the 1992 Winter Olympic Games in Albertville (France). It called for limits to be set for future Winter Olympic Games in order to avoid such damage.

OJ C 94, 13.4.1992

1.2.136. Eighth conference of the parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (Cites).

- **Previous Conference:** Bull. EC 10-1989, point 2.1.117
- **Reference:** Council Regulation (EEC) No 3626/82 on the implementation in the Community of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (Washington Convention): OJ L 384, 31.12.1982; Bull. EC 6-1982, point 2.1.96, as last amended by Commission Regulation (EEC) No 197/90, OJ L 29, 31.1.1990; Bull. EC 1/2-1990, point 1.1.29

Meeting in Kyoto from 2 to 13 March. The 112 parties to Cites examined 100 or so proposed amendments to the annexes and 20 or more resolutions on implementation of the Convention. Particular attention was paid to the proposals on the African elephant, rhinoceros, bluefin tuna and tropical timber.

Urban environment, air quality, transport and noise

1.2.137. Proposal for a Council Directive amending Directive 70/220/EEC on the approximation of the laws of the Member States relating to measures to be taken against air pollution by emissions from motor vehicles.

- **Directive to be amended:** Directive 70/220/EEC: OJ L 76, 6.4.1970, as last amended by Directive 91/441/EEC: OJ L 242, 30.8.1991; Bull. EC 6-1991, point 1.2.202

Adopted by the Commission on 19 March. The aim of the proposal is to replace the transitional provisions on light commercial vehicles and other similar vehicles by emission standards as severe as the standards for passenger cars.

COM(92) 64

1.2.138. Council Directive 92/14/EEC on the limitation of the operation of aeroplanes covered by Part II, Chapter 2, Volume 1 of Annex 16 to the Convention on International Civil Aviation, second edition (1988).

- **Commission proposal:** OJ C 111, 26.4.1991; COM(90) 445; Bull. EC 4-1991, point 1.2.137
- **Economic and Social Committee opinion:** OJ C 339, 31.12.1991; Bull. EC 9-1991, point 1.2.119
- **Parliament opinion:** OJ C 13, 20.1.1992; Bull. EC 12-1991, point 1.2.302
- **Council agreement:** Bull. EC 12-1991, point 1.2.302

Formally adopted on 2 March.

OJ L 76, 23.3.1992

Global environment: climate change, geosphere and biosphere

1.2.139. Proposal for a Council Decision concerning the signature of a Convention on Global Climate Change.

- **Commission recommendation:** Bull. EC 1/2-1991, point 1.2.223
- **Negotiating directives:** Bull. EC 1/2-1991, point 1.2.223

Adopted by the Commission on 10 March.

COM(92) 76

Nuclear safety

Radiation protection

1.2.140. Commission Regulation (EEC) No 598/92 establishing a list of products excluded from the application of Council Regulation (EEC) No 737/90 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl power station.

- **Basic Regulation:** Council Regulation (EEC) No 737/90, OJ L 82, 29.3.1990; Bull. EC 3-1990, point 1.1.90

- **Regulation repealed:** Commission Regulation (EEC) No 146/91, OJ L 17, 23.1.1991; Bull. EC 1/2-1991, point 1.2.236

Adopted by the Commission on 9 March.
The aim is to add further products to the list excluded from the scope of the Regulation.

OJ L 64, 10.3.1992

Agriculture

I

Agricultural prices for 1992/93

- **References:**
Agricultural prices 1991/92: OJ L 150, 15.6.1991; OJ L 162, 26.6.1991; OJ L 163, 26.6.1991; Bull. EC 6-1991, points 1.2.128, 1.2.156 and 1.2.157
Commission communication on the development and future of the CAP: COM(91) 258; Bull. EC 7/8-1991, 1.2.163
Proposals for Council Regulations on implementing the reform of the CAP: OJ C 337, 31.12.1991; COM(91) 338, 339, 409 and 415; Bull. EC 10-1991, points 1.2.99 to 1.2.104

1.2.141. Proposals for Council Regulations on the prices for agricultural products and on related measures (1992/93).

Approved by the Commission on 18 March.

Formally adopted by the Commission on 23 and 24 March. Apart from a few technical amendments, these proposals mainly continue the arrangements which applied in 1991/92.

They were prepared with due regard to the growing imbalances on agricultural markets and the concrete proposals made in the more general context of reform of the common agricultural policy, which, in the Commission's view, should apply from 1993/94. If this does not happen, the Commission believes that drastic reductions in agricultural prices will be required.

Common prices

Intervention prices are to be fixed at the 1991/92 level with the following exceptions:

(i) olive oil: a 5.6% (ECU 12/100 kg) reduction in the intervention price and a corresponding increase (ECU 12/100 kg or 16.9%) in production aid;

(ii) cotton: retention of the guide price with a technical adjustment of the standard quality entailing an apparent increase of 7.23% in the guide price with no impact on producers' incomes;

(iii) Spain and Portugal: product prices subject to transitional arrangements will be aligned as provided for in the Act of Accession.

Related measures

Cereals: apart from the application of stabilizers (which would automatically reduce intervention prices by 3% in 1992/93 and impose an additional levy of 3%), the basic levy is to remain at the 1991/92 level of 5%. The Commission is also proposing that, as in 1991/92, farmers taking part in the annual set-aside scheme should be refunded the basic co-responsibility levy due for 1992/93.

Olive oil: reduction in consumption aid and increase in production aid.

Cotton: continuation of the stabilizer arrangements with limitation of the price reductions which may be made in the course of a season, with any excess beyond that limit being carried forward into the following season.

Processed tomato products: the Commission proposes to revert to the guarantee threshold system when the system of quotas expires at the end of this season. However, the quota system may be reintroduced next year.

Tobacco: in February the Commission tabled the interim measures required because of the delay in adopting the proposals to

reform this sector. These principally involve the extension for one year of the maximum guaranteed quantities (MGQ) for the 1991 harvest and an increase from 15% to 30% in the maximum price reduction where these quantities are exceeded. The Council extended the MGQs but limited the price reduction to 23% (→ point 1.2.144). Under the price proposals, the Commission intends to add to the freezing of prices and premiums a reduction in the premium where a processor purchases more than a given percentage of the lowest quality in order to offset a perverse consequence of the present system which may, under some circumstances, make lower quality tobacco more attractive to the processor than higher quality tobacco.

Milk: while awaiting the final conclusions of the reform of the CAP and since the present system of milk quotas expires on 31 March 1992, the Commission proposed three Regulations to extend the present quota system for one more marketing year. The Council adopted the three Regulations without prejudice to any future measures which may be taken in the milk and milk products sector as part of the reform (→ point 1.2.143).

Details of the proposed prices are given in Tables 10, 11 and 12.

Agri-monetary measures (Table 13)

The agri-monetary proposals affect only four countries (Greece, Spain, Portugal and the United Kingdom) since there is no monetary gap in the cases of the other Member States, where agricultural conversion rates are already at the level of the central rates. In order to limit any further dismantling which may be needed on 31 December 1992, it is proposed to reduce all the monetary gaps existing at the time of the Council decision to 1.5 points, at which level the compensatory amounts no longer apply.

COM(92) 94

Table 10 — Price proposals in ecus for individual agricultural products

Product and type of price or amount (period of application)	1991/92 decisions		1992/93 proposals		Spain			Portugal		
	Amounts in ECU/t	% change ¹	Amounts in ECU/t	% change	Amounts in ECU/t		% change	Amounts in ECU/t		% change
					1991/92	1992/93		1991/92 ²	1992/93 ²	
1	2	3	4	5	6	7	8	9	10	11
Common wheat 1.7.1992-30.6.1993										
Target price	233.26	- 0.41	232.76	- 0.21	233.26	232.76	- 0.21	233.26	232.76	- 0.21
Intervention price breadmaking wheat ³	168.55	0.00	168.55	0.00	168.55	168.55	0.00	210.80	206.11	- 2.22
Intervention price feed wheat	160.13	0.00	160.13	0.00	160.13	160.13	0.00	200.26	195.80	- 2.22
Barley 1.7.1992-30.6.1993										
Target price	212.33	- 0.45	211.83	- 0.24	212.33	211.83	- 0.24	212.33	211.83	- 0.24
Intervention price	160.13	0.00	160.13	0.00	160.13	160.13	0.00	160.13	160.13	0.00
Maize 1.7.1992-30.6.1993										
Target price	212.33	- 0.45	211.83	- 0.24	212.33	211.83	- 0.24	212.33	211.83	- 0.24
Intervention price	168.55	0.00	168.55	0.00	168.55	168.55	0.00	168.55	168.55	0.00
Sorghum 1.7.1992-30.6.1993										
Target price	212.33	- 0.45	211.83	- 0.24	212.33	211.83	- 0.24	212.33	211.83	- 0.24
Intervention price	160.13	0.00	160.13	0.00	160.13	160.13	0.00	160.13	160.13	0.00
Rye 1.7.1992-30.6.1993										
Target price	212.33	- 0.45	211.83	- 0.24	212.33	211.83	- 0.24	212.33	211.83	- 0.24
Intervention price ⁴	160.13	0.00	160.13	0.00	160.13	160.13	0.00	160.13	160.13	0.00
Durum wheat 1.7.1992-30.6.1993										
Target price	277.21	- 3.54	276.71	- 0.18	277.21	276.71	- 0.18	277.21	276.71	- 0.18
Intervention price	227.70	- 3.50	227.70	0.00	216.48	227.70	+ 5.18	227.70	227.70	0.00
Aid (ECU/ha)	181.88	+ 6.28	181.88	0.00	146.34	181.88	+ 24.29	181.88	181.88	0.00
Rice 1.9.1992-31.8.1993										
Target price — husked rice	546.13	0.00	545.52	- 0.11	546.13	545.52	- 0.11	546.13	545.52	- 0.11
Intervention price — pad. ⁵ rice	313.65	0.00	313.65	0.00	313.65	313.65	0.00	338.39	332.21	- 1.83

Table 10 (continued)

Product and type of price or amount (period of application)	1991/92 decisions		1992/93 proposals		Spain			Portugal		
	Amounts in ECU/t	% change ¹	Amounts in ECU/t	% change	Amounts in ECU/t		% change	Amounts in ECU/t		% change
					1991/92	1992/93		1991/92 ²	1992/93 ²	
1	2	3	4	5	6	7	8	9	10	11
Sugar 1.7.1992-30.6.1993										
Basic price for sugar beet	40.00	0.00	40.00	0.00	46.84	46.08	- 1.6	42.83	41.57	- 2.9
Intervention price for white sugar ⁵	53.01	0.00	53.01	0.00	61.29	59.57	- 2.8	53.35	54.22	+ 1.6
Olive oil 1.11.1992-31.10.1993										
Production target price	3 220.1	0	3 220.1	0.0	3 220.1	3 220.1	0.0	3 220.1	3 220.1	0.00
Intervention price	2 158.7	0	2 038.7	- 5.6	1 853.1	1 846.3	- 0.4	2 096.5	1 999.5	- 4.6
Representative market price	1 972.8	3.7	1 932.8	- 2.0	—	—	—	—	—	—
Production aid	708.3	0	828.3	16.9	458.5	551.0	20.1	425.3	526.1	23.7
Consumption aid	539.0	- 11.5	459.0	- 14.8	456.7	457.5	0.2	494.2	482.5	- 1.4
Dried fodder 1.5.1992-30.4.1993										
Guide price ⁶	178.61	0	178.61	0	178.61	178.61	0	178.61	178.61	0
Peas and field beans 1.7.1992-30.6.1993										
Activating price	440.1	- 1.5	440.1	0	440.1	440.1	0	440.1	440.1	0
Guide price	290.3	- 1.5	290.3	0	290.3	290.3	0	290.3	290.3	0
Minimum price — peas	253.4	- 1.5	253.4	0	253.4	253.4	0	253.4	253.4	0
— field beans	234.7	- 1.5	234.7	0	234.7	234.7	0	234.7	234.7	0
Lupins 1.7.1992-30.6.1993										
Activating price	423.4	- 1.5	423.4	0	423.4	423.4	0	423.4	423.4	0
Minimum price	284.2	- 1.5	284.2	0	284.2	284.2	0	284.2	284.2	0
Flax 1.8.1992-31.7.1993										
Guide price (seed)	544.90	- 1.5	544.90	0	507.30	516.70	1.9	544.90	544.90	0
Fixed-rate aid (fibre) (per ha)	374.36	0	374.36	0	318.87	374.36	17.4	318.87	374.36	17.4
Hemp 1.8.1992-31.7.1993										
Fixed-rate aid (per ha)	339.42	0	339.42	0	289.16	339.42	17.4	289.16	339.42	17.4
Aid (seed)	245.90	- 1.5	245.90	0	245.90	245.90	0	245.90	245.90	0
Silkworms 1.4.1992-31.3.1993										
Aid per box	111.81	0	111.81	0	95.80	111.81	16.7	95.80	111.81	16.7

Table 10 (continued)

Product and type of price or amount (period of application)	1991/92 decisions		1992/93 proposals		Spain			Portugal		
	Amounts in ECU/t	% change ¹	Amounts in ECU/t	% change	Amounts in ECU/t		% change	Amounts in ECU/t		% change
					1991/92	1992/93		1991/92 ²	1992/93 ²	
1	2	3	4	5	6	7	8	9	10	11
Cotton	1.9.1992-31.8.1993									
Guide price	958.6	0	1 027.9	7.23 ⁷	958.6	1 027.9	7.23 ⁷	958.6	1 027.9	7.23 ⁷
Minimum price	910.7	0	976.5	7.23 ⁷	910.7	976.5	7.23 ⁷	910.7	976.5	7.23 ⁷
Milk	1.4.1992-31.3.1993									
Target price	268.1	0	268.1	0	268.1	268.1	0	268.1	268.1	0
Butter										
Intervention price	2 927.8	0	2 927.8	0	3 024.9	2 927.8	- 3.2	2 927.8	2 927.8	0
Skimmed-milk powder										
Intervention price	1 724.3	0	1 724.3	0	2 026.7	1 724.3	- 14.9	2 100.0 ⁸	2 070.0	- 1.4
Grana padano cheese 30-60 days										
Intervention price	3 796.7	0	3 796.7	0	—	—	—	—	—	—
Grana padano cheese 6 months										
Intervention price	4 704.3	0	4 704.3	0	—	—	—	—	—	—
Parmigiano-Reggiano cheese 6 months										
Intervention price	5 192.1	0	5 192.1	0	—	—	—	—	—	—
Beef/veal	2.4.1992-31.3.1993									
Guide price for adult bovine animals ⁹	2 000	0	2 000	0	2 000	2 000	0	2 000	2 000	0
Intervention price quality R 3, cat. A	3 430	0	3 430	0	3 430	3 430	0	3 430	3 430	0
Intervention price quality R 3, cat. C	3 430	0	3 430	0	3 430	3 430	0	3 430	3 430	0
Sheepmeat	7.1.1992-6.1.1993									
Basic price (carcass weight)	4 229.5	- 2	4 229.5	0	4 229.5	4 229.5	0	4 229.5	4 229.5	0
Pigmeat	1.7.1992-30.6.1993									
Basic price (carcass weight)	1 897	0	1 897	0	1 897	1 897	0	1 897	1 897	0

Table 10 (continued)

Product and type of price or amount (period of application)	1991/92 decisions		1992/93 proposals		Spain			Portugal			
	Amounts in ECU/t	% change ¹	Amounts in ECU/t	% change	Amounts in ECU/t		% change	Amounts in ECU/t		% change	
					1991/92	1992/93		1991/92 ²	1992/93 ²		
1	2	3	4	5	6	7	8	9	10	11	
Fruits and vegetables — Basic price											
Cauliflowers	1.5.1992-30.4.1993	—	0	—	0	—	—	+ 5.0	—	—	+ 3.4
Tomatoes	11.6.1992-30.11.1992	—	0	—	0	—	—	+ 13.8	—	—	+ 5.5
Peaches	1.6.1992-30.9.1992	—	0	—	0	—	—	+ 1.0	—	—	0
Lemons	1.6.1992-31.5.1993	—	0	—	0	—	—	+ 9.7	—	—	+ 9.0
Pears	1.7.1992-30.4.1993	—	0	—	0	—	—	+ 7.9	—	—	+ 8.6
Table grapes	1.8.1992-20.11.1992	—	0	—	0	—	—	0	—	—	+ 5.4
Apples	1.8.1992-31.5.1993	—	0	—	0	—	—	+ 7.5	—	—	+ 5.0
Mandarins	16.11.1992-28.2.1993	—	0	—	0	—	—	+ 5.6	—	—	0
Sweet oranges	1.12.1992-31.5.1993	—	0	—	0	—	—	+ 1.8	—	—	+ 4.5
Apricots	1.6.1992-31.7.1993	—	0	—	0	—	—	+ 8.1	—	—	+ 6.3
Aubergines	1.7.1992-31.10.1992	—	0	—	0	—	—	+ 16.0	—	—	+ 5.8
Clementines	1.12.1992-15.2.1993	—	0	—	0	—	—	0	—	—	0
Satsumas	16.10.1992-15.1.1993	—	0	—	0	—	—	0	—	—	0
Nectarines	1.6.1992-31.8.1992	—	0	—	0	—	—	0	—	—	0
Table wine ¹³	1.9.1992-31.8.1993										
Guide price Type R I		3.21	0	3.21	0	3.01	3.21	+ 6.64	3.21	3.21	0
Guide price Type R II		3.21	0	3.21	0	3.01	3.21	+ 6.64	3.21	3.21	0
Guide price Type R III		52.14	0	52.14	0	48.81	52.14	+ 6.82	52.14	52.14	0
Guide price Type A I		3.21	0	3.21	0	3.01	3.21	+ 6.64	3.21	3.21	0
Guide price Type A II		69.48	0	69.48	0	65.04	69.48	+ 6.83	69.48	69.48	0
Guide price Type A III		79.35	0	79.35	0	74.28	79.35	+ 6.83	79.35	79.35	0

¹ Without the agrimonetary effect.

² Portuguese producers receive special assistance to grow common wheat, barley, maize, sorghum and rye (Regulation No 3653/90).

³ For the 1991/92 marketing year, this price was increased by ECU 3.37/tonne for a higher quality. A premium of ECU 3.27/tonne is proposed for 1992/93 (-3.00%).

⁴ For the 1991/92 marketing year, this price was increased by ECU 4.22/tonne for a higher quality. A premium of ECU 4.09/tonne is proposed for 1992/93 (-3%).

⁵ ECU/quintal.

⁶ A 20% reduction in aid over 2 years has been decided, using a coefficient of 90% in 1991/92 and 80% in 1992/93.

⁷ Technical adjustment taking account of the improvement in the standard quality.

⁸ For the Azores, the intervention price for skimmed-milk powder is ECU 3/100 kg less than the price indicated, which is applicable on the mainland.

⁹ Price per tonne (liveweight).

¹⁰ Including price alignment (third alignment).

¹¹ Including price alignment (second alignment).

¹² Without the effect of intervention thresholds.

¹³ R I, R II and A I expressed in ECU/%/hl.

R III, A II and A III expressed in ECU/hl.

For Portugal including price alignment (first alignment) carried out in 1991/92.

Table 11 — *Price proposals in ecus for tobacco*

Product, group and variety	1991 harvest — Decisions	1992 harvest — Proposals
	Price/premium/% change compared with 1990	Price/premium/% change compared with 1991
1	2	3
Tobacco	Price — 6 % adjustable Premium — 6 % adjustable	0 %; except where the proportion of lower qualities purchased by a processor exceeds a specified maximum

Table 12 — *Effect of Commission proposals on support prices for agricultural products expressed in ecus and in national currency¹*

	% change in prices ^{2,3}	
	in ecus	in national currency ⁴
Belgium	0.0	0.0
Denmark	0.0	0.0
Germany	0.0	0.0
Greece ⁵	0.0	6.1
Spain ⁶	1.2	-0.4
France	0.0	0.0
Ireland	0.0	0.0
Italy	0.0	0.0
Luxembourg	0.0	0.0
Netherlands	0.0	0.0
Portugal ⁶	0.4	-1.0
United Kingdom	0.0	1.0
EUR 12 ⁵	0.1	0.3

¹ Excluding the impact of stabilizers.

² Percentage difference between the proposed support prices for 1992/93 and the support prices for 1991/92.

³ Support price (intervention or equivalent), weighted according to the share of the various products in the value of agricultural production covered by common prices.

⁴ Common prices in ecus, converted at green rates in this proposal. For the currencies outside the narrow band of the EMS, calculations were done using the rates of the week ending on 5 February 1992.

⁵ Including effect of automatic dismantlement.

⁶ Including effect of alignment of Spanish and Portuguese prices on common prices under accession arrangements.

1.2.142. Council Regulation (EEC) No 786/92 extending the 1991/92 marketing year in the milk and beef and veal sectors.

Proposal adopted by the Commission on 31 March.

COM(92) 126

Adopted by the Council on 31 March. Extends the 1991/92 marketing year for milk and beef/veal until 31 May 1992.

OJ L 86, 1.4.1992

1.2.143. Council Regulation (EEC) No 816/92 amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products; Council Regulation (EEC) No 817/92 amending Regulation (EEC) No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector; Council Regulation (EEC) No 818/92 establishing, for the period running from 1 April 1992 to 31 March 1993, the Community reserve for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector.

• Reference: Parliament opinion on the COM(91) 409 proposals: OJ C 94, 13.4.1992; point 1.4.147 of this Bulletin

Proposals adopted by the Commission on 31 March.

Adopted by the Council on 31 March. These Regulations extend the present milk quota scheme for the 1992/93 marketing year. Parliament had indicated its consent to the extension in its opinion on the proposals for reform of the CAP in the milk sector.

OJ L 86, 1.4.1992

Table 13 — *Agrimonetary proposals — Price package 1992/93*
(Applicable at the beginning of the 1992/93 marketing year)

Member State Product group ¹	Green central rate ² (ecu = ... nc)	Previous situation			Dismantlement	New situation			Effect on prices
		Green rate (ecu = ... nc)	Real gap (points)	Applied gap (points)		Green rate (ecu = ... nc)	Real gap (points)	Applied gap (points)	
<i>Belgium/Luxembourg</i> All products	48.5563	48.5563	0.000	0.0	0	48.5563	0.000	0.0	0.000
<i>Denmark</i> All products	8.97989	8.97989	0.000	0.0	0	8.97989	0.000	0.0	0.000
<i>Germany</i> All products	2.35418	2.35418	0.000	0.0	0	2.35418	0.000	0.0	0.000
<i>Greece</i> Sheepmeat, cereals, sugar, wine, olive oil, tobacco, fishery products, structure	270.197	252.121	- 7.170	- 5.7	5.670	266.204	- 1.500	0.0	5.586
Tomatoes, cucumbers, courgettes, aubergines		257.188	- 5.058		3.558	266.204	- 1.500		3.506
Poultry ³		256.487	- 5.345	- 2.2	3.845	266.204	- 1.500	0.0	3.788
Grain legumes ³		257.895	- 4.770		3.270	266.204	- 1.500	0.0	3.222
Other crop products ³		257.188	- 5.058		3.558	266.204	- 1.500		3.506
Others ³		257.895	- 4.770	- 3.3	3.270	266.204	- 1.500	0.0	3.222
<i>Spain</i> Beef, milk	147.585	154.138	4.251	2.8	- 2.751	149.832	1.500	0.0	- 2.794
Cereals, sugar		153.498	3.852	2.4	- 2.352	149.832	1.500	0.0	- 2.388
Olive oil, wine, dried fodder, flax, hemp, silkworms		149.813	1.487	0.0	0.000	149.813	1.487	0.0	0.000
Cotton, grain legumes		151.660	2.687		- 1.187	149.832	1.500	0.0	- 1.205
Sheepmeat, other crop products		150.828	2.150		- 0.650	149.832	1.500	0.0	- 0.660
Others		151.660	2.687	0.0	- 1.187	149.832	1.500	0.0	- 1.205

Table 13 (continued)

Member State Product group ¹	Green central rate ² (ecu = ... nc)	Previous situation			Dismantlement	New situation			Effect on prices
		Green rate (ecu = ... nc)	Real gap (points)	Applied gap (points)		Green rate (ecu = ... nc)	Real gap (points)	Applied gap (points)	
<i>France</i> All products	7.89563	7.89563	0.000	0.0	0	7.89563	0.000	0.0	0.000
<i>Ireland</i> All products	0.878776	0.878776	0.000	0.0	0	0.878776	0.000	0.0	0.000
<i>Italy</i> All products	1 761.45	1 761.45	0.000	0.0	0	1 761.45	0.000	0.0	0.000
<i>Netherlands</i> All products	2.65256	2.65256	0.000	0.0	0	2.65256	0.000	0.0	0.000
<i>Portugal</i> All products	202.670	208.676	2.878	1.4	- 1.378	205.756	1.500	0.0	- 1.399
<i>United Kingdom</i> All products	0.815203	0.795423	- 2.487	- 1.0	0.987	0.803156	- 1.500	0.0	0.972

¹ Except pigmeat (application of Article 6a of Council Regulation (EEC) No 1676/85).

² Coefficient: 1.145109 — green market rate for floating currencies; week of reference: 29.1.1992 to 5.2.1992.

³ The price package dismantlement has to be added to the automatic dismantlement taking effect at the beginning of the 1992/93 marketing year:

Poultry	252.121	- 7.170	- 2.2	1.825	256.487	- 5.345	0.0	1.732
Grain legumes	252.121	- 7.170		2.400	257.895	- 4.770		2.290
Other crop products	252.121	- 7.170	- 5.7	2.112	257.188	- 5.058	- 3.6	2.010
Others	252.121	- 7.170	- 5.7	2.400	257.895	- 4.770	- 3.3	2.290

1.2.144. Council Regulation (EEC) No 860/92 amending Regulation (EEC) No 727/70 on the common organization of the market in raw tobacco; Council Regulation (EEC) No 861/92 fixing, for the 1992 harvest, the maximum guaranteed quantities in the raw tobacco sector.

- Commission proposal: OJ C 60, 7.3.1992; COM(92) 54; Bull. EC 1/2-1992, point 1.3.209

Endorsed by Parliament on 13 March. Parliament, however, requested that the reduction in quotas for 1992 be 15%, not 30%.

OJ C 94, 13.4.1992

Adopted by the Council on 31 March. The Council decided on a 23% reduction in quotas for 1992.

OJ L 91, 7.4.1992

II

Development and future of the CAP

1.2.145. Proposal for a Council Regulation on the common organization of the market in raw tobacco; proposal for a Council Regulation fixing the premiums for leaf tobacco by group of tobacco varieties and the processing quotas allocated by group of varieties and by Member State.

- Commission proposals: OJ C 295, 14.11.1991; COM(91) 339; Bull. EC 10-1991, point 1.2.100
- Economic and Social Committee opinion: Bull. EC 1/2-1992, point 1.3.168

Endorsed by Parliament on 11 March, subject to amendments whereby the planned reduction in production would be spread over five years.

OJ C 94, 13.4.1992

1.2.146. Proposal for a Council Regulation concerning inter-branch organizations and agreements in the tobacco sector.

- Commission proposal: OJ C 295, 14.11.1991; COM(91) 338; Bull. EC 10-1991, point 1.2.100
- Economic and Social Committee opinion: Bull. EC 1/2-1992, point 1.3.169

Endorsed by Parliament on 11 March, subject to amendments specifying that recognition of inter-branch organizations by the Member States and the Commission is to be optional.

OJ C 94, 13.4.1992

1.2.147. Proposal for a Council Regulation amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products; proposal for a Council Regulation establishing an additional levy in the milk and milk products sector; proposal for a Council Regulation setting compensation for a reduction of individual milk reference quantities and for definitive discontinuation of milk production; proposal for a Council Regulation on promoting consumption in the Community and expanding the markets for milk and milk products.

- Commission proposals: OJ C 337, 31.12.1991; COM(91) 409; Bull. EC 10-1991, point 1.2.101
- Economic and Social Committee opinion: Bull. EC 1/2-1992, point 1.3.170

Endorsed by Parliament on 11 March, subject to various amendments concerning the arrangements for the new German *Länder* and support for organic farming and natural products. Parliament also noted that the quota scheme would have to be extended for the 1992/93 marketing year (→ point 1.2.143).

OJ C 94, 13.4.1992

1.2.148. Proposal for a Council Regulation amending Regulation (EEC) No 805/68 on the common organization of the market in beef and veal and repealing Regulation (EEC) No 468/87 laying down general rules applying to the special premiums for beef producers and Regulation (EEC) No 1357/80 introducing a system of premiums for maintaining suckler cows; proposal for a Regulation fixing, for the period between 1 July 1993 and 30 June 1996, the intervention prices for adult bovine animals; proposal for a Council Regulation on measures to promote and market quality beef and veal; proposal for a Council Regulation amending Regulation (EEC)

No 3013/89 on the common organization of the market in sheepmeat and goatmeat; proposal for a Council Regulation amending Regulation (EEC) No 3493/90 laying down general rules for the granting of premiums to sheepmeat and goatmeat producers.

- **Commission proposals:** OJ C 303, 22.11.1991; COM(91) 379; Bull. EC 10-1991, points 1.2.102 and 1.2.103
- **Economic and Social Committee opinion:** Bull. EC 1/2-1992, point 1.3.171

Endorsed by Parliament on 11 March, subject to amendments spreading the proposed cut in beef/veal production over five years, increasing the amount of the premiums and the maximum number of eligible animals and restricting recourse to intervention and, as regards sheepmeat, increasing the maximum number of animals eligible for the premium and, where appropriate, the amount payable per animal in excess of the limit.

OJ C 94, 13.4.1992

1.2.149. Proposal for a Council Regulation on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside; proposal for a Council Regulation instituting a Community aid scheme for forestry measures in agriculture; proposal for a Council Regulation instituting a Community aid scheme for early retirement from farming.

- **Commission proposals:** OJ C 300, 21.11.1991; COM(91) 415; Bull. EC 10-1991, point 1.2.104
- **Economic and Social Committee opinion:** Bull. EC 1/2-1992, point 1.3.172

Endorsed by Parliament on 11 March, subject to various amendments including raising the rate of the Community contribution to 100% for less-developed regions and transferring responsibility for the forestry aid scheme from the EAGGF Guarantee Section to the Guidance Section.

OJ C 94, 13.4.1992

Agricultural structure and rural development

1.2.150. Structural assistance is now dealt with under heading 'Economic and social cohesion'.

Forestry

1.2.151. Proposal for a Council Regulation amending Regulation (EEC) No 3528/86 on the protection of the Community's forests against atmospheric pollution; proposal for a Council Regulation on protection of the Community's forests against fire.

- **Commission proposal:** OJ C 312, 3.12.1991; Bull. EC 11-1991, points 1.2.109 and 1.2.110

Endorsed by the Economic and Social Committee on 25 March, though the Committee stressed the importance of both the economic and the ecological role of forests and the need to allocate sufficient resources to protecting them. As regards fire, it stressed the need to tackle the causes, particularly arson.

Legislation

General aspects

1.2.152. Proposal for a Council Regulation on certificates of specific character for foodstuffs.

- **Commission proposal:** Bull. EC 12-1990, point 1.3.166
- **Parliament opinion:** OJ C 326, 16.12.1991; Bull. EC 11-1991, point 1.2.112
- **Economic and Social Committee opinion:** OJ C 40, 17.2.1992; Bull. EC 11-1991, point 1.2.112

Amended proposal adopted by the Commission on 2 March.

OJ C 71, 20.3.1992; COM(91) 28

1.2.153. 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 food-stuffs.

- **Regulation to be amended:** Council Regulation (EEC) No 2092/91: OJ L 198, 22.7.1991: Bull. EC 6-1991, point 1.2.153

Adopted by the Commission on 4 March. Aims to give importers of organic agricultural products the possibility of themselves producing proof of the equivalence of the production and inspection standards to which these products are subject in the non-Community country concerned with the standards laid down by Regulation (EEC) No 2092/91.

OJ C 74, 25.3.1992; COM(92) 69

Veterinary and zootechnical legislation

Harmonization

1.2.154. Proposal for a Council Regulation on the protection of animals at the time of slaughter or killing.

- **Commission proposal:** OJ C 314, 5.12.1991; COM(91) 136; Bull. EC 11-1991, point 1.2.117

Endorsed by the Economic and Social Committee on 25 March, subject to certain comments on the scope of the proposal and various technical aspects.

1.2.155. Proposal for a Council Directive amending Directive 85/73/EEC on the financing of health inspections and controls of fresh meat and poultrymeat.

- **Commission proposal:** OJ C 325, 14.12.1991; COM(91) 81; Bull. EC 11-1991, point 1.2.119

Endorsed by Parliament on 13 March.

OJ C 94, 13.4.1992

Endorsed by the Economic and Social Committee on 25 March, subject to certain comments particularly intended to make it impossible for Member States to increase the fees so as to cover the true costs of the inspections and controls.

1.2.156. The Commission adopted:

- Regulation (EEC) No 675/92, 18.3.1992: OJ L 73, 19.3.1992 — maximum residue limits of veterinary medicinal products;
- Decision 92/160/EEC, 5.3.1992; OJ L 71, 18.3.1992 — imports of equidae;
- Decision 92/161/EEC, 9.3.1992; OJ L 71, 18.3.1992 — imports of equidae;
- Decision 92/162/EEC, 9.3.1992; OJ L 71, 18.3.1992 — imports of equidae;
- Decision 92/176/EEC, 2.3.1992; OJ L 80, 25.3.1992 — Animo network;
- Decision 92/183/EEC, 3.3.1992; OJ L 84, 31.3.1992 — imports of animal glands and organs as raw materials for the pharmaceutical processing industry;
- Decision 92/189/EEC, 13.3.1992; OJ L 87, 2.4.1992 — dispatch of large packagings of fresh poultrymeat;
- Decision 92/192/EEC, 16.3.1992; OJ L 87, 2.4.1992 — imports of deep-frozen semen of bovine animals (Canada).

Disease control

1.2.157. The Commission adopted:

- Decision 92/188/EEC, 10.3.1992; OJ L 87, 2.4.1992 — protection measures relating to the porcine reproductive and respiratory system (PRRS).

Prices and related measures

1.2.158. Proposal for a Council Decision on transitional national compensation in 1992 for farmers in Germany.

- **Commission proposal:** OJ C 54, 29.2.1992; COM(91) 551; Bull. EC 12-1991, point 1.2.226

Endorsed by the Economic and Social Committee on 25 March. The Committee asked the Commission to present a report evaluating the implementation of the measure.

1.2.159. Commission Regulation (EEC) No 653/92 on the unit of account and the conversion rate to be applied to tenders submitted in response to invitations to tender.

Adopted on 16 March. Encourages use of the ecu in the submission of tenders.

OJ L 70, 17.3.1992

Market organization

Cereals

1.2.160. Council Regulation (EEC) No 916/92 on the transfer to Portugal of 382 000 tonnes of cereals held by various intervention agencies.

Proposal adopted by the Commission on 30 March.

COM(92) 132

Adopted by the Council on 31 March. Makes available to Portugal 382 000 tonnes of cereals to allow the country to remedy the consequences of the drought and to ensure that Portuguese farmers do not have to sell their livestock prematurely due to the shortage of fodder.

OJ L 98, 11.4.1992

1.2.161. The Commission adopted:

- Regulation (EEC) No 582/92, 6.3.1992: OJ L 62, 7.3.1992 — potato starch from Poland;
- Regulation (EEC) No 583/92, 6.3.1992: OJ L 62, 7.3.1992 — potato starch from Poland;
- Regulation (EEC) No 585/92, 6.3.1992: OJ L 62, 7.3.1992 — Agreements with Hungary, Poland and Czechoslovakia;
- Regulation (EEC) No 606/92, 10.3.1992: OJ L 65, 11.3.1992 — reductions applicable to intervention;
- Regulation (EEC) No 646/92, 13.3.1992: OJ L 69, 13.3.1992 — supplies to French Guiana;
- Regulation (EEC) No 674/92, 18.3.1992: OJ L 73, 19.3.1992 — muesli;
- Regulation (EEC) No 689/92, 19.3.1992: OJ L 74, 20.3.1992 — procedures for taking-over of cereals;
- Regulation (EEC) No 694/92, 20.3.1992: OJ L 74, 20.3.1992 — supply of food products to Albania;
- Regulation (EEC) No 754/92, 26.3.1992: OJ L 82, 27.3.1992 — suspension of advance fixing of export refunds.

Rice

1.2.162. The Commission adopted:

- Regulation (EEC) No 814/92, 31.3.1992: OJ L 86, 31.3.1992 — indica rice.

Sugar

1.2.163. The Commission adopted:

- Regulation (EEC) No 746/92, 26.3.1992: OJ L 82, 27.3.1992 — fixing of advance payments in respect of production levies.

Oils and fats

1.2.164. Council Regulation (EEC) No 593/92 amending Regulation (EEC) No 2262/84 laying down special measures in respect of olive oil.

- **Regulation amended:** Council Regulation (EEC) No 2262/84 (OJ L 208, 3.8.1984; Bull. EC 7/8-1984, point 2.1.122), as last amended by Regulation (EEC) No 200/90: OJ L 22, 27.1.1990; Bull. EC 1/2-1990, point 1.1.200
- **Commission proposal:** OJ C 206, 7.8.1991; COM(91) 269; Bull. EC 7/8-1991, point 1.2.215
- **Parliament opinion:** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.194

Adopted on 3 March. Introduces measures to improve the operation of the monitoring agencies in the olive-oil sector, adopts the method for financing the aforementioned agencies and extends their responsibilities.

OJ L 64, 10.3.1992

1.2.165. The Commission adopted:

- Regulation (EEC) No 541/92, 3.3.1992: OJ L 59, 4.3.1992 — production aid for olive oil;
- Regulation (EEC) No 615/92, 10.3.1992: OJ L 67, 12.3.1992 — oilseeds;
- Regulation (EEC) No 659/92, 16.3.1992: OJ L 70, 17.3.1992 — linseed;
- Regulation (EEC) No 764/92, 27.3.1992: OJ L 83, 28.3.1992 — Advance-fixing of aid (transfer of certificates).

Fresh fruit and vegetables

1.2.166. Council Regulation (EEC) No 832/92 amending Regulation (EEC) No 790/89 fixing the level of additional flat-rate aid for the formation of producers' organizations and the maximum amount applied to aid for quality and marketing improvement in the nut and locust bean-growing sector.

- **Commission proposal:** COM(92) 2; Bull. EC 1/2-1992, point 1.3.202

Adopted on 30 March.

OJ L 88, 3.4.1992

1.2.167. Parliament resolution on the market in bananas within the GATT framework (→ point 1.3.77).

1.2.168. The Commission adopted:

- Regulation (EEC) No 654/92, 16.3.1992: OJ L 70, 17.3.1992 — reference prices for aubergines;
- Regulation (EEC) No 655/92, 16.3.1992: OJ L 70, 17.3.1992 — reference prices for tomatoes;
- Regulation (EEC) No 656/92, 16.3.1992: OJ L 70, 17.3.1992 — reference prices for courgettes;
- Regulation (EEC) No 658/92, 16.3.1992: OJ L 70, 17.3.1992 — marking of packages;
- Regulation (EEC) No 667/92, 16.3.1992: OJ L 71, 18.3.1992 — special measures in the French overseas departments;
- Regulation (EEC) No 711/92, 20.3.1992: OJ L 75, 20.3.1992 — STM Spain;
- Regulation (EEC) No 780/92, 30.3.1992: OJ L 84, 31.3.1992 — offer price for aubergines;
- Regulation (EEC) No 781/92, 30.3.1992: OJ L 84, 31.3.1992 — offer price for tomatoes;
- Regulation (EEC) No 782/92, 30.3.1992: OJ L 84, 31.3.1992 — offer price for courgettes.

Processed fruit and vegetables

1.2.169. Proposal for a Council Decision on conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia concerning imports into the Community of tomato concentrates originating in Tunisia.

- Reference: EEC-Tunisia Cooperation Agreement: OJ L 269, 27.9.1978

Adopted by the Commission on 26 March. Provides for a reduction of 30% in the customs duties for imports into the Community of tomato concentrates originating in Tunisia, in accordance with the EEC-Tunisia Cooperation Agreement.

COM(92) 98

Wine

1.2.170. Council Regulation (EEC) No 833/92 amending Regulation (EEC) No 1442/88 on the granting for the 1988/89

to 1995/96 wine years of permanent abandonment premiums in respect of wine-growing areas and repealing Regulation (EEC) No 2239/86 on a specific common measure to improve wine-growing structures in Portugal.

- Commission proposal: OJ C 211, 13.8.1991; COM(91) 241; Bull. EC 7/8-1991, point 1.2.223
- Parliament opinion: OJ C 39, 17.2.1992; Bull. EC 1/2-1992, point 1.3.205

Adopted on 30 March.

OJ L 88, 3.4.1992

1.2.171. The Commission adopted:

- Regulation (EEC) No 563/92, 5.3.1992: OJ L 61, 6.3.1992 — preventive distillation;
- Regulation (EEC) No 605/92, 10.3.1992: OJ L 65, 11.3.1992 — time-limits for the submission of certain declarations; Regulation (EEC) No 761/92, 27.3.1992: OJ L 83, 28.3.1992 — coupage.

Flax and hemp

1.2.172. The Commission adopted:

- Regulation (EEC) No 643/92, 13.3.1992: OJ L 69, 14.3.1992 — indicative yield for hemp seed.

Seeds

1.2.173. Council Decision amending seventh Decision 85/355/EEC on the equivalence of field inspections carried out in third countries on seed-producing crops and seventh Decision 85/356/EEC on the equivalence of seed produced in third countries.

- Decision to be amended: Seventh Council Decisions 85/355/EEC and 85/356/EEC (OJ L 195, 26.7.1985; Bull. EC 6-1985, point 2.1.134), as last amended by Decision 91/239/EEC: OJ L 107, 27.4.1991; Bull. EC 4-1991, point 1.2.112

Proposal adopted by the Commission on 10 March.

COM(92) 74

Adopted by the Council on 31 March. Extends until 30 June 1995 the equivalence measures applicable to Austria as regards maize and to Australia as regards lucerne

and sunflower seed and extends equivalence to Morocco.

1.2.174. The Commission adopted:

- Directive 92/17/EEC, 17.3.1992: OJ L 82, 27.3.1992 — equivalence (Canada and Poland);
- Decision 92/168/EEC, 4.3.1992: OJ L 74, 20.3.1992 — marketing restrictions (Greece);
- Decision 92/195/EEC, 17.3.1992: OJ L 88, 3.4.1992 — maximum weight of a lot;
- Decision 92/198/EEC, 24.3.1992: OJ L 88, 3.4.1992 — Black medick seed (United Kingdom);
- Decision 92/199/EEC, 24.3.1992: OJ L 88, 3.4.1992 — forest reproductive material;
- Decision 92/201/EEC, 26.3.1992: OJ L 88, 3.4.1992 — marketing restrictions (France).

Milk

1.2.175. Council Regulation (EEC) No 611/92 amending Regulation (EEC) No 206/91 concerning the exclusion of milk products from inward processing arrangements and of recourse to certain usual forms of handling.

- **Commission proposal:** COM(92) 59; Bull. EC 1/2-1992, point 1.3.217

Adopted on 3 March.

OJ L 67, 12.3.1992

1.2.176. Council Regulation (EEC) No 831/92 amending Regulation (EEC) No 3659/90 on products subject to the supplementary trade mechanism during the second stage of Portuguese accession.

- **Commission proposal:** COM(92) 48; Bull. EC 1/2-1992, point 1.3.216

Adopted on 31 March.

OJ L 88, 3.4.1992

1.2.177. The Commission adopted:

- Regulation (EEC) No 584/92, 6.3.1992: OJ L 62, 7.3.1992 — Agreements with Hungary, Poland and Czechoslovakia;
- Regulation (EEC) No 690/92, 19.3.1992: OJ L 74, 20.3.1992 — detection of casein;
- Regulation (EEC) No 705/92, 20.3.1992: OJ L 75, 21.3.1992 — STM Spain;
- Regulation (EEC) No 706/92, 20.3.1992: OJ L 75, 21.3.1992 — supply of milk to schools;
- Regulation (EEC) No 717/92, 23.3.1992: OJ L 78, 24.3.1992 — guaranteed total quantities;

- Regulation (EEC) No 760/92, 26.3.1992: OJ L 83, 28.3.1992 — Agreements with Hungary, Poland and Czechoslovakia;
- Regulation (EEC) No 783/92, 30.3.1992: OJ L 84, 31.3.1992 — STM Spain.

Beef and veal

1.2.178. Council Regulation (EEC) No 786/92 extending the 1991/92 marketing year in the milk and beef and veal sectors (→ point 1.2.142).

1.2.179. Proposal for a Council Regulation authorizing management measures relating to imports of live bovine animals.

- **Reference:** Council estimate 92/59/EEC concerning young male bovine animals weighing 300 kilograms or less and intended for fattening for the period 1 January to 31 December 1992: OJ L 28, 4.2.1992; Bull. EC 1/2-1992, point 1.3.219

Adopted by the Commission on 20 March. Provides for specific management of imports of young male bovine animals so as to ensure a regular supply in line with the forecasts contained in the 1992 Council estimate.

COM(92) 101

1.2.180. The Commission adopted:

- Regulation (EEC) No 618/92, 11.3.1992: OJ L 67, 12.3.1992 — sale of boneless beef;
- Regulation (EEC) No 657/92, 16.3.1992: OJ L 70, 17.3.1992 — imports from Argentina;
- Regulation (EEC) No 665/92, 17.3.1992: OJ L 71, 17.3.1992 — sale of boneless beef;
- Regulation (EEC) No 695/92, 19.3.1992: OJ L 74, 19.3.1992 — intervention;
- Regulation (EEC) No 704/92, 20.3.1992: OJ L 75, 21.3.1992 — export refunds;
- Regulation (EEC) No 716/92, 23.3.1992: OJ L 78, 24.3.1992 — STM licences;
- Regulation (EEC) No 745/92, 26.3.1992: OJ L 82, 27.3.1992 — imports of young male bovine animals;
- Regulation (EEC) No 747/92, 26.3.1992: OJ L 82, 27.3.1992 — STM licences;
- Regulation (EEC) No 811/92, 31.3.1992: OJ L 86, 1.4.1992 — export refunds;
- Regulation (EEC) No 812/92, 31.3.1992: OJ L 86, 1.4.1992 — sale of boneless beef.

Sheepmeat and goatmeat

1.2.181. Council Decision 92/153/EEC extending until 31 December 1995 the period of application of Decision 82/530/EEC authorizing the United Kingdom to permit the Isle of Man authorities to apply a system of special import licences to sheepmeat and beef and veal.

- Decision extended: Council Decision 82/530/EEC (OJ L 215, 23.7.1982; Bull. EC 7/8-1982, point 2.1.110), as last amended by Decision 92/657/EEC: OJ L 357, 28.12.1991; Bull. EC 12-1991, point 1.2.250
- Commission proposal: COM(91) 413; Bull. EC 12-1991, point 1.2.250

Adopted on 3 March. Extends until 31 December 1995 the system authorizing the Isle of Man to limit imports of sheepmeat and beef and veal so as not to disrupt domestic production. The scheme had been extended to 31 March 1992 by Decision 91/657/EEC, which was adopted as an interim protective measure pending this Decision.

OJ L 65, 11.3.1992

1.2.182. Proposal for a Council Regulation determining the Community scale for the classification of carcasses of ovine animals and determining the Community standard quality of fresh or chilled sheep carcasses.

Adopted by the Commission on 16 March. Provides for the introduction of a system for classifying the carcasses of ovine animals which may be used for price reporting.

COM(92) 65

1.2.183. The Commission adopted:

- Regulation (EEC) No 642/92, 13.3.1992: OJ L 69, 14.3.1992 — lambs fattened as heavy carcasses;
- Regulation (EEC) No 645/92, 13.3.1992: OJ L 69, 14.3.1992 — certificates for export.

Pigmeat

1.2.184. The Commission adopted:

- Regulations (EEC) Nos 564 to 566/92, 5.3.1992: OJ L 61, 6.3.1992 — Agreements with Hungary, Poland and Czechoslovakia;

- Regulation (EEC) No 712/92, 20.3.1992: OJ L 75, 12.3.1992 — Agreements with Hungary, Poland and Czechoslovakia.

Poultrymeat and eggs

1.2.185. The Commission adopted:

- Regulation (EEC) No 579/92, 5.3.1992: OJ L 62, 7.3.1992 — agreements with Hungary, Poland and Czechoslovakia;
- Regulation (EEC) No 713/92, 20.3.1992: OJ L 75, 21.3.1992 — agreements with Hungary, Poland and Czechoslovakia.

State aid

Decision to raise no objections

Denmark

1.2.186. Commission decision on aid and parafiscal charges in the beef and veal and potato sectors.

Adopted on 25 March. The aid is financed by parafiscal charges levied exclusively on Danish products and can therefore be regarded as compatible with the common market.

Germany

1.2.187. Commission decision on aid for the protection of the environment, the countryside and certain endangered species of livestock.

- Reference: Proposal for a Council Regulation on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside: OJ C 300, 21.11.1991; COM(91) 415; point 1.2.149 of this Bulletin.

Adopted on 25 March. The programme, which concerns the *Land* Baden-Württemberg, implements some of the principles contained in the proposal for a Regulation on agricultural production methods com-

patible with the requirements of the protection of the environment.

Spain

1.2.188. Commission decision on aid in favour of the dairy-cow sector.

Adopted on 11 March. The aid is for holdings experiencing difficulties in the dairy-cow sector in the Catalonia region. They comply with the Commission criteria.

1.2.189. Commission decision on measures intended to make good the damage to arable and livestock farming caused by natural disasters or adverse weather.

Adopted on 25 March. The measures consist of a scheme under which compensation for natural disasters is paid without referral of each case to the Commission, in order to minimize delay. The Commission has asked the Spanish authorities to submit an annual report on the operation of the system.

France

1.2.190. Commission decision on parafiscal charges for the benefit of the National Trade Association for Seeds and Propagating Material (GNIS).

Adopted on 25 March. Although some of the aid is financed by parafiscal charges on products imported from other Member States as well as France's own, it can be considered compatible with the common market since it finances controls made compulsory by Community legislation and is therefore in the interests of the Community and not just those of the national operators. The other aid involved is financed by charges levied exclusively on French seed and propagating material and is therefore also compatible with the common market.

1.2.191. Commission decision on aid for the benefit of the International Centre for

Cooperation in Agricultural Research for Development (Cirad).

Adopted on 25 March. The aid for Cirad, which carries out work of general interest in the fields of agricultural, forestry and agri-foodstuffs research and the definition of research policies for the benefit of developing countries, is financed by a parafiscal charge levied on the dispatch of fruit and fruit preparations originating in the French overseas departments.

Luxembourg

1.2.192. Commission decision on aid for the setting up of a selection and experimentation centre in the pigmeat sector and a calf testing station.

Adopted on 25 March. The aid finances a research measure of general interest to the sector which will provide new knowledge for all members of the sector.

Decisions to initiate proceedings

Germany

1.2.193. Commission decision on aid to agricultural drying enterprises in the Brandenburg region.

Adopted on 11 March. The aid, for the production of green fodder, does not appear to be compatible with the common market or the common organization of the market in green fodder, nor is it one of the transitional measures adopted as a result of German unification.

Italy

1.2.194. Commission decision on private storage aid for carrots.

Adopted on 25 March. The Commission is of the opinion that the aid constitutes

operating aid and therefore contravenes the common organization of the market in fruit and vegetables.

1.2.195. Commission decision on aid in favour of olive-oil producer organizations and associations thereof.

Adopted on 25 March. The Commission is of the opinion that the aid contravenes the common organization of the market in oils and fats.

International dimension

1.2.196. Arrangement between the Commission and Uruguay in the plant health, veterinary and food hygiene fields.

- Commission draft: Bull. EC 1/2-1992, point 1.3.236.

Arrangement signed in Brussels on 24 March.

Fisheries

I

Monitoring the implementation of the common fisheries policy

1.2.197. Commission report on monitoring the implementation of the common fisheries policy.

- References:
Council Regulation (EEC) No 170/83 establishing a Community system for the conservation and management of fishery resources: OJ L 24, 27.1.1983; Bull. EC 1-1983, points 1.1.4 and 1.1.5

Commission report on the common fisheries policy: Bull. EC 12-1991, point 1.2.255

Adopted on 6 March. The report, requested by the Council, was announced in the

December 1991 report on the common fisheries policy. It is intended to initiate a wide-ranging debate enabling the Commission to present proposals for legislation. It describes the practical organization of ensuring compliance with Community conservation measures in the Member States and gives an operational overview of compliance with these measures and of the shortcomings found in the implementation of inspection legislation, due in particular to the lack of both inspection resources and deterrent penalties.

With regard to the shortcomings, the Commission proposed a number of improvements likely to make monitoring more effective:

(i) technical measures: use of modern satellite-based position-finding equipment and introduction of a system of automatic communication of the positions and movements of vessels;

(ii) legal measures: widening of the scope of monitoring to structural aspects and to markets, strengthening the powers of Community inspectors, harmonization of procedures and penalties;

(iii) economic measures: making financial aid subject to compliance with conservation measures;

(iv) sociological measures: making those concerned responsible, thus encouraging self-discipline at all levels;

(v) operational measures: implementation of a training and exchange programme for inspectors.

Common market organization

1.2.198. Proposal for a Council Regulation on the common organization of the market in fishery products.

- Regulation to be repealed: Council Regulation (EEC) No 3796/81 on the common organization of the market in fishery products (OJ L 379, 31.12.1981; Bull. EC 12-1981, point 2.1.140), consolidated by Regulation (EEC)

No 3687/91: OJ L 354, 23.12.1991; Bull. EC 11-1991, point 1.2.176

Adopted by the Commission on 19 March. The proposal, while retaining the principles underlying the common organization of the market as established by Council Regulation (EEC) No 3796/81, is intended to adjust the support mechanisms to developments in production and marketing conditions, to simplify the rules and to allow the principle of subsidiarity more play.

The Commission's main proposals are:

- (i) to strengthen the role of the producers' organizations;
- (ii) to review the financial compensation mechanisms for withdrawal and co-responsibility, in particular the carry-over and storage premiums;
- (iii) to make permanent the system of autonomous regionalized withdrawals and carry-overs;
- (iv) to change the list of species for private storage aid;
- (v) to simplify the compensatory allowance mechanism for tuna and abolish the compensatory allowance for salmon and lobster;
- (vi) to introduce Community import arrangements for trade with non-Community countries.

COM(92) 79

II

Resources

Internal aspects

1.2.199. Commission report on the discarding of fish in Community fisheries: causes, impact, solutions.

- **Reference:** Council Regulation (EEC) No 3094/86 laying down certain technical measures for

the conservation of fishery resources (OJ L 288, 11.10.1986; Bull. EC 10-1986, point 2.1.174), as last amended by Regulation (EEC) No 345/92: OJ L 42, 18.2.1992; Bull. EC 1/2-1992, point 1.3.238

Adopted on 12 March. The report, which is intended to stimulate a wide-ranging debate, states that the practice of discarding fish is both an economic and an ecological problem, analyses its causes and features and examines the measures likely to restrict it.

The report proposes a global strategy, combining the elimination of catches likely to be dumped, the relaxation of the rules on mandatory discards and the introduction of economic measures to encourage in particular the consumption of species which are not easily marketable.

External aspects

South Africa

1.2.200. Council Decision 92/158/EEC and 92/159/EEC authorizing the Kingdom of Spain and the Portuguese Republic respectively to extend until 7 March 1993 the agreement on mutual fishery relations with the Republic of South Africa.

- **Reference:** Treaty concerning the accession of the Kingdom of Spain and the Portuguese Republic to the European Economic Community and the European Atomic Energy Community: OJ L 302, 15.11.1985; Bull. EC 11-1985, points 2.2.1 to 2.2.3
- **Commission proposals:** COM(92) 30 and 31; Bull. EC 1/2-1992, point 1.3.239

Adopted on 3 March.

OJ L 69, 14.3.1992

Guinea

1.2.201. Council Decision on the conclusion of the Agreement in the form of an exchange of letters concerning the provisional application of the Protocol establishing, for the period 1 January 1992 to

31 December 1993, the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Guinea on fishing off the Guinean coast.

- **Reference:** EEC/Guinea Agreement: OJ L 29, 30.1.1987; Bull. EC 1-1987, point 2.1.117
- **Commission proposal:** OJ C 54, 29.2.1992; COM(92) 38; Bull. EC 1/2-1992, point 1.3.241

Adopted on 30 March.

Morocco

1.2.202. Council Decision 92/211/EEC on the conclusion of an Agreement in the form of an exchange of letters concerning the interim extension for the period from 1 March to 30 April 1992 of the Agreement on relations in the sea-fisheries sector between the European Economic Community and the Kingdom of Morocco and of the Protocol annexed thereto.

- **Reference:** EEC/Morocco Agreement: OJ L 181, 12.7.1988; Bull. EC 6-1988, point 2.1.239

Proposal adopted by the Commission on 17 March.

COM(92) 92

Adopted by the Council on 30 March. Pending its renewal, the fisheries agreement between the EEC and Morocco needed to be extended to avoid an interruption in Community fishing fleet activities in waters under Moroccan jurisdiction

OJ L 91, 7.4.1992

Mozambique

1.2.203. Council Decision on the conclusion of an Agreement in the form of an exchange of letters concerning the provisional application of the Protocol establishing, for the period 1 January 1992 to 30 September 1993, the fishing opportunities and the financial contribution provided for in the Agreement between the European Economic Community and the Government

of the People's Republic of Mozambique on fisheries relations.

- **Reference:** EEC/Mozambique Agreement: OJ L 98, 10.4.1987; Bull. EC 3-1987, point 2.1.187
- **Commission proposal:** COM(92) 12; Bull. EC 1/2-1992, point 1.3.245

Adopted on 30 March.

Sweden

1.2.204. Council Regulation (EEC) No 755/92 allocating, for 1992, additional catch quotas among Member States for vessels fishing in Swedish waters.

- **Reference:** EEC/Sweden agreement concerning agriculture and fisheries: OJ L 328, 22.11.1986; Bull. EC 9-1986, point 2.2.18

Adopted on 23 March.

OJ L 83, 28.3.1992

North Atlantic salmon conservation organization (Nasco)

1.2.205. Recommendation for a Council Decision authorizing the Commission to negotiate a Protocol to the Convention for the Conservation of North Atlantic Salmon.

Adopted by the Commission on 27 March. This is intended to solve the problem of salmon fishing in international waters by vessels registered in countries which have not signed the Convention. This fishing activity is increasingly jeopardizing conservation measures.

Market organization

1.2.206. The Commission adopted:

- Regulation (EEC) No 536/92, 2.3.1992: OJ L 58, 3.3.1992 — imports of Atlantic salmon;
- Regulation (EEC) No 575/92, 6.3.1992: OJ L 62, 7.3.1992 — yellowfin tuna.

Structural measures and assistance

1.2.207. Commission Regulation (EEC) No 540/92 amending Regulation (EEC) No 650/91 on applications for assistance in the form of operational programmes from the Guidance Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) in respect of investments for improving the conditions under which fishery and aquaculture products are processed and marketed.

- **Basic Regulation:** Council Regulation (EEC) No 4042/89: OJ L 388, 30.12.1989; Bull. EC 12-1989, point 2.1.233
- **Regulation amended:** Commission Regulation (EEC) No 650/91: OJ L 72, 19.3.1991; Bull. EC 3-1991, point 1.2.154
- **References:**
 Council Directive 91/492/EEC laying down the health conditions for the production and placing on the market of live bivalve molluscs: OJ L 268, 24.9.1991; Bull. EC 7/8-1991, point 1.2.201
 Council Directive 91/493/EEC laying down the health conditions for the production and placing on the market of fishery products: OJ L 268, 24.9.1991; Bull. EC 7/8-1991, point 1.2.200

Adopted on 3 March. The Regulation is intended to ensure that investments eligible for aid from the EAGGF Guidance Section under Regulation (EEC) No 4042/89 comply with the provisions of Directives 91/492/EEC and 91/493/EEC.

OJ L 59, 4.3.1992

1.2.208. Structural assistance is now dealt with under the heading 'Economic and social cohesion'.

State aid

Decision to initiate proceedings

France

1.2.209. Commission decision on aid for shore investments (fishing port facilities) in Poitou-Charentes.

Bull. EC 3-1992

- **Reference:** Judgment of the Court of Justice in Case 234/84: OJ C 209, 20.8.1986; Bull. EC 7/8-1986, point 2.4.33

Adopted on 25 March. Since the information provided on this aid project was totally inadequate the Commission was obliged to initiate proceedings under Article 93(2) of the Treaty. Its decision was based on the Court judgment of 10 July 1986 (Case 234/84, Meura).

Decisions to close proceedings

France

1.2.210. Commission decision on investment aid in the fishery sector in the Loire region, Upper Normandy, Provence-Alpes-Côte d'Azur, Languedoc-Roussillon, Seine-Maritime and Manche.

- **Basic Regulation:** Council Regulation (EEC) No 4028/86 on Community measures to improve and adapt structures in the fisheries and aquaculture sector (OJ L 376, 31.12.1986; Bull. EC 12-1986, point 2.1.285), as last amended by Regulation (EEC) No 3944/90: OJ L 380, 31.12.1990; Bull. EC 12-1990, point 1.3.249

Adopted on 25 March. The French authorities have provided sufficient information to demonstrate that all the common provisions in the guidelines for examination of national aid in the fishery sector have been complied with, so the proceedings could be closed.

Consumer protection

I

Consumer protection requirements

1.2.211. Parliament resolution on the consumer protection and public health require-

ments to be taken into account in the completion of the internal market.

Adopted by Parliament on 11 March. Calling on the Commission to base legislation for the entire Community on the highest possible level of protection and safety, Parliament took the view that food legislation should seek to ensure that additives are used as little as possible, that information on additives be improved and that food hygiene requirements be laid down.

With regard to consumer rights, Parliament made a series of proposals in respect of liability and guarantees with the essential aim of protecting consumers, more particularly by setting up a fund for paying out damages where the persons causing the damage cannot be identified or are insolvent, and improving access to legal protection.

Finally, Parliament called for full and clear information to be provided on the cost of the various forms of payment and financial conditions in respect of payment by credit card.

Parliament stressed the need to improve consumer information as a central element in terms of completion of the single market.
OJ C 94, 13.4.1992

II

Protection of consumers' economic and legal interests

1.2.212. Proposal for a Council Directive on unfair terms in consumer contracts.

- **Commission proposal:** OJ C 243, 28.9.1990; COM(90) 322; Bull. EC 7/8-1990, point 1.3.150
- **Economic and Social Committee opinion:** OJ C 159, 17.6.1991; Bull. EC 4-1991, point 1.2.139
- **Parliament opinion (first reading):** OJ C 326, 16.12.1991; Bull. EC 11-1991, point 1.2.194

Amended proposal adopted by the Commission on 4 March. The changes concen-

trate on defining the scope of the proposed Directive in more precise terms. More particularly, different treatment is proposed for contractual clauses which have been individually negotiated between the two parties and clauses which have not been individually negotiated. In the latter case, the interpretation which is most favourable to the consumer is deemed to apply.

OJ C 73, 24.3.1992; COM(92) 66

A people's Europe

I

Protection of personal data

1.2.213. Council Decision in the field of information security.

- **Commission proposal:** OJ C 277, 5.11.1990; COM(90) 314; Bull. EC 7/8-1990, point 1.3.315
- **Economic and Social Committee opinion:** OJ C 159, 17.6.1991; Bull. EC 4-1991, point 1.2.140

Endorsed by Parliament on 11 March.

OJ C 94, 13.4.1992

Adopted by the Council on 31 March. The Decision provides for a Community action plan designed to develop a global strategy to provide protection for the users of information systems throughout the Community without jeopardizing the free movement of information within the single market. The plan is initially adopted for a period of 24 months and a Senior Officials Group on Information Security is to be set up to advise the Commission on action in this field.

The action plan includes preparatory work on the following fronts:

- (i) development of an information security strategy framework;
- (ii) analysis of information security requirements;

- (iii) solutions for immediate and interim needs;
- (iv) specifications, standardization and verification of information security;
- (v) technological and operational developments;
- (vi) information security provisions.

The budget provided for the initial period is ECU 12 million, including ECU 2 million for 1992.

1.2.214. Proposal for a Council Directive concerning the protection of individuals in relation to the processing of personal data.

- **Commission proposal:** OJ C 277, 5.11.1990; COM(90) 314; Bull. EC 7/8-1990, point 1.3.310
- **Economic and Social Committee opinion:** OJ C 159, 17.6.1991; Bull. EC 4-1991, point 1.2.140

Endorsed by Parliament on 11 March, subject to a number of amendments designed to make the proposal less restrictive. Parliament is asking, in particular, that the Directive also cover the collection of data, that the concept of 'personal data' be spelled out in greater detail and that the concept of 'communication of data' be defined. It would also like to see the exemptions from the scope of the Directive defined as well as the role to be played by the Working Party on the Protection of Personal Data provided for in the proposal.

OJ C 94, 13.4.1992

1.2.215. Proposal for a Council Directive concerning the protection of personal data and privacy in the context of public digital telecommunications networks, in particular the integrated services digital network and public digital mobile networks.

- **Commission proposal:** OJ C 277, 5.11.1990; COM(90) 314; Bull. EC 7/8-1990, point 1.3.313
- **Economic and Social Committee opinion:** OJ C 159, 17.6.1991; Bull. EC 4-1991, point 1.2.140

Endorsed by Parliament (first reading) on 11 March, subject to a number of amendments designed to specify cases where the subscriber's consent is needed for utilization of

data concerning him and the types of service falling within the scope of the Directive.

OJ C 94, 13.4.1992

II

Public health

Cancer

1.2.216. Proposal for a Council Directive amending Directive 89/622/EEC on the approximation of the laws, regulations and administrative provisions of the Member States concerning the labelling of tobacco products and the prohibition of the marketing of certain types of tobacco for oral use.

- **Commission proposal:** OJ C 29, 5.2.1991; COM(90) 538; Bull. EC 11-1990, point 1.3.205
- **Economic and Social Committee opinion:** OJ C 191, 22.7.1991; Bull. EC 5-1991, point 1.2.166
- **Parliament opinion (first reading):** OJ C 240, 16.9.1991; Bull. EC 7/8-1991, point 1.2.288
- **Amended Commission proposal:** OJ C 260, 5.10.1991, COM(91) 336; Bull. EC 9-1991, point 1.2.129
- **Council common position:** Bull. EC 11-1991, point 1.2.195

Endorsed by Parliament (second reading) on 11 March, subject to a technical amendment.

OJ C 94, 13.4.1992

Measures to help victims of natural disasters

1.2.217. Parliament resolution on the devastation caused by drought in northern Greece.

Adopted on 12 March. Parliament called in particular for more active deployment of Community resources to resolve the problems caused by the drought and asked the

Commission to estimate the damage and provide the requisite compensation.

OJ C 94, 13.4.1992

Human rights

1.2.218. Parliament resolution on support for demonstrations in favour of democracy and tolerance and against racism and xenophobia.

Adopted on 12 March. Concerned at the fact that throughout Europe acts of violence point to an upsurge of ideologies hostile to the values of democracy and tolerance, Parliament urged all the democratic parties in the Community to commit themselves in clear and unequivocal terms to putting an end to the wave of racist and anti-Semitic violence and welcomed the fact that citizens are taking action to demonstrate in a peaceful manner their refusal to allow the very foundations of our societies to be jeopardized.

OJ C 94, 13.4.1992

Audiovisual media, information, communication and culture

Audiovisual policy and production

High-definition television

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

- **Commission proposal:** Bull. EC 6-1991, point 1.2.73
- **Commission proposal:** OJ C 194, 25.7.1991; COM(91) 242; Bull. EC 7/8-1991, point 1.2.98
- **Parliament opinion (first reading):** OJ C 326, 16.12.1991; Bull. EC 11-1991, point 1.2.60
- **Economic and Social Committee opinion:** OJ C 40, 17.2.1992; Bull. EC 11-1991, point 1.2.60
- **Amended Commission proposal:** OJ C 332, 21.12.1991; COM(91) 530; Bull. EC 12-1991, point 1.2.86

- **Council agreement on a common position:** Bull. EC 12-1991, point 1.2.86
- **Council adoption of a common position:** Bull. EC 1/2-1992, point 1.3.258

Endorsed by Parliament (second reading) on 11 March.

Niki Prize

1.2.220. Niki (formerly Nike) Prizes awarded to the television broadcasts — fiction or documentary — which best illustrate the role of women in modern society.

- **Reference:** Previous award: Bull. EC 11-1990, point 1.3.190.

Prizes awarded in Amsterdam on 16 March.

Mr Dondelinger, Member of the Commission, presented awards to three programmes: the prize in the children's category went to 'Starke Mädchen' by Karl-Heinz Kafer, produced by the Zweites Deutsches Fernsehen (ZDF); ITV/Granada Television's production of 'Prime suspect', written by Linda La Plante, took the award for fiction; and the documentary award was won by 'Rites of passage', produced by Penny Dedman for Channel 4 Television.

This was the third series of awards, attracting 46 entrants from all the Member States (there were 16 in 1988 and 33 in 1990).

Public awareness

Seville Universal Exposition

1.2.221. Second report by the Commissioner-General on Commission participation in the Seville '92 Universal Exposition.

- **Reference:** First report: Bull. EC 10-1990, point 1.3.216

Adopted by the Commission on 25 March. Community participation in the Seville Expo is to be reflected in the grouping of the

Member States' pavilions along a specially designed avenue to be named 'Avenida de Europa' with the Community pavilion in the centre. The report described the four lines of approach adopted to fulfil the high hopes of the organizers and the Community institutions alike. The architectural layout and design of the whole complex will make it one of the main centres of attraction. A cultural programme will lend an appreciable added dimension to the events already planned as part of the Exposition. Europe's new high-definition television technology will be on display in the Community pavilion and the 12 national pavilions. The Community pavilion itself will focus on the theme 'From Renaissance Europe to the renaissance of Europe', with a four-part exhibition covering: '1450-1550', 'Europe poised between war and progress'; 'The European Community, a great discovery of our time'; and 'Discovering the Europe of the future'.

The report also gives details of the planned programme of cultural events and discusses the participation of the ACP countries in the Expo.

Culture

Situation of artists

1.2.222. Parliament resolution on the situation of artists in the European Community.

- **References:**

Parliament resolution of 16 January 1981 on the social situation of cultural workers: OJ C 28, 9.2.1981; Bull. EC 1-1981, point 2.3.12

Parliament resolution of 17 February 1989 on stronger Community action in the cultural sector: OJ C 69, 20.3.1989; Bull. EC 2-1989, point 2.1.90

Parliament resolution of 10 September 1991 on cultural relations between the Community and Central and Eastern Europe: OJ C 267, 14.10.1991; Bull. EC 9-1991, point 1.2.136

Adopted on 11 March. Following on from its earlier resolutions on cultural matters, Parliament welcomed the fact that the cultural dimension now forms part of the Community's responsibilities. It called for a range of measures by the Commission, the Member States and the Council to promote cultural activities, proposing in particular that an action programme be drawn up to include a statute for artists and urging various measures to encourage the training of young artists, above all through grants and support for bodies to defend the right of artists to a fitting wage and adequate social security. Parliament also suggested that the Member States offer tax incentives and that, when awarding public construction contracts, they require at least 1.5% of the project budget to be spent on works of art.

Finally, the resolution advocated exhibitions of contemporary works, action to promote exchanges between artists in the Community, and information campaigns to make Europeans more aware of the importance of art and the role of artists in their lives.

OJ C 94, 13.4.1992

3. The role of the Community in the world

European Free Trade Association

I

Relations with Finland

1.3.1. Accession to the European Economic Community.

Formal request for accession presented on 18 March. Mr M. Koivisto, the President of the Republic of Finland, and Mr E. Aho, Prime Minister, presented Finland's formal application to accede to the European Communities to Mr J. de Deus Pinheiro, President of the Council.

The application, presented in accordance with Articles 237 of the EEC Treaty, 205 of the Euratom Treaty and 98 of the ECSC Treaty, was unconditional.

II

Relations with EFTA

Agreement on a European Economic Area

1.3.2. Draft Agreement on the establishment of a European Economic Area (EEA).

- **Negotiating directives:** Bull. EC 6-1991, point 1.4.6
- **Council agreement:** Bull. EC 10-1991, point 1.3.1
- **Opinion of the Court of Justice:** Bull. EC 12-1991, point 1.7.18
- **Examination by the Council:** Bull. EC 12-1991, point 1.3.1
- **Council conclusions:** Bull. EC 1/2-1992, point 1.4.1
- **Parliament resolution:** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.4.1
- **Commission decision to seek a second opinion from the Court of Justice:** Bull. EC 1/2-1992, point 1.4.1

Conclusions adopted by the Council on 2 March. The Council expressed its satisfaction that negotiators considered the negotiations on the Agreement on the establishment of a European Economic Area to be completed; it noted the Commission decision to seek a second opinion from the Court of Justice on the renegotiated parts of the draft Agreement; it reaffirmed the political importance of the EEA Agreement and the need for it to be signed without delay.

Relations with the EFTA countries

Norway

1.3.3. Visit to the Commission by Mr Godal, Minister of Trade and Shipping, on 31 March.

Mr Godal had meetings with Mr Andriessen, Mr Christophersen and Mr Van Miert, mainly on the European Economic Area, the enlargement of the Community, the follow-up to the Maastricht European Council and the Uruguay Round negotiations. The two sides also discussed cabotage and the issue of port security.

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

I

Assistance to the independent States of the former Soviet Union

1.3.4. Commission communication to the Council on the economic situation of the former Soviet Union and the potential for international assistance.

Adopted by the Commission on 11 March.

In the light of the forthcoming meeting of the IMF's Interim Committee and at the request of the Council, the Commission compiled an inventory of international efforts to promote macroeconomic stability in the independent States of the former Soviet Union.

The Commission drew attention to the acceleration of economic decline in 1991. This had caused a drop in GNP of 12 to 17%, an 86% price increase, a worsening of shortages and budget deficits and a deterioration of the balance of payments.

Faced with this situation, Russia began in January a process of reform aimed at creating a market economy by liberalizing prices, cutting back the budget, reforming taxation and maintaining monetary discipline. As part of the process, plans were also made to control pay and carry out large-scale privatization. Many gaps remain, however, and a second series of measures will be set in motion in April. Plans for reform in the other independent States are still at such an early stage that the short-term outlook is worrying.

The Commission reviewed the prospects for international assistance for the process of reform, emphasizing the scale of the effort which would be needed and the uncertainty associated with evaluating the needs of the individual States. It also called for greater coordination of aid.

The Commission reiterated the European Community's full support for the independent States' applications for membership of the Bretton Woods institutions, particularly the IMF. Assistance from the IMF for the successor States to the Soviet Union could be made subject to two specific conditions, namely that reform be accomplished in Russia and that trade relations be established among the States in question, in addition to the general macroeconomic requirements customary for IMF member countries.

1.3.5. Council conclusions on relations with the independent States of the former Soviet Union.

• **References:**

Council guidelines on food aid for the Soviet Union: Bull. EC 10-1991, point 1.3.7

Council Decision 91/658/EEC granting a medium-term loan to the Soviet Union and its constituent Republics: OJ L 362, 31.12.1992; Bull. EC 12-1991, point 1.3.6

Commission communication: point 1.3.7 of this Bulletin

Adopted by the Council on 16 March. Following up the Commission communication on the economic situation of the former Soviet Union, the Council made a special request to the Member States to give the successor States to the Soviet Union renewed support in their bid to join the Bretton Woods institutions as rapidly as possible. It called on all aid donors to speed up payment of the aid allocated. The Council agreed that the Community loan of ECU 1 250 million should be paid over to those of the States which signed a declaration of intent recognizing the debts of the USSR and providing sufficient legal security. This would make it possible to avoid potential obstacles, chiefly that of the third condition attached to the loan: that the States concerned accept a waiver of sovereign immunity.

The Council noted the recent arrangement between the Russian government and the IMF regarding additional stabilization measures to be implemented from April. It considered that Russia's efforts to achieve reform deserved strong international support.

The Council requested the Commission to make an assessment of technical assistance and to propose practical steps to mobilize such aid.

It took the view that the international financial effort should be stepped up in all the appropriate forums, and stressed once again the primacy of the Bretton Woods institutions in this regard.

Establishment of the International Science and Technology Centre

1.3.6. Council agreement on the establishment of an International Science and Technology Centre.

Adopted by the Council on 2 March. Following the European political cooperation meeting of the Foreign Ministers of the Twelve in Lisbon on 17 February, which brought a favourable response to the proposal from Germany, Russia and the United States for the establishment in Moscow of an International Science and Technology Centre (ISTC) aimed at reducing the risk of large-scale emigration of Soviet scientists specializing in sensitive fields, the Council confirmed that the Community would become involved.

1.3.7. Commission communication to the Council on the establishment of an International Science and Technology Centre in Moscow.

Adopted by the Commission on 4 March. The Commission made proposals concerning the rapid establishment of the Centre, which would be responsible for implementing projects for redirecting scientists and engineers from the former Soviet Union previously engaged in military research towards fields in which their know-how could be put to non-military uses.

It was proposed that all the donors contribute to infrastructure and overhead costs and that Russia finance premises and cover local expenditure. Projects would be financed jointly.

1.3.8. Ministerial meeting.

- **Reference:** Commission communication on the establishment of an International Science and Technology Centre: point 1.3.7 of this Bulletin

Meeting held in Brussels on 11 March. The meeting was attended by Mr de Deus Pinheiro, Portuguese Foreign Minister, in his capacity as President of the Council, Mr Andriessen, a Vice-President of the Commission, Mr Baker, United States Secretary of State, Mr Kozyrev, Russian Foreign Minister, and Mr Matsura, Japanese Foreign Minister. The participants discussed the International Science and Technology Centre. The meeting was intended to launch preparations for the establishment of the

Centre, and it ended with the adoption of a joint statement.

The statement set out the aims of the Centre, which were to provide military scientists and engineers from the former Soviet Union with the opportunity to use their skills for non-military purposes. It emphasized the need for the Centre to be in operation as soon as possible and confirmed the intention of the four parties to provide significant material support for the Centre and its activities.

1.3.9. Recommendation for a Council Decision authorizing the Commission to negotiate an international agreement between the European Economic Community, the European Atomic Energy Community, the United States, Japan and the Russian Federation for the establishment of the International Science and Technology Centre.

Adopted by the Commission on 18 March. The aim of the recommendation was to secure the negotiation of an agreement between the European Community, the United States, Japan and the Russian Federation for the establishment of the International Science and Technology Centre. The Centre is to draw up, select, finance and supervise non-military science and technology projects.

The Centre would contribute through its projects to reducing the number of weapons of mass destruction, supporting research, protecting the environment, producing energy and improving nuclear safety.

The Agreement, due to be concluded by the end of the year, will set out the function, structure and legal status of the Centre and will include financial provisions.

1.3.10. Parliament resolution on the risk of nuclear proliferation due to the existence of 'nuclear mercenaries'.

- **Reference:** Commission communication on the establishment of an International Science and Technology Centre: point 1.3.7 of this Bulletin.

Adopted by Parliament on 11 March. In the light of its fear that some eminent nuclear scientists from the former Soviet Union might be tempted to emigrate to countries trying to acquire or expand nuclear capability, Parliament welcomed the decision to establish an International Science and Technology Centre. It stressed the need for it to become rapidly operational, pointed out that the Community would be the Centre's main financial backer, and called on the Commission to put forward practical proposals for the redirection of scientists' skills towards civilian goals. Parliament also suggested that the Commission draw up, in agreement with the governments of the Commonwealth of Independent States, a policy of active cooperation and exchange arrangements.

OJ C 94, 13.4.1992

Development of relations with Russia

1.3.11. Russia's Foreign Minister, Mr Andrei Kozyrev, visited the Commission on 9 March.

• References:

Council Regulation (EEC, Euratom) No 2157/91 concerning the provision of technical assistance for economic reform and recovery in the Union of Soviet Socialist Republics: OJ L 201, 24.7.1991; Bull. EC 7/8-1991, point 1.3.5

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. EC 12-1991, point 1.3.6

Council conclusions on the economic situation of the former Soviet Union and the prospects for international assistance: point 1.3.5 of this Bulletin.

Mr Kozyrev had talks with Mr Delors and Mr Andriessen. Discussion centred on the improvement of bilateral relations, Community assistance for Russia's process of democratic and economic renewal, the implementation of technical assistance and Russia's share of the ECU 1 250 million medium-term loan granted in December by the Community.

Mr Kozyrev made clear the intention to adhere to the undertakings given in the memorandum of understanding on the repayment of the former Soviet Union's foreign debt. He welcomed the Community's support of Russia's application to join the International Monetary Fund and the World Bank and the widening of opportunities for assistance from the European Bank for Reconstruction and Development.

The two sides also discussed future relations between them and agreed to begin exploratory talks for a new agreement for economic, trade and economic cooperation. The agreement would also have a political element.

1.3.12. Mr Andriessen visited Moscow on 25 March.

Mr Andriessen saw Mr Yeltsin, President of the Russian Federation, together with Mr Burbulis, the Prime Minister, and Mr Khasbulatov, Chairman of the Supreme Council.

The talks dealt with future relations between the Community and Russia, the economic situation and the state of reform, Community assistance to Russia and preparations for the Lisbon conference.

Mr Andriessen and the Russian representatives held the first exploratory talks concerning the negotiation of a new cooperation agreement, and Mr Yeltsin expressed his wish that the Community and Russia establish close relations.

II

Central and Eastern Europe

Coordinated aid to Central and Eastern Europe

1.3.13. Financing decision pursuant to Council Regulation (EEC) No 3800/91

amending Regulation (EEC) No 2698/90 in order to extend economic aid to include other countries in Central and Eastern Europe.

- **Basic Regulation:** Council Regulation (EEC) No 3906/89 (OJ L 375, 23.12.1989; Bull. EC 12-1989, point 2.2.25), as amended by Regulation (EEC) No 2698/90 in order to extend economic aid to include other countries in Central and Eastern Europe (OJ L 257, 21.9.1990; Bull. EC 9-1990, point 1.3.3) and amended again by Regulation (EEC) No 3800/91: OJ L 357, 28.12.1991; Bull. EC 12-1991, point 1.3.12
- **Reference:** General guidelines for assistance under the Phare programme for 1991 and 1992: Bull. EC 5-1991, point 1.3.5

Adopted by the Commission on 24 March. The Commission made a decision to provide ECU 15 million for an agricultural development and transport infrastructure programme in Albania, under Operation Phare.

Bilateral relations

Albania

1.3.14. Parliament decision approving the negotiation of a trade and cooperation Agreement between the European Economic Community and Albania.

- **References:**
 - Commission recommendation: Bull. EC 7/8-1991, point 1.3.11
 - Council negotiating directives: Bull. EC 9-1991, point 1.3.19
 - Parliament resolution on the political rights of minorities in Albania: OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.4.110

Adopted by Parliament on 11 March. Describing as significant the trade and cooperation Agreement between the Community and Albania which had been initialled in Brussels on 17 February, and recalling its resolution on the political rights of minorities in Albania, Parliament welcomed the Agreement and its provision of a framework for cooperation similar to that which existed for other countries in Central Europe which had no association agree-

ments with the Community. Parliament emphasized that direct aid to Albania was now an absolute necessity if the population was to be guaranteed means of basic subsistence, but that the best medium-term approach to economic development in the country was to develop its economic relations with the Community, particularly by increasing trade and investment. Parliament stressed the need to make reference in the Agreement to the parties' attachment to the principles of democracy and respect for human rights, as set out within the CSCE.

OJ C 94, 13.4.1992

Bulgaria

1.3.15. Mr Ganev, Bulgaria's Foreign Minister, visited the Commission on 9 March.

Mr Ganev had talks with Mr Andriessen. Discussions centred on the forthcoming opening of negotiations for a Europe Agreement with Bulgaria, the process of reform in that country and assistance from the Community for electricity supplies.

Czechoslovakia

1.3.16. Mr Dienstbier, Czechoslovakia's Foreign Minister, visited the Commission on 10 March.

Mr Dienstbier saw Mr Delors. Their talks dealt with the development of relations between the Community and Czechoslovakia and trilateral Hungary-Poland-Czechoslovakia cooperation. Mr Dienstbier pointed out the difficulties arising in triangular operations with Russia. Also discussed were the serious congestion and pollution problems brought by the increase in transit traffic through Czechoslovakia. Mr Dienstbier called once again for Community assistance for infrastructure projects, Czech-Slovak relations were also mentioned.

Independent States of the former Soviet Union

Trade

1.3.17. Council Regulation establishing the import arrangements for products originating in the independent States resulting from the former Soviet Union and suspending the application of certain quantitative restrictions to the Yugoslav Republic of Montenegro (→ point 1.3.71).

Bilateral relations

Belarus, Russia and Ukraine

1.3.18. Parliament resolution on urgent medical, technical and food aid for the victims of Chernobyl in Ukraine, Belarus and Russia.

- **Reference:** Parliament resolution on emergency aid to victims of Chernobyl: OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.3.53

Adopted by Parliament on 12 March. In the light of the increasing number of direct and indirect effects of the Chernobyl disaster in Belarus, Ukraine and Russia, Parliament expressed its disquiet at the inadequacy of safety measures at nuclear power stations in the States of the CIS, the growth of seawater contamination by nuclear waste and the worsening of the health, social and economic climate of those States as a result of farmland being unusable. It called once again on the Commission to give urgent consideration to a programme of medical assistance for the victims of the disaster. The chief aims of the programme should be to monitor contamination of the environment, provide social and economic aid for resettlement and give assistance with soil decontamination.

Parliament also called for the closure of nuclear power stations which were 20 or more years old or which did not offer adequate guarantees of safety. It urged that

a large-scale epidemiological study be launched.

OJ C 94, 13.4.1992

Georgia

1.3.19. Mr Chikvadze, First Deputy Prime Minister and Foreign Minister of Georgia, visited the Commission on 3 March.

Mr Chikvadze had talks with Mr Andriessen, with whom he discussed the efforts to normalize the political situation in his country, calling for its involvement in the Helsinki process. After speaking about the possibility of Georgia being recognized, Mr Chikvadze and Mr Andriessen discussed Georgia's relations with the CIS and Community assistance.

Mediterranean and Middle East

I

Implementation of the new Mediterranean policy

1.3.20. Council Decisions 92/206/EEC, 92/207/EEC, 92/208/EEC, 92/209/EEC and 92/210/EEC on the conclusion of the fourth financial Protocols with Algeria, Egypt, Jordan, Lebanon and Israel.

- **Council Decision on the new Mediterranean policy:** Bull. EC 12-1990, point 1.4.15
- **Commission recommendations for the conclusion of the Protocols:** OJ C 135, 25.5.1991; OJ C 162, 21.6.1991; Bull. EC 5-1991, points 1.3.24 to 1.3.26, 1.3.36 and 1.3.37
- **Council decisions concerning signature:** Bull. EC 5-1991, points 1.3.24, 1.3.25 and 1.3.27; Bull. EC 6-1991, points 1.3.31 and 1.3.32
- **Parliament assent:** OJ C 39, 17.2.1992; Bull. EC 1/2-1992, points 1.4.25 to 1.4.29

Adopted by the Council on 16 March. The financial Protocols, which lay down detailed provisions for financial and techni-

cal cooperation with the countries concerned, are of paramount importance in implementing the new Mediterranean policy — a coherent political instrument aimed at contributing to the peaceful and harmonious development of the peoples in the region.

OJ L 94, 8.4.1992

II

Mediterranean countries

Cyprus

1.3.21. EEC-Cyprus Joint Parliamentary Committee.

- **Reference:** Application for accession: Bull. EC 7/8-1990, point 1.4.24

Meeting held in Brussels on 19 March. The meeting, in which Mr Matutes and Mr George Iacovou, Cyprus's Foreign Minister, took part, focused on the country's application for accession. Mr Iacovou asked for an early opinion from the Commission on the matter.

Morocco

1.3.22. Visit by Mr Matutes on 12 and 13 March.

Mr Matutes saw Mr Abdellatif Filali, the Moroccan Foreign Minister, who was accompanied by several members of the government. The talks highlighted the parties' substantially convergent opinions on the broad lines of a new economic and political partnership based on four main principles: strengthened political dialogue at ministerial and parliamentary level; economic and technical cooperation, particularly on standards, science and technology, tourism and the environment; financial cooperation which should, in the Moroccan Government's view, result in improved

access to funds; and a judicious and long-term drive towards the establishment of a free trade area.

Tunisia

1.3.23. EEC-Tunisia Cooperation Council.

- **Reference:** Cooperation Agreement between the European Economic Community and the Republic of Tunisia: OJ L 265, 27.9.1978
- **Previous meeting:** Bull. EC 2-1989, point 2.2.13

Fifth meeting, held in Brussels on 2 March. Chaired jointly by Mr João de Deus Pinheiro, President of the Council, and Mr Habib Ben Yahia, Tunisia's Foreign Minister, and attended also by Mr Matutes, the meeting enabled the parties to take stock of their relations and to consider the prospects for future cooperation. They noted with satisfaction that cooperation between Tunisian and Community undertakings was being stepped up owing to the enhanced opportunities for partnership for small and medium-sized enterprises, and that scientific and technical cooperation was being extended to other areas, especially telecommunications, energy, tourism and the environment. Mr Ben Yahia spoke of his country's irreversible choice to pursue the democratic process and to liberalize the economy. The meeting provided an opportunity to sign two financing agreements under the fourth financial Protocol totalling ECU 85 million.

Turkey

1.3.24. Parliament resolution on the Turkish mining disaster.

Adopted by Parliament on 12 March. Recalling the consequences of the accident which had occurred in the Kozlu coalmine, Parliament called for more effective safety measures to be implemented, with the agreement of the workers. It also proposed a more systematic exchange of mining tech-

nology between Community and Turkish specialists.

OJ C 94, 13.4.1992

Former Socialist Federal Republic of Yugoslavia

General

1.3.25. Parliament resolution on the situation on the territory of the former Yugoslavia.

Adopted by Parliament on 12 March. Believing that Bosnia-Herzegovina now met the Community's requirements concerning the recognition of independence, Parliament called on the Commission and the Council to establish economic and cultural relations with that country so as to enable it to participate fully in Community programmes for Central Europe. Parliament stressed that as regards the former Yugoslav 'Republic of Macedonia', any change in its constitutional status must take place without any changes in frontiers and that unconditional acceptance of CSCE principles was a precondition for the recognition of any new States. It supported the Council's commitment to mediate over the question of the name of the republic and other political problems before proceeding to recognition.

Lastly, Parliament expressed the strongest possible support for the work of the EC monitors and for the deployment of UN peace-keeping forces.

OJ C 94, 13.4.1992

Montenegro

1.3.26. Council Regulation establishing the import arrangements for the independent States resulting from the former Soviet Union and suspending certain quantitative restrictions in respect of the Yugoslav Republic of Montenegro (→ point 1.3.71).

Slovenia

1.3.27. Visit to the Commission by Mr M. Kucan, President of the Republic, on 9 March.

Mr Kucan had a meeting with Mr Delors during which future relations between the Community and Slovenia were discussed. Mr Kucan stressed that it was of vital importance for his country to establish direct cooperation with the Community in the form of an association agreement or a Europe agreement. He indicated that Slovenia could accept an economic and trade cooperation agreement which left the door open to a possible Europe agreement.

Middle East

Iraq

1.3.28. Parliament resolution on the situation of the Kurds in Iraq.

Adopted by Parliament on 12 March. Condemning the blockade imposed by Saddam Hussein on vital supplies for the Iraqi Kurds and the air attacks carried out by the Turkish authorities against the Kurdish villages in northern Iraq, Parliament called on the Commission and the governments of the Member States to restore the supplies of food, fuel and medicines as soon as possible, if necessary by organizing relief convoys to be escorted under UN authority. It also called on the governments of Turkey and Iran to cooperate fully in such an exercise. Parliament also recommended that the Commission provide assistance to the Kurdish authorities in organizing the forthcoming elections to establish political bodies.

OJ C 94, 13.4.1992

United States, Japan and other industrialized countries

United States

1.3.29. Parliament resolution on US protectionism in public procurement.

- **Reference:** Declaration on relations between the European Community and the United States (Transatlantic declaration): Bull. EC 11-1990, point 1.5.3

Adopted by Parliament on 13 March. Having regard to the development of relations between the Community and the United States which led to the joint EC-US Declaration, and considering that the current economic situation required the development of international trade, Parliament called on the Commission to launch an information campaign on the barriers and obstacles preventing access by European companies to the US market. Parliament demanded that the final protocol of the Uruguay Round include a commitment by the contracting parties to apply the General Agreement on Tariffs and Trade definitively and that the contracting parties undertake to modify their national or federal legislation to ensure compliance.

OJ C 94, 13.4.1992

Other industrialized countries

South Africa

- **References:**

Statement by the Community and the Member States meeting in the context of political cooperation: point 1.4.7 of this Bulletin

Commission statement: point 1.3.31 of this Bulletin

1.3.30. Parliament resolution on the results of the referendum in South Africa.

Adopted by Parliament on 12 March. Parliament, determined to support the transformation of South Africa into a multi-party, non-racial democracy, welcomed the announcement of the agreement reached in the framework of the Convention for a Democratic South Africa (Codesa) for the establishment of an interim government before the end of 1992, to include representatives of the non-white population. Parliament stressed that a positive vote by the white electorate in the referendum called in

South Africa would open the possibility of the rapid removal of all existing restrictions other than the arms embargo.

OJ C 94, 13.4.1992

1.3.31. Commission statement on the results of the referendum held in South Africa.

Published by the Commission on 18 March.

‘The European Commission warmly welcomes the outcome of the referendum held yesterday in South Africa which will allow the continuation and acceleration of the process of democratization initiated more than two years ago.

The Commission commends the courageous stance taken by President de Klerk and by Mr Nelson Mandela and congratulates the population for the responsible attitude which it has displayed during the campaign and the ballot.

The Commission reiterates the importance which the Community attaches to the Convention for a Democratic South Africa, as a unique opportunity for the peaceful transformation of South Africa.’

Australia

1.3.32. Community-Australia ministerial consultations.

- **Reference:** Previous meeting: Bull. EC 5-1991, point 1.3.43

Tenth round of consultations, Brussels, 16 March. The Commission delegation was led by Mr Andriessen and Mr Pandolfi and the Australian delegation by Senator Gareth Evans, Minister for Foreign Affairs and Trade, accompanied by John Kerin, Minister for Trade and Overseas Development.

The talks mainly concerned the current state of the Uruguay Round negotiations, bilateral issues and international matters of mutual interest. Concerning the Uruguay Round of multilateral trade negotiations, Australia reiterated that it considered the compromise text presented last December by the GATT Director-General, Mr Arthur Dunkel, to be the best way of bringing the negotiations to a successful conclusion. The Commission delegation reiterated the Community's view that on agriculture the text

was severely unbalanced. Both sides nevertheless expressed their commitment to a rapid and successful conclusion to the negotiations. On bilateral trade relations between the European Community and Australia, the two sides noted the growing volume of trade and welcomed the prospect of further development of the European Community. They also noted the progress made towards the negotiation of a science and technology cooperation agreement and future industrial cooperation, and discussed the cooperation now under way on the environment and on development aid.

The two parties signed a memorandum providing for the extension to Australia of BC-Net, the European Business Cooperation Network which would assist Australian and European enterprises to develop commercial and technology links. The talks also touched on developments in the energy sector and the areas of standards and certification.

Asia and Latin America

I

Development of relations with the member countries of the Andean Pact

1.3.33. Recommendation for a Council Decision authorizing the Commission to negotiate a cooperation agreement between the European Community and the Cartagena Agreement and its member countries: Bolivia, Ecuador, Peru and Venezuela.

- **References:**

EC-Andean Pact Cooperation Agreement: OJ L 153, 8.6.1984; Bull. EC 6-1984, point 2.2.36

Council conclusions on guidelines for the Community's policy towards Latin American: Bull. EC 6-1987, points 2.2.23 and 3.5.1

Adopted by the Commission on 23 March.
In December 1983 the Community con-

cluded a Cooperation Agreement with the Andean Pact as such which was quite separate from the bilateral agreements linking it with each of the member countries of the Andean Pact. This Agreement has been rendered out of date by the steady development of new cooperation policies on the part of the Community, in line with the Council conclusions of 22 June 1987 and the guidelines for cooperation with the developing countries of Asia and Latin America adopted by the Council on 4 February 1991, and also by the new directions given to economic policy in the Andean countries, plus the additional factor of the fresh impetus given to the integration process in those countries. The Commission therefore feels it necessary to establish an appropriate framework for fuller cooperation, tailored to the specific requirements of the situation, and providing a flexible combination of the various means of action available to the Community while allowing for the development of new ones. The agreement to be negotiated would comprise four main headings, covering economic cooperation and associated fields, trade cooperation, development cooperation and other fields of cooperation; the latter would include the struggle against drug trafficking, the environment, cooperation on social issues, development planning, government and administrative decentralization, information, regional cooperation, institutions and the fight against AIDS.

The agreement would be non-preferential and would contain a future developments clause; it would be concluded for five years and would be renewable automatically each year.

II

Asia

China

1.3.34. Visit to the Commission by Mr Quan Quichen, Foreign Minister, on 12 and 13 March.

Mr Quan Quichen met Mr Delors and Mr Andriessen for discussions concerned mainly with economic relations between China and the Community. Mr Andriessen welcomed the current moves by the Chinese Government to introduce some market elements into the economy, but expressed concern at China's growing trade deficit with the Community.

Both sides also welcomed the progress made in cooperation in science and technology. Mr Delors stressed the importance attached by the Community to observance of human rights and pointed out that the concessions made by China to the United States on intellectual property should be extended without discrimination to the Community.

Mongolia

1.3.35. Visit to the Commission by Lr D. Byambasuren, Prime Minister, on 3 March.

- **Reference:** Trade and cooperation Agreement: point 1.3.36 of this Bulletin.

Mr Byambasuren had talks with Mr Delors and Mr Andriessen. The purpose of the meeting was to establish closer links between the Community and Mongolia and both sides reaffirmed the importance they attached to the speedy conclusion of the trade and cooperation Agreement. Stressing that Mongolia was now a democratic State, Mr Byambasuren said he hoped to see cooperation and technical assistance by the Community stepped up considerably and also an increased level of investment by Member States' companies in his country, which was going through a particularly difficult time.

1.3.36. Trade and economic cooperation Agreement between the European Economic Community and Mongolia.

- **Commission recommendation on negotiating directives:** Bull. EC 7/8-1991, point 1.3.39
- **Negotiating directives:** Bull. EC 11-1991, point 1.3.43
- **Proposal for a Regulation on conclusion of the Agreement:** OJ C 71, 20.3.1992; COM(92) 50; Bull. EC 1/2-1991, point 1.4.46

Decision on signature of the Agreement, subject to conclusion, adopted by the Council on 26 March.

Latin America

Brazil

1.3.37. Council Decision on negotiating directives for the conclusion of a new cooperation agreement with Brazil.

- **Commission proposal:** Bull. EC 1/2-1992, point 1.4.44

Adopted by the Council on 16 March

Uruguay

1.3.38. Council Decision 92/205/EEC concerning the conclusion of the Framework Agreement for cooperation between the European Economic Community and Uruguay.

- **Recommendation for a Decision:** Bull. EC 12-1990, point 1.4.46
- **Negotiating directives:** Bull. EC 3-1991, point 1.3.35
- **Initialling of Agreement:** Bull. EC 6-1991, point 1.3.44
- **Proposal for a Decision concerning conclusion of the Agreement:** OJ C 228, 3.9.1991; COM(91) 288; Bull. EC 7/8-1991, point 1.3.44
- **Signature of Agreement:** Bull. EC 11-1991, point 1.3.49
- **Parliament opinion:** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.4.48

Adopted by the Council on 16 March.

OJ L 94, 8.4.1992

General

1.3.39. Parliament resolution on the cholera epidemic in Latin America.

Adopted by Parliament on 12 March. Parliament drew attention to the continuing spread of the epidemic which, in its view, was a consequence of the hunger and malnutrition that were widespread in Latin America, the lack of medical and health infrastructure and basic services, environ-

mental destruction and the lack of economic and social development. Welcoming the action already taken by the Health Ministers of the countries concerned, Parliament called on the Commission to support their efforts by providing emergency economic and humanitarian aid and said that the Community must press for the issue to be included on the agenda for the United Nations Conference on the Environment and Development, to be held in Rio in June.

OJ C 94, 13.4.1992

ACP countries and OCTs

Financial and technical cooperation

1.3.40. Financing of projects.

Commission decision allocating a total of ECU 6 525 000 from the seventh EDF (see Table 14).

Table 14 — *Financing of operations under the seventh EDF*

Country	Project	Amount	
		Grant	Special loan
Belize	<i>Economic infrastructure</i>		
	Road	4.400	
Cameroon	<i>Social development</i>		
	Health: Setting up a unit in Europe for supply of medicinal products to ACP	0.265	
Swaziland	<i>Other</i>		
	General technical cooperation Institutional support	1.860	
	Total	6.525	

(million ECU)

Bilateral relations

Benin

1.3.41. Visit by Mr Marín on 20 March.

Mr Marín met President Soglo and various members of the government. During their talks, he referred to the Community's continuing willingness to aid Benin, which had a new and democratically elected government and had started on an economic reform programme. The aid was to be concentrated on programmes in the education and health sectors.

Congo

1.3.42. Visit to the Commission by Mr D. Ganga, Minister of Foreign Affairs, on 4 March.

Mr Ganga met Mr Marín, to whom he confirmed his government's irreversible commitment to the continuing democratization process, as testified by the plans for presidential elections in June.

Gabon

1.3.43. Visit by Mr Marín to Libreville on 18 March.

Mr Marín met President Bongo of Gabon. He spoke of the importance that the Commission attached to maintaining the process of democratization in Gabon and to the respect of human rights. He also referred to the aid that the Community was contributing to Gabon under the Lomé Convention to help overcome the country's economic crisis.

Namibia

1.3.44. Visit by Mr Marín to Windhoek from 15 to 17 March.

Mr Marín met President Nujoma and Mr H. Geingob, Prime Minister. After discussions which mainly concerned the programmes for cooperation between the Community and Namibia, they signed the indicative programme provided for by the fourth Lomé Convention. President Nujoma expressed satisfaction with the considerable amount of aid that the Community had granted Namibia both before and after its independence. By way of development aid and under the first Financial Protocol, the country was due to receive ECU 45 million in grants and an additional ECU 6 million in risk capital.

Togo

1.3.45. Visit by Mr Marín on 19 March.

Mr Marín saw Mr Koffigoh, Prime Minister, and confirmed the Community's support for the various participants in the democratic process. He indicated that, although there would be no formal lifting of the suspension of Community aid, the Community was ready to examine any request for aid from the interim government.

General development cooperation

Generalized preferences

1.3.46. Proposal for a Council Regulation applying supplementary generalized tariff

preferences in respect of certain products originating in countries benefiting from generalized preferences and sold at import fairs organized in the Community.

- **Reference:** Council Regulation (EEC) No 1004/91 applying supplementary generalized tariff preferences in respect of certain industrial products originating in countries benefiting from generalized preferences and sold at the Berlin 'Partners in progress' Fair: OJ L 105, 25.4.1991; Bull. EC 4-1991, point 1.3.54

Adopted by the Commission on 31 March. With the supplementary tariff preferences granted in respect of certain products sold at the Berlin Fair due to be renewed, the aim of this proposal is to extend these preferences to products exhibited at other fairs in the Community which, like the Berlin Fair, seek to promote developing countries' trade.

COM(92) 124

Commodities and world agreements

Cocoa

1.3.47. Council Decision 92/202/EEC on the conclusion of the 1986 International Cocoa Agreement.

- **Reference:** International Cocoa Agreement: Bull. EC 7/8-1986, point 2.2.32

Adopted by the Council on 26 March.

OJ L 89, 4.4.1992

Sugar

1.3.48. United Nations conference on the renegotiation of the International Sugar Agreement.

- **Reference:** Council Decision 88/106/EEC on the signing and conclusion of the International Sugar Agreement: OJ L 58, 3.3.1988; Bull. EC 12-1987, point 2.2.44
- **Recommendation for a Decision:** Bull. EC 11-1991, point 1.3.72
- **Negotiating directives:** Bull. EC 12-1991, point 1.3.46

Meeting held in Geneva from 16 to 20 March. The Commission represented the Community at this conference, which brought together 57 countries. As a result of the conference, a new international Agreement was drawn up to replace the 1987 one. This new Agreement puts the emphasis in particular on non-traditional uses for sugar. With the exception of the United States, it was approved by all the delegations attending the conference.

Humanitarian aid

Food aid

- **Basic Regulation:** Council Regulation (EEC) No 3972/86 on food aid policy and food aid management (OJ L 370, 30.12.1986; Bull. EC 12-1986, point 2.2.31), as last amended by Regulation (EEC) No 1930/90: OJ L 174, 7.7.1990; Bull. EC 6-1990, point 1.4.43

1.3.49. Storage and early warning operations.

- **Basic Regulation:** Council Regulation (EEC) No 2507/88 on the implementation of storage programmes and early warning systems: OJ L 220, 11.8.1988; Bull. EC 7/8-1988, point 2.2.47

Commission decision to grant ECU 76 135 to the Horn of Africa via the International Committee of the Red Cross.

1.3.50. Contributions to the purchase of foodstuffs and seeds by international bodies or non-governmental organizations.

Commission decision to grant ECU 2 million to the NGO Concern for Sudan.

1.3.51. Emergency food aid.

Commission decision to grant ECU 2 062 925 to Angola via the World Food Programme for transport in the interior of Angola, handling and storage of products allocated to Angola in April 1991.

Emergency aid

1.3.52. Commission decisions: see Table 15.

Table 15 — *Emergency aid*

		<i>(million ECU)</i>
Country/region	Purpose	Amount
Angola	End of civil war: measles epidemic	2.0
Azerbaijan	Disturbances	0.5
Bangladesh	Refugees from Myanmar	0.5
Kenya	Somalian refugees	0.65
Mauritania	Tuareg refugees	1.0
Somalia	Fighting	0.65
Turkey	Earthquake	0.5
Yugoslavia	Fighting	3.0

Cooperation via non-governmental organizations

1.3.53. *Projects in developing countries.*

Commission cofinancing: commitment of ECU 9.96 million for 37 operations presented by 21 NGOs.

1.3.54. *Campaigns to raise public awareness of development issues.*

Commission contribution of ECU 0.65 million for six operations.

Commercial policy

General matters

Commercial policy instruments

Trade protection

Council anti-dumping measures

1.3.55. Council Regulation (EEC) No 729/92 imposing a definitive anti-dumping duty on imports of certain types of thermal paper originating in Japan and definitively collecting the provisional anti-dumping duty.

- **Commission proposal:** COM(92) 57; Bull. EC 1/2-1992, point 1.4.77

Adopted by the Council on 16 March.
OJ L 81, 26.3.1992

1.3.56. Council Regulation (EEC) No 738/92 imposing a definitive anti-dumping duty on imports of cotton yarn originating in Brazil and Turkey and definitively collecting the provisional duty.

- **Commission proposal:** COM(92) 67; Bull. EC 1/2-1991, point 1.4.75

Adopted by the Council on 23 March.
OJ L 82, 27.3.1992

1.3.57. Council Regulation (EEC) No 830/92 imposing a definitive anti-dumping duty on imports of certain polyester yarns (man-made staple fibres) originating in Taiwan, Indonesia, India, the People's Republic of China and Turkey and definitively collecting the provisional duty.

Proposal adopted by the Commission on 3 March.
COM(92) 77

Adopted by the Council on 30 March.
OJ L 88, 3.4.1992

1.3.58. Council Regulation (EEC) No 819/92 amending Regulation (EEC) No 112/90 imposing a definitive anti-dumping duty on imports of certain compact-disc players originating in Japan and the Republic of Korea and definitively collecting the provisional duty.

Proposal adopted by the Commission on 5 March.
COM(92) 83

Adopted by the Council on 30 March.
OJ L 87, 2.4.1992

Commission anti-dumping measures

1.3.59. Anti-dumping proceeding concerning imports of refined antimony trioxide originating in the People's Republic of China.

Notice of initiation published on 21 March.
OJ C 72, 21.3.1992

1.3.60. Commission Regulation (EEC) No 906/92 imposing a definitive anti-dumping duty on imports of silicon metal originating in Brazil.

- **Reference:** Initiation: OJ C 296, 27.11.1990; Bull. EC 11-1990, point 1.4.54

Adopted by the Commission on 30 March.
OJ L 96, 10.4.1992

1.3.61. Commission Decision No 891/92/ECSC imposing a provisional anti-dumping duty on imports of certain semi-finished products of alloy steel, originating in Turkey and Brazil.

- Reference: Initiation: OJ C 144, 14.6.1990; Bull. EC 6-1990, point 1.4.56

Adopted by the Commission on 30 March.
OJ L 95, 9.4.1992

1.3.62. Review of anti-dumping measures applicable to certain imports of gas-fuelled non-refillable pocket flint lighters originating in the People's Republic of China.

- Reference: Definitive duty: OJ L 326, 28.11.1991; Bull. EC 11-1991, point 1.3.81

Notice of initiation published on 11 March.
OJ C 62, 11.3.1992

1.3.63. Commission Decision 92/177/EEC accepting an undertaking given by a Japanese producer (Tomoe-gawa Paper Co. Ltd) in connection with the anti-dumping proceeding concerning imports of certain kinds of thermal paper originating in Japan, and terminating the investigation with regard to the producer in question.

- References:
Provisional duty: OJ L 270, 26.9.1991; Bull. EC 9-1991, point 1.3.59
Definitive duty: OJ L 81, 26.3.1992; point 1.3.55 of this Bulletin

Adopted by the Commission on 16 March.
OJ L 81, 26.3.1992

1.3.64. Expiry of measures concerning certain types of multi-phase electric motors originating in Bulgaria, Hungary, Poland, Czechoslovakia and the Soviet Union.

- Reference: Definitive duty: OJ L 83, 27.3.1987

Notice published on 31 March.
OJ C 80, 31.3.1992

1.3.65. Expiry of measures concerning certain types of multi-phase electric motors originating in Romania.

- Reference: Undertakings: OJ L 83, 27.3.1987

Notice published on 31 March.
OJ C 80, 31.3.1992

1.3.66. Commission Decision 92/179/EEC terminating the anti-dumping proceeding concerning imports of cotton yarn originating in Egypt.

- References:
Initiation: OJ C 72, 22.3.1990; Bull. EC 3-1990, point 1.2.67
Provisional duty: OJ L 271, 27.9.1991; Bull. EC 9-1991, point 1.3.60

Adopted by the Commission on 27 March.
OJ L 82, 27.3.1992

Illicit commercial practices

1.3.67. Commission Decision 92/169/EEC suspending the examination procedure concerning illicit commercial practices within the meaning of Council Regulation (EEC) No 2641/84 consisting of the imposition in Japan of a port charge or fee used for the creation of a Harbour Management Fund.

- References:
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; Bull. EC 9-1984, point 2.2.5
Initiation: OJ C 287, 5.11.1991

Adopted by the Commission on 9 March.
OJ L 74, 20.3.1992

Community surveillance

1.3.68. Council Regulation (EEC) No 601/92 on the introduction of a prior surveillance system for imports of certain textile products originating in Albania, the Republic of Estonia, the Republic of Latvia and the Republic of Lithuania.

- **Commission proposal:** COM(91) 542; Bull. EC 12-1991, point 1.3.82

Adopted by the Council on 2 March. Pending the conclusion of bilateral agreements with Albania, Estonia, Latvia and Lithuania, there is a need to arrange for monitoring of imports of textile products from those countries.

OJ L 65, 11.3.1992

***Treaties and trade agreements:
extension or automatic renewal***

1.3.69. Proposal for a Council Decision authorizing extension or tacit renewal of certain trade agreements concluded between Member States and third countries.

Adopted by the Commission on 13 March. The Decision authorizes the extension or tacit renewal of agreements expiring during the period from 1 February to 30 April or which contain termination clauses requiring notice to be given during that period.

COM(92) 86

1.3.70. Proposal for a Council Decision authorizing the automatic renewal or maintenance in force of provisions governing matters covered by the common commercial policy contained in the friendship, trade and navigation treaties and similar agreements concluded between Member States and third countries.

Adopted by the Commission on 13 March. The Decision authorizes the automatic renewal or maintenance in force of provisions governing matters contained in the friendship, trade and navigation treaties and similar agreements and covered by the common commercial policy until 31 December 1993.

COM(92) 85

Import arrangements

1.3.71. Council Regulation (EEC) No 842/92 amending Regulations (EEC)

Nos 288/82, 1765/82 and 3420/83 in order to establish the import arrangements for products originating in the independent States resulting from the former Soviet Union and suspend the application of certain quantitative restrictions to the Yugoslav Republic of Montenegro.

- **Commission proposal:** Bull. EC 1/2-1992, point 1.4.98

Adopted by the Council on 30 March.

OJ L 89, 4.4.1992

1.3.72. Council Decision 92/203/EEC amending Decision 91/667/EEC on import quotas to be opened by the Member States in respect of State-trading countries in 1991 in order to take account of the dissolution of the USSR.

- **Commission proposal:** Bull. EC 1/2-1992, point 1.4.99

Adopted by the Council on 31 March.

OJ L 89, 4.4.1992

Individual sectors

Textiles

1.3.73. Recommendation for a Council Decision concerning the opening of negotiations with Albania and the Republics of Estonia, Latvia and Lithuania with a view to concluding bilateral agreements on trade in textile products.

Adopted by the Commission on 16 March. Imports of textiles originating in Albania, Estonia, Latvia and Lithuania have to be covered by arrangements consistent with the Community's commercial policy on textiles, and at the same time support has to be given to these countries' economic restructuring efforts.

1.3.74. Proposal for a Council Regulation amending Regulation (EEC) No 3301/92 on

the arrangements for imports of certain textile products originating in Yugoslavia.

- **Council Regulation to be amended:** Regulation (EEC) No 330/91 (OJ L 315, 15.11.1991; Bull. EC 11-1991, point 1.3.20), as extended by Regulation (EEC) No 52/92: OJ L 6, 11.1.1992

Adopted by the Commission on 10 March. The quantitative restrictions provided for under the autonomous arrangements with the former Republic of Yugoslavia can in this way still be applied to textile imports from the Yugoslav Republics of Bosnia-Herzegovina, Macedonia, Montenegro and Serbia and the Republics of Croatia and Slovenia.

COM(92) 75

1.3.75. Proposal for a Council Decision on the conclusion of the Agreement in the form of an exchange of letters amending the Agreement between the European Economic Community and the Federative Republic of Brazil on trade in textile products.

- **Reference:** Agreement between the Community and Brazil on trade in textile products: OJ L 263, 14.9.1987
- **Decision to be repealed:** Council Decision 92/114/EEC on the provisional application of the Agreement in the form of an exchange of letters amending the Agreement between the European Economic Community and the Federative Republic of Brazil on trade in textile products: OJ L 43, 19.2.1992; Bull. EC 1/2-1992, point 1.4.100

Adopted by the Commission on 26 March. This Decision enables the Agreement between the Community and Brazil on trade in textile products to be extended until 31 December 1992. This replaces the extension which ran until 31 March and which was provisionally applied by virtue of Decision 92/114/EEC.

COM(92) 118

International organizations and conferences

General Agreement on Tariffs and Trade

Multilateral trade negotiations

1.3.76. Council communiqué on the Uruguay Round.

- **Reference:** Previous communiqué: Bull. EC 12-1991, point 1.3.93

Adopted by the Council on 2 March.

'The Council expressed its concern about the slow progress achieved up to now, in particular as regards the negotiations on the parts of the Dunkel paper it had considered inadequate for an early, substantial and balanced outcome at its previous meetings.

The Council underlined the Community's firm conviction that an early positive conclusion of the Round would be beneficial for the international community as a whole and should constitute an important element in the efforts to reverse the present economic slow-down.

The Council invited all participants in the negotiation to speed up the present negotiations on market access and instructed the Commission to present the schedules for the agriculture products as soon as possible to GATT. However, the presentation of these schedules by the Commission will not prejudice the outcome of the decisions to be taken by the Council at a later stage on these issues.

The Council invited the Commission to prepare a complete evaluation of the possibilities of concluding the Round in the near future so that the Council would be able to proceed to a full, political assessment at its next session.'

1.3.77. Parliament resolution on GATT and the banana trade.

Adopted by Parliament on 12 March. In view of the specific rules governing Community banana production and the banana trade between the ACP States and the Community, Parliament called for the with-

drawal of this product from the products subject to GATT negotiating proposals.

It urged the Commission to put forward proposals on the setting-up of a permanent system to protect Community and ACP banana production with a view to the 1992 internal market.

OJ C 94, 13.4.1992

Conference on Security and Cooperation in Europe

1.3.78. *Fourth follow-up meeting.*

- **References:**

End of the third follow-up meeting: Bull. EC 1-1989, point 2.2.33

Paris Summit: Bull. EC 11-1990, points I.1 and 2.2.1

Commission communication to the Council concerning the follow-up meeting: Bull. EC 11-1991, point 1.3.95

Recommendation for a decision on the setting-up of an International Science and Technology Centre: point 1.3.9 of this Bulletin.

Council agreement on a common position of the Community and its Member States adopted on 2 March. This meeting will be the first opportunity since the Paris Summit to make a comprehensive evaluation of the fundamental changes in Central Europe and the former Soviet Union in order to assess their repercussions on the CSCE and reach agreement on the future development of the Helsinki process. To this end the Community and its Member States intend to place emphasis on implementation of commitments already made in the CSCE and give fresh impetus to cooperation, particularly in the fields of science and technology, telecommunications, the environment, transport, tourism and human resources.

Opening session in Helsinki on 24 March. At the opening plenary session Mr Andriessen described Community cooperation with the States of the former Soviet Union. He called on the countries engaged in reform and aid donors to focus their efforts on priorities and referred to the proposed International Science and Technology Cen-

tre. He concluded by noting that security, stability and economic progress were the key elements for both the Community and the CSCE.

Mr de Deus Pinheiro, President of the Council, set out the Community's position on the Helsinki agenda items concerning CSCE structures and machinery, enhanced security in Europe and the human dimension.

Foreign Ministers participating at the meeting decided to admit Georgia, Croatia and Slovenia as participating States, bringing the number to 51. They also decided to hold a conference in Minsk on Nagorno-Karabakh under CSCE auspices, which would be attended by representatives of the 11 countries most closely concerned and Nagorno-Karabakh.

The meeting agreed to put the following topics on the agenda: development of CSCE institutions and structures, crisis management and conflict prevention; a CSCE forum for security cooperation and new negotiations on arms control and disarmament; economic cooperation, especially in the Mediterranean. At the end of the meeting, on 9 and 10 July, there will be a summit meeting involving the Heads of State or Government and the Community.

European Bank for Reconstruction and Development

- **Reference:** Strasbourg European Council: Bull. EC 12-1989, point 1.1.14

Operations by the Bank

1.3.79. In March the Bank revised upwards its borrowing programme; ECU 900 million is authorized for 1992, 100 million of which has already been issued. It also adopted the guidelines for operations in the telecommunications sector, which accounts for a substantial number of the projects already financed. It announced the following operations:

Bulgaria

1.3.80. Bulgaria received an ECU 40 million loan, cofinanced with the EIB, to complete the Maritza Est II power station. This will increase local energy supplies, transfer know-how about cleaning-up techniques and help the switch to different energy sources made necessary by the dangerous state of the Kozloduy nuclear power station.

Central and Eastern Europe

1.3.81. The Bank and Société générale (France) are setting up a joint credit line for SMEs in Central and Eastern Europe, starting with Hungary, Romania and Czechoslovakia. The USD 50 million (ECU 40.9 million) credit line will be 50% financed by the EBRD for operations costing up to ECU 6.4 million. The setting-up of this facility is part of a policy of working with other financial intermediaries to provide financing for SMEs in the region.

Czechoslovakia

1.3.82. The Bank will invest in the national air carrier CSA by taking a 20% holding for ECU 23 million in agreement with Air France, which will also take a 20% stake, if their investment plan is approved by the Czechoslovak authorities under the privatization programme for the company. The investment plan aims to modernize the fleet and will allow CSA to benefit from Air France's distribution channels and receive significant transfers of know-how.

Human rights in the world

Colombia

1.3.83. Parliament resolution on the suffering of abandoned children in Colombia.

Adopted on 12 March. Parliament welcomed the efforts of the Colombian Government to do everything in its power to stop the murders of children by the police and to bring those responsible to justice. It called on the Commission to examine urgently ways in which it could assist organizations trying to help these children and called on the Foreign Ministers meeting in European political cooperation to make clear to the Colombian Government their concern about this matter.

OJ C 94, 13.4.1992

1.3.84. Parliament resolution on the murder of vagrants and the sale of their corpses to the medical faculty in Barranquilla.

Adopted on 12 March. Parliament called on the Colombian Government to take the legal measures necessary to establish the facts and impose exemplary sentences on the perpetrators. It called on the Commission, the Council Presidency and European political cooperation to express concern to the Colombian Government.

OJ C 94, 13.4.1992

Côte d'Ivoire

1.3.85. *Parliament resolution on human rights violations in Côte d'Ivoire.*

Adopted on 12 March. Deeply concerned by the imprisonment of trade union leaders and all the activists from political opposition parties arrested for non-violent political activities, Parliament deplored the unacceptable repression of the Côte d'Ivoire, opposition, whose rights had been constantly infringed despite the recognition of a multiparty political system in April 1990. It called on the Council and the Commission, on the basis of the commitments entered into by the signatories to the Lomé Convention, to exert pressure on the Côte d'Ivoire authorities to secure the release of the opposition leaders and the institution of criminal proceedings in the light of the report by the committee of inquiry into

military violence on the campus of Abidjan's University in May 1991.

OJ C 94, 13.4.1992

India and Pakistan

1.3.86. Parliament resolution on heightened tension in Jammu and Kashmir State.

Adopted on 12 March. Deeply concerned by the situation in this region, Parliament condemned all acts of terrorism and repression and abuses of human rights, emphasizing that such acts could influence the Community's relations with India and Pakistan.

OJ C 94, 13.4.1992

Iran

1.3.87. Parliament resolution on the violation of human rights in Iran.

- Reference: Parliament resolution: OJ C 129, 20.5.1991; Bull. EC 4-1991, point 1.3.85

Adopted on 12 March. Parliament called on the Foreign Ministers meeting in European political cooperation to condemn the severe and systematic violations of human rights in Iran, in particular the growing number of extrajudicial executions and arbitrary mass arrests of citizens taking part in demonstrations and protests.

OJ C 94, 13.4.1992

Peru

1.3.88. Parliament resolution on the assassination of María Moyano in El Salvador (Peru).

Adopted on 12 March. Parliament condemned the assassination on 15 February by Sendero Luminoso guerrillas of María Elena Moyano, the Unified Left Coalition deputy mayor of El Salvador in Peru. It called on the Commission and the Member States to step up cooperation programmes in Peru, where democracy was threatened

by serious social problems, and to make special efforts to ensure the economic and social development of El Salvador, that being the only effective means of opposing the violence of Sendero Luminoso.

OJ C 94, 13.4.1992

Death penalty

1.3.89. Parliament resolution on the death penalty.

Adopted on 12 March. Noting that the laws of 132 out of 181 States in the international community still provided for the death penalty (for ordinary crimes in 116 countries and for exceptional crimes in 16 more) and that it was still being applied in 96 countries, some of them democracies, Parliament urged the Council, the Commission and, as far as they could, the Member States to:

(i) work within the United Nations to secure a binding decision imposing a general moratorium on the death penalty;

(ii) conduct their foreign policy, especially in the sector of agreements and economic cooperation, in such a way as to ensure that human rights are fully respected and, in particular, that the abolition of the death penalty becomes a factor of crucial importance, bearing in mind, however, that the Community's bargaining power in this sphere will be diminished as long as the death penalty remains in some Member States;

(iii) promote a widespread information campaign to bring home to the public the fact that the death penalty is both ineffective and unacceptable.

OJ C 94, 13.4.1992

Indigenous peoples

1.3.90. Parliament resolution on 1992, indigenous peoples and the quincentenary.

Adopted on 12 March. With 1992 being the year of the commemoration of the 500th anniversary of the arrival of Europeans in

America and its impact on indigenous civilizations, and 1993 to be proclaimed by the UN as the 'Year of the Indigenous Peoples', Parliament called on the Community institutions to allocate funding for special projects with indigenous peoples in developing countries, executed by and for the indigenous communities. It called on international organizations and governments to consult indigenous peoples on any economic activity, planning project or other project concerning them. It called on the Commission, the World Bank and the IMF to include in their criteria for financing development programmes both environmental impact assessments and analyses of the impact on indigenous peoples.

OJ C 94, 13.4.1992

Diplomatic relations

1.3.91. The following ambassadors, whose appointments took effect on the dates shown, presented their letters of credence to the President of the Council and the President of the Commission:

27 March

HE Mr Humberto Jiron, Head of Mission of the Republic of Panama to the European Communities;

HE Mr Pablo Gomez Velasquez, Head of Mission of the Republic of Honduras to the European Communities;

HE Mr Clyde Kull, Head of Mission of the Republic of Estonia to the European Communities;

31 March

HE Mr Alfredo Cañete, Head of Mission of the Republic of Paraguay to the European Economic Community;

He Mr Ivan Silayev, Head of Mission of Russia to the European Communities.

The Head of Mission of the Republic of Estonia is the first ambassador from that country to be accredited to the European Communities. This brings the number of diplomatic missions to 148.

4. Intergovernmental cooperation

European political cooperation

1.4.1. The joint statements adopted and published in March are reproduced below in chronological order.

Bosnia-Herzegovina

1.4.2. The following statement by the presidency on events in Sarajevo was published in Lisbon and Brussels on 2 March:

'The Presidency, on behalf of the Community and its Member States, condemns the recent violence in Sarajevo following the referendum on the future status of the Republic, held on 29 February and 1 March 1992. It calls upon all parties concerned to refrain from any action which may impede their continuing and constructive participation in the talks on constitutional arrangements.

The Presidency recalls the commitments accepted by all parties regarding the security of all observers present in the Republic and calls upon those parties to take immediate measures to ensure the freedom of movement in safety of all observers.'

Romania

1.4.3. The following joint statement was published in Lisbon and Brussels on 10 March:

'The Community and its Member States note that local elections were held in Romania on 9 and 23 February in a generally free and fair manner. Indeed the large number of Romanian and international observers present at the polls did not, reportedly, identify fundamental shortcomings in the way these elections were carried out.

The holding of these first free local elections in Romania for many years is welcomed by the Community and its Member States. They therefore express the hope that the local polls will be followed by the holding of parliamentary elections within three months, as already agreed by the Romanian Prime Minister and the political parties.'

Nagorno-Karabakh

1.4.4. The following joint statement was published in Lisbon and Brussels on 10 March:

'The Russian Federation and the Community and its Member States are profoundly concerned about

the continuing conflict over Nagorno-Karabakh, which threatens to grow into a protracted and bloody war. Such a development would be tragic for the Armenian and Azeri peoples and could threaten regional and international security.

The European Community and its Member States and the Russian Federation therefore urge the conflicting parties to honour the immediate cease-fire they agreed to call for in Moscow on 20 February, and as called for by Senior Officials of the CSCE in Prague on 28 January, before the situation deteriorates still further. It is urgent and necessary that they start immediately to implement the decisions taken at that meeting.

The European Community and its Member States and the Russian Federation welcome the request by CSCE participating states to the CSCE Chairman in office to stand ready to participate in the mediation efforts as necessary. In this context, they stress the importance of the meeting of the Committee of Senior Officials on 11 March.

The European Community and its Member States express their support for the mediation efforts undertaken by the Russian Federation, as manifested in the initiatives by the President of Russia and in the meeting held on 20 February in Moscow between the Foreign Ministers of Armenia, Azerbaijan and Russia at the suggestion of the Russian Minister of Foreign Affairs. The implementation of the agreements reached at that meeting could reduce tensions over Nagorno-Karabakh and create the necessary conditions for substantive negotiations.

The European Community and its Member States and the Russian Federation support the call for the setting-up of safe corridors for the channelling of humanitarian aid in accordance with the request made by the Chairman in office of the CSCE. They welcome the agreement by the conflicting parties to the involvement of the International Committee of the Red Cross in the dispute and hope that the ICRC and other non-governmental organizations will have the leading role in the supply of humanitarian aid to the victims of this dispute.

The Russian Federation and the Community and its Member States strongly appeal to both parties to the conflict to respect the letter and spirit of the CSCE Helsinki Final Act and the Paris Charter, as well as the guiding principles of the United Nations.'

Yugoslav republics

1.4.5. The following joint statement on recognition of Yugoslav republics was pub-

lished in Lisbon, Washington and Brussels on 10 March:

- **Reference:** Joint Statement of 16 December 1991 on the recognition of new States in Eastern Europe and the Soviet Union: Bull. EC 12-1991, point 1.4.5

'The Community and its Member States and the United States reiterate their strong support for the UN peacekeeping plan, for the EC Peace Conference chaired by Lord Carrington and for the key principles underlying the search for a political settlement of the Yugoslav crisis at the EC Conference: no changes in the borders of the Yugoslav republics by force or in the absence of mutual consent, strong protection for human rights and the rights of all national and ethnic groups in all republics.

The Community and its Member States and the United States have agreed to coordinate their approaches to completing the process of recognizing those Yugoslav republics that seek independence.

The Community and its Member States, bearing in mind its declaration on 16 December 1991, and the United States are agreed:

(i) that the United States will, in this context, give rapid and positive consideration to the requests for recognition by Croatia and Slovenia in such a way as to support the dual-track approach based on the deployment of the UN peacekeeping force and the European Community Peace Conference chaired by Lord Carrington;

(ii) that the Community and its Member States and the United States will also coordinate their approach to Serbia and Montenegro, which have expressed the wish to form a common state, and lay particular emphasis on their demonstrable respect for the territorial integrity of the other republics and for the rights of minorities on their territory as well as their willingness to negotiate Yugoslav State succession issues at the EC Conference on the basis of mutual agreement with the other four republics;

(iii) and that positive consideration should be given to the requests for recognition of the other two republics, contingent on the resolution of the remaining European Community questions relating to those two republics. In this context, they strongly urge all parties in Bosnia-Herzegovina to adopt without delay constitutional arrangements that will provide for a peaceful and harmonious development of this republic within its existing borders. The Community and its Member States and the United States also agreed strongly to

oppose any effort to undermine the stability and territorial integrity of those two republics.'

Mozambique

1.4.6. The following joint statement was published in Lisbon and Brussels on 17 March:

- **Reference:** Joint statement of 27 May 1991: Bull. EC 5-1991, point 1.4.12

'The Community and its Member States, who have been following from the outset the course of the peace negotiations between the Government of Mozambique and Renamo, welcome the signing of Protocol III, concerning the electoral law and citizens' rights, which took place in Rome on 12 March.

They hope that this important new development for the process of national reconciliation will be followed by a significant decrease in the intensity of fighting on the ground before the signing of the cease-fire agreement.

Recalling their statement of 27 May 1991, the Community and its Member States reiterate their support for the efforts of the mediators and encourage the negotiating parties to pursue their efforts towards the bringing about of a final comprehensive peace agreement.'

South Africa

1.4.7. The following joint statement was published in Lisbon and Brussels on 19 March:

- **Reference:** Statement of 26 February on South Africa: Bull. EC 1/2-1992, point 1.5.28

'The Community and its Member States welcome the outcome of the referendum held in South Africa, which will allow the determined pursuit of the democratization process initiated more than two years ago.

They consider that the outcome of the referendum and the responsible attitude of all sections of the population during the campaign and the ballot clearly demonstrate the commitment of the South African people to the transformation process under way in their country. They are confident that all South Africans will be involved in future consultations.

Recalling their statement of 26 February 1992 the Community and its member States reiterate the

importance they attach to the work of the Convention for a Democratic South Africa, as a unique opportunity for the peaceful transformation of South Africa. In this context, they commend the courageous stance of President De Klerk and Mr Nelson Mandela.

The Community and its Member States will continue to support the creation of a democratic and non-racial South Africa and the well-being of all its people.'

Burmese refugees in Bangladesh

1.4.8. The following joint statement was published in Lisbon and Brussels on 20 March:

'The Community and its Member States express their deepening concern at the policies of the Burmese military authorities which have caused about 140 000 Muslim refugees to flee into Bangladesh. The refugees' suffering has created a sense of horror among the international community and places a burden on those providing essential humanitarian assistance. The Bangladesh authorities are making a great effort to cope with a difficult situation and attempting to reduce the suffering of refugees by allowing international relief organizations access to their camps. The Community and its Member States welcome the UN Secretary-General's statement on this matter on 6 March 1992 and wish to stress their concern at the threat to regional stability caused by the Burmese actions.

The Community and its Member States note that other minorities in Myanmar are also suffering intolerable repression, and repeat the terms of the *démarche* they made to the Burmese authorities in Rangoon on 2 March 1992:

- (i) to call on the military government to reassure all elements of the local population of their willingness to guarantee their human and civil rights in accordance with the UN Charter and related internationally recognized norms;
- (ii) to urge the military government to refrain from taking further military action against minorities;
- (iii) to call on the military government to confirm their readiness to seek peaceful solutions to all ethnic conflicts which will benefit all those living in Burma.'

Georgia

1.4.9. The following joint statement on recognition of the Republic of Georgia was

published in Lisbon and Brussels on 23 March:

References:

- Joint statement of 16 December 1991 concerning guidelines on the recognition of new States in Eastern Europe and the Soviet Union:
- Joint statement of 31 December 1991 on recognition of former Soviet Republics: Bull. EC 12-1991, point 1.4.13

'The Community and its Member States welcome the assurances expressed by Georgia to fulfil the requirements contained in the Declaration on the "Guidelines on the recognition of the new States in Eastern Europe and the Soviet Union", adopted by the Community and its Member States on 16 and 31 December 1991. They are, thus, ready to proceed with the recognition of Georgia.

The Community and its Member States note with satisfaction that all the Republics of the former Soviet Union have now committed themselves to the abovementioned guidelines.

With regard to Georgia, they welcome in particular:

- (i) the acceptance of international obligations and of the commitments outlined in the UN Charter and the Helsinki Final Act, the Charter of Paris and all other CSCE documents, especially with regard to the rule of law, democracy and human rights;
- (ii) the guarantee of the rights of ethnic and national groups and minorities in accordance with the commitments subscribed in the CSCE framework;
- (iii) Georgia's commitment to recognize and respect the inviolability of all borders, which can only be changed by peaceful means and by common agreement;
- (iv) the commitment to settle by agreement, including where appropriate by recourse to arbitration, all issues concerning State succession and regional disputes;
- (v) the acceptance of all relevant commitments with regard to disarmament and nuclear non-proliferation as well as to security and regional stability as a non-nuclear-weapon State.'

Kenya

1.4.10. The following joint statement was published in Lisbon and Brussels on 24 March:

'The Community and its Member States have been following with grave concern the recent marked increase in violence throughout the country, notably in Western Kenya. They strongly support the process of political reform recently initiated in Kenya which would be put at risk by a continuation of this violence.

The Community and its Member States therefore appeal to all those involved in the political process to embark on a constructive dialogue in order to lessen the existing tension and to create the necessary conditions for free and fair elections.

They reiterate the need for all concerned to show moderation and restraint and to work in a spirit of reconciliation for an early return to stability so as to enable progress towards democracy and prosperity.'

Ethiopia

1.4.11. The following joint statement was published in Lisbon and Brussels on 27 March:

'The EC and its Member States have from the beginning supported the process of democratiza-

tion in Ethiopia which was initiated by the National Conference held in Addis Ababa in July 1991. The recent signature of a revised national indicative programme with Ethiopia, providing for over ECU 200 million of assistance under the Lomé IV Convention, together with Member States' bilateral assistance programmes, shows their readiness to support this process. But they firmly believe that the holding of elections, to be preceded by encampment of the armed forces of the groups involved, as set out in government proclamations, is the essential next step in taking this process forward.

They have therefore watched with increasing anxiety over recent weeks the difficulties apparently preventing the electoral process from moving forward. They urge the parties involved to conclude their negotiations over encampment of troops rapidly, and show the essential spirit of compromise. In this way the process intended to lead to free and fair elections can get under way again. Any other way forward, in particular any resumption of fighting, is not in the interests of Ethiopia as a whole, or of the country's future development.

The European Community and its Member States would be deeply concerned by any abandonment of the process of democratization.'

5. Financing Community activities

Budgets

1.5.1. With a view to giving effect to its communication 'From the Single Act to Maastricht and beyond: The means to match our ambitions', the Commission adopted a series of supporting documents setting out detailed financial and budget proposals reflecting the new guidelines for Community policies. As well as reviewing achievements and presenting the future outlook for the structural policies, the Commission proposes a new framework for the Community's finances between now and 1997 (→ point 1.1.2), which will apply during the second stage of economic and monetary union and translates into budget terms the extension of the powers devolving upon the Community under European Union. These proposals draw on the lessons learned from the 1988 reform and are based in particular on a report on the application of the Interinstitutional Agreement (→ point 1.1.4) and on the report on the own resources system (→ point 1.1.3).

General budget

Budgetary procedures

1991 financial year

1.5.2. Parliament resolution on the closure of Parliament's accounts for the 1991 financial year (administrative expenditure).

Adopted on 12 March.

OJ C 94, 13.4.1992

1992 financial year

Supplementary and amending budget

1.5.3. Draft supplementary and amending budget No 1/92.

- **References:** General budget of the European Communities for 1992: OJ L 26, 3.2.1992; Bull. EC 12-1991, point 1.5.1
- **Interinstitutional Agreement:** Bull. EC 1/2-1992, point 1.6.2
- **Commission's preliminary draft:** Bull. EC 1/2-1992, point 1.6.3

Adopted by the Council on 2 March. The main purpose of draft supplementary and amending budget No 1/1992 is to enter in the budget all the components underlying the revision of the financial perspective for 1992:

- (i) an increase in the allocations for technical cooperation with the former Soviet Union (ECU 450 million in commitment appropriations and ECU 200 million in payment appropriations);
- (ii) an increase in the allocations for the structural Funds (ECU 100 million);
- (iii) an increase in appropriations for the tropical forests (ECU 50 million);
- (iv) an increase in the staff and administrative appropriations for the Commission and in the administrative appropriations for the Court of Justice (ECU 40 million);
- (v) a reduction in the research appropriations.

Endorsed by Parliament (first reading) on 11 March. Parliament welcomed the measures entered by the Council in draft supplementary and amending budget No 1, in particular the cover provided for the financial impact of relations with Eastern Europe and the CIS. It did, however, make some minor amendments to the remarks on tropical forests and to the appropriations for research and technological development.

It also felt that its establishment plan should be boosted to allow for its new tasks, it approved the Council's decision to align its budget on the budgets of the other institutions and it supported the increase in the allocations to cover the rental needs of the Court of Justice.

OJ C 94, 13.4.1992

Discharge procedure**1990 financial year***Discharge in respect of the general budget*

1.5.4. 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 1990.

Adopted on 16 March.

Discharge in respect of EDF operations

1.5.5. Council recommendation concerning the discharge to be given to the Commission in respect of the financial management of the fourth EDF for 1990.

Adopted on 16 March.

1.5.6. Council recommendation concerning the discharge to be given to the Commission in respect of the financial management of the fifth EDF for 1990.

Adopted on 16 March.

1.5.7. Council recommendation concerning the discharge to be given to the Commission in respect of the financial management of the sixth EDF for 1990.

Adopted on 16 March.

Financial operations**Loans raised**

1.5.8. In March the Commission made on behalf of the ECSC:

(i) a number of private placings in guilders, lire and marks for the equivalent of ECU 85.9 million;

(ii) a LIT 500 000 million five-year public issue at 10.30% with an issue price of 101.50%; the proceeds of the loan were swapped for other currencies and floating rates;

(iii) a PTA 10 000 million five-year public issue at 11.125% with an issue price of 100.90%; the proceeds of the loan were swapped for other currencies and floating rates.

Loans granted

1.5.9. Acting under Articles 54 and 56 of the ECSC Treaty, the Commission granted loans in March totalling ECU 29.2 million.

Industrial loans

1.5.10. Industrial loans (Article 54) totalling ECU 11.7 million were made to Italy.

Conversion loans

1.5.11. Conversion loans (Article 56) totalling ECU 16.8 million were made to the United Kingdom and the Netherlands.

Workers' housing

1.5.12. Loans totalling ECU 0.7 million were granted for steelworkers and mine-workers in Germany, France, the United Kingdom, Italy and Luxembourg.

European Investment Bank**Funding**

1.5.13. In March the European Investment Bank, the European Community's financial

institution, granted loans totalling ECU 1.2 billion, of which ECU 15 million went outside the Community.

Community

Links with Community policies

1.5.14. Loans were made for the following measures:

- (i) ECU 425.9 million for the economic development of disadvantaged regions;
- (ii) ECU 120.1 million for the improvement of transport and telecommunications infrastructures of benefit to the Community;
- (iii) ECU 380.1 million for the protection of the environment and the improvement of the quality of life;
- (iv) ECU 482.7 million for the pursuit of Community objectives in the field of energy;
- (v) ECU 14.4 million for the enhancement of the international competitiveness of industry and its integration within the Community.

The Bank also continued its operations to support small and medium-sized businesses (since the beginning of the year, around ECU 357.3 million has been granted in global loans).

Individual loans usually come under several Community policies; some are therefore counted more than once in the above amounts.

Geographical breakdown

Belgium

1.5.15. ECU 71.5 million was granted in the form of global loans to finance small and medium-scale projects.

Germany

1.5.16. ECU 24.6 million was granted for the modernization of the natural gas distribution network in the eastern part of Germany.

Spain

1.5.17. ECU 87.9 million was granted for plant modernization at four oil refineries near Bilbao, Tarragona, La Coruña and Puertollano (Castile-La Mancha).

France

1.5.18. ECU 50.3 million was granted in the form of a global loan to finance small and medium-scale projects and ECU 14.4 million for the development of a high-technology thrust reverser for aircraft engines at two sites, near Paris and in the United Kingdom (Lancashire).

Greece

1.5.19. ECU 5.7 million was provided for irrigation work in eastern Macedonia.

Italy

1.5.20. ECU 97.3 million was granted in the form of global loans to finance small and medium-scale projects. ECU 71.3 million went towards the distribution of natural gas in the Centre-North and in Lombardy. ECU 35.7 million was provided for water supply in Piedmont, combating erosion in Molise and sewerage collection and treatment in Calabria. ECU 60.6 million was for the modernization of a cathode ray tube plant in Lazio, ECU 49.9 million for modernization and environmental protection in an oil refinery in Sardinia, ECU 11.7 million for the extension of an optical fibre plant in Campania, and ECU 7.1 million for fitting out an open dock in the port of

Livorno (Tuscany) to accommodate container ships and roll-on roll-off vessels.

Luxembourg

1.5.21. ECU 30.9 million was provided to purchase and launch a television satellite.

Netherlands

1.5.22. ECU 19.6 million was provided for the construction of a power station in the south-east.

United Kingdom

1.5.23. ECU 279.3 million was lent to build a gas-fired power station east of London. ECU 206.7 million was for water supply and environmental protection, in particular the collection and treatment of

sewerage and solid waste in a number of regions, and ECU 82.1 million for the renewal of the aircraft fleet.

Community development cooperation policy

ACP countries

Senegal

1.5.24. ECU 13 million was lent for the renewal and extension of telecommunications infrastructure in the north of the country.

Kenya

1.5.25. ECU 2 million was granted from risk capital in the form of a global loan to finance small and medium-scale projects.

6. Community institutions

Parliament

Strasbourg: 9 to 13 March

1.6.1. This part-session was largely dominated by debates on the reform of the common agricultural policy and on various aspects of the Community's external relations. The legislative workload was heavy and included the first reading of supplementary and amending budget No 1/1992.

The debate on the reform of the common agricultural policy, during which votes were taken on over 500 amendments, repeatedly highlighted the role played by national and sectoral interests. Parliament decided by a small majority to refer the Commission proposals on cereals, providing notably for a reduction in price levels, and a number of proposals on milk products back to committee, but it did adopt opinions on the other proposals, albeit by widely differing majorities and with amendments, notably on phasing in the proposed reduction in meat production over five years, social support measures for farmers and the financial resources needed to make production more environment-friendly.

Mr Mac Sharry, for the Commission, set out the main objectives of the reform: greater competitiveness through lower prices, a balanced market through control of production, compensation for farmers, and greater respect for the environment. He stressed that the Commission proposals were tailored to the needs of the Community, not the constraints of GATT. And, finally, he expressed reservations regarding the proposed amendments, except the ones relating to social support measures.

In the field of external relations, Parliament debated the situation in Yugoslavia, with particular reference to the type of aid to be supplied. It also discussed the risks arising from nuclear proliferation (→ point 1.3.10) and from pollution in the former Soviet Union following the Chernobyl disaster

(→ point 1.3.18). On the question of aid to the Kurds the House adopted a resolution stressing the need for collaboration with the UN (→ point 1.3.28). For the Commission, Mr Matutes pointed out that substantial sums had already been provided. In a debate on China Mr Dondelinger stated that the Commission would like to see a gradual renewal of the dialogue with the Chinese authorities, with particular stress being placed on the importance for the Community of human rights. The Commission also reported on recent developments in relations with Morocco.

Parliament also held a discussion on the banana trade which highlighted the many implications of this sensitive issue. It called for bananas to be withdrawn from the proposals currently under negotiation within GATT and asked the Commission to submit new proposals for definitive arrangements to protect Community and ACP banana production in anticipation of the internal market (→ point 1.3.77). Finally, Parliament asked for a greater role in decisions to open delegations and offices representing the Community in non-member countries.

Still on external relations, Parliament adopted a number of resolutions on the results of the referendum in South Africa (→ point 1.3.30), United States protectionism (→ point 1.3.29) and the protection of the indigenous population in developing countries, particularly Latin America (→ point 1.3.90). It also gave its views on the trade and cooperation agreement with Albania, which it considered of sufficient importance to justify being consulted (→ point 1.3.14).

During its urgent and topical debate Parliament adopted a number of resolutions on human rights, notably on racism and xenophobia (→ point 1.2.218), the assassination in Peru of Maria Elena Moyano, known as 'Mother Courage' because of her stance against terrorism (→ point 1.3.88), tension in Jammu and Kashmir State (→ point 1.3.86), the sufferings of abandoned chil-

dren and the murder of vagrants in Colombia (→ points 1.3.83 and 1.3.84), and human rights violations in Iran (→ point 1.3.87) and Ivory Coast (→ point 1.3.85). It also condemned the assassination of the Sicilian MEP, Salvatore Lima, and called for the intensification of measures to combat the Mafia.

Also in the course of the debate the House called on the Community to provide assistance for countries afflicted by disasters of various kinds, including the cholera affecting certain regions of Latin America (→ point 1.3.39), the drought in Greece (→ point 1.2.217), pollution in Portugal (→ point 1.2.134) and the mining disaster in Turkey (→ point 1.3.24).

Highly-charged debates were held on two moral issues — the death penalty, and abortion in Ireland. Parliament called on the Member States which had not already done so to abolish the death penalty, still in force in 132 of the 181 States of the International community (→ point 1.3.89). It also welcomed the decision of the Irish Supreme Court in the case of the Irish teenager who had become pregnant as a result of rape and had been denied the possibility of leaving Ireland to have an abortion.

A large number of Members deplored the damage caused to the environment by the construction of sports facilities for the Albertville Winter Olympics and Parliament called for an environmental impact assessment to be carried out by sponsors before they funded large-scale projects and for future Olympic Games to take place on a site which already had the appropriate infrastructure (→ point 1.2.135).

Parliament then moved on to a trouble-free first reading of supplementary and amending budget No 1/92 making two amendments, the first to the remarks on tropical forests and the second to the appropriations for research and technological development (→ point 1.5.3).

This was a productive part-session in legislative terms following the introduction by Parliament of simplified procedures and

new arrangements for grouping amendments. Under the cooperation procedure, 10 opinions were adopted at first reading on freedom of movement for workers (→ point 1.2.93), protection of personal data (→ point 1.2.214), the sulphur content of gasoil (→ point 1.2.199), assistance to the Commission by the Member States in the scientific examination of questions relating to food (→ point 1.2.25), the Forest programme (→ points 1.2.63 and 1.2.64), digital short-range radio (→ point 1.2.71) and the exchange of national officials between Member State administrations (→ point 1.2.100). In the case of the proposal on shipments of wastes Parliament reintroduced the amendments already proposed and designed primarily to impose a total ban on all shipments of waste (→ point 1.2.129).

Parliament delivered opinions at second reading on proposals for seven Directives dealing respectively with satellite broadcasting of television signals (→ point 1.2.219), summer time arrangements (→ point 1.2.75), supervision of credit institutions (→ point 1.2.31), a research and technological development programme in the field of measurements and testing (→ point 1.2.59), requirements for hot-water boilers (→ point 1.2.86), electromagnetic compatibility (→ point 1.2.13) and the labelling of tobacco products (→ point 1.2.216). Parliament also delivered an opinion at second reading on a Decision on the adoption of a common international telephone access code (→ point 1.2.70).

Under the consultation procedure, Parliament gave its opinion on proposals relating to the reform of the common agricultural policy, with particular reference to tobacco, milk products and meat (→ points 1.2.145 to 1.2.148), and collective redundancies (→ point 1.2.95).

It also gave its opinion on proposals relating to taxes and duties on tobacco and cigarettes (→ points 1.2.34 to 1.2.36) and alcoholic beverages (→ point 1.2.37).

On 25 March the Enlarged Bureau of Parliament and the Commission adopted a joint

declaration on priority areas for 1992 with a view to the abolition of internal frontiers and completion of the internal market. They also reiterated their determination to continue the interinstitutional cooperation already initiated, in particular under the code of conduct agreed on 4 April 1990, and agreed to assess its operation when the legislation programme was updated in July.

Report of proceedings:
OJ Annex 3-415
Full text of opinions and resolutions:
OJ C 94, 13.4.1992

Council

1558th meeting

1.6.2. General affairs
(Brussels, 2 March).

- Previous meeting: Bull. EC 1/2-1992, point 1.7.5

President: Mr Pinheiro, Portuguese Minister for Foreign Affairs.

Commission: Mr Delors, Mr Andriessen and Mr Matutes.

Main items

EEA Agreement: conclusions on negotiations adopted (→ point 1.3.2).

Relations with the former USSR: Community participation in the International Centre for Science and Technology agreed (→ point 1.3.6).

Other business

Delors II package: presented by Mr Delors. Fifth meeting of the EEC-Tunisia Cooperation Council: Community position adopted.

Mediterranean financial protocols — new Mediterranean policy: outstanding questions examined.

Uruguay Round: discussed in detail.

Common foreign and security policy: exchange of views.

Preventive diplomacy: paper presented by Belgium favourably received.

Yugoslavia: declaration made on the referendum in Bosnia-Herzegovina.

1559th meeting

1.6.3. Agriculture
(Brussels, 2 and 3 March).

- Previous meeting: Bull. EC 12-1991, point 1.7.7

President: Mr Cunha, Portuguese Minister for Agriculture.

Commission: Mr Mac Sharry.

Main items

Uruguay Round — agricultural aspects: situation reviewed.

Development and future of the common agricultural policy: debate continued.

1560th meeting

1.6.4. Economic and financial affairs
(Brussels, 16 March).

- Previous meeting: Bull. EC 1/2-1992, point 1.7.6

President: Mr Braga de Macedo, Portuguese Minister for Finance.

Commission: Mr Delors, Sir Leon Brittan, Mr Christophersen, Mr Schmidhuber and Mrs Scrivener.

Main items

Relations with the independent States of the former Soviet Union: conclusions adopted (→ point 1.3.5).

Excise duty structures for manufactured tobacco: agreed (→ point 1.2.34).

Court of Auditors' report and Commission discharge for 1990: recommendation adopted (→ point 1.5.4).

Other business

European Investment Bank operations outside the Community: exchange of views.

Delors II package: presentation of Commission proposals continued.

Completion of the single market — credit institutions: favourable reaction on monitoring and controlling large exposures and general discussion on capital adequacy of own funds.

Excise duty on biofuels: proposal for a Directive presented.

Excise duty rates for manufactured tobacco and excise duty rates and structures for mineral oils: discussed in detail.

1561st meeting

1.6.5. Environment
(Brussels, 23 March).

- Previous meeting: Bull. EC 12-1991, point 1.7.6

President: Mr Borrego, Portuguese Minister for the Environment and Natural Resources.

Commission: Mr Ripa di Meana.

Main items

Protection of the ozone layer: negotiating directives for the fourth meeting of the parties to the Montreal Protocol adopted (→ point 1.2.116).

Sulphur content of gasoil: common position adopted (→ point 1.2.119).

Waste from the titanium dioxide industry: common position adopted (→ point 1.2.127).

Other business

Fifth action programme on the environment: presented.

International negotiations on the Convention on Climate Change: discussed.

Progress of preparations for Unced: discussed.

Shipments of waste within, into and out of the Community: discussed in detail.

Air pollution by ozone: progress on proposal discussed.

1562nd meeting

1.6.6. Transport
(Brussels, 26 and 27 March).

- Previous meeting: Bull. EC 12-1991, point 1.7.9

President: Mr Ferreira do Amaral, Portuguese Minister for Public Works, Transport and Communications; Mr de Azevedo Soares, Portuguese Minister for Maritime Affairs.

Commission: Mr Van Miert.

Main item

Agreement between the Community, Norway and Sweden on civil aviation: agreed (→ point 1.2.81).

Other business

Proposal for a Regulation on freedom to provide services in the field of national road passenger transport: general discussion.

Maritime cabotage: discussed in detail.

Third air transport liberalization package: progress discussed.

State aids to air carriers: report examined.

Negotiations with non-member countries on carriage by inland waterway: opening agreed.

Road cabotage — goods: discussed in detail.

Road cabotage — passengers: general discussion.

Transit agreements with Austria and Switzerland: statement and exchange of views.

Liberalization of maritime cabotage: discussed in detail.

Green Paper on transport and the environment: presented.

1563rd meeting

1.6.7. Agriculture
(Brussels, 30 and 31 March).

- Previous meeting: point 1.6.3 of this Bulletin

President: Mr Cunha, Portuguese Minister for Agriculture.

Commission: Mr Mac Sharry.

Main items

Extension of the quota system for the milk sector: three Regulations adopted (→ point 1.2.143).

Extension of the common organization of the tobacco market: two Regulations adopted (→ point 1.2.144).

Extension of the 1991/92 marketing year in the milk and beef and veal sectors: Regulation adopted (→ point 1.2.142).

Transfer of cereals to Portugal: Regulation adopted (→ point 1.2.160).

Other business

Fixing of farm prices and related measures (1992/92): exchange of views.

Uruguay Round: progress report.

Development and future of the common agricultural policy: outcome of the bilateral talks between the Commission and the Member States discussed.

GATT: guidelines established.

1564th meeting

1.6.8. Internal market
(Brussels, 31 March).

- Previous meeting: Bull. EC 1/2-1992, point 1.7.8

President: Mr Martins, Portuguese State Secretary for European Integration.

Commission: Mr Bangemann and Mr Cardoso e Cunha.

Main item

Trans-European networks: conclusions adopted.

Other business

Exchange of national officials engaged in the enforcement of Community legislation on the single market: favourable position reached.

Statutes for a European cooperative society, a European mutual society and a European association: *tour de table*.

Innovative food products: forthcoming Commission proposal announced.

Commission

Monitoring the application of Community law

1.6.9. Ninth annual report on Commission monitoring of the application of Community law (1991).

• References:

Parliament resolution on the responsibility of the Member States for the application of and compliance with Community law: OJ C 68, 14.3.1983; Bull. EC 2-1983, point 2.4.16

Conclusions of the Dublin European Council: Bull. EC 6-1990, point 1.36

Eighth report: Bull. EC 7/8-1991, point 1.7.8

Conclusions of the Maastricht European Council: Bull. EC 12-1991, point 1.3

Francovich and Bonifaci judgment: Bull. EC 12-1991, point 1.7.19

Adopted by the Commission on 25 March. This report is a response to two different requests: one expressed by Parliament in its resolution of 9 February 1983; and the other made by the Heads of State or Government at the Maastricht Summit and set out in point 2 of Declaration No 19 on the implementation of Community law, which is annexed to the Treaty on European Union. It contains a list of infringements of the Treaties and regulations and a rundown of progress in the application of directives.

In the case of directives the report shows the difficulties encountered by the Member States in keeping up with the pace of Community legislative activity, in particular with more than 174 directives becoming due for implementation in 1991. The Commission is concerned at these delays. As well as systematically initiating the Article 169 procedure, it has stepped up contacts with the national authorities so that there will be no danger of the opening-up of frontiers by 1993 being compromised. However, the transposal situation has improved since the end of the year: for example, Italy notified implementing measures for around 130 directives during the first three months of 1992. The average transposal rate for directives applicable at 31 December 1991 rose from 89.3% at the end of the year to 93.9% on 25 March. The rate for directives specifically related to establishment of the internal market (implementation of the White Paper) rose from 72% at the end of 1990 to 79% at the end of 1991.

The various sections of the report give a general overview of the infringement procedures dealt with by the Commission in 1991 for failure to comply with the Treaties and regulations or to apply directives.

First of all the report describes how the Commission detects infringements. The Commission itself monitors the transposal of directives. Other infringements are detected as a result of complaints by individuals or firms whose work is hampered by national measures or practices which they consider to be in breach of Community law (1 052 in 1991). And there are cases which are detected by the Commission itself (381 cases in 1991), including those resulting from questions by Parliament (125 cases) or from petitions to Parliament (17 cases).

The greatest number of infringements (more than two-thirds) concern the internal market, agriculture and the environment: in 1991 these areas accounted for 642 out of 877 letters of formal notice, 362 out of 412 reasoned opinions and 42 out of 64 cases referred to the Court of Justice.

The Commission's review of infringement procedures in 1991 reveals a number of different trends:

(i) The total number of letters of formal notice fell from 960 in 1990 to 877 in 1991. This is accounted for by a desire to limit the number of procedures: where a number of complaints relate to the same subject, they are grouped together in a single infringement file. But another reason is that in 1990 the Commission set up stricter arrangements for sending letters of formal notice for failure to notify implementing measures, which meant that a large volume of arrears was worked off that particular year.

(ii) However, the total number of reasoned opinions continued to increase sharply compared with the previous year (412 in 1991 as against 960 in 1990). The main reason for this increase is that in a number of cases the letters of formal notice sent in 1990 for failure to notify implementing measures did not produce any action. There are now more and more procedures being initiated against Member States.

(iii) Finally, the number of cases referred to the Court of Justice was down (64 in 1991 compared with 77 in 1990). This highlights the fact that, despite the sharp increase in reasoned opinions, infringements are being terminated before the final stage of the procedure is reached.

The Commission report also stresses that the number of Court judgments not complied with was once again high in 1991: 105 compared with 83 the previous year. However, there has been a certain improvement in the first few months of 1992 as a result of the efforts made by Italy to transpose directives.

There were two new developments in 1991 which might improve the application of Community law:

(i) In its judgment of 20 November 1991 in Joined Cases C-6/90 and C-9/90 *Francovich, Bonifaci and Others v Italy*, the Court of Justice held that individuals are entitled

to demand that the Member State make good damage which they sustain as a result of its failure to transpose a directive, and laid down the following conditions for application of this principle: the result to be achieved by the directive must include the conferment of rights on individuals; these rights must be identifiable on the basis of the directive; and there must be a causal link between the infringement of the Member State's obligation and the damage sustained.

(ii) Once the Treaty on European Union has entered into force, the new Article 171 will allow the Court to impose a lump sum or penalty payment on a Member State which has failed to comply with a Court judgment.

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Proposals adopted

1.6.10. The Commission adopted a proposal for a Regulation on the common organization of the market in fishery products (→ point 1.2.198), a proposal for a Directive on the conditions for granting and using authorizations for oil and gas prospecting, exploration and extraction (→ point 1.2.84) and a series of proposals for Regulations on the prices for agricultural products and related measures (1992/93) (→ point 1.2.141).

Communications and reports

1.6.11. The Commission adopted four documents supporting the second package of structural and financial measures (→ points 1.1.2 to 1.1.5), the fifth Community environment programme (→ point 1.2.115), a communication on electricity and natural gas transmission infrastructures in the Community (→ point 1.2.85), a working document on cross-border payments (→ point 1.2.7), a report on monitoring the implementation of the common fisheries policy (→ point 1.2.197) and a communication on the economic situation of the former Soviet Union and the potential for international assistance (→ point 1.3.4).

It also adopted a communication on the establishment of an International Science and Technology Centre (→ point 1.3.7).

Other activities

1.6.12. The Commission adopted a recommendation for a Decision concerning a cooperation agreement between the Community and the countries of the Andean Pact (→ point 1.3.33).

Community lawcourts

Legislation

1.6.13. Commission opinion on the draft Council Decision, prepared by the Court of Justice, amending the Decision establishing a Court of First Instance (CFI) with a view to extending the CFI's jurisdiction.

- **Reference:** Council Decision establishing a Court of First Instance: OJ L 319, 25.11.1988; Bull. EC 10-1988, point 2.4.15

Adopted on 18 March. The amendments requested by the Court of Justice are designed to extend the CFI's jurisdiction to all actions brought by individuals (for annulment, for failure to act or to establish liability).

The Commission finds that, since the Community legal system leaves little scope for actions by individuals, actions for annulment would not be significantly affected by the proposed transfer of jurisdiction from the Court to the CFI, except in two areas, namely State aid and measures to protect trade (dumping and subsidies). On the other hand, the Court's request extends to the full range of actions to establish liability (Articles 187 and 215 of the EEC Treaty).

The Commission is in favour of the changes the Court wishes to have made. The aim is to improve the protection available to litigants by extending the field in which the two-tier judicial system applies and to transfer to the CFI the largest possible

number of direct actions so that the Court can concentrate on its primary role of interpreting Community law for the national courts. Moreover, to take account of the extension of Community powers and the prospect of future enlargement, the Treaty on European Union makes it possible for all direct actions, including those brought by Member States and institutions, to be transferred to the CFI.

Such is the background to the Court's request that the two-tier judicial structure should be significantly extended by granting the CFI jurisdiction in actions brought by individuals.

In the Commission's opinion, the objection that the CFI would have to rule on matters relating to economic policy decisions of general impact may be disregarded, since the Court of Justice has consistently held that such decisions are subject to review by the courts: they can be set aside (and damages may sometimes be awarded) where there is abuse of power or a manifest error as to the law or facts. In any case, an appeal from a judgment of the CFI can always be brought in the Court of Justice.

In the trade protection area, the Commission takes the view that the changeover to a two-tier judicial system would in the main safeguard the interests of non-Community producers — and indeed of importers established in the Community. Moreover, the addition of a second tier to the judicial system would render the decision-making process even more cumbersome than it already is (e.g. adoption of a Commission Regulation setting a provisional duty, followed by a Council Regulation setting the definitive duty), so that there would be a real danger that certainty as to the law for all interested parties and the effectiveness of the Community's trade protection policy might be adversely affected. The Commission will accordingly lay before the Council a proposal for changes to the existing rules and for the introduction of a system that would be more efficient and also accord with the principle that executive powers are to be delegated to the Com-

mission (third indent of Article 145 of the EEC Treaty).

The transfer to the CFI of jurisdiction to hear actions brought by firms in respect of State aid should not give rise to inconsistencies between judgments given by the CFI and by the Court, since the latter will retain sole jurisdiction over actions brought by Member States and since appeals will in any case be heard by the Court.

The Commission has no objection to the idea of transferring to the CFI jurisdiction to hear all actions for damages, as it considers that the case-law of the Court concerning the admissibility of such actions is sufficiently well established and that, although a case referred to the Court for a preliminary ruling may involve questions already dealt with by the CFI in an action for damages, the same applies to all matters within CFI jurisdiction except staff cases.

Lastly, the Commission recommends that actions brought by individuals whose relations with the Community are governed by contracts containing arbitration clauses conferring jurisdiction on the Court of Justice (Article 181 of the EEC Treaty) should be transferred to the CFI, and that actions brought by individuals against decisions taken by bodies enjoying legal personality set up by an instrument of Community law should also be transferred to the CFI within the limits of the jurisdiction conferred on the Court of Justice by the instrument setting up the body.

Court of Justice

1.6.14. Decisions given by the Courts are covered in the Bulletin for the month in which they are reported in the Official Journal. The operative 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 at all.

Main decisions

Social policy and free movement of workers

Article 177 of the EEC Treaty

26.2.1992: Case C-357/89 *Raulin v Minister van Onderwijs en Wetenschappen*

1. A worker employed under an 'oproepcontract' is not precluded by reason of his conditions of employment from being regarded as a worker within the meaning of Article 48 of the EEC Treaty.

2. The duration of the activities pursued by the person concerned is a factor which may be taken into account by the national court when assessing whether they are effective and genuine or whether they are so limited as to be merely marginal and ancillary.

3. In assessing whether a person is a worker, account should be taken of all the occupational activities which the person concerned has pursued in the host Member State but not the activities which he has pursued elsewhere in the Community.

4. A migrant worker who leaves his employment and begins a course of full-time study unconnected with his previous occupational activities does not retain his status as a migrant worker for the purposes of Article 48, except in the case of a migrant worker who becomes involuntarily unemployed.

5. The first paragraph of Article 7 of the Treaty applies to financial aid granted by a Member State to its own nationals in order to allow them to follow a course of vocational training in so far as that aid is intended to cover the costs of access to the course.

6. A national of a Member State who has been admitted to a course of vocational training in another Member State derives from Community law a right of residence in the second Member State for the purpose of following that course and for the duration thereof. That right may be exercised regardless of whether the host Member State has issued a residence permit. The right of residence in question may nevertheless be made subject to certain conditions to which the prohibition of discrimination as regards access to vocational training does not apply.

7. Article 7 precludes a Member State from requiring a student who is a national of another Member State and who enjoys, under Community law, a right of residence in the host Member State

to possess a residence permit in order to be entitled to benefit under the system of funding study costs.

OJ C 72, 21.3.1992

Competition

Article 173 of the EEC Treaty

12.2.1992: Joined Cases C-48 and C-66/90 *Netherlands v Commission*

Commission Decision 90/16/EEC concerning the provision in the Netherlands of express delivery services is void.

OJ C 57, 4.3.1992

External relations

Article 177 of the EEC Treaty

12.2.1992: Case C-260/90 *Leplat v Territory of French Polynesia*

1. Article 133(2) and (3) of the EEC Treaty also applies to charges having an effect equivalent to customs duties.

2. The overseas countries and territories to which Part Four of the EEC Treaty applies may levy customs duties and charges having equivalent effect on imports from EEC Member States provided, firstly, that the duties or charges levied meet the needs of their development and industrialization or produce revenue for their budgets and, secondly, that the introduction or the modification of such duties does not give rise to any direct or indirect discrimination between imports from the various Member States, and subject to the obligation to implement reductions laid down in the second subparagraph of Article 133(3).

3. The obligation to implement reductions laid down in the second subparagraph of Article 133(3) applies to the customs duties existing at the time of the entry into force of the Treaty and, with effect from the implementation of Council Decision 64/349/EEC on the association of the overseas countries and territories with the EEC, with regard to such duties or charges having equivalent effect, all discrimination between imports from the various Member States is prohibited.

OJ C 59, 6.3.1992

Infringements

Article 186 of the EEC Treaty

31.1.1992: Case C-272/91 R *Commission v Italy*

Italy is ordered to take the measures necessary to suspend the legal effects of the decree of the Minister of Finance of 14 June 1991 awarding the concession in respect of the system for computerization of the lottery and to suspend performance of the contract concluded for the purpose with the Lottomatica consortium.

OJ C 61, 10.3.1992

Other decisions

Agriculture

Article 173 of the EEC Treaty

28.1.1992: Case C-133/91 *United Kingdom v Commission*

OJ C 61, 10.3.1992

5.2.1992: Case C-59/91 *France v Commission*

OJ C 77, 28.3.1992

18.2.1992: Case C-54/90 *Weddel v Commission*

OJ C 61, 10.3.1992

Article 177 of the EEC Treaty

25.2.1992: Case C-203/90 *Erzeugergemeinschaft Gutshof-Ei v Stadt Bühl, Ordnungs- und Sozialamt*

OJ C 72, 21.3.1992

13.2.1992: Case C-210/90: *Roquette Frères v Direction générale des impôts*

OJ C 61, 10.3.1992

27.2.1992: Joined Cases C-5/90 and C-206/90 *Bremer Rolandmühle Erling and Others v HZA Hamburg-Jonas*

OJ C 77, 28.3.1992

Social policy and free movement of workers

Article 177 of the EEC Treaty

18.2.1992: Case C-5/91 *Di Prinzio v Office national des pensions*

OJ C 69, 18.3.1992

26.2.1992: Case C-3/90 *Bernini v Minister van Onderwijs en Wetenschappen*

OJ C 72, 21.3.1992

Competition

Article 177 of the EEC Treaty

4.2.1992: Case C-184/90 *Donkelaar Supermarkt v Unigro*

OJ C 75, 26.3.1992

Taxation

Article 177 of the EEC Treaty

20.1.1992: Case C-316/90 *Anklagemyndigheden v X, Y and Z*

OJ C 56, 3.3.1992

Staff Regulations

Article 177 of the EEC Treaty

26.2.1992: Case C-333/90 *Royal belge v Joris*

OJ C 77, 28.3.1992

External relations

Article 173 of the EEC Treaty

13.2.1992: Case C-105/90 *Goldstar v Council*

OJ C 59, 6.3.1992

Article 181 of the EEC Treaty

22.1.1992: Case C-230/91 *Hoogwegt v Commission*

OJ C 61, 10.3.1992

Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters

Protocol of 3 June 1971

26.2.1992: Case C-280/90 *Hacker v Euro-Relais*

OJ C 72, 21.3.1992

Infringements

Article 169 of the EEC Treaty

21.1.1992: Case C-366/90 *Commission v Italy*

OJ C 61, 10.3.1992

27.1.1992: Case C-382/89 *Commission v Germany*

OJ C 61, 10.3.1992

6.2.1992: Case C-253/90 *Commission v Belgium*

OJ C 56, 3.3.1992

6.2.1992: Case C-77/91 *Commission v Italy*

OJ C 56, 3.3.1992

18.2.1992: Case C-235/89 *Commission v Italy*

OJ C 61, 10.3.1992

18.2.1992: Case C-30/90 *Commission v United Kingdom*

OJ C 61, 10.3.1992

27.2.1992: Case C-377/90 *Commission v Belgium*

OJ C 77, 28.3.1992

Articles 169 and 171 of the EEC Treaty

6.2.1992: Case C-75/91 *Commission v Netherlands*

OJ C 56, 3.3.1992

Court of First Instance

Main decisions

Competition

Article 173 of the EEC Treaty

27.2.1992: Joined Cases T-79/89, T-84/89, T-85/89, T-86/89, T-89/89, T-91/89, T-92/89, T-94/89, T-96/89, T-98/89, T-102/89 and T-104/89 *BASF and Others v Commission*

1. The measure notified to the applicant, published in Official Journal L 74 of 17 March 1989 (p. 1) and entitled 'Commission Decision 89/190/EEC of 21 December 1988 relating to a proceeding pursuant to Article 85 of the EEC Treaty (IV-31.865, PVC)', is non-existent.

2. The applications are dismissed as inadmissible.

OJ C 77, 28.3.1992

Analysis of judgments delivered between 1 January and 31 March 1992

Free movement of goods and customs union

1.6.15. Judgments of 18 February, Cases C-235/89 *Commission v Italy* and C-30/90 *Commission v United Kingdom*.

In Italy and the United Kingdom the law governing patents provided for the granting of compulsory licences where the proprietor of a patent failed to exploit it by production on national territory; the fact that the proprietor exploited his patent by importing the product from other Member States was no bar to the granting of compulsory licences. Upholding the Commission's application, the Court found that the two Member States concerned had failed to fulfil their obligations under Article 30 of the EEC Treaty.

The proprietor of a patent, if he was not to lose his exclusive rights, was under pressure to produce within the State issuing the patent rather than to import the product concerned; provisions of that kind constituted measures having an effect equivalent to quantitative restrictions on imports. Such a restriction on the free movement of goods was contrary to Article 36 of the EEC Treaty, for there was no reason connected with the specific purpose of the patent which could justify the discrimination. The real reasons for the discrimination lay not in the specific requirements of industrial and commercial property but rather in the legislator's desire to favour national production. The effect of this was to frustrate

the objectives of the Community and could not be accepted as justification for a restriction on trade between Member States.

1.6.16. Judgment of 12 February, Case C-260/90 *Leplat v Territory of French Polynesia*.

The Court, asked for a preliminary ruling by the Papeete District Court, held that overseas countries and territories (OCTs) such as Polynesia, which were associated with the Community (under arrangements comparable to those in the Lomé Convention), could levy customs duties and charges having equivalent effect provided that these duties met the needs of their development and industrialization or produced revenue for their budgets, as provided in Article 133 of the EEC Treaty. Any discrimination between imports from the various Member States (including metropolitan France) was prohibited.

1.6.17. Judgment of 16 January, Case C-373/90 *Criminal proceedings against X*.

- Reference: Council Directive 84/580/EEC: OJ L 250, 19.9.1984; Bull. EC 9-1984, point 2.1.74

The Court, to whom this case had been referred by the Regional Court in Bergerac, had to rule on whether advertising for Japanese vehicles imported from Belgium claiming that such vehicles were cheaper than those sold through the manufacturer's own network of dealers, constituted misleading advertising within the meaning of Directive 84/580/EEC. The Court first of all made the point that parallel imports enjoyed some protection under Community law in that they helped to expand trade and made for keener competition.

Having situated the problem in its context, the Court held that it was not misleading to advertise a vehicle as new provided that it had never been on the road, even if imported from another Member State where it had been registered solely for the purpose of importation. Similarly, advertising a vehicle as less expensive could not be described as misleading on the grounds that the vehicles sold by a parallel importer supplied from

Belgium were equipped with fewer accessories than the models obtainable in France, unless a significant number of consumers were ignorant of this fact.

Competition

1.6.18. Judgment of Court of First Instance of 27 February, Joined Cases T-79, 84 to 86, 89, 91, 92, 94, 96, 98, 102 and 104/89 *BASF and Others v Commission*; Judgments of 10 March, Cases T-9 to 15/89 *Hüls and Others v Commission*.

The Court of First Instance had to consider an appeal against a Commission Decision finding that 14 PVC manufacturers had breached the rules laid down in Article 85 of the EEC Treaty and fining them accordingly. The manufacturers had applied for the annulment of the Decision, and by its judgment of 27 February the CFI declared it non-existent.

The CFI found that the Commission had failed to comply with Article 12 of its own Rules of Procedure, which requires measures adopted at Commission meetings to be authenticated, in the languages in which they are binding, by the signatures of the President and the Executive Secretary. In the CFI's view, all the rigorous formal requirements governing the drawing-up, adoption and authentication of measures were 'necessary in order to guarantee the stability of the legal order and legal certainty for those subject to measures adopted by Community institutions'.

First of all the CFI drew attention to circumstances which in themselves affected the validity of the measure since they violated the principle of the measure's inalterability. Second, it pointed out that the versions of the measure in two languages which were binding on certain firms had not been adopted by the Commission meeting as a body but by a single Member under the delegation procedure. The Court held that the adoption of a decision, in an authentic language version, establishing an infringement of Article 85 of the Treaty could not be regarded merely as a measure of manage-

ment or administration and that, consequently, the two language versions in question had been adopted by an authority lacking the necessary powers, the principle of collective responsibility having been misconstrued.

Lastly, the CFI found that it was unable (because the measures had not been authenticated as required by Article 12 of the Rules of Procedure) to date the measures precisely, to ascertain the precise and certain content of the measures adopted or to identify with certainty the authority which adopted the measures in their definitive version. It therefore concluded that the measures in question would have to be declared non-existent in law.

The Commission decided to lodge an appeal with the Court of Justice against this ruling. The CFI made it clear in its judgments of 10 March that non-compliance with Article 12 of the Commission's Rules of Procedure did not in itself render a measure non-existent, unless there was specific evidence to suggest that the principle of the measure's inalterability had been breached.

1.6.19. Judgment of the Court of First Instance of 24 January, Case T-44/90 *La Cinq v Commission*.

In Case 792/79 R *Camera Care* [1980] ECR 119 the Court of Justice had acknowledged that the Commission, in exercising the supervisory task which Community law confers upon it in competition matters, has to decide whether it is necessary to adopt interim measures should it receive an application to that effect. Following a complaint lodged by La Cinq against the EBU, the Commission had refused to adopt such measures. By its judgment of 24 January the Court of First Instance declared the Commission's refusal void, spelling out the two conditions which govern the Commission's power to adopt interim measures.

In the CFI's opinion, the Commission was wrong to require, as a condition for adopting interim measures, that the existence of a clear and flagrant infringement should have been established from a summary con-

sideration of the facts (prima-facie infringement), whereas the practices at issue need only seem likely, prima facie, to constitute a breach of the Community rules on competition. As regards the second condition, namely that the risk of serious and irreparable damage should indicate the urgent need to adopt interim measures, the CFI found that the Commission was mistaken in taking the view that only damage which could not be remedied by a subsequent decision could be regarded as irreparable damage, whereas it need only have ascertained whether the damage could be remedied by any decision which the Commission might take at the conclusion of the administrative procedure.

1.6.20. Judgment of 12 February, Joined Cases C-48 and C-66/90 *Netherlands v Commission*.

In its judgment of 12 February the Court of Justice defined the powers which Article 90 of the EEC Treaty authorizes the Commission to exercise when applying the rules of competition to public undertakings and the conditions governing the Commission's exercise of its powers.

On 19 March 1991 the Court had ruled (in Case C-202/88 *France v Commission* [1991] ECR I 1223) that the Commission was empowered under Article 90(3) to issue directives laying down general rules specifying the obligations which the Treaty places on Member States as regards public undertakings. The Court now held that the Commission also had the power to find that a particular State measure was incompatible with the rules of the Treaty and to specify the measures which the addressee State must adopt in order to comply with its obligations.

In exercising this power, however, the Commission must respect the rights of the defendants; in particular, it must send to the Member States, in advance of any decision, a precise and full summary of the objections raised; the public undertaking concerned must be given a hearing and must be informed of the outcome of the Com-

mission's consultations. Since this had not been done before the adoption of Decision 90/16/EEC concerning the provision of express delivery services in the Netherlands, the Court declared the Decision void.

The Court's ruling was significant in that it showed the comprehensive range of powers which the Commission has at its disposal for direct action in the field of competition, be it in respect of firms (Articles 85 and 86 of the EEC Treaty), State aid (Articles 92 and 93) or public undertakings (Article 90). The corollary is, however, that Member States and public undertakings have corresponding rights of defence, even if there are no formal provisions to that effect.

1.6.21. Judgment of 4 February, Case C-294/90 *British Aerospace and Rover Group Holdings v Commission*.

This judgment defines the means which the Commission may employ to enforce a decision on State aid.

In 1988 the Commission had authorized a certain amount of aid to the Rover Group on condition that the United Kingdom Government would refrain from granting any further aid. When the Commission subsequently discovered that the Rover Group had nevertheless been granted a number of other financial concessions, it adopted a new decision requesting the United Kingdom authorities to recover the additional aid. The Court annulled this second decision: either the Commission considered the granting of the additional aid as a breach of its first decision, in which case it ought to have referred the matter to the Court direct under the second subparagraph of Article 93(2), or it considered that the United Kingdom had paid new aid, in which case it was obliged to institute the full procedure laid down for the scrutiny of State aids.

Freedom of movement for persons; vocational training

1.6.22. Judgments of 28 January, Cases C-204/90 *Bachmann v Belgian State* and C-300/90 *Commission v Belgium*.

In Belgium workers may deduct from their taxable income the contributions paid under old-age insurance, life assurance or supplementary sickness insurance schemes, provided that such contributions are paid to a Belgian insurance institution. The sums subsequently paid out by the insurers under the contract constitute taxable income; if the contributions were not tax-deductible, the sums payable are exempt from Belgian tax.

In response to a reference for a preliminary ruling and an action brought before it direct, the Court had to decide whether such legislation was compatible with freedom of movement for workers (Article 48 of the EEC Treaty). On 28 January the Court ruled that such legislation is justified by the need to ensure the consistency of the relevant tax system.

The Court began by rejecting the arguments put forward by the Belgian Government. In reply to the argument that the rules were applied without any discrimination on grounds of nationality, the Court found that the legislation in question might operate to the detriment of migrant workers in particular, who were usually nationals of other Member States where they had already taken out insurance policies the cancellation of which was not necessarily in their interest or could entail procedural arrangements and expenditure. On returning to their country of origin, workers would find themselves subject to tax on the sums payable by the insurers, although this tax would not have been offset by a deduction of contributions. In reply to the argument that this situation arose from a lack of harmonization of tax laws, the Court found that it was usually nationals of other Member States who returned to their country of origin and that tax harmonization could not be set up as a prerequisite for the applicability of Article 48.

the Court noted, however, the consistency of the taxation system, since the sums payable under the contract were exempt from tax if the contributions had been non-deductible. If a Member State was obliged

to allow the deduction of contributions paid in another Member State it was entitled to tax the sums payable by the insurers. Having considered the various suggestions put forward, the Court found that there was no means whereby a Member State could be certain of recovering the tax provided for in its own legislation from the sums payable by insurers in other Member States. This being the case, the need to ensure a consistent taxation system (the structure of which was a matter for each Member State) justified the non-deductibility of contributions paid to insurers who were not established in Belgium.

1.6.23. Judgments of 26 February, Cases C-357/89 *Raulin v Minister van Onderwijs en Wetenschappen* and C-3/90 *Bernini v Minister van Onderwijs en Wetenschappen*.

In these two judgments the Court reaffirmed its earlier rulings on the conditions subject to which Community nationals could claim equality of treatment with the nationals of Member States as regards access to education and the financing of studies. In particular, it defined the conditions which students must meet to qualify as migrant workers. In *Raulin* the Court held that, when nationals of one Member State, whether workers or not, had been accepted for a course of vocational training in another Member State, they enjoyed under Community law the right of residence in the latter Member State for the duration of the training course concerned. The Court made it clear, however, that the right of residence could be subject to certain conditions not covered by the principle that access to vocational training should be non-discriminatory, notably conditions relating to the payment of upkeep and sickness insurance costs.

In *Bernini* the Court again held that a migrant worker could claim equality of treatment with the nationals of the host Member State to obtain funding for studies in another Member State, even if the latter was his country of origin.

Taxation

1.6.24. Judgment of 11 March, Joined Cases C-78 to 83/90 *Compagnie commerciale de l'Ouest and Others v Receveur principal des douanes*

The Court was asked for a preliminary ruling on the lawfulness of a parafiscal levy which France had applied to certain petroleum products in 1978 to prevent a fall in the value of the dollar leading to a decrease in oil prices and, consequently, an increase in consumption. The proceeds from the levy went to a public body which financed measures to encourage energy saving and the rational use of little-used energy resources.

On 11 March the Court clarified its past rulings on this subject and, in particular, the relations between Article 12 *et seq.* (prohibition on charges having equivalent effect to customs duties) and Article 95 of the EEC Treaty (prohibition on discriminatory internal taxation). Both prohibitions may apply to charges which are levied equally on imported and domestic products (as in this case) if the proceeds are used to finance activities which confer a specific advantage on the domestic product: where the imported product is concerned, the levy then constitutes an additional charge, whereas in the case of the domestic product it is offset by the advantages or aid received. If the advantages fully offset the charge on the domestic product, the levy has equivalent effect to a customs duty and is therefore totally prohibited; if the advantages offset only part of the charge, the levy is considered to be discriminatory internal taxation and is prohibited to the extent that it is offset by the advantage.

It was for the national courts to decide whether the parafiscal levy was wholly or partially offset by the use of the proceeds to the advantage of domestic products.

Lastly, the fact that a parafiscal levy had been examined in the light of Articles 12 and 95 of the Treaty did not prevent the use of the proceeds being regarded as State

aid incompatible with the common market if the tests of Article 92 were satisfied.

1.6.25. Judgment of 31 March, Case C-200/90 *Dansk Denkavit v Skatteministeriet*.

Beginning in 1988, Denmark required firms to pay a 'contribution to support the labour market'. To prevent any disruption of the VAT system, however, Article 33 of the sixth VAT Directive prohibits the introduction or maintenance of taxes which may be characterized as turnover taxes. Asked for a preliminary ruling by the Eastern Regional Court, the Court of Justice subjected the Danish contribution to detailed scrutiny and came to the conclusion that, although it was not similar to VAT in every respect, the contribution had the essential attributes of VAT and was therefore in breach of the Community rules. The Court placed no time restrictions on the consequences of its judgment, finding that Denmark had failed to show that, at the time when the contribution was introduced, the Community rules could reasonably be construed as authorizing a tax of this kind.

Budgetary matters

1.6.26. Judgment of 31 March, Case C-284/90 *Council v Parliament*.

Article 199 of the EEC Treaty stipulates that the revenue and expenditure shown in the Community budget must be in balance. Parliament adopted supplementary and amending budget No 2/90 solely on the basis of the revenue from VAT levied at a rate of 1.4%, carrying forward only some of the balance from the 1989 budget year. The Council applied to the Court for the annulment of this supplementary and amending budget.

The Court granted the Council's application. It found that the Decision on own resources and the Financial Regulation provide for the carryover of surpluses to the following financial year. This rule reflects two fundamental budget principles, namely annuality and unity, which require that all revenue available to the Community for a

given year should be entered in the budget for that year. It follows that the surplus must be carried forward in its entirety.

Since the 1990 budget would be in surplus if this rule were applied, the Court construed the Decision on own resources as meaning that it would not be at odds with the purpose of that Decision, in such an exceptional case and to ensure budgetary equilibrium, for the rate of VAT to be fixed at a lower level than 1.4% or for VAT resources to be used only to the extent needed to cover expenditure for the year concerned.

Court of Auditors

1.6.27. Special report No 2/92 on the audit of export refunds paid to selected major undertakings in the milk products sector.

Adopted by the Court of Auditors on 12 March. In this report, which will be published in the *Official Journal of the European Communities*, the Court presents the initial findings of an investigation into the payment of export refunds to individual operators. This initial phase of the investigation is concerned with the milk products sector; the operators audited account for over 10% of the export refunds paid out for milk products in the reference period.

The Court's inquiries provided evidence of irregularities in connection with the refund applications submitted by the operators in question, ranging from incorrect description of utilization to improper use of advance fixing certificates. The Court requested the Commission and the national authorities concerned to take action in respect of the cases referred to in the report in order to quantify and recover all the irregular payments identified and those in similar cases. The Court also asked the Commission to report to it by the end of 1992 on the measures taken in this connection by the Commission and the Member States.

The Court takes the view that the audit findings show the need to redefine responsibilities for checking the legality of payments made under the Community's common agricultural policy to major recipients involved in international operations.

Economic and Social Committee

295th plenary session

1.6.28. The Economic and Social Committee held its 295th plenary session in Brussels on 25 March, chaired by Mr Geuenich and Mr Kazazis.

1.6.29. The Committee debated and adopted opinions on the following:

the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors (→ point 1.2.28);

the coordination of procedures for the award of public works contracts (→ point 1.2.29);

the second annual report on the implementation of the reform of the structural Funds (→ point 1.2.103);

the protection of the Community's forests against fire and atmospheric pollution (→ point 1.2.151).

1.6.30. The Committee adopted opinions on the following without debate:

infant formulae and follow-on formulae intended for export to third countries (→ point 1.2.27);

equipment and protective systems intended for use in potentially explosive atmospheres (→ point 1.2.14);

conclusion of a Cooperation Agreement with Finland on a research and technological development programme in the field of renewable raw materials (→ point 1.2.63);

conclusion of a Cooperation Agreement with Sweden on a research and technological development programme in the field of renewable raw materials (→ point 1.2.64);

the protection of animals at the time of slaughter or killing (→ point 1.2.154);

the financing of health inspection and controls of fresh meat and poultrymeat (→ point 1.2.155);

transitional national compensation for German farmers (→ point 1.2.158).

PART TWO

DOCUMENTATION

1. The ecu

Values in national currencies of ECU 1

March 1992 ¹		
BFR/ LFR	Belgian franc and Luxembourg franc	42.0284
DKR	Danish krone	7.92198
DM	German mark	2.04165
DR	Greek drachma	237.202
ESC	Portuguese escudo	176.156
FF	French franc	6.92246
HFL	Dutch guilder	2.29876
IRL	Irish pound	0.767005
LIT	Italian lira	1 539.49
PTA	Spanish peseta	129.312
UKL	Pound sterling	0.716020
AUD	Australian dollar	1.60976
CAD	Canadian dollar	1.47024
FMK	Finnish markka	5.58134
ISK	Icelandic króna	73.4871
NKR	Norwegian krone	8.01773
NZD	New Zealand dollar	2.26198
OS	Austrian schilling	14.3688
SFR	Swiss franc	1.86745
SKR	Swedish krona	7.41419
USD	United States dollar	1.23549
YEN	Japanese yen	165.803

¹ Average for the month; OJ C 82, 2.4.1992.

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 1992					
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	48.5563	IRL	Irish pound All products	0.878776
DKR	Danish krone All products	8.97989	LIT	Italian lira All products	1 761.45
DM	German mark All products	2.35418	PTA	Spanish peseta Cereals, sugar Eggs and poultrymeat, fishery products	153.498 151.660
DR	Greek drachma Pigmeat Other products	269.738 252.121		Pigmeat Olive oil, wine Other products	147.585 149.813 154.138
ESC	Portuguese escudo Pigmeat Other products	202.670 208.676		Tobacco, oilseeds, sheep- meat and goatmeat, rice Other crop products	150.828 154.213
FF	French franc All products	7.89563	UKL	Pound sterling Pigmeat	0.815203 0.817853
HFL	Dutch guilder All products	2.65256		Other products	on 23.3.1992 0.795423

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:

Internal market and industrial affairs

Directive 82/711/EEC (OJ L 297, 23.10.1982)
Plastic articles in contact with foodstuffs
Belgium, Denmark, Greece, Italy, United Kingdom

Directive 85/572/EEC (OJ L 397, 31.12.1985)
Plastic articles in contact with foodstuffs
Belgium, Denmark, Greece, Spain, Italy, United Kingdom

Directive 90/128/EEC (OJ L 75, 21.3.1990)
Plastic articles in contact with foodstuffs
Belgium, Greece, Spain, France, Italy, United Kingdom

Directive 89/530/EEC (OJ L 281, 30.9.1989)
Trace elements in fertilizers
Italy

Directive 90/35/EEC (OJ L 19, 24.1.1990)
Childproof packagings
Germany

Directive 87/354/EEC (OJ L 192, 11.7.1987)
Industrial products: distinctive numbers and letters
Portugal

Directive 90/486/EEC (OJ L 270, 2.10.1990)
Electrically operated lifts
Belgium, Greece, Italy, Luxembourg

Directive 69/82/EEC (OJ L 68, 19.3.1969)
Freedom to provide services in respect of petroleum and natural gas exploration activities
Spain

Directive 75/368/EEC (OJ L 167, 30.6.1975)
Freedom of establishment
Spain

Employment, industrial relations and social affairs

Directive 86/188/EEC (OJ L 137, 24.5.1986)
Protection of workers against noise
Portugal

Environment, nuclear safety and civil protection

Directive 89/429/EEC (OJ L 203, 15.7.1989)
Municipal waste incineration
Spain

Failure properly to incorporate Directives into national law

2.2.2. In March the Commission delivered a reasoned opinion in the following case:

Internal market and industrial affairs

Directive 88/295/EEC (OJ L 127, 20.5.1988)
Public supply contracts: Lombardy region law
Italy

Infringement of the Treaties or of Regulations; failure properly to apply Directives in practice

2.2.3. In March the Commission delivered a reasoned opinion in the following case:

Internal market and industrial affairs

Articles 52, 53, 59 and 221 of the EEC Treaty
Restrictions on freedom to provide services and freedom of establishment in television
Greece

Cases referred to the Court of Justice

Failure to communicate any measures incorporating Directives into national law

2.2.4. In March the Commission referred the following case to the Court of Justice:

Internal market and industrial affairs

Directive 87/354/EEC (OJ L 192, 11.7.1987)
Industrial products: distinctive numbers and letters
Belgium

Failure properly to incorporate Directives into national law

2.2.5. In March the Commission referred the following cases to the Court of Justice:

Internal market and industrial affairs

Directive 71/305/EEC (OJ L 185, 16.8.1971),
Articles 30 and 59 of the EEC
Treaty and Directive 77/62/EEC (OJ L 13,
15.1.1977)
Public works and public supply contracts
Spain

Environment, nuclear safety and civil protection

Directive 84/466/EEC (OJ L 265, 5.10.1984),
Articles 33 and 161 of the EEC Treaty
Radiological protection: medical examinations
Italy

Infringement of the Treaties or of Regulations; failure properly to apply Directives in practice

2.2.6. In March the Commission referred the following cases to the Court of Justice:

Internal market and industrial affairs

Articles 30, 34, 36 and 59 of the EEC Treaty and
Directive 73/23/EEC (OJ L 77, 26.3.1973)
Free movement of cordless telephones
Belgium

Article 171 of the EEC Treaty
Limit on the use of edible gelatine in certain food-
stuffs
Belgium

Article 7 of the EEC Treaty
State compensation for victims of acts of violence
Belgium, Luxembourg

Customs union and indirect taxation

Directive 77/388/EEC (OJ L 145, 13.6.1977)
VAT on advertising services
Spain, France, Ireland, Luxembourg

3. Additional references in the Official Journal

2.3.1. This section lists the titles of legal instruments and notices of Community institutions or organs which have appeared in the Official Journal since the last Bulletin was published but relating to items appearing in earlier issues of the Bulletin; the references were not available when the Bulletin went to press.

The number of the Bulletin and the point to which this additional information refers is followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

Bull. EC 12-1991

Point 1.3.85

Council Decision 92/184/EEC of 19 December 1991 on the conclusion of agreements between the European Economic Community and certain third countries on international trade in textiles
OJ L 90, 4.4.1992

Point 1.3.87

Council Decision 92/185/EEC of 19 December 1991 concerning the conclusion of an Agreement in the form of an agreed minute amending the Agreement between the European Economic Community and the Republic of Bulgaria on trade in textile products
OJ L 90, 4.4.1992

Point 1.3.88

Council Decision 92/186/EEC of 19 December 1991 on the the conclusion of an Agreement in the form of an agreed minute amending the Agreement between the European Economic Community and Romania on trade in textile products
OJ L 90, 4.4.1992

Bull. EC 1/2-1992

Point 1.3.1

Council Decision 92/180/EEC of 25 February 1992 adopting the annual economic report 1991/92 on the economic situation in the Community and

determining the economic policy orientations for the Community in 1992
OJ L 85, 31.3.1992

Point 1.3.8

Amended proposal for a third Council Directive on the coordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance and amending Directives 73/239/EEC and 88/357/EEC
OJ C 93, 13.4.1992

Point 1.3.10

Proposal for a Council Directive on excise duties on motor fuels from agricultural sources
OJ C 73, 24.3.1992

Point 1.3.13

Proposal for a Council Directive harmonizing the term of protection of copyright and certain related rights
OJ C 92, 11.4.1992

Point 1.3.29

Proposal for a Council Regulation (EEC) on the braking of two- and three-wheel motor vehicles
OJ C 93, 13.4.1992

Point 1.3.30

Proposal for a Council Regulation (EEC) on the maximum design speed, maximum torque and maximum net engine power of two- or three-wheel motor vehicles
OJ C 93, 13.4.1992

Point 1.3.31

Proposal for a Council Regulation (EEC) on the installation of lighting and light-signalling devices on two- or three-wheel motor vehicles
OJ C 93, 13.4.1992

Point 1.3.61

Commission Decision 92/204/EEC of 5 February 1992 relating to a proceeding pursuant to Article 85 of the EEC Treaty
OJ L 92, 7.4.1992

Point 1.3.121

Proposal for a Council Directive on the protection of young people at work
OJ C 84, 4.4.1992

Point 1.3.207

Proposal for a Council Regulation (EEC) amending for the first time Regulation (EEC) No 1601/91 laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails

Proposal for a Council Regulation (EEC) amending for the first time Regulation (EEC) No 1576/89 laying down general rules on the definition, description and presentation of spirit drinks
OJ C 69, 18.3.1992

Point 1.4.10

Opinion of the European Coal and Steel Community Consultative Committee on the interim

Association Agreements on trade and trade related matters between the European Coal and Steel Community, of the one part, and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic, of the other part
OJ C 80, 31.3.1992

Points 1.7.20 to 1.7.22

Opinions delivered by the Economic and Social Committee during its 293rd session on 29 and 30 January 1992
OJ C 79, 30.3.1992

Points 1.7.25 and 1.7.26

Opinions delivered by the Economic and Social Committee during its 294th session on 26 and 27 February 1992
OJ C 98, 21.4.1992

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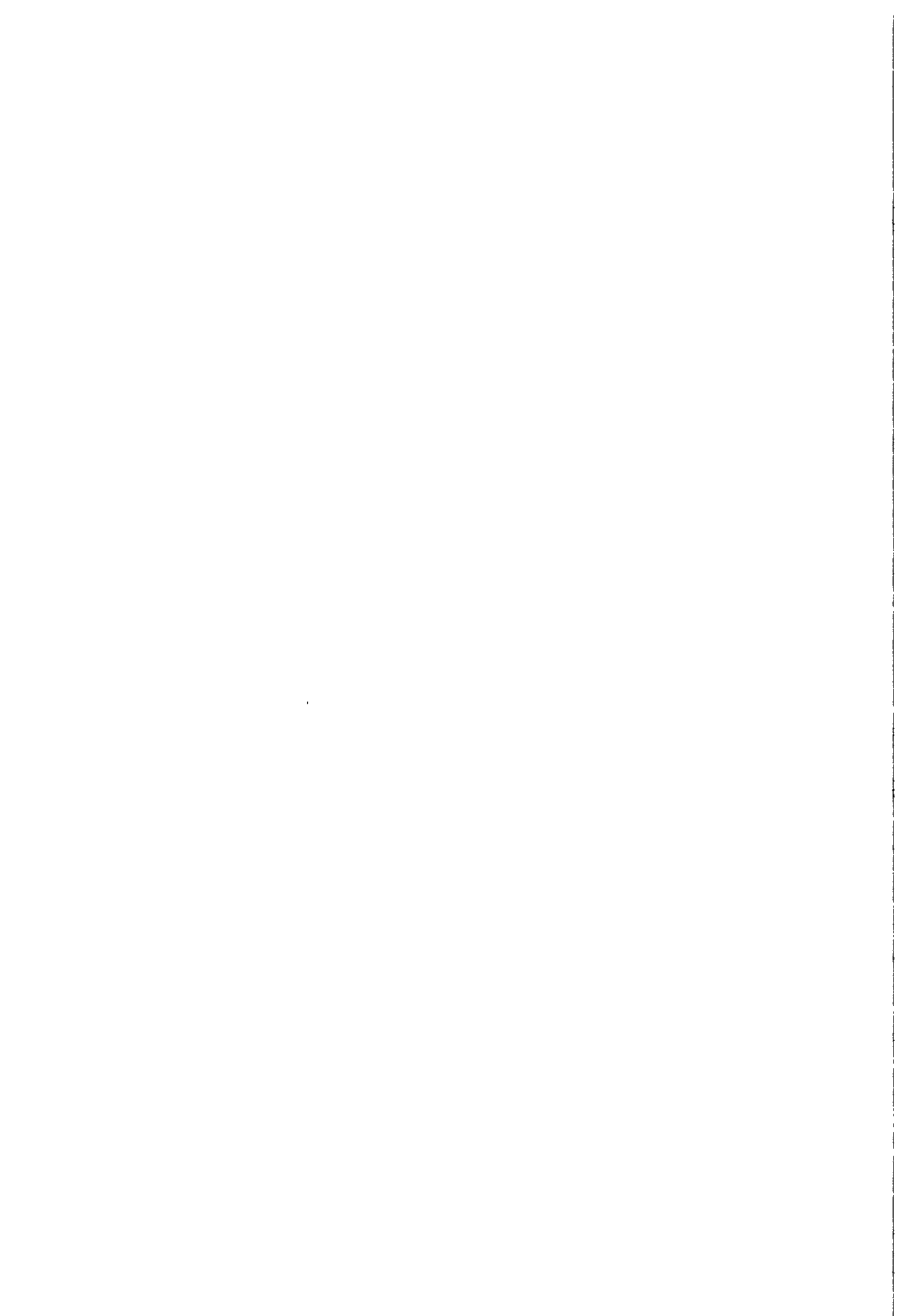
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