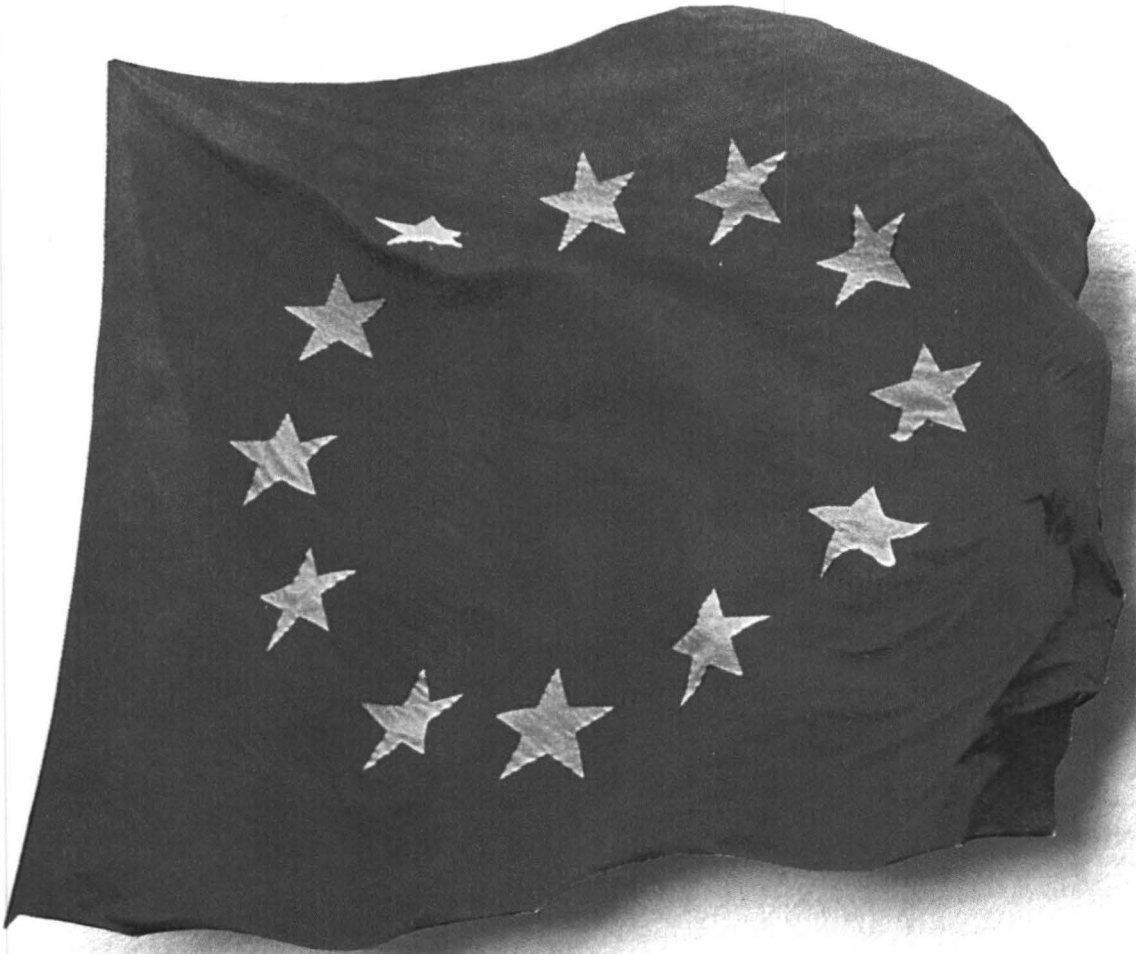


Bulletin of the European Communities

Commission



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

ÉCU	=	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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I — Lisbon European Council

Lisbon, 26 and 27 June

1.1. The meeting of Heads of State or Government held in Lisbon on 26 and 27 June was chaired by Mr Cavaco Silva, President of the Council and Prime Minister of Portugal, and attended by Mr Delors and Mr Andriessen, President and Vice-President of the Commission respectively. It was preceded by an address by Mr Klepsch, President of the European Parliament, who proposed a resumption of the interinstitutional conferences to enable agreement to be reached on implementation of the Treaty, with particular reference to the co-decision procedure and the Conciliation Committee, before the next European Council. Mr Klepsch also informed the meeting that the majority of MEPs were in favour of the Community being enlarged to include the EFTA countries which had applied for membership and felt it was vital to convene an intergovernmental conference on institutional reform to proceed in parallel with the accession negotiations.

The summit provided the Heads of State or Government with the opportunity to reaffirm that, despite the 'no' vote in the Danish referendum — and they made it clear that the door was none the less still open to Denmark — the Community would continue to press ahead with the European venture. The Maastricht Treaty must be ratified as planned, with no renegotiation and no modification, to ensure entry into force on 1 January 1993.

After consulting the President and the enlarged Bureau of the European Parliament, the European Council also agreed to extend Mr Delors' term as President of the Commission. Mr Klepsch endorsed this decision, which will be confirmed at the next part-session of Parliament.

On the question of enlargement, a broad consensus was reached on the approach outlined by the Commission in its reports entitled 'Europe and the challenge of enlargement' produced at the request of the Maastricht European Council (Supplement

3/93 — Bull. EC). Most importantly it was agreed that official negotiations with the EFTA countries which had applied for membership could begin as soon as the Treaty on European Union had been ratified and an agreement had been concluded on the second package of structural and financial measures.

The European Council consequently called on the institutions to press on with the necessary preparations for negotiations with the EFTA countries concerned (Austria, Sweden, Finland and Switzerland) on the basis of the institutional provisions set out in the Treaty on European Union and in the declarations attached to it. It also examined the applications submitted by Turkey, Cyprus and Malta and stated that cooperation with these countries must be intensified on the basis of the relevant association agreements, with particular emphasis on political dialogue. Finally, it was agreed that the Community would intensify cooperation and political dialogue with the countries of Central and Eastern Europe within the framework of the Europe agreements in an effort to assist them in their preparations for accession to the Union.

The outcome of the deliberations on the second package of structural and financial measures was largely positive and this should enable the final decisions to be adopted by the Edinburgh European Council in December. The summit reaffirmed that economic and social cohesion remains one of the cornerstones of the Union and agreed that the Cohesion Fund provided for in the Union Treaty would be put in place in Ireland, Portugal and Greece early in 1993. The cumulative effect of the new Fund and the structural Funds will mean an increase on a scale commensurate with the commitments entered into at Maastricht. The European Council also confirmed that implementation of the reform of the common agricultural policy, which it welcomed, would keep within the existing agricultural guideline and announced that there would be a substantial

increase in the resources devoted to action under the common foreign policy. Finally, it agreed to the renewal of the interinstitutional agreement for the duration of the new financial perspective.

After hearing a report from President Delors on subsidiarity and discussing the issue in depth, the European Council stressed the need for this principle to be strictly applied, both in existing and in future legislation, and called on the Commission and the Council to look at the procedural and practical steps needed to implement it and to report back to the European Council in Edinburgh. The Commission undertook to include a reference to the principle of subsidiarity in the recitals of future proposals justifying the initiative; the Council will have to do the same if it decides to amend the original Commission proposal.

The European Council approved the report by the Foreign Ministers on the likely development of the common foreign and security policy, identifying the areas open to joint action *vis-à-vis* particular countries or groups of countries (→ point I.31).

On the internal policy front the progress achieved in the course of the year on completion of the internal market was stressed by the European Council, which also listed the priorities for the months ahead and emphasized the need for even more attention to be paid to ensuring that the single market works fairly and efficiently after 1992. On the free movement of persons the European Council urged that efforts to resolve the problem impeding signature of the Convention concerning the crossing of external frontiers be pursued and pressed for rapid ratification of the Dublin Convention. It welcomed the agreement reached on the establishment of a European Drugs Monitoring Centre and the progress achieved on the setting-up of Europol.

Moving on to external relations, the European Council welcomed the acceptance by the international community meeting in Rio within the framework of the UN Conference on Environment and Development of the objective of sustainable development

and agreed to implement an eight-point plan by way of follow-up.

The European Council committed itself to reactivating the Uruguay Round negotiations with a view to bringing them to a swift conclusion and called on the parties concerned to demonstrate the flexibility based on reciprocity which the Community is prepared to continue to show in all the key areas.

Confirming its support for the current democratic processes and economic reforms in the countries of Central and Eastern Europe, the European Council welcomed the new progress achieved in the establishment and deepening of the Community's relations with these countries and expressed its willingness to pursue joint international action within the framework of the G-24 to improve the balance of payments situation in Bulgaria, Romania and Albania. It also expressed its willingness to play its part in the efforts by the international community to assist Russia and the other republics in the Commonwealth of Independent States (CIS) and agreed to the mobilization of part of the ECU 1.25 billion loan to provide emergency medical assistance. The issue of nuclear safety in some power stations in Central and Eastern Europe and the CIS was also addressed and the setting-up of multilateral machinery for action not covered by bilateral measures was considered; the Commission was asked to increase funding for the programmes already operational in this field.

In a political environment dominated by the crisis in the former Yugoslavia, the European Council adopted a declaration in which it proposed that the UN Security Council take all the steps needed to ensure that humanitarian aid gets through without delay; it did not rule out support for the use of military means by the United Nations to achieve this objective. It also agreed in principle to substantial further financial aid for the displaced persons in the territory of the former Yugoslavia and expressed its readiness to recognize the former Yugoslav republic of Macedonia under a name which

does not include the term 'Macedonia'. A decision was also taken to suspend participation by the Yugoslav delegation in the proceedings of the CSCE and other international forums and organizations.

In a declaration on the Middle East peace process the European Council took note of the results of the recent elections in Israel and acknowledged that it was up to the parties concerned in the dispute to establish the terms of a settlement, which — to be effective — must be freely negotiated and agreed among them. It reiterated its belief that, for an agreement to be just and lasting, it must be based on UN Security Council Resolutions 242 and 338 and repeated the commitment of the Community and its Member States to play a constructive and active role in the peace process, both at bilateral and at multilateral level. It also reaffirmed its support for the independence, sovereignty, unity and territorial integrity of Lebanon.

The European Council also adopted a declaration on relations between Europe and the Maghreb, in which it expressed its determination to continue its overall policy of contributing to the stability and prosperity of the Mediterranean region, favouring a partnership approach capable of placing relations on a footing commensurate in scale and intensity with the links forged by geography and history.

The signing of the Agreement establishing the European Economic Area provided the European Council with an opportunity to press for rapid ratification with a view to entry into force on 1 January 1993. Reference was made to the importance attached to the deepening of relations with Latin America in general and the Mercosur Group in particular and to the major role played by the Community and its Member States in the area of development cooperation. The European Council also appealed to all parties in South Africa to resume negotiations within the framework of the Convention for a Democratic and Non-racial South Africa. Finally, it expressed the hope that the Helsinki Summit would take the

action needed to enable the CSCE to play its role of contributing to freedom, peace and stability in Europe more effectively.

Conclusions of the Presidency

1.2. The Treaty on European Union agreed at the European Council in Maastricht expressed the mutual commitment of the governments of the 12 Member States to create a Union capable of meeting the challenges with which Europe is confronted today. The realization of this commitment remains as important today as it was then as a means of ensuring peace and stability as well as economic and social progress in Europe and in the world.

Convinced that the political commitment undertaken in Maastricht represents a major positive step in the process of European unity, reinforcing democracy in European decision-making, the European Council in Lisbon expresses the determination to press ahead with European construction in this spirit. It agrees the following political guidelines reflecting its determination to maintain the impetus for developing the Community's work internally and externally over the coming decisive period.

The European Council heard a statement from Mr Klepsch, President of the European Parliament, on the main topics under discussion in the European Council.

Progress towards European Union

State of the ratification procedure on the Treaty on European Union

- **References:**
 - Signing of the Treaty on European Union: Bull. EC 1/2-1992, point 1.1.1
 - Conclusions of the Council on the outcome of the Danish referendum: point 1.1.1 of this Bulletin
 - Commission statement on the outcome of the Irish referendum: point 1.1.6 of this Bulletin

1.3. The European Council underlines the importance of respecting the timetable laid down for ratification to ensure in any case the entry into force of the Treaty as of 1 January 1993.

The European Council welcomes the result of the Irish referendum. It notes that ratification in one other Member State is likely to be completed before the summer holidays and that ratification

procedures in most other Member States are well advanced.

It confirms the conclusions reached by the General Affairs Council in Oslo on 4 June.

Enlargement

- **Reference:** Commission report 'Europe and the challenge of enlargement': Supplement 3/92 — Bull. EC

1.4. The Treaty on European Union provides that any European State whose system of government is founded on the principle of democracy may apply to become a member of the Union. The principle of a Union open to European States that aspire to full participation and who fulfil the conditions for membership is a fundamental element of the European construction.

The European Council in Maastricht agreed that negotiations on accession to the Union on the basis of the Treaty agreed in Maastricht can start as soon as the Community has terminated its negotiations on own resources and related issues in 1992.

The European Council considers that the EEA Agreement has paved the way for opening enlargement negotiations with a view to an early conclusion with EFTA countries seeking membership of the European Union. It invites the institutions to speed up preparatory work needed to ensure rapid progress including the preparation before the European Council in Edinburgh of the Union's general negotiation framework. The official negotiation will be opened immediately after the Treaty on European Union is ratified and the agreement has been achieved on the Delors II package.

Negotiations with the candidate countries will, to the extent possible, be conducted in parallel, while dealing with each candidature on its own merit.

The European Council agrees that this enlargement is possible on the basis of the institutional provisions contained in the Treaty on the Union and attached declarations.

The European Council considers that, if the challenges of a European Union composed of a larger number of Member States are to be met successfully, parallel progress is needed as regards the internal development of the Union and in preparation for membership of other countries.

In this context the European Council discussed the applications which have been submitted by Turkey, Cyprus and Malta. The European Council agrees that each of these applications must be considered on its merits.

With regard to Turkey the European Council underlines that the Turkish role in the present European political situation is of the greatest importance and that there is every reason to intensify cooperation and develop relations with Turkey in line with the prospect laid down in the Association Agreement of 1964 including a political dialogue at the highest level. The European Council asks the Commission and the Council to work on this basis in the coming months.

Relations with Cyprus and Malta will be developed and strengthened by building on the association agreements and their application for membership and by developing the political dialogue.

As regards relations with Central and Eastern Europe, the European Council reaffirms the Community's will to develop its partnership with these countries within the framework of the Europe agreements in their efforts to restructure their economies and institutions. The political dialogue will be intensified and extended to include meetings at the highest political level. Cooperation will be focused systematically on assisting their efforts to prepare the accession to the Union which they seek. The Commission will evaluate progress made in this respect and report to the European Council in Edinburgh suggesting further steps as appropriate.

The Commission presented its report 'Europe and the challenge of enlargement'.

Future financing of the Community

- **References:**

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

Commission communication to the Council on the Community's finances between now and 1997: COM(92) 2001; Bull. EC 3-1992, point 1.1.2

Commission report on the system of own resources: COM(92) 81; Bull. EC 3-1992, point 1.1.3

Commission report on application of the Interinstitutional Agreement of 29 June 1988 on budgetary discipline and improvement of the budgetary procedure: COM(92) 82; Bull. EC 3-1992, point 1.1.4

Commission communication on structural policies — assessment and outlook: Bull. EC 3-1992, point 1.1.5

1.5. The European Council welcomes the agreement on the reform of the common agricultural policy which will control production while guaranteeing farmers' incomes.¹ It confirms that the

¹ At the request of Italy the European Council will ask the Agricultural Council to find, if possible, at its next meeting a balanced solution to the dispute regarding the milk quotas system taking account of the problem of its application in Italy.

financial means necessary for the execution of this policy will be provided within the existing agricultural guideline.

The European Council reaffirms that economic and social cohesion represent an essential dimension of the Community and that the principles laid down in 1988 should be maintained (programming, concentration, partnership and additionality) and that their application should be simplified.

It decides with reference to the dispositions in the Maastricht Treaty and the annexed protocols to put in place early in 1993 and in those Member States where the GNP per inhabitant is less than 90% of the Community average the Cohesion Fund provided for in the Treaty.

For the regions concerned in those four Member States, the cumulated effect of the structural Funds and the Cohesion Fund will be an increase appropriate to reflect the Maastricht commitments.

The European Council also agrees to apply equivalent treatment to the East German *Länder* and East Berlin to that in regions whose development is lagging behind (Objective 1 regions within the structural policies) without reducing the benefit which the cohesion countries can legitimately expect on the basis of the Maastricht decision.

The European Council confirms its attachment to reinforcement of the other structural policies, whether reconversion programmes in regions affected by industrial decline (Objective 2) or rural development (Objective 5). Actions should be developed under the Social Fund relating to occupational integration of young people, adapting to changes in systems of production and combating long-term unemployment by means of training and retraining.

The European Council asks the Council to examine further the suggestion contained in the Commission's proposed financial perspectives in relation to stimulating the competitiveness of European business by mutual cooperation and by adapting research and innovation actions; the practical application would be such as to encourage increased participation of small and medium-sized businesses in Community programmes.

The European Council, aware of its increased responsibilities in the new international context, decides to increase substantially resources devoted to actions in the context of the common external policy.

As requested by the Maastricht European Council the regressive nature of the current system will be corrected. The implementation of the correction will take particular account of the situation of the Member States with a GNP per inhabitant below

90% of the Community average. In addition the Commission will present in July its report on the application of the mechanisms for correcting budgetary imbalances.

There is agreement in principle on the renewal of the interinstitutional agreement for the period of validity of the new financial perspectives on terms ensuring strict budgetary discipline and a smooth passage of the annual budgetary discussions.

The European Council will reach decisions at its meeting in Edinburgh on the various components of the Delors II package.

A Union close to its citizens

1.6. The European Council agrees that specific steps must be taken to increase the transparency in the decision-making process of the Community and to reinforce the dialogue with the citizens of Europe on the Maastricht Treaty and its implementation.

The approach of the Maastricht Treaty of bringing the process of European unity closer to the citizens and reaffirming the importance of the identities of the nations that are part of the Union must be forcefully reflected in the Community's actions and behaviour. The European Council expresses the wish to see the dialogue between national parliaments and the European Parliament strengthened, including in the Conference of Parliaments.

The European Council recalls the important role that the subsidiarity principle has played in the drafting of the Treaty on the Union, both through the integration of this principle as a new legally binding ground rule in the Treaty (Article 3b) and through the introduction for the first time of precise delimitation of the type of Community action which can be carried out in the new areas of competence which the Treaty assigns to the Union.

The European Council is convinced that harmonious development of the Union over the coming years depends to a considerable degree on the strict application to existing and future legislation of the principle of subsidiarity by all the institutions. This will be essential to ensure a direction of the European construction which is in conformity with the common wish of Member States and of their citizens.

The European Council, having heard a first report by the President of the Commission on this subject, invited the Commission and the Council to undertake urgent work on the procedural and practical steps to implement the principle and to report to the European Council in Edinburgh.

The Commission undertook, for its part, to justify, in the recitals of future proposals, the relevance of its initiative with regard to the principle of subsidiarity. The Council will have to do the same if it decides to amend the original Commission proposal.

There will likewise be a re-examination of certain Community rules in order to adapt them to the principle of subsidiarity. A report will be prepared for the European Council in December 1993 on the results of that re-examination.

Internal market

I.7. The European Council reaffirms its firm commitment to the adoption of the necessary measures to complete the internal market by 31 December 1992 in accordance with Article 8a of the Treaty.

Free movement of goods, services and capital

I.8. The European Council notes with satisfaction the substantial progress which has been accomplished towards the completion of the internal market in these areas over the last six months. Over 90% of the measures needed to implement the single market without internal frontiers have now been adopted. It welcomes in particular the agreements reached on insurance and public purchasing, which virtually complete the White Paper programme in these sectors, as well as on the final phase of air transport liberalization and on maritime cabotage, and the very substantial progress on plant and animal health, and on medicine and drugs.

The European Council invites the Council (economic and financial affairs) meeting on 29 June to finalize its work on VAT rates and special regimes, on structures and rates for excise duties and on investment services. It also calls on the Council to complete rapidly the necessary legislation on company law (including the European Company Statute) and to complete its work on the protection of cultural goods on the basis of the considerable progress made recently. Priority should also be given in the following months to completing the single market in the fields of liberalization of road transport, intellectual property including the Community trade mark office and outstanding issues on energy.

The European Council reaffirms the importance of the trans-European networks for the effective functioning of the internal market and urges the

Council to pursue the work already carried out in this field.

The European Council also welcomes the progress made by Member States on removing existing national controls on goods, and in stepping up the pace and effectiveness of the transposition and implementation of Community legislation in the internal market. This process must continue.

Beyond this immediate horizon, the European Council recognizes that increased attention needs to be paid to ensuring that the single market will work fairly and effectively in the post-1992 era. It invites the relevant institutions to take the necessary steps, before 1 January 1993, to ensure this objective, building on the work already undertaken by the Commission and the Council in this area.

Free movement of persons

● **References:**

Convention setting out procedures and criteria for determining the Member State responsible for examining an application for asylum: Bull. EC 6-1990, point 2.2.2

Six-monthly meeting of Ministers responsible for immigration: point 1.5.13 of this Bulletin

I.9. The Council took note of the report drawn up by the Coordinators' Group on Free Movement of Persons and approved the recommendations contained in it. It wishes in particular to emphasize the following aspects thereof:

The European Council takes due note that the Presidency has devoted considerable effort with a view to settling the last problem impeding the signature of the Convention of the Member States of the European Community concerning the crossing of the external frontiers and has proposed a compromise solution.

In this connection, the European Council expresses its concern at the absence of a solution to this matter and urges that efforts should be pursued with a view to settling the last problem impeding the signature of the Convention.

The European Council calls for all ratifications of the Dublin Convention to be effected by the end of 1992. It welcomes the substantial progress achieved in preparing for its implementation as well as in other aspects of harmonization of asylum policy.

The European Council requests that the work on drafting an instrument setting up a European Information System be conducted in such a way as to allow the instrument to be signed during the second half of 1992, if possible.

It invites the competent authorities to adopt the other essential measures identified in the Palma

document and to implement the work programme on asylum and immigration which it approved at its Maastricht meeting.

Social affairs

I.10. The European Council welcomes the progress made recently in social matters and urges the Council to pursue the efforts in the social field as the necessary complement to the realization of the internal market.

Fight against drugs

- **References:**

Conclusions of the Rome II European Council: Bull. EC 12-1990, point I.17

Amended proposal for a Regulation on the establishment of a European Drugs Monitoring Centre and a European Information Network on Drugs and Drug Addiction: COM(92) 237; Bull. EC 5-1992, point 1.1.196

I.11. The European Council took note of the report drafted by the European Committee to Combat Drugs (ECCD).

It welcomed the political agreement which emerged on the Regulation establishing a European Drugs and Drug Addiction Monitoring Centre. That body will help give the Community and the Member States an overall view of this serious social phenomenon and will thus assist them in defining their action.

The European Council confirms its full support for the organization in the Member States, from 16 to 22 November 1992, of a European Week to promote the prevention of drug use. It calls for particular emphasis to be placed on the prime importance of education and prevention as regards young people.

It calls upon the ECCD to report to it, at its Edinburgh meeting, on the implementation of the European programme for the fight against drugs adopted by the Rome European Council on 14 December 1990. That report may be accompanied by proposals for further measures.

Europol

- **Reference:** Six-monthly meeting of Ministers responsible for immigration: point 1.5.13 of this Bulletin

I.12. The European Council took cognizance of the report prepared by the Trevi Ministers and signified its agreement on its conclusions.

It calls for the preparation of the Convention necessary for the establishment of Europol.

It endorses the setting-up of a project team to facilitate the early establishment of a European Drugs Intelligence Unit, which has been conceived as the first phase of Europol's development.

External relations

I.13. The European Council noted with satisfaction the initiatives developed in the last months in the field of the Community external relations, in line with the ever-increasing expectations of third countries with regard to the role to be played by the Community on the international scene.

The European Council confirmed the will of the Community to continue acting in this area in a spirit of solidarity and cooperation, fully assuming its international responsibilities.

Rio Conference on Environment and Development

- **Reference:** United Nations Conference on Environment and Development: point 1.3.127 of this Bulletin

I.14. The European Council welcomes the results of the United Nations Conference on Environment and Development (Unced) held at Rio de Janeiro from 3 to 14 June 1992 and in particular the acceptance by the international community at the highest level of the aim of sustainable development worldwide. It also noted with satisfaction the role played by the Community and by its Member States in the Conference.

The European Council invites all the participating States to proceed rapidly to the implementation of the measures agreed at Rio.

The Community and its Member States, for their part, are prepared to commit themselves to the following eight-point plan:

- (i) to ratify the climate change convention and publish national plans for implementing it;
- (ii) to publish national plans for action on biodiversity, and to establish the basis for ratification of the convention;
- (iii) to publish national plans for the implementation of the forest principles;
- (iv) to publish national plans for the implementation of the Rio Declaration and Agenda 21;
- (v) to give financial support to developing countries for the implementation of Agenda 21 through Official Development Assistance (ODA) and for the replenishment of the Global Environment Facility (GEF);

(vi) to take the lead at the 1992 UN General Assembly in the establishment of the Sustainable Development Commission;

(vii) to put their weight behind establishing an international review process for the forest and desertification principles;

(viii) to take the lead in the restructuring of the GEF so that it can in time be established as the permanent financial mechanism for the climate change and biodiversity conventions.

The European Council invites the other States to make a similar commitment.

Uruguay Round

I.15. The European Council reaffirms its commitment to a swift conclusion of the Uruguay Round. An open multilateral trading system reinforced by rules and discipline accepted by all concerned is essential for world economic growth. Further liberalization of world trade will benefit both industrialized and developing countries.

The European Council underlines that these negotiations form a whole and that in order to be successful they must lead to a substantial and balanced result in all areas of the negotiations (agriculture, market access, rules and discipline and new subjects).

Particular responsibility lies with the major trading partners to ease the final multilateral process of the Uruguay Round by opening the way to a solution of the problems that remain. The Community has shown, and is prepared to continue to show, such flexibility based on reciprocity.

In the context of the Uruguay Round the Community has submitted substantial contributions and offers in key areas of the negotiations. In taking the initiative of reforming its common agricultural policy, the Community is basing its agricultural future on a better match between supply and demand, thus contributing to the stabilization of world markets while ensuring that the incomes of Community farmers are legitimately maintained.

The European Council calls on all parties to the negotiations to show similar flexibility so that realistic and balanced solutions can be achieved in agriculture and that in the area of access to markets and services, undertakings can be secured leading to genuine liberalization that is both tangible and mutually satisfactory.

The European Council invites the Community negotiators to pursue the dialogue with their partners and in particular with the United States to

resolve the remaining differences so that overall agreement can be concluded as soon as possible.

Common foreign and security policy

I.16. The European Council approved a report by Ministers for Foreign Affairs on the likely development of the common foreign and security policy (CFSP) with a view to identifying areas open to joint action *vis-à-vis* particular countries or groups of countries (Annex I).

Countries of Central and Eastern Europe

● References:

Interim Agreements relating to the Europe Agreements with Czechoslovakia, Hungary and Poland: Bull. EC 1/2-1992, points 1.4.9 and 1.4.10

Directives for the negotiation of Europe Agreements with Bulgaria and Romania: Bull. EC 5-1992, point 1.2.12

Cooperation agreements with Albania, Estonia, Latvia and Lithuania: Bull. EC 5-1992, point 1.2.11

Proposals for Council Decisions providing further medium-term financial assistance for Bulgaria and Romania: points 1.4.7 and 1.4.8 of this Bulletin

I.17. The European Council expresses its full support for the processes aimed at consolidating democratic institutions in the countries of Central and Eastern Europe, thereby guaranteeing the rule of law and respect for human rights. This includes the principles governing the rights of minorities, and the inviolability of borders, which can be altered only by peaceful means and through agreement, in accordance with the commitments accepted by the signatories to the UN Charter, the Helsinki Final Act and the Charter of Paris for a New Europe.

The European Council also supports the economic reforms undertaken by the governments of the countries of Central and Eastern Europe aimed at creating a climate conducive to modernization and the development of a market economy.

In the light of the results of the 5 and 6 June elections in Czechoslovakia and the Joint Public Declaration of Mr Klaus and Mr Meciar after their talks of 19 and 20 June, the European Council expresses the hope that the ongoing talks between the different political forces will continue in a peaceful and constructive manner and that the important steps in regional and international cooperation already achieved may be further developed without any major difficulty.

The European Council welcomes the progress made in the establishment and deepening of relations with the countries of Central and Eastern Europe and in particular the entry into force of the Intermediate Agreements to the European

Agreements signed with Czechoslovakia, Hungary and Poland, the approval of the directives for negotiation with Bulgaria and Romania and the completion of the trade and cooperation agreements with the Baltic States and with Albania.

The European Council expresses its willingness, within the framework of the G-24, to pursue joint international action to assist the balances of payments of Bulgaria, Romania and Albania, in view of the continued financing needs in these countries which are covered neither by international financial institutions nor by public and private interventions.

Commonwealth of Independent States (CIS)

- **References:**

Lisbon conference on the coordination of assistance to the independent States of the former Soviet Union: Bull. EC 5-1992, point 1.2.8

Agreement establishing an International Science and Technology Centre: Bull. EC 5-1992, point 1.2.10

1.18. The European Council is following developments in the CIS with the greatest interest and confirms its willingness to play its part in the efforts made by the international community to restore the economies of Russia and of other Republics of the CIS. Those efforts, in accordance with the guidelines adopted at the Lisbon Conference of 23 and 24 May 1992, are aimed at ensuring the early integration of those States in the world economy with the intention of contributing to the prosperity of their respective peoples.

The European Council believes that the reforms aimed at achieving proper efficiency should continue to be accompanied by the political changes already under way, which are needed to consolidate an open society founded on the rule of law, individual liberties and political pluralism.

The European Council welcomes the agreement signed by the Presidents of Russia and Ukraine in Dagomis, on 23 June, in which both parties settled the basis for a future share of the Black Sea Fleet and hopes to see the agreements implemented without delay to the benefit of peace and security in the region.

The European Council, on this occasion, expresses its deep concern with the continued fighting in Georgia, in Moldova and in the enclave of Nagorno-Karabakh, and strongly urges all authorities concerned to end the vicious cycle of violence by engaging in a political dialogue and cooperating with all peace efforts, namely in the framework of CSCE.

The European Council underlines the role of the human and technical assistance to the CIS, instituted by the Community, and expresses satisfaction over the positive results achieved in actions so far.

The European Council agrees that urgent action must be initiated in order to provide emergency medical assistance using a suitable part of the loan of ECU 1.25 billion. The Commission will act accordingly.

The European Council considers that the Lisbon Conference on assistance to the Commonwealth of Independent States, which for the first time gathered together representatives of the donor countries, the international organizations and the beneficiary countries, constituted an important moment in which to effect an overall balance of the assistance provided so far by the international community and to stress the extent of the effort developed by the Community and its Member States in that context.

The European Council welcomes the signing of the agreement which creates the International Science and Technology Centres, for reorientation of CIS scientists and technical staff towards pacific activities and reiterates the importance it attaches to the preservation of the scientific and technological potential of the former Soviet Union.

Nuclear safety in the Central and East European countries and the CIS

1.19. The European Council notes the considerable effort undertaken in the framework of the Phare programme for Central and Eastern Europe as well as in the technical assistance programme for the CIS to improve the safety of nuclear power plants of Soviet design.

The European Council considers that, in addition to the bilateral contributions under the coordination of the G-24, the setting up of a multilateral mechanism would be desirable to take action that will not be covered by bilateral measures; it invites the other G-7 partners to respond positively to this initiative.

Given the urgency of this problem, the European Council asks the Commission to increase further the amounts foreseen for this purpose in both programmes.

As far as the 'upgrading' of these nuclear power stations is concerned, the European Council requests the Council to consider the possibility of extending the Euratom loans to investments for this purpose.

European Energy Charter

- **Reference:** Conference on the European Energy Charter: point 1.3.92 of this Bulletin

I.20. The development of close cooperation in the energy sector will make a vital contribution to facilitate and accelerate the transition of the former socialist countries towards a market economy. Based on the progress to the achieving of the energy internal market, it will play an important role in maintaining and strengthening economic and political stability in Europe, and in enhancing environmental protection.

Therefore, the European Council emphasizes the importance of rapid progress in the negotiation of the Basic Agreement for the implementation of the European Energy Charter and urges the Charter Conference to intensify its efforts in order to reach early agreement to be signed in a forthcoming Lisbon Conference on Energy.

Yugoslavia

I.21. The European Council adopted the declaration in Annex II.

Middle East peace process

I.22. The European Council adopted the declaration in Annex III.

Relations with the Mediterranean countries

- **Reference:** Regulations (EEC) Nos 1762/92 to 1764/92 on implementation of the new Mediterranean policy: OJ L 181, 1.7.1992; points 1.4.16 to 1.4.18 of this Bulletin

I.23. The European Council adopted the declaration in Annex IV on relations with the Maghreb countries.

The European Council underlines the importance it attributes to its general relations with the Mediterranean countries and welcomes in this connection the recent agreement on the renewed Mediterranean policy, which constitutes an essential element towards greater political and economic stability in the Mediterranean region.

European Economic Area

- **Reference:** Signing of the Agreement establishing the European Economic Area: Bull. EC 5-1992, points 1.2.1 and 2.2.1

I.24. The European Council welcomes the conclusion of the negotiation process and the signature on 2 May in Oporto of the Treaty creating the European Economic Area.

The European Council expresses its desire to see that the ratification processes in progress take place as soon as possible, so that the Treaty may come into force on 1 January 1993.

Latin America

- **References:**
 - Lisbon Conference (San José VIII): Bull. EC 1/2-1992, points 1.4.42, 2.2.1 and 2.2.2
 - EEC-Rio Group ministerial conference: Bull. EC 5-1992, point 1.2.29
 - Framework cooperation Agreement between the European Economic Community and Paraguay: Bull. EC 5-1992, points 1.2.34 and 1.2.35
 - Framework cooperation Agreement between the European Economic Community and Brazil: point 1.4.30 of this Bulletin

I.25. The European Council underlined the importance it attaches to the deepening of relations between the Community and Latin America as the means to support economic recovery and consolidation of democracy in that region.

In this context, it welcomes the positive results of the last ministerial meetings which took place in Lisbon and Santiago de Chile, and the signature of new framework agreements with Brazil and Paraguay.

The European Council stressed the importance of supporting the efforts of economic integration which are developed at regional level, such as Mercosur.

In this context, following the meeting in Guimaraes on 2 May 1992, the European Council invites the Commission to present proposals with a view to intensifying and institutionalizing relations between the Community and Mercosur.

Relations between the Community and its Member States and developing countries

- **References:**
 - Conclusions of the Luxembourg European Council: Bull. EC 6-1991, point I.45
 - Resolution of the Council and the representatives of the Member States on human rights, democracy and development: Bull. EC 11-1991, point 1.3.67

I.26. The European Council believes that the far-reaching changes in the international scene have contributed to the creation of a new climate and favourable opportunities for the revitalization of a constructive dialogue aimed at promoting devel-

opment based on solidarity, mutual interest and shared responsibilities.

The easing of international tensions with the end of the Cold War provides new possibilities and resources for development but also favours the emergence of new forms of cooperation, namely at the inter-regional level. At the same time, a political consensus is growing around the fundamental relationship between pluralistic democracy, respect for human rights and development regarded as an equitable and sustainable process focused on the individual.

The European Council, recalling its Declaration on Human Rights adopted in Luxembourg as well as the resolution of the Development Council on human rights, democracy and development of 28 November 1991, reaffirms that the respect, promotion and safeguarding of human rights is an essential element in international relations and therefore one of the cornerstones of cooperation as well as of relations between the Community and its Member States and other countries. It attaches special importance to positive initiatives designed to ensure active support to those countries which are instituting democracy, improving human rights performance as well as promoting good governance.

The European Council considers that an active relationship and dialogue with developing countries is a fundamental condition to overcome the disparities and gaps that still divide the populations of the world. The European Community and its Member States are playing and will continue to play a major role in all fields of cooperation for development, taking in due account the new possibilities brought about by a positive climate in international relations.

CSCE

- **References:**
 Signing of the Charter of Paris for a New Europe: Bull. EC 11-1990, point 1.1
 Opening of the fourth CSCE follow-up meeting: Bull. EC 3-1992, point 1.3.78

I.27. The European Council reaffirms the commitment of the Community and its Member States to the CSCE process and underlines the major contribution of the CSCE to freedom, peace and stability in Europe and as a means to ensure cooperation among all participating States, on the basis of full compliance with the provisions of the Helsinki Final Act, the Charter of Paris for a New Europe and all other relevant CSCE texts. Without total respect and thorough implementation of all CSCE commitments, no State can expect to play

a role in the building-up of a new Europe of peace, freedom, cooperation and progress.

The European Council welcomes the positive results already achieved at the ongoing CSCE follow-up meeting of Helsinki and looks forward to a successful outcome of the Helsinki Summit meeting. The European Council expresses its conviction that, on the occasion of the Helsinki Summit, fundamental steps will be taken which shall render the CSCE more effective and operational in order to be able to play the role it must assume in the future.

The European Council urges parties to the CFE Treaty to take the necessary steps in order to achieve its entry into force. Furthermore, the European Council stresses that an agreement to limit the personnel strength of conventional armed forces of the CFE participating countries will further enhance stability and security in Europe and should be signed at the Helsinki Summit.

Non-proliferation and arms exports

I.28. The European Council noted with satisfaction the conclusion of a common list of nuclear goods and nuclear-related dual-use goods to be controlled by Member States, when exported.

Furthermore, the European Council notes that work in progress in European political cooperation has, by comparing national policies on arms exports, identified an additional common criterion on which these policies are based.

This criterion will be added to those approved by the European Council of Luxembourg and will be formulated as follows:

‘The compatibility of the arms exports with the technical and economic capacity of the recipient country, taking into account the desirability that States should achieve their legitimate needs of security and defence with the least diversion for armaments of human and economic resources.’

Southern Africa

- **Reference:** Declaration by the Community and the Member States on the violence in South Africa: point 1.5.8 of this Bulletin

I.29. The European Council is deeply concerned about the recent violence in South Africa. Recalling the Community and its Member States’ statement of 23 June expressing shock at the Boipatong massacre, it notes the fact that the South African Government has stated its readiness to allow for foreign observers to participate in the investigation under way. It underlines the absolute need to

ensure an effective control of the police and security forces. The ministerial troika of the Community and its Member States will address this issue on the occasion of its forthcoming visit to South Africa.

It calls upon all parties in South Africa to resume negotiations in the framework of Codesa, which is a privileged forum where the necessary consensus may be sought, in order to ensure a peaceful transition towards a true democratic and non-racial South Africa, in particular by the establishment of a transitional government. The European Council considers it vital that South Africa not lose the substantial progress already made in that forum.

The European Council notes with satisfaction the clear advances made towards a lasting peace throughout southern Africa, in particular the progress made in the peace process in Angola, which should culminate in general elections in September 1992.

The European Council urges the parties involved in the Mozambican conflict to reach, with utmost urgency, a peace agreement in the context of the mediation process in which EC countries play an active role. This will make possible the delivery of international aid to the affected populations, who are already suffering because of the prolonged drought which is having catastrophic effects throughout the sub-region.

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I.30. The European Council, after consultation of the President and the enlarged Bureau of the European Parliament, agreed to renew the mandate of Mr Jacques Delors as President of the Commission.

Annex I

Report to the European Council in Lisbon on the likely development of the common foreign and security policy (CFSP) with a view to identifying areas open to joint action *vis-à-vis* particular countries or groups of countries

I — Introduction: the likely development of CFSP

I.31. The Treaty establishing the European Union, which should come into force on 1 January 1993, will mark the creation of the common foreign and security policy.

The CFSP should be seen as the successor to the activities hitherto pursued by Member States in the framework of European political cooperation (EPC) under the Single European Act. With specific aims and means, the CFSP represents a *saut qualitatif* in the sense that it integrates the *acquis* of EPC and gives it greater potential, principally by means of joint action, an additional instrument which implies a strict discipline among Member States and enables the Union to make full use of the means at its disposal.

With the new phase now beginning, the CFSP should contribute to ensuring that the Union's external action is less reactive to events in the outside world, and more active in the pursuit of the interests of the Union and in the creation of a more favourable international environment. This will enable the European Union to have an improved capacity to tackle problems at their roots in order to anticipate the outbreak of crises. Furthermore, the Union will be able to make clearer to third countries its own aims and interests, and to match more closely those parties' expectations of the Union.

In order to contribute to the strengthening of the Union's external activities as a whole, it will be up to the Council and to the Commission to ensure consistency between the CFSP, the Community external action and the cooperation in the fields of justice and home affairs.

The legal provisions on CFSP are to be found in Title V of the Maastricht Treaty where it is stated that the Union shall gradually implement 'joint action in the areas in which the Member States have important interests in common' (Article J.I.3).

It was specifically with a view to identifying the areas open to joint action that the Maastricht European Council issued a statement in which the Council was invited:

'to prepare a report to the European Council in Lisbon on the likely development of the CFSP with a view to identifying areas open to joint actions *vis-à-vis* particular countries or groups of countries'.

It should be noted that the proposals herein constitute only a starting point for the implementation of CFSP and more specifically for joint action. Consequently the proposals on geographical areas and horizontal domains for joint action are to be seen as a first indication and should in no way be regarded as exhaustive.

II — Framework

In accordance with the Union's Treaty, the CFSP covers all areas of foreign and security policy and

implies, with the aim of achieving the objectives set out in Article J.1.2:

- (i) systematic cooperation between Member States in the conduct of policy on any matter of foreign or security policy of general interest;
- (ii) the gradual implementation of joint action in the areas in which the Member States have important interests in common.

Joint action must be seen as a means for the definition and the implementation by the Union of a policy in the framework of the CFSP in a specific issue. It must necessarily:

- (i) satisfy the objectives of the Union set out in Article B and, more particularly, in Article J.1.2;
- (ii) take into account the Union's *acquis*;
- (iii) remain consistent with other actions and positions adopted by the Union.

For each area, the Union should define specific objectives in order to select the issues in which joint action may be envisaged. These specific objectives might be *inter alia*:

- (i) strengthening democratic principles and institutions, and respect for human and minority rights;
- (ii) promoting regional political stability and contributing to the creation of political and/or economic frameworks that encourage regional cooperation or moves towards regional or sub-regional integration;
- (iii) contributing to the prevention and settlement of conflicts;
- (iv) contributing to a more effective international coordination in dealing with emergency situations;
- (v) strengthening existing cooperation in issues of international interest such as the fight against arms proliferation, terrorism and the traffic in illicit drugs;
- (vi) promoting and supporting good government.

The existence of important interests in common constitute the basic criterion for adopting joint action (Article J.3). According to the principle of solidarity among Member States, this does not rule out the possibility of a given interest being of more importance to some Member States than to others.

It is possible at this stage to list certain factors determining important common interests. Account should be taken of these and other factors in defining the issues and areas for joint action:

- (i) the geographical proximity of a given region or country;
- (ii) an important interest in the political and economic stability of a region or country;

- (iii) the existence of threats to the security interests of the Union.

Bearing in mind that joint action should be gradually implemented, a limited number of geographical areas has been identified. For each area, a number of horizontal issues in respect of which joint action could be undertaken in the short term were selected. These areas are: Central and Eastern Europe, in particular the Commonwealth of Independent States and the Balkans, the Mediterranean, in particular the Maghreb, and the Middle East.

In addition, certain domains within the security dimension have already been identified by the European Council.

As pointed out in the introduction, the selection of areas for implementation of joint action is merely illustrative.

The European Council will review the international situation in order to establish general guidelines for joint action in the light of change in the areas already identified and in any others where appropriate.

With regard to the special importance of the North-South relations, the Union may want to develop gradually in a consistent and coordinated manner its external activities *vis-à-vis* the countries of Africa, Latin America and the Caribbean and Asia in all aspects of its relations (e.g. foreign, security, economic and development policies) in order to contribute to the development of those regions within a context of full respect for human rights, and to the strengthening of their relations with the Union. Particular account will be taken of relations, including contractual relations, which have been established with regional and other groupings.

The Union wishes also to draw attention to the high priority it continues to attribute to the relations with the United States of America, Canada and Japan, with whom the Union has adopted separate joint declarations which constitute a basis for a fruitful partnership. All sides remain aware that cooperation in a close partnership remains indispensable.

In accordance with the provisions of Title V, the Member States of the Union will coordinate their action in international organizations of which they are members and at international conferences at which they participate, both in pursuing common positions and following up joint actions.

III — Joint action *vis-à-vis* particular countries and groups of countries

The following paragraphs identify, in accordance with the European Council's mandate, areas in

which joint action *vis-à-vis* selected individual countries or groups of countries would appear to be, in a first phase, particularly beneficial for the attainment of the objectives of the Union.

A — Central and Eastern Europe

The Community and its Member States have followed closely the economic and political changes in the region. They seek to respond to challenges by mobilizing the resources at their disposal to support the transformation taking place in those countries, in particular the establishment of the rule of law and the process of economic reform.

The Union will:

- (i) promote political stability and contribute to the creation of political and/or economic frameworks that encourage regional cooperation or moves towards regional or sub-regional integration;
- (ii) encourage full implementation of the CSCE commitments in the framework of the CSCE itself and elsewhere, including in particular the provisions relating to:
 - (a) the human dimension, notably respect for democracy, the rule of law, human rights including those of persons belonging to national minorities;
 - (b) the prevention and settlement of conflicts, whilst fully respecting the inviolability of frontiers and other CSCE principles.

1. *Russia and the former Soviet Republics*

Hitherto, the action of the Community and its Member States in the political field has been dominated by the need to assure the area's stability, with particular attention to the preservation of European security. With a view to strengthening the Union's capacity for influence *vis-à-vis* this group of countries, joint action might be envisaged in the following areas:

- (i) support for the setting-up of a framework of harmonious relations between the European Union and the new States, taking into account the different interests and historical experiences of the States concerned;
- (ii) reinforcing existing patterns of cooperation and trade between the new States themselves;
- (iii) encouraging full compliance with all the treaties on disarmament and arms control to which they are parties, including those on non-proliferation;
- (iv) opening joint facilities and missions, each case being treated on its merits.

2. *Other countries in Central and Eastern Europe including the Balkans*

These countries are engaged in the road to democracy and in the process of setting up new political and economic structures. It would be convenient to reinforce their links with the European Union and other organizations.

Progress has already been made by some of these countries in the process of democratization and integration in European institutions. Taking it into account, joint action might be envisaged in establishing the political frameworks to foster these countries' relations with each other and with the Union and the reinforcement of their ties with European organizations and structures.

3. *Former Yugoslavia*

For the present the essential aim is to promote peace among the peoples and countries of the area and to contribute to safeguarding European security.

The following issues could fall within the framework of joint action:

- (i) the Union efforts to find a peaceful and lasting solution to the Yugoslav crisis including the Peace Conference and the continuation of the various aspects of the monitoring mission;
- (ii) the monitoring of a possible future solution and the promotion of cooperation between the Republics;
- (iii) the promotion of cooperation in political and security issues between the Republics and the Union;
- (iv) the contribution to the strengthening of democracy and the rule of law, human and minority rights, by means of legal and technical cooperation.

B — Maghreb and Middle East

The southern and eastern shores of the Mediterranean as well as the Middle East are geographical areas in relation to which the Union has strong interests both in terms of security and social stability.

The Union has therefore an interest in establishing with the countries of the area a relationship of good neighbourliness. The goal should be to avoid a deepening of the North-South gap in the region by favouring economic development and promoting full respect for human rights and fundamental freedoms and the development and consolidation of democracy and the rule of law.

1. *Maghreb*

The Maghreb is the Union's southern frontier. Its stability is of important common interest to the Union. Population growth, recurrent social crises, large-scale migration, and the growth of religious fundamentalism and integralism are problems which threaten that stability.

Without prejudice to the necessary differences in approach concerning the region's various countries, attention might be given in priority to the following:

- (i) promoting a constructive dialogue, aimed at creating an area of peace, security and prosperity, in which respect of the fundamental principles of international law is assured;
- (ii) establishing a framework of cooperation in all fields, which should gradually lead to an upgraded partnership between the Union and its Member States and the Maghreb countries;
- (iii) strengthening of existing cooperation measures on the foreign policy aspects of the fight against terrorism and illicit traffic in drugs;
- (iv) ensuring full compliance by the countries of the region with the relevant treaties and agreements on disarmament and arms control, including those on non-proliferation;
- (v) supporting the current moves towards regional integration.

2. *Middle East*

The Middle East has been one of the constant preoccupations of the Community and its Member States. The instability which has been a permanent feature of this region affects international security and the interests of the Union, the most important of which are to ensure the stability of the area and a relationship of cooperation and dialogue.

Within the framework of the objectives set by the Union, the following domains are potentially open to joint action:

- (i) development of systematic action to support the process of negotiations launched by the Middle East Conference in Madrid on the basis of the relevant resolutions of the United Nations Security Council which should lead to a just and comprehensive solution to the Arab-Israeli conflict and the Palestinian question;
- (ii) ensure the Union's active involvement in the peace process;
- (iii) making efforts to persuade Israel to change its policy regarding settlements in the Occupied Territories and to persuade Arab countries to renounce their trade boycott;

- (iv) support moves towards regional integration;
- (v) ensure the full compliance by the countries of the region with the relevant treaties and agreements on disarmament and arms control, including those on non-proliferation, and with the relevant resolutions of the United Nations Security Council;
- (vi) the foreign policy aspects of the fight against terrorism and the illicit traffic in drugs.

IV — Domains within the security dimension

The Heads of State or Government at the Maastricht European Council adopted provisions for the establishment, the definition and the implementation of a common foreign and security policy. This policy shall include all questions related to the security of the Union, including the eventual framing of a common defence policy, which might in time lead to a common defence.

In this context, the European Council indicated the domains within the security dimension which may be, as from the entry into force of the Treaty, the object of joint actions, namely:

- (i) the CSCE process;
- (ii) the policy of disarmament and arms control in Europe, including confidence-building measures;
- (iii) nuclear non-proliferation issues;
- (iv) the economic aspects of security, in particular control of the transfer of military technology to third countries and control of arms exports.

In accordance with Article J.4, the Union requests the WEU, which is an integral part of the development of the European Union, to elaborate and implement decisions and actions of the Union which have defence implications. In this context, Member States which are also members of the WEU recall the Declaration adopted at Maastricht in December 1991 and which was noted by the Intergovernmental Conference. The issues having defence implications dealt with under Article J.4. shall not be subject to the procedure of joint action.

The policy of the Union in accordance with Article J.4 shall not prejudice the specific character of the security and defence policies of certain Member States and shall respect the obligations of certain Member States under the North Atlantic Treaty and be compatible with the common security and defence policy established within that framework.

The European Council has also invited the Ministers for Foreign Affairs to begin preparatory work with a view to defining the necessary basic elements for a policy of the Union by the date of entry into force of the Treaty. This preparatory

work should in particular consider the elements which will be necessary to the Union in the framework of the CFSP. To this effect an *ad hoc* working group on security will be created under the Political Committee.

Annex II

European Council declaration on former Yugoslavia

● **References:**

Regulation (EEC) No 1432/92 and Decision 92/285/EEC prohibiting trade with the Republics of Serbia and Montenegro: OJ L 166, 20.6.1992; point 1.4.12 of this Bulletin

Regulation (EEC) No 1433/92 and Decision 92/286/EEC removing Montenegro from the list of beneficiaries of the positive measures to assist certain republics of the former Yugoslavia: OJ L 151, 3.6.1992; point 1.4.13 of this Bulletin.

1.32. The European Council strongly condemns the continuing violence which has ravaged the territory of the former Yugoslavia for over a year, resulting in an appalling loss of life and a desperate humanitarian situation, in particular in Bosnia-Herzegovina. Although all parties have contributed, in their own way, to the present state of affairs, by far the greatest share of the responsibility falls on the Serbian leadership and the Yugoslav army controlled by it. The Community and its Member States stress again the need for full application of the sanctions stipulated by the UN Security Council.

The European Council deplores in particular that the reopening of Sarajevo airport for humanitarian purposes, in accordance with UN Security Council Resolution 758, has not been achieved. Further measures are therefore required. EC Member States will propose that the legally competent body, the UN Security Council take, without delay, all necessary measures for the reopening of the airport and effective delivery of humanitarian assistance to Sarajevo and neighbouring areas. The European Community and its Member States are ready to cooperate in that as far as is legally and practically possible for them to do so. This may include airborne humanitarian aid. While giving priority to peaceful means, the European Council does not exclude support for the use of military means by the UN to achieve these humanitarian objectives.

Noting the Declaration by the WEU Council of Ministers of 19 June 1992, the European Council welcomes the study being carried out by this organization of possible means in support of actions undertaken in the framework of the relevant UN Security Council resolutions.

The European Council is gravely preoccupied by the increasingly intolerable situation of the hundreds of thousands of displaced persons in the territory of the former Yugoslavia. In spite of actions already undertaken, in particular by the United Nations High Commissioner for Refugees (UNHCR), the European Council considers that further important financial help will be needed. The Commission will coordinate these efforts with the other G-24 countries.

With regard to Kosovo, the European Council expects the Serbian leadership to refrain from further repression and to engage in serious dialogue with representatives of this territory. The European Council reminds the inhabitants of Kosovo that their legitimate quest for autonomy should be dealt with in the framework of the Conference on Yugoslavia. It stresses the need to immediately dispatch observers to Kosovo as well as to neighbouring countries in order to prevent the use of violence and with a view to contributing to the restoration of confidence. The Community and its Member States call upon the CSCE to take the necessary steps to that effect and stand ready, as far as they are concerned, to take part in such a mission.

The European Council reiterates the position taken by the Community and its Member States in Guimaraes on the request of the former Yugoslav Republic of Macedonia to be recognized as an independent State. It expresses its readiness to recognize that republic within its existing borders according to their Declaration on 16 December 1991 under a name which does not include the term Macedonia. It furthermore considers the borders of this republic as inviolable and guaranteed in accordance with the principles of the UN Charter and the Charter of Paris.

The European Community and its Member States will not recognize the new federal entity comprising Serbia and Montenegro as the successor State of the former Yugoslavia until the moment that decision has been taken by the qualified international institutions. They have decided to demand the suspension of the delegation of Yugoslavia in the proceedings at the CSCE and other international forums and organizations.

The European Council states its determination to help the people of the former Yugoslavia in their quest for a peaceful future in Europe and reiterates that the EC Conference on Yugoslavia chaired by Lord Carrington is the only forum capable of ensuring a durable and equitable solution to the outstanding problems of the former Yugoslavia, including constitutional arrangements for Bosnia-Herzegovina. The European Council urges all parties involved in the peace process to participate

fully and without further delay in the negotiations sponsored by the Conference.

Annex III

Declaration of the European Council on the Middle East peace process

- **Reference:** Opening of the Middle East peace conference: Bull. EC 10-1991, point 1.3.15

I.33. The European Council reaffirms its support for the peace process launched in Madrid in October 1991, which provides a unique opportunity for peace. It is of paramount importance for the world and Europe in particular, which has an essential role to play in the political and economic stability of the region. The European Council pays tribute to the commitment and perseverance of the co-sponsors as well as to the wisdom and courage displayed by the parties directly involved.

The European Council has taken note of the results of the election in Israel. It believes that these results, which are an illustration of the democratic tradition in Israel, will reinforce the peace process and the commitment to a just and lasting settlement. It hopes that the new Israeli Government, as well as the Arab parties involved, will seize the opportunity to negotiate a comprehensive peace.

The European Council recognizes that it is for the parties to the dispute to establish the terms of a settlement, which, to be effective, must be freely negotiated and agreed among them. But the European Council reiterates its belief that for an agreement to prove just and lasting it will have to be based on United Nations Security Council Resolutions 242 and 338, which enshrine the principle of land for peace. It should provide for the security of all States in the region, including Israel, within recognized and guaranteed borders, and for the Palestinian people to exercise their right to self-determination.

The European Council reiterates the need for all parties to commit themselves to the peace process, to refrain from all acts of violence and to avoid any action likely to endanger the negotiations, or to threaten the climate of confidence. It hopes that the new Israeli Government and the Arab parties will act quickly to implement confidence-building measures. It looks forward to a halt to the building and expansion of Israeli settlements in the Occupied Territories, including East Jerusalem, which are illegal under international law, and to full application of the provisions of the Fourth Geneva Convention. The European Council also calls upon the members of the Arab League to lift the boycott

of trade to Israel, which is incompatible with the spirit of the peace process.

The European Council reiterates the commitment of the Community and its Member States to play a constructive and active role in the peace process, in both its bilateral and multilateral tracks, based on the Community's well-known positions of principle. Both Israel and her Arab neighbours can rely on Europe's commitment to building a future of peace and prosperity in the region in the light of progress achieved in the peace process.

The European Council reiterates the Community's wish for full implementation of Security Council Resolution 425. It reaffirms its support for Lebanon's independence, sovereignty, unity and territorial integrity. It calls for the withdrawal of all foreign forces from Lebanon and for cooperation by the parties with the United Nations forces serving there. The European Council believes that the Lebanese people should be permitted to make their views known in elections which are held under conditions guaranteed to be free and fair.

Annex IV

Declaration by the European Council on relations between Europe and the Maghreb

- **Reference:** Commission communication to the Council 'The future of relations between the Community and the Maghreb': Bull. EC 4-1992, point 1.4.6

I.34. The European Council reaffirms its solidarity with the Maghreb countries and its firm determination to continue its overall policy of contributing to the stability and prosperity of the Mediterranean region on the basis of an approach favouring partnership.

The Community and its Member States consider that their relations with the Maghreb countries must be founded on a common commitment to:

- (i) respect for international law, the principles of the United Nations Charter and the Resolutions of the United Nations Security Council;
- (ii) respect for human rights and fundamental freedoms in civil, political, economic, social and cultural matters and for democratic values exemplified by free and regular elections;
- (iii) the establishment of democratic institutional systems guaranteeing pluralism, effective participation by citizens in the lives of their States and respect for the rights of minorities;
- (iv) tolerance and coexistence between cultures and religions.

The political dialogue between the European Community and its Member States and the Maghreb countries should permit a regular exchange of information and greater mutual consultation on political and security matters. Similarly, the European Community and its Member States hope that this dialogue will as soon as possible extend to elected representatives and the social partners. The Community and its Member States are also ready, at the appropriate time, to continue the dialogue entered into with the AMU.

In the economic field, the European Council reiterates its support for the harmonious development of the Maghreb region with a view to its economic integration, the introduction of true market economies and the modernization of economic systems.

In this context the European Council, mindful of the possibilities for action already decided upon in the context of the new Mediterranean policy, to which the Community remains firmly committed, considers that a true Europe-Maghreb partnership should encourage the continuation of economic reforms and a substantial increase in private investment, and more particularly joint ventures between firms in Europe and the Maghreb, with a view to promoting job-creating activities.

The European Council states that the Community is ready to play a full part in such an undertaking, in particular through financial cooperation, especially in the context of the new Mediterranean

policy, investment promotion, increased technical cooperation in all areas of common interest and ultimately, by stages, the setting up of a free-trade area. The European Council notes that talks have already made it possible to explore this approach with Morocco and hopes that rapid progress can be made along these lines. It proposes that a similar approach be adopted towards other countries in the region.

In the social field, the European Council considers that priority consideration must be given to the problems raised on both sides of the Mediterranean by:

- (i) migration and the living and working conditions of migrant communities;
- (ii) demographic imbalances and the attendant economic and social disparities.

In the cultural field, the European Council considers that more exchanges, in particular of young people, university students and staff, scientists and those in the media, are vital for a better knowledge and mutual understanding of peoples and cultures in Europe and the Maghreb.

Through the progressive attainment of the objectives cited, in particular that of partnership, the European Council shows its firm determination to place relations between Europe and the Maghreb on a footing which, in scale and intensity, is commensurate with the links forged by geography and by history.

PART ONE

ACTIVITIES IN JUNE 1992

News in brief

European Union

Referendums are held in Denmark and Ireland (→ points 1.1.1 to 1.1.6).

Delors II package: structural and financial measures 1993-97

Parliament adopts a resolution on the Delors II package (→ point 1.2.2).

The single market and the Community economic and social area

Internal market

The Commission adopts a communication on guidelines on company taxation in the context of the further development of the internal market (→ point 1.3.6).

The Council adopts a Directive relating to the coordination of procedures for the award of public service contracts (→ point 1.3.7) and a common position on a proposal for a Directive concerning the coordination of procedures for the award of public works contracts (→ point 1.3.9) and agrees a common position on a proposal for a Directive on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors (→ point 1.3.8).

The Council agrees common positions on proposals for Directives on investment services in the securities field (→ point 1.3.10) and the capital adequacy of investment firms and credit institutions (→ point 1.3.11).

The Council adopts a common position on a proposal for a Directive on monitoring and controlling large exposures of credit institutions (→ point 1.3.12).

The Council adopts a Directive on direct insurance other than life assurance (→ point 1.3.13) and a common position on a proposal for a Directive on direct life assurance (→ point 1.3.14).

Enterprise policy, industrial policy and services

The Council adopts resolutions on industrial cooperation with third countries (→ point 1.3.50), the textile and clothing industries (→ point 1.3.51) and the European motor vehicle industry (→ point 1.3.52) and conclusions on the European aircraft industry (→ point 1.3.53).

The Council agrees a proposal for a Decision on a Community action plan to assist tourism (→ point 1.3.56).

The Council adopts a resolution on Community action to support enterprises, in particular SMEs, including craft industry enterprises (→ point 1.3.57) and conclusions on Community action to assist commercial and distributive enterprises (→ point 1.3.58), and the Commission adopts a communication on SME participation in public procurement (→ point 1.3.59).

Transport

The Commission adopts communications on the establishment of a trans-European road network, a European inland waterway network and a combined transport network (→ point 1.3.73 and 1.3.74).

The Council agrees proposals for Regulations on the liberalization of transport involving road haulage services (→ point 1.3.75), freedom to provide maritime transport services (→ point 1.3.76) and the second air transport package (→ point 1.3.77).

Social dimension

The Council adopts a Directive on collective redundancies (→ point 1.3.97) and a recommendation on sufficient resources (→ point 1.3.98).

The Council agrees proposals for recommendations on the convergence of social protection (→ point 1.3.99) and employee participation in profits and enterprise results (→ point 1.3.100).

Education, vocational training and youth

The Council adopts a Directive on a second general system for the recognition of professional education and training (→ point 1.3.108).

The Council adopts conclusions on the assessment of new Community education and training programmes, the development of environmental education and the development of open and distance learning (→ points 1.3.110 to 1.3.112).

Environment

The Unced Conference is held in Rio (→ point 1.3.127) and Conventions are signed on global climate change (→ point 1.3.128) and the conservation of biological diversity (→ point 1.3.129).

Agriculture

The Council adopts Regulations on the reform of the common agricultural policy (→ points 1.3.140 to 1.3.147) and agricultural prices for 1992/93 (→ point 1.3.148).

Fisheries

The Council adopts further conclusions on the reform of the common fisheries policy (→ point 1.3.184).

Consumers

The Council adopts a Directive on general product safety (→ point 1.3.194) and agrees a common position on a proposal for a Directive on unfair terms in consumer contracts (→ point 1.3.195).

Role of the Community in the world

Mediterranean and Middle East

The Council and the representatives of the Member States adopt two Regulations and two Decisions on sanctions against Serbia and Montenegro (→ points 1.4.12 and 1.4.13).

The Commission adopts a recommendation for a Decision on a cooperation agreement with Slovenia (→ point 1.4.14).

The Council adopts three Regulations on implementation of the new Mediterranean policy (→ points 1.4.16 to 1.4.18).

United States, Japan and other industrialized countries

The Council adopts conclusions on the Commission communication on relations between the Community and Japan (→ point 1.4.23).

Asia and Latin America

The Commission adopts a recommendation for a Decision on a cooperation agreement with Asean (→ point 1.4.26).

Cooperation agreements are signed with Macao (→ point 1.4.27), Mongolia (→ point 1.4.28) and Brazil (→ point 1.4.30).

Commercial policy

The Commission adopts a proposal for a Regulation on the harmonization and streamlining of decision-making procedures for Community instruments of commercial defence (→ point 1.4.50).

1. European Union

Procedures for the ratification of the Maastricht Treaty

Denmark

1.1.1. Outcome of the Danish referendum.

In a referendum conducted on 2 June the Danish people voted against ratification of the Maastricht Treaty.

1.1.2. Statement by Mr Delors on the outcome of the Danish referendum.

Following the Commission's meeting on 3 June Mr Delors made a statement on behalf of the Commission on the outcome of the Danish referendum.

'First, the Commission takes note of the views of the Danish people, who are fully entitled to make these views known and have done so in accordance with democratic procedure.

Second, the Commission reaffirms the vital importance for the process of European integration of the two pillars of the Treaty adopted at Maastricht — one on economic and monetary union, the other on political union. This was, and still is, a quantum leap that is essential if the European Community is to face up to the challenges of the modern world and to its own responsibilities.

Third, the "no" vote in the referendum will obviously give us all food for thought. But the Commission is bound to say that it fears the result will have consequences not only for the Community itself but also for Denmark and the Danes, and indeed for such prospects of enlargement as we may be entertaining at the moment.

Fourth, the Commission hopes that Member States, to achieve the general objectives they set themselves at Maastricht, will proceed to ratify on schedule.

A fifth and last point: meanwhile, the life of the Community goes on, as is evidenced by the working meeting I had with the President of the Council this morning. The 1992 deadline for the internal market has to be met; all the provisions of the Single Act have to be given effect; we have to work on the 1992-97 financial perspective, since we are already into the last year of the financial perspective adopted by the European Council in February 1988.'

1.1.3. Conclusions of the Council meeting in Oslo on the outcome of the Danish referendum.

Adopted at an extraordinary meeting of the Council (general affairs) on 4 June.

'The Ministers heard a report by the Danish Foreign Minister on the outcome of the referendum in Denmark, at which they all expressed regret.

The Ministers noted that 11 Member States have expressed the desire for European Union involving all the Member States. They rule out any renegotiation of the text signed at Maastricht.

The ratification procedure will continue in the Member States on the basis of the existing text and in accordance with the schedule agreed on, before the end of the year.

They all agree that the door should be left open for Denmark to participate in the Union.'

1.1.4. Parliament resolution on the consequences of the referendum in Denmark for the Treaty of 7 February 1992.

Adopted on 10 June. Noting the negative outcome of the referendum organized in Denmark for ratification of the Treaty on European Union, Parliament urged the Member States to ratify without delay. It also cautioned against any attempt to reopen negotiations on the Treaty and reaffirmed the need for a deepening of European Union eliminating the democratic deficit.

OJ C 176, 13.7.1992

Ireland

1.1.5. Outcome of the referendum.

In a referendum conducted on 18 June the Irish people voted in favour of ratification of the Maastricht Treaty.

1.1.6. Statement by Mr Delors on the outcome of the Irish referendum.

On 19 June, following publication of the results of the referendum, Mr Delors made the following statement on behalf of the Commission:

'The European Commission has just received the final results of the referendum held in Ireland on 18 June. It is delighted with the outcome and gratified at the level of support for the Maastricht Treaty.

It is pleased in the first place for the Irish people themselves, who have opted for active participation in the construction of Europe rather than isolation and an empty future. But it also welcomes the effect that the Irish vote will have elsewhere in

the Community, since every country has to take a stand on the great leap forward represented by economic and monetary union and political union.

This ratification period offers a unique opportunity to involve each and every citizen of the Community in building the future, which lies in a Europe which is united in its diversity, a Europe which is prosperous but generous and interdependent too.'

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

1.2.1. Reaffirming that economic and social cohesion remains one of the cornerstones of the Community, the European Council decided that the Cohesion Fund provided for in the Maastricht Treaty should be put in place early in 1993 and that the East German *Länder* and East Berlin should be treated in the same way as regions whose development is lagging behind; at the same time it reiterated its support for the other structural policies. It also decided to examine further the Commission proposals for stimulating the competitiveness of European business through cooperation and the adaptation of research and innovation actions and to increase substantially the resources allocated to the common foreign policy.

The European Council also agreed that the regressive nature of the current system of resources should be corrected and that the interinstitutional agreement should be renewed (→ point I.5).

1.2.2. Parliament resolution on the Commission communication 'From the Single Act to Maastricht and beyond: The means to match our ambitions.'

- **Reference:** Commission communication: COM(92) 2000; Bull. 1/2-1992, point 1.2.1; Supplement 1/92 — Bull. EC

Adopted on 10 June. Although it approved the guidelines and priorities of the Delors II package, Parliament considered the proposed ECU 10.5 billion increase in own resources from 1.2 to 1.37% of GNP insufficient to finance the objectives and tasks agreed to in Maastricht. Analysing the various sections of the Commission communication in turn, Parliament welcomed the proposed increases in structural Fund appropriations but doubted that they would achieve the critical volume required for effective implementation of structural policy objectives. It also called for the safeguarding of the principles of programming, concentration, partnership, additionality, subsidiarity and monitoring. It welcomed the proposed funding of the Cohesion Fund and agreed in principle to its incorporation into the 1993 budget.

On foreign and security policy and development policy, Parliament supported the proposal to make substantial funds available under the budget in the light of developments in Central and Eastern Europe and the Mediterranean, but proposed that they be increased by ECU 1 billion.

On the internal policy front Parliament noted with regret that the Commission's

financial proposals would not provide an adequate boost for the efficiency of the internal market or the competitiveness of the economy. It supported growth in research and technological development and stressed the need for a new financial commitment to strengthen the competitiveness of Community industry. It accordingly proposed that estimates for internal policies be increased by ECU 1 billion in 1997.

As regards agricultural policy Parliament stressed the urgency of a reform which was economically, ecologically and socially acceptable. It proposed that the current guideline be retained and that a 'reform' reserve of ECU 1.5 billion be set up for 1994-97 which could be incorporated in the agricultural guideline once the reform had been completed.

Parliament approved the global estimate for administrative expenditure and welcomed the creation of a contingency reserve to cover the risks inherent in loan guarantees to non-member countries but felt it was not

high enough and should be accompanied by a special early-warning system.

Parliament also recommended that the own-resources ceiling be increased to 1.40% of GNP; it acknowledged that the Commission proposals were a step in the right direction but advocated a gradual shift in the fourth, GNP-based resource towards a system that would fully offset the discrepancy between VAT resources and the GNP distribution scale, with a much more radical cutback in the VAT resource. Parliament also suggested that a special interinstitutional conference be convened to draw up proposals for the introduction of a fifth resource in 1994.

Finally, Parliament declared its willingness to conclude a new institutional agreement that would guarantee compliance with budgetary discipline and the financial perspective, make good the democratic deficit in the budgetary procedure by granting Parliament a role equivalent to that of its partners, and ensure compliance with budgetary objectives by means of legislative acts.

OJ C 176, 13.7.1992

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

Economic and monetary policy

Economic situation

Convergence programme

1.3.1. Council conclusions on Spain's convergence programme.

• **References:**

Council Decision 90/141/EEC on the attainment of progressive convergence of economic policies and performance during Stage I of economic and monetary union: OJ L 78, 24.3.1990; Bull. EC 3-1990, point 1.1.1

Maastricht European Council: Bull. EC 12-1991, points I.1 to I.16

Adopted by the Council on 9 and 10 June.

'The Council welcomed the decision by Spain to submit a convergence programme for examination by the Council. The Council expressed its appreciation of the courageous and comprehensive nature of the programme and it welcomed its political endorsement by the Spanish Parliament. The Council was encouraged that, on the basis of the targets and measures envisaged, Spain should be able to fulfil the nominal convergence criteria set out in the European Union Treaty prior to the move to Stage III.

As regards the basic strategy of the convergence programme, the Council firmly endorsed the dual strategy of consolidating the macroeconomic situation and at the same time undertaking significant structural reform. The importance of incorporating structural policies in convergence programmes to remove rigidities in markets for labour, capital and services was endorsed by Ministers and Governors of the Central Banks at their informal meeting in Oporto on 9 May 1992.

Monetary policy will continue to be conducted in a manner compatible with maintaining a stable nominal exchange rate. A successful reduction of inflation will, as the programme outlines, require its underlying structural causes to be firmly dealt with. The Council also attached great importance to the role of wage moderation.

The convergence programme aims to reduce the net borrowing of general government from 4.4% of GDP in 1991 to 1% of GDP in 1996. This is to

be achieved through both real revenue increases and expenditure savings. None the less, the Spanish authorities will keep the level of public investment at 5% of GDP, thus maintaining the momentum towards real convergence. The Council stressed the important role of the regional and local authorities in achieving fiscal consolidation and welcomed the binding agreement reached with the autonomous communities.

The Council acknowledges the scale of proposals to improve labour market functioning, and the deregulation of services and certain occupations. It was emphasized that these measures are fundamental for achieving conditions conducive to sustainable non-inflationary growth. Credibility and effectiveness of these measures would be enhanced by rapid introduction of the proposed measures.'

Statistical area

General

Statistics on services

1.3.2. Council Decision 92/326/EEC establishing a two-year programme (1992 to 1993) for the development of European statistics on services.

- **Commission proposal:** COM(90) 578; Bull. EC 12-1990, point 1.7.1
- **Parliament opinion:** OJ C 129, 20.5.1991; Bull. EC 4-1991, point 1.6.2

Adopted by the Council on 18 June. The aim is to set out a European reference framework and to establish a European statistical information system for services with a view to contributing to the operation of the single market and satisfying the needs of government departments and businesses, while promoting and supporting the harmonization of services statistics in the Member States. The resources needed are estimated at ECU 8.5 million.

OJ L 179, 1.7.1992

Results

*Population on 1 January 1992:
European Community 346 million,
European Economic Area 379 million*

1.3.3. According to Eurostat estimates based on the latest available figures, the European Community had a population of 346 million on 1 January 1992. Eurostat now presents for the first time the corresponding figures for the European Free Trade Association (EFTA). The signing of the European Economic Area (EEA) Treaty in Oporto on 2 May 1992 ratified the creation of a market offering free movement of people, capital and goods. The 33 million inhabitants of the seven EFTA member countries, i.e. Austria (A), Finland (SF), Iceland (IS), Liechtenstein (FL), Norway (N), Sweden (S) and Switzerland (CH), bring the population of the EEA to more than 379 million.

Uneven population spread

As at 1 January 1992, the 19 countries making up the European Economic Area formed a heterogeneous group, in terms of population size, of 379 million inhabitants spread very unevenly over an area of 3.7 million sq. km.

Similar population growth

In 1991, all the EEA countries shared positive net natural growth, with the exception of Germany (-0.2 per thousand in 1990 and -0.9 per thousand in 1991).

The Community's natural growth fell to 505 100 in 1991 from 616 000 in 1990, a drop of 18%.

Over the same period, EFTA's natural growth rose from 90 000 to 98 000, an increase of 9% in a year.

Between 1960 and the beginning of the 1980s, EFTA's natural growth rate had followed a similar pattern to that of the Com-

munity, although always at a lower level. In the mid-1980s, the respective rates came closer together and the end of the decade was characterized by an upturn in the EFTA rate that was not matched by the Community.

Net migration in 1991 was lower than in the previous year for both groups. The rate is more than twice as high for EFTA as for the Community (5 per thousand as against 2.1 per thousand).

At present, all the EFTA countries show net inward migration, with Switzerland, Austria and Sweden heading the list.

In 1991, net in-migration to the Community fell by 30%, mainly as a result of the 21% drop in the figure for Germany.

This factor makes a substantial contribution to the total population increase. It is of the same order of magnitude for both groups (58% for the Community and 63% for EFTA).

Following an unbroken rise in the rate of total increase since 1985, there was a reversal of the trend in 1991. In the case of the Community, this fall was due to reductions in both natural growth and net migration, whereas in the case of EFTA it was due solely to the decline in net inward migration.

Information

Publications

1.3.4. New publications available from sales offices:

Europe in figures.

Sigma — The bulletin of European statistics — No 2.

Labour costs — update.

Economic accounts for agriculture and silviculture.

Table 1 — *Population movements in 1991: EUR 12 + EFTA*¹

<i>(thousands)</i>						
Country	Population at 1.1.1992 ²	Births	Deaths	Natural increase	Net migration	Total increase
Belgium	10 022.0	126.1	105.2	20.9	14.1 ³	35.0
Denmark	5 162.1	64.5	59.5	5.0	10.9	15.9
Germany	80 170.0	828.3	900.8	-72.5	490.0	417.5
Greece	10 250.0	100.0	93.5	6.5	43.5	50.0
Spain	39 055.9	386.5	338.2	48.3	13.8 ³	62.1
France	57 206.2	758.4	526.0	232.4	80.0	312.4
Ireland	3 532.0	52.7	31.5	21.2	-8.0 ³	13.2
Italy	57 788.2	558.8	546.9	11.9	34.9	46.8
Luxembourg	389.8	5.0	3.7	1.2	4.2	5.4
Netherlands	15 128.6	198.6	129.9	68.7	62.8	131.5
Portugal	9 845.6	116.4	104.4	12.1	-25.0	-12.9
United Kingdom	57 642.0 ³	792.5	643.1	149.4	6.8 ³	156.2 ³
EUR 12	346 192.4	3 987.8	3 482.7	505.1	728.1	1 233.1
Austria	7 860.8	94.6	83.4	11.2	58.7	69.9
Finland	5 029.3	65.7	49.1	16.5	13.8	30.4
Iceland	259.7	4.5	1.8	2.7	1.0	3.7
Norway	4 273.6	60.8	44.9	15.9	8.0	23.9
Sweden	8 644.1	123.6	95.0	28.6	25.0	53.5
Switzerland	6 831.9	85.7	62.5	23.2	56.9	80.1
Liechtenstein	29.4	0.4	0.2	0.2	0.0	0.3
EFTA	32 928.9	435.3	337.0	98.3	163.5	261.8
EEA	379 121.3	4 423.1	3 819.7	603.4	891.5	1 494.9

¹ Provisional results.² Italy: resident population; Netherlands: including administrative adjustments.³ Eurostat estimate.

Internal market

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1.3.5. The European Council noted with satisfaction the progress made towards completing the internal market, particularly in the insurance, public procurement, air transport, maritime cabotage, veterinary, plant health and pharmaceutical sectors. It called on the Council to finalize very rapidly its work on VAT and excise duties, company law and the protection of cultural goods. Finally, it took the view that priority should be given, over the next few months, to the liberalization of road transport, to intellectual property and to outstanding issues in the energy field (→ points I.7 and I.8).

Company taxation

1.3.6. Commission communication on guidelines on company taxation in the context of the further development of the internal market.

● References:

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

Council Directive 90/434/EEC on the common system of taxation applicable to mergers, divisions, transfers of assets and exchanges of shares concerning companies of different Mem-

ber States: OJ L 225, 20.8.1990; Bull. EC 7/8-1990, point 1.3.155

Council Directive 90/435/EEC on the common system of taxation applicable in the case of parent companies and subsidiaries of different Member States: OJ L 225, 20.8.1990; Bull. EC 7/8-1990, point 1.3.156

Convention concluded by the Member States on the elimination of double taxation in connection with the adjustment of profits of associated enterprises (arbitration procedure): OJ L 225, 20.8.1990; Bull. EC 7/8-1990, point 1.3.157

Proposal for a Council Directive on a common system of taxation applicable to interest and royalty payments made between parent companies and subsidiaries in different Member States: OJ C 53, 28.2.1991; COM(90) 571; Bull. EC 11-1990, point 1.3.102

Proposal for a Council Directive concerning arrangements for the taking into account by enterprises of the losses of their permanent establishments and subsidiaries situated in other Member States: OJ C 53, 28.2.1991; COM(90) 595; Bull. EC 11-1990, point 1.3.103

Report of the high-level committee on company taxation after completion of the single market: Bull. EC 3-1992, point 1.2.33

Adopted by the Commission on 24 June.

This communication on company taxation follows on from that already presented by the Commission in April 1990 and from the report submitted to the Commission in March by the high-level committee chaired by Mr O. Ruding. It is designed to initiate discussions with Member States and other interested parties prior to the Commission presenting new legislative proposals, having due regard for the principle of subsidiarity.

The Commission notes that the Ruding Committee's report endorses the basic approach adopted in its previous communication, giving priority to the abolition of the double taxation of cross-border flows as a means of eliminating the competitive distortions stemming from tax disparities between Member States. It reviews the Community measures already adopted in this field (Directives 90/434/EEC ('mergers') and 90/435/EEC ('parent companies/subsidiaries') which came into force on 1 January 1992; the Convention on the elimination of double taxation which was signed in July 1990 but which has still to be ratified by some Member States) or currently being

examined by the Council (proposal on the abolition of withholding tax on interest and royalty payments made between subsidiaries and parent companies established in different Member States and proposal on the taking into account by parent companies of losses incurred by their permanent establishments and subsidiaries abroad).

The Commission announces its intention of reinforcing these instruments by presenting, before the end of 1992, two proposals for extending the scope of the 'parent companies/subsidiaries' Directive to cover all parent companies that are subject to corporation tax, irrespective of their legal form, and that of the 'mergers' Directive to cover all types of companies, including sole proprietorships in respect of transfers of assets.

It also plans, in line with the Ruding Committee's recommendations, to establish an appropriate procedure for transfer price adjustments made by national authorities; to propose, in agreement with Member States, a common approach to the definition and treatment of thin capitalization and to the allocation of headquarter costs; to invite Member States to complete the network of treaties concluded between them in order to settle certain double taxation difficulties; and to examine with Member States the subject of neutrality of treatment as between foreign-source and domestic-source dividends.

In addition to the recommendations for eliminating double taxation, the Commission has also examined the Ruding Committee's proposals relating to the rates, the base and the systems of corporation tax. While it feels that some of those suggestions go beyond what is strictly necessary at Community level, it considers that the idea of a minimum Community rate for corporation tax is worth examining thoroughly. The same applies to the Committee's suggestions regarding the tax base for company profits and tax incentives for promoting research and environmental protection. The Commission also intends to examine the idea of giving unincorporated enterprises, which

are currently subject in most cases to income tax, the option of being taxed as companies.
SEC(92) 1138

Public procurement

1.3.7. Council Directive 92/50/EEC relating to the coordination of procedures for the award of public service contracts.

- **Commission proposal:** OJ C 23, 31.1.1991; COM(90) 372; Bull. EC 9-1990, point 1.2.7
- **Parliament opinion (first reading):** OJ C 158, 17.6.1991; Bull. EC 5-1991, point 1.2.13
- **Economic and Social Committee opinion:** OJ C 191, 22.7.1991; Bull. EC 5-1991, point 1.2.13
- **Amended Commission proposal:** OJ C 250, 25.9.1991; COM(91) 322; Bull. EC 7/8-1991, point 1.2.29
- **Council agreement on a common position:** Bull. EC 12-1991, point 1.2.34
- **Council common position:** Bull. EC 1/2-1992, point 1.3.45
- **Parliament opinion (second reading):** OJ C 150, 15.6.1992; Bull. EC 5-1992, point 1.1.26

Adopted by the Council on 18 June. The aim of this Directive is to ensure transparency and non-discrimination in the award of public service contracts at national, regional and local levels. Specific arrangements for guaranteeing maximum transparency are to be applied to the services that are most likely to be the subject of cross-border operations and that are therefore regarded as having priority (e.g. maintenance and repair services, computer services, advertising services, architectural services, engineering services, certain financial services, R&D services, and transport and telecommunications services), while non-priority services (e.g. hotel services, education and training services, social services and legal services) will be subject to minimum transparency requirements. The Directive also provides for a public procurement monitoring body to be set up to oversee the opening-up of service contracts in the Community and its impact as regards third countries.

OJ L 209, 24.7.1992

1.3.8. Proposal for a Council Directive amending Directive 90/531/EEC on the pro-

cedure procedures of entities operating in the water, energy, transport and telecommunications sectors.

- **References:** Council Directive relating to the coordination of procedures for the award of public service contracts: point 1.3.7 of this Bulletin
- **Directive to be amended:** Council Directive 90/531/EEC: OJ L 297, 29.10.1990; Bull. EC 9-1990, point 1.2.6
- **Commission proposal:** OJ C 337, 31.12.1991; COM(91) 347; Bull. EC 9-1991, point 1.2.2
- **Economic and Social Committee opinion:** OJ C 106, 27.4.1992; Bull. EC 3-1992, point 1.2.28

Endorsed by Parliament (first reading) on 11 June, subject to various technical amendments.

OJ C 176, 13.7.1992

Common position agreed by the Council on 18 June. This proposal, which constitutes the last piece of legislation on public procurement provided for in the White Paper on the internal market, aims to extend to public service contracts in the water, energy, transport and telecommunications sectors the procedural arrangements of Directive 90/531/EEC on public works contracts in those same sectors subject, however, to certain adjustments necessitated by the specific characteristics of service contracts; those adjustments are based to a very large extent on the solutions adopted for the Council Directive on the coordination of procedures for the award of public service contracts, particularly as regards the distinction between priority and non-priority services. Provision is also made for a safeguard procedure in the case of third countries which fail to provide Community enterprises with genuine access to their markets.

1.3.9. 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
- **Economic and Social Committee opinion:** OJ C 106, 27.4.1992; Bull. EC 3-1992, point 1.2.29
- **Parliament opinion (first reading):** OJ C 125, 18.5.1992; Bull. EC 4-1992, point 1.3.22

Common position adopted by the Council on 18 June. Provides for the legislative con-

solidation of the rules in force on the coordination of procedures for the award of public works contracts.

Investment services

1.3.10. Proposal for a Council Directive on investment services in the securities field.

- **Reference:** Second Directive 89/646/EEC on the taking up and pursuit of the business of credit institutions: OJ L 386, 30.12.1989; Bull. EC 12-1989, point 2.1.15
- **Commission proposal:** OJ C 43, 22.2.1989; COM(88) 778; Bull. EC 12-1988, point 2.1.147
- **Economic and Social Committee opinion:** OJ C 298, 27.11.1989; Bull. EC 9-1989, point 2.1.12
- **Parliament opinion (first reading):** OJ C 304, 4.12.1989; Bull. EC 10-1989, point 2.1.16
- **Amended Commission proposal:** OJ C 42, 22.2.1990; COM(89) 629; Bull. EC 1/2-1990, point 1.1.29

Common position agreed by the Council on 29 June. The main aim of this proposal is to help establish freedom to provide services for investment firms by creating a single licence (the 'European passport') on the basis of mutual recognition of the licence issued by the Member State of origin. After obtaining that licence, an investment firm will be able to carry out its activities throughout the Community. For a transitional period, however, certain Member States will be permitted to continue to prohibit direct access by banks to stock exchanges. Transparency of the financial market is to be guaranteed, notably through the regular publication, during sessions, of information on the prices and volume of transactions.

This system constitutes the counterpart for investment firms of that introduced by the second banking Directive for credit institutions.

1.3.11. Proposal for a Council Directive on the capital adequacy of investment firms and credit institutions.

- **Commission proposal:** OJ C 152, 21.6.1990; COM(90) 141; Bull. EC 4-1990, point 1.1.3

- **Economic and Social Committee opinion:** OJ C 69, 18.3.1991; Bull. EC 1/2-1991, point 1.2.31
- **Parliament opinion (first reading):** OJ C 326, 16.12.1991; Bull. EC 11-1991, point 1.2.19
- **Amended Commission proposal:** OJ C 50, 25.2.1992; COM(92) 13; Bull. EC 1/2-1992, point 1.3.47.

Common position agreed by the Council on 29 June. This proposal complements that on investment services (→ point 1.3.10). It requires minimum amounts of capital to be held by investment firms in order to safeguard market stability, to guarantee equal protection for investors throughout the Community and to ensure fair competition on the securities market between banks, which are subject to specific prudential provisions, and investment firms.

The initial capital requirements imposed on investment firms will vary according to the nature of their activities:

- (i) firms which neither hold their clients' money nor are authorized to deal on own account: ECU 50 000;
- (ii) firms dealing on investors' orders: ECU 125 000;
- (iii) others firms: ECU 730 000.

There are also transitional arrangements to enable firms to adjust their funds.

Large exposures of credit institutions

1.3.12. Proposal for a Council Directive on monitoring and controlling large exposures of credit institutions.

- **Commission proposal:** OJ C 123, 9.5.1991; COM(91) 68; Bull. EC 3-1991, point 1.2.6
- **Economic and Social Committee opinion:** OJ C 339, 31.12.1991; Bull. EC 9-1991, point 1.2.11
- **Parliament opinion (first reading):** OJ C 150, 15.6.1992; Bull. EC 5-1992, point 1.1.27

Amended proposal adopted by the Commission on 22 June.

OJ C 175, 11.7.1992; COM(92) 273

Common position adopted by the Council on 29 June. This proposal is designed to

spread the risks incurred by credit institutions in order to prevent default by one client from jeopardizing the existence of a credit institution and having repercussions on the financial system in general.

It provides in particular for:

- (i) large exposures to be limited to 40% of own funds during a transitional period, and subsequently to 25%;
- (ii) large exposures to be reported to the authorities as soon as they reach 10% of own funds;
- (iii) the combined total of large exposures to be limited to 800% of the own funds of the credit institution concerned.

Insurance

1.3.13. 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.

- **Commission proposal:** OJ C 244, 28.9.1990; COM(90) 348; Bull. EC 7/8-1990, point 1.3.4
- **Economic and Social Committee opinion:** OJ C 102, 18.4.1991; Bull. EC 1/2-1991, point 1.2.36
- **Council endorsement:** Bull. EC 12-1991, point 1.2.36
- **Parliament opinion (first reading):** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.8
- **Amended Commission proposal:** OJ C 93, 13.4.1992; COM(92) 63; Bull. EC 1/2-1992, point 1.3.8.
- **Council common position:** Bull. EC 1/2-1992, point 1.3.8
- **Parliament opinion (second reading):** OJ C 150, 15.6.1992; Bull. EC 5-1992, point 1.1.29

Re-examined proposal adopted by the Commission on 4 June.

COM(92) 252

Adopted by the Council on 18 June. This Directive introduces a single licensing system under which an insurance company with its head office in a Member State will be free to open branches or to provide services in other Member States without being

subject to authorization procedures in those countries, while policy-holders will have access to the whole range of products on offer in the Community.

It provides for the coordination of financial rules — in particular the rules governing the categories, diversification and localization of assets used to cover technical provisions — needed as a basis for the introduction of the single licensing system. There are also provisions relating to the law applicable to insurance contracts. The Directive also requires insurance monopolies to be eliminated by 1 July 1994.

1.3.14. Proposal for a third Council Directive on the coordination of laws, regulations and administrative provisions relating to direct life assurance and amending Directives 79/267/EEC and 90/619/EEC.

- **Commission proposal:** OJ C 99, 16.4.1990; COM(91) 57; Bull. EC 1/2-1991, point 1.2.6
- **Economic and Social Committee opinion:** OJ C 14, 20.1.1992; Bull. EC 10-1991, point 1.2.20
- **Council endorsement:** Bull. EC 5-1992, point 1.1.28

Endorsed by Parliament (first reading) on 10 June, subject to a number of amendments concerning in particular the regular transmission of documentation by insurance companies to Member States on the prudential constraints and tax arrangements applied to those companies, and the duration of the transitional arrangements.

OJ C 176, 13.7.1992

Amended proposal adopted by the Commission on 23 June.

COM(92) 285

Common position formally adopted by the Council on 29 June. The aim of this proposal is, in parallel with the third non-life assurance Directive (→ point 1.3.13), to introduce a single licence for life assurance companies that is valid throughout the Community. The adoption of these two Directives marks the completion of the internal market in the insurance field.

II

Removal of physical frontiers*Checks on goods***Simplification of customs formalities**

1.3.15. Commission communication on the abolition of border controls on goods, capital and services.

- **Reference:** Commission communication on the abolition of border controls: Bull. EC 5-1992, point 1.1.7

Adopted by the Commission on 17 June. This communication supplements the more general communication of May 1992 on the abolition of border controls; it provides clarification and an up-to-date assessment of the situation regarding checks on goods, capital and services, and identifies the tasks that the Community institutions and the Member States have still to accomplish.

Origin of goods

1.3.16. Proposals for Council Regulations extending the validity of Regulations (EEC) Nos 4277/88 to 4282/88 concerning the safeguard measure laid down in Decision No 5/88 of the EEC-Austria, EEC-Finland, EEC-Iceland, EEC-Norway, EEC-Sweden and EEC-Switzerland Joint Committees.

- **Reference:** Decision No 5/88 of the EEC-EFTA countries Joint Committees: Bull. EC 5-1988, point 2.1.55
- **Regulations to be extended:** Regulations (EEC) Nos 4277/88 to 4282/88: OJ L 381, 31.12.1988; Bull. EC 12-1988, point 2.1.94

Adopted by the Commission on 11 June. The purpose of the proposals is to extend the validity of the Regulations implementing Decision No 5/88 of the EEC-EFTA countries Joint Committees. That decision introduced simplified cumulation rules as part of the rules of origin and provided for a safeguard clause which could be used if those simplified rules caused, or

threatened to cause, injury to producers on either side.

COM(92) 250

Removal of technical frontiers*Free movement of goods***Standardization**

1.3.17. Council resolution on the role of European standardization in the European economy.

- **Reference:** Commission communication on standardization in the European economy (follow-up to the Commission Green Paper): COM(91) 521; Bull. EC 12-1991, point 1.2.12

Adopted by the Council on 18 June. The Council reiterates the importance of a cohesive system of European standards and of an effective partnership between the Community and the standards organizations. It wishes to avoid fragmentation of work in this field.

It stresses the need to have high-quality European standards, to increase the effective availability of such standards at national level through their systematic and rapid transposition into national standards, and to encourage the use of standards as an instrument of economic and industrial integration and as a technical basis for Community legislation.

The Council also confirms the importance it attaches to an international standardization system capable of producing standards that are actually used by all the partners in international trade and of meeting the requirements of Community policy.

OJ C 173, 9.7.1992

Motor vehicles

1.3.18. 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:** OJ C 301, 21.11.1991; COM(91) 279; Bull. EC 7/8-1991, point 1.2.2
- **Economic and Social Committee opinion:** OJ C 79, 30.3.1992; 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 Commission proposal:** OJ C 92, 11.4.1992; COM(92) 120; Bull. EC 3-1992, point 1.2.8.
- **Council agreement on a common position:** Bull. EC 3-1992, point 1.2.8
- **Council common position:** Bull. EC 4-1992, point 1.3.16

Endorsed by Parliament (second reading) on 10 June, subject to Parliament's call for the consolidation of the Directives enumerated in Annex IV to the Directive.

OJ C 176, 13.7.1992

Adopted by the Council on 18 June. This Directive, which is based on the principle of total harmonization, provides for the abolition of the national approval procedures currently in force and for them to be replaced by a single procedure that is valid for the whole Community.

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

- **Commission proposal:** OJ C 230, 4.9.1991; COM(91) 238; Bull. EC 7/8-1991, point 1.2.21
- **Economic and Social Committee opinion:** OJ C 49, 24.2.1992; Bull. EC 12-1991, point 1.2.23
- **Parliament opinion (first reading):** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.25

Common position adopted by the Council on 18 June. The cabs of commercial vehicles must not have sharp projections that might aggravate injuries sustained by a person coming into contact with the external surface of a vehicle during an accident.

1.3.20. Council Directive relating to the type-approval of two- or three-wheeled 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
- **Council common position:** Bull. EC 1/2-1992, point 1.3.28
- **Amended Commission proposal:** OJ C 97, 16.4.1992; COM(92) 42; Bull. EC 3-1992, point 1.2.17

Endorsed by Parliament (second reading) on 10 June, subject to technical amendments.
OJ C 176, 13.7.1992

Adopted by the Council on 30 June. Harmonizes completely the rules governing the manufacture of two- and three-wheeled motor vehicles. The approach is similar to the one used for other motor vehicles and based on type-approval by type of vehicle and approval of the various components. The Directive establishes the framework for the type-approval and component-approval procedures.

1.3.21. Proposal for a Council Directive amending Directive 70/157/EEC on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles.

- **Commission proposal:** OJ C 193, 24.7.1991; COM(91) 51; Bull. EC 6-1991, point 1.2.19
- **Economic and Social Committee opinion:** OJ C 49, 24.2.1992; Bull. EC 12-1991, point 1.2.20
- **Parliament opinion (first reading):** OJ C 125, 18.5.1992; Bull. EC 4-1992, point 1.3.17

Amended proposal adopted by the Commission on 11 June.

OJ C 179, 16.7.1992; COM(92) 263

Common position adopted by the Council on 29 June. The maximum permitted level of noise emitted by motor vehicles is to be reduced.

Foodstuffs

1.3.22. Proposal for a Council Directive amending Directive 89/107/EEC on the approximation of the laws of the Member States concerning food additives intended for human consumption; proposal for a Council Directive on sweeteners for use in foodstuffs; proposal for a Council Directive

on food additives other than colours and sweeteners.

- **Directive to be amended:** Council Directive 89/107/EEC: OJ L 40, 11.2.1989; Bull. EC 12-1988, point 2.1.28
- **Reference:** Parliament opinion (second reading) on the proposal for a Directive on sweeteners for use in foodstuffs (COM(91) 195): OJ C 150, 15.6.1992; Bull. EC 5-1992, points 1.1.19 and 1.5.1; Council decision to terminate the procedure relating to this proposal: point 1.7.13 of this Bulletin

Adopted by the Commission on 17 June. These proposals, whose prime aim is to protect the consumer, take account of Parliament's rejection of the Council's common position on the proposal on sweeteners (COM(91) 195).

The proposal for amending the framework Directive 89/107/EEC is designed to authorize Member States, under certain conditions, to prohibit the use of certain additives in 'traditional' foodstuffs. This provision appeared, in the case of sweeteners, in the abovementioned common position in the form of a footnote — a method which was criticized by Parliament.

The new proposal concerning sweeteners takes account of Parliament's proposed amendments and no longer uses footnotes.

The proposal on the other additives (emulsifiers, preservatives, antioxidants, etc.) is intended to complete the Community arrangements for approximating the laws governing additives by providing for the harmonization of the conditions under which such products may be used.

COM(92) 255

1.3.23. Proposal for a Council Directive amending for the first time Council 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
- **Parliament opinion (first reading):** OJ C 94, 13.4.1992; Bull. EC 3-1992, point 1.2.26
- **Economic and Social Committee opinion:** Bull. EC 5-1992, point 1.1.20

Common position adopted by the Council on 29 June. The proposed Directive adapts Directive 88/344/EEC, and in particular the list of solvents that may be used in the production of foodstuffs, to scientific and technical progress.

1.3.24. Council Directive 92/52/EEC on infant formulae and follow-on formulae intended for export to third countries; Council resolution on the marketing practices for breast-milk substitutes in third countries by Community-based manufacturers.

- **Commission proposal:** OJ C 124, 16.5.1992; COM(91) 441; Bull. EC 11-1991, point 1.2.11
- **Economic and Social Committee opinion:** OJ C 106, 27.4.1992; Bull. EC 3-1992, point 1.2.27
- **Parliament opinion:** OJ C 125, 18.5.1992; Bull. EC 4-1992, point 1.3.20
- **Amended Commission proposal:** OJ C 155, 20.6.1992; COM(92) 210; Bull. EC 5-1992, point 1.1.23

Adopted by the Council on 18 June. The Directive extends the application of the Community rules on the composition and labelling of infant formulae to products intended for export and provides for the export of products that fail to comply with its provisions to be prohibited as from 1 June 1994. The resolution provides for the Community to contribute to the application of appropriate marketing practices for breast-milk substitutes in third countries and spells out the role of the Commission and of the Community's delegations in third countries in applying that principle.

OJ L 179, 1.7.1992; OJ C 172, 8.7.1992

Cultural objects

1.3.25. Proposal for a Council Directive on the return of cultural objects unlawfully removed from the territory of a Member State.

- **Commission proposal:** OJ C 53, 28.2.1992; COM(91) 447; Bull. EC 1/2-1992, point 1.3.12
- **Economic and Social Committee opinion:** Bull. EC 5-1992, point 1.1.25

Endorsed by Parliament (first reading) on 11 June, subject to amendments designed in

particular to increase the period of limitation from 30 to 50 years and to exclude from that time-limit return proceedings brought in connection with cultural objects in public ownership and ecclesiastical objects.

OJ C 176, 13.7.1992

Amended proposal adopted by the Commission on 17 June.

OJ C 172, 8.7.1992; COM(92) 280

1.3.26. Proposal for a Council Regulation on the export of cultural goods.

- **Commission proposal:** OJ C 53, 28.2.1992; COM(91) 447; Bull. EC 1/2-1992, point 1.3.12
- **Economic and Social Committee opinion:** Bull. EC 5-1992, point 1.1.25

Endorsed by Parliament on 9 June, subject to amendments relating in particular to the definition of cultural goods and to the legal basis for the proposal (Parliament proposes Article 100a of the Treaty instead of Article 113).

OJ C 176, 13.7.1992

Intellectual property

1.3.27. Proposal for a Council Directive on rental right and lending right and on certain related rights.

- **Reference:** Council resolution on increased protection for copyright and neighbouring rights: OJ C 138, 28.5.1992; Bull. EC 5-1992, point 1.1.12
- **Commission proposal:** OJ C 53, 28.2.1991; COM(90) 586; Bull. EC 12-1990, point 1.3.170
- **Economic and Social Committee opinion:** OJ C 269, 14.10.1991; Bull. EC 7/8-1991, point 1.2.80
- **Parliament opinion (first reading):** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.50
- **Amended Commission proposal:** OJ C 128, 20.5.1992; COM(92) 159; Bull. EC 4-1992, point 1.3.25

Common position adopted by the Council on 18 June. The purpose of the proposed Directive is, firstly, to give authors, performing artists, producers of phonograms and producers of films the exclusive right to authorize or prohibit the rental and lend-

ing of their works, performances, phonograms and films (Member States will be able to derogate from the exclusive lending right under certain conditions); secondly, to harmonize certain rights related to copyright, such as rights of fixation, reproduction, distribution, broadcasting and communication to the public, in order to reinforce protection against piracy.

1.3.28. Council Regulation (EEC) No 1768/92 concerning the creation of a supplementary protection certificate for medicinal products.

- **Commission proposal:** OJ C 114, 8.5.1990; COM(90) 101; Bull. EC 3-1990, point 1.1.95
- **Parliament opinion (first reading):** OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.174
- **Economic and Social Committee opinion:** OJ C 69, 18.3.1991; Bull. EC 1/2-1991, point 1.2.72
- **Council agreement on a common position:** Bull. EC 12-1991, point 1.2.74
- **Council common position:** Bull. EC 1/2-1992, point 1.3.53
- **Parliament opinion (second reading):** OJ C 150, 15.6.1992; Bull. EC 5-1992, point 1.1.30

Adopted by the Council on 18 June. This Regulation is intended to improve the legal protection of medicinal products covered by a patent by introducing a supplementary certificate that takes effect as soon as the patent expires. This certificate, which will be issued for not more than five years, will provide a maximum of 15 years of protection from the time of the first authorization to market the product in question.

OJ L 182, 2.7.1992

Company law

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

- **Commission proposal:** OJ C 8, 12.1.1991; COM(90) 631; Bull. EC 12-1990, point 1.3.172
- **Economic and Social Committee opinion:** OJ C 269, 14.10.1991; Bull. EC 7/8-1991, point 1.2.77
- **Parliament opinion (first reading):** OJ C 240, 16.9.1991; Bull. EC 7/8-1991, point 1.2.77

- Amended Commission proposal: OJ C 317, 7.12.1991; COM(91) 363
- Council agreement on a common position: Bull. EC 5-1992, point 1.1.31

Common position formally adopted by the Council on 18 June.

Competition

Application of the competition rules to businesses: specific cases

Dominant positions

Commission decision under Article 86 of the EEC Treaty

Sealink and B&I, Holyhead

1.3.30. *Adopted on 11 June.* The decision introduces interim measures against Sealink, a British ferry operator which is also the port authority at Holyhead, Wales. Following a complaint by B&I, an Irish ferry operator, the Commission found that Sealink may have abused its dominant position by, in its capacity as port authority, changing its sailing times in a way which might cause serious damage to B&I. The Commission therefore requires Sealink to alter some of its sailing times until the end of the summer season.

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.

Du Pont and ICI

1.3.31. *Adopted on 3 June.* The decision initiates the procedures for an in-depth investigation of Du Pont's proposed acquisition of ICI's nylon business.

Bibby and Finanzauto

1.3.32. *Adopted on 29 June.* The decision authorizes the planned merger between J. Bibby and Sons plc and Finanzauto SA. Finanzauto is principally engaged in the distribution of construction equipment in Spain and Portugal. Bibby is a diversified group of production and distribution companies based in the UK and is part of the South African conglomerate Barlow Rand Ltd.

There is a certain overlap between the activities of the two parties. However, there is no significant volume of passive sales by them on their respective territories, and so the merger does not give rise to any increase in their market shares on any of the national territories on which they distribute the products in question. Consequently, the merger has been declared compatible with the common market.

Decisions under Article 66 (2) of the ECSC Treaty

Sollac-Thyssen and Galmed

1.3.33. *Adopted on 18 June.* The decision authorizes the establishment of joint control of Galvanizaciones del Mediterráneo SA (Galmed) by Ensidesa, Sollac SA (of the Usinor Sacilor group) and Thyssen Stahl (of the Thyssen group). Galmed is the company formed by Ensidesa for building and operating a hot-dip galvanizing plant for sheet steel at Sagunto, Spain. The Commission has concluded that this merger complies with the competition rules laid down in the ECSC Treaty.

Application of the competition rules to government intervention

Shipbuilding aid

Germany

1.3.34. Proposal for a derogation from the seventh Council Directive 90/684/EEC on aid to shipbuilding.

- **Reference:** Seventh Council Directive 90/684/EEC on aid to shipbuilding: OJ L 380, 31.12.1990; Bull. EC 12-1990, point 1.3.64; as last amended, Bull. EC 12-1991, point 1.2.60
- **Commission proposal:** OJ C 155, 20.6.1992; SEC(92) 991; Bull. EC 5-1992, point 1.1.45

Agreed by the Council on 17 June.

State aid

Decisions to raise no objection

Germany

1.3.35. Commission decision on a programme of aid to small and medium-sized enterprises in Rhineland-Palatinate.

- **Reference:** Commission communication on guidelines on aid for small and medium-sized enterprises (SMEs): SEC(92) 993; Bull. EC 5-1992, point 1.1.33

Adopted on 10 June. The programme provides for aid for environmental protection, the introduction of innovative technologies, cooperation between SMEs, the establishment, expansion and modernization of SMEs and the provision of business services. All of these categories are consistent with the guidelines on aid for SMEs.

1.3.36. Commission decision on aid to the steel company Walzwerke Ilsenburg GmbH in the former German Democratic Republic.

- **Reference:** Commission Decision 3855/91/ECSC establishing Community rules for aid to the steel industry, applicable from 1 January 1992: OJ L 362, 31.12.1991; Bull. EC 11-1991, point 1.2.26

Adopted on 24 June. This case involves a 23% investment grant under the joint Federal Government/Länder scheme for improving regional economic structures and a tax allowance covering 12% of that part of the investment completed by the end of 1991 and 8% of that part completed by the end of 1992. The aid is to be accompanied by a reduction in the production capacity for raw steel, semi-finished products and hot-rolled flat products, and thus satisfies the conditions of Article 5 of Decision 3855/91/ECSC.

Denmark

1.3.37. Commission decision on a flat rate of income tax for expatriate company executives and scientists in Denmark.

Adopted on 10 June. The introduction in Denmark of a rate of personal income tax available only to expatriate foreigners in Denmark and aimed at compensating for deductions against taxable income which such foreigners are not authorized to make constitutes aid in the sense that it enables firms to limit their gross salary costs. This aid is compatible with the common market because it does not affect trade to an extent contrary to the common interest.

Denmark and the Netherlands

1.3.38. Commission decision on the granting of aid to steel enterprises by the Danish and Dutch Governments.

- **Reference:** Commission decisions concerning CO₂ emission taxes introduced by the Danish and Dutch Governments: Bull. EC 4-1992, points 1.3.42 and 1.3.47
- **Commission draft amendment to be replaced:** Draft Commission Decision amending Decision No 3855/ECSC establishing Community rules for aid to the steel industry, applicable from 1 January 1992: Bull. EC 5-1992, point 1.1.46

ECSC Consultative Committee opinion delivered on 26 June. Although anxious not to place the Danish and Dutch steel enterprises liable to the tax on CO₂ emissions and energy in difficulties, the Com-

mittee expressed reservations about the use of the notion of aid, which might serve as a precedent for other forms of tax relief, about the possible promotion of natural gas to the detriment of coal and about the additional red tape which the new arrangements would create.

Assent given by the Council on 30 June.

Italy

1.3.39. Commission decision on a special revolving fund for technological innovation.

- **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 by the Commission on 10 June.

Further to the appropriate measures, within the meaning of Article 93(1), proposed by the Commission on 3 August 1990, the Italian authorities have undertaken to ensure that:

- aid for 'highly innovative' projects does not exceed 25% (gross grant equivalent) of the cost of the project,
- aid to Eureka projects does not exceed 25% (gross grant equivalent) of the cost of the programme, and
- the fund is used to finance only research and 'development' projects in the sense which the framework gives to the latter word. The rules governing the fund will be amended accordingly.

As a result of these undertakings, the scheme now complies with the framework.

Netherlands

1.3.40. Commission decision on aid for exports to third countries.

Adopted by the Commission on 10 June.

This scheme is intended to place Dutch exporters on an equal footing with their competitors in third countries. It covers exports of capital goods, agricultural products, construction works and seagoing vessels. It complies with the OECD arrangement on export credit. The maximum

amount of aid is limited and depends on the value of the contract, the proportion of the order which is exported and the capitalized difference between refinancing and contractual interest rates.

1.3.41. Commission decision on the privatization and conversion of the Rotterdamse Droogdok Maatschappij shipyard.

Adopted on 10 June. The shipyards were sold to the highest bidder after much publicity, without any conditions attached (except for a ban on the continuation of shipbuilding). The Commission therefore considers that this measure did not constitute aid.

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

Germany

1.3.42. Commission decision on tax allowance for investment.

Adopted on 10 June. The socio-economic situation in the former German Democratic Republic justifies authorizing such a scheme, which will not lead to the authorized 35% ceiling being exceeded. The decision does not relate to West Berlin.

1.3.43. Commission decision on tax-exempt reserves in the new *Länder*.

Adopted on 10 June. The socio-economic situation in the former German Democratic Republic justifies authorizing such a scheme, the intensity of which is 2.4% net grant equivalent and which will not lead to the authorized 35% ceiling being exceeded. The decision does not relate to West Berlin.

Italy

1.3.44. Commission decision on aid from the Special Fund for Applied Research to Sigma-Tau Industrie Farmaceutiche Riunite SpA.

● **References:**

Proceedings initiated: Bull. EC 7/8-1991, point 1.2.70

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 10 June. The research project involved looks for new antihypertensive drugs antagonistic to onabain-like agents. It comprises 30% basic research (and not 9.4% as previously indicated). The overall aid intensity will be 31.6% gross grant equivalent (and not 38.7% as previously determined). This complies with the framework for State aids for research and development.

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

Spain

1.3.45. Commission decision on the failure by Fundix SA to pay taxes to the Province of Alava.

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

Adopted on 10 June. The Commission considers at this stage that unpaid taxes and interest for late payment (some ECU 3.9 million) constitute aid since no proceedings have been initiated to require payment of the tax debts of Fundix SA. Since the company exports to other Member States and since its area of activity, foundry work, is subject to the abovementioned framework, the Commission considers that an in-depth investigation is necessary.

Italy

1.3.46. Commission decision on the funding of the Law on aid to the Mezzogiorno and the reduction of social security charges in the Mezzogiorno.

- **Reference:** Judgment by the Court of Justice of 14 February 1990 in Case C-301/87 *Boussac*: Bull. EC 1/2-1990, point 1.6.28

Adopted on 24 June. Proceedings are being initiated in respect of Articles 1, 2 and 6 of

Decree-Law No 14 of 21 January 1992. The Commission considers that since the annual reports required by its previous decisions have not been submitted, it cannot assess the compatibility of the requested funding. It also takes the view that the provisions of the Decree-Law in question are particularly vague, as regards both the duration of the scheme (the previous Commission decisions having laid down that it should expire on 31 December 1993) and the budget allocated to it. Finally, it notes that the reductions of social security charges actually granted were higher than it had authorized, that the scheme will in future be geared to specific sectors and that it has been put into effect before the Commission has had an opportunity to express its view. All this has prompted the Commission to undertake an in-depth investigation and to remind the Italian Government of the judgment of the Court of Justice in Case C-301/87 *Boussac*.

Negative final decision under Article 93(3) of the EEC Treaty

Belgium

1.3.47. Commission decision on aid from the Brussels Region to Siemens SA.

Adopted on 24 June. Aid totalling BFR 77.294 million was granted for various investments, both tangible (building and equipment) and intangible (software), under the Economic Expansion Law of 17 July 1959 and the Commission decision of 17 June 1975 approving that Law. Aid towards training costs amounting to BFR 2.241 million was granted in breach of the Law, however. Nevertheless, in view of its generally favourable attitude towards this type of aid, the Commission considers that it qualifies for the derogation provided for in Article 92(3)(c) of the Treaty. Aid totalling BFR 256.445 million for advertising campaigns, market surveys and the leasing of equipment to clients was granted in breach of the Law of 17 July 1959. This has been found to constitute operating aid and cannot qualify for any derogation under the Treaty. The Belgian authorities must

recover the amount already paid (BFR 227.751 million) and refrain from paying the remainder (BFR 28.694 million).

Public enterprises

Commission decision under Article 90(3) of the EEC Treaty

Dutch monopoly for mobile communications

1.3.48. *Adopted on 11 June.* This decision initiates proceedings under Article 90(3) against the Netherlands concerning the Law of 26 October 1988 implemented by Article 6 of the Besluit Opgedragen Telecommunicatiediensten. This extends the exclusive rights to supply the fixed network, held by the public telecommunications body, Koninklijke PTT Nederland, to the separate market of mobile data communications (paging). The Commission considers that this extension, which has no legitimate justification, strengthens the dominant position of Koninklijke PTT Nederland in breach of Article 86 of the EEC Treaty and also limits the supply of pan-European services in breach of Articles 59 and 86(b) of the EEC Treaty.

A letter of formal notice has been sent to the Dutch Government under Article 90(3). If the latter fails to comply, the Commission might consider adopting a formal decision addressed to the Dutch Government on the basis of the same provision.

Commission decision under Article 169 of the EEC Treaty

Market for telecommunications services in Ireland

- **Reference:** Commission Directive 90/388/EEC on competition in the markets for telecommunications services: OJ L 192, 24.7.1990

1.3.49. *Adopted on 11 June.* This decision approves the closure of the infringement proceedings initiated against Ireland for its failure to communicate the implementing

measures adopted to comply with Commission Directive 90/388/EEC. In March 1992 the Irish Government transmitted to the Commission a copy of Act No 45 of 1992 amending the Postal and Telecommunications Act No 24 of 1983. The Commission is currently examining whether the licensing conditions provided for by the amendments to the 1983 Act are consistent with the Directive.

Enterprise policy, industrial policy and services

I

Community industrial policy

- **Reference:** Commission communication on industrial policy in an open and competitive environment: COM(90) 556; Bull. EC 11-1990, point 1.3.109; Supplement 3/91 — Bull. EC

1.3.50. Council resolution on industrial cooperation with third countries.

- **Reference:** Commission communication on the development of industrial cooperation with the countries of Central and Eastern Europe and the independent States of the former Soviet Union: Bull. EC 1/2-1992, point 1.4.6

Adopted by the Council on 17 June. The Council endorses the general approach adopted in the Commission communication on cooperation with the countries of Central and Eastern Europe and the independent States of the former USSR. It invites the Commission to pursue such cooperation and recommends horizontal measures concerning in particular the creation of an appropriate legal framework for the activities of enterprises, approximation of standards and conformity-evaluation procedures with those prevailing in the Community, initiatives to improve transparency and economic information, support for the restructuring of industry, training, the development of professional bodies, cooperation between economic operators (particu-

larly SMEs), technical assistance, the environment and nuclear safety. The Council also recommends that industrial cooperation be developed between the Community and other third countries, especially those with which it has traditionally had closer relations for historical and cultural reasons. It urges the Commission to continue its support operations in those countries, particularly with a view to developing an enterprise culture, stimulating private initiative, improving the conditions for receiving investments, disseminating information to SMEs, creating joint ventures, fostering the opening-up of markets, protecting the environment, and strengthening training and technical assistance operations. The Council calls generally for special emphasis to be placed on industrial cooperation in agreements concluded with third countries in the process of transition or development.

OJ C 178, 15.7.1992

1.3.51. Council resolution on the textile and clothing industries.

- **Reference:** Commission communication on improving the competitiveness of the Community's textile and clothing industry: COM(91) 399; Bull. EC 10-1991, point 1.2.35

Adopted by the Council on 17 June. The Council recognizes the special situation of the textile and clothing industry, which is having to face up simultaneously to competition from countries with low production costs, to the gradual opening-up of its markets, to heavy regional concentration and to the implications of the completion of the single market. It emphasizes the need for the Uruguay Round negotiations to be concluded rapidly in order to bring about a strengthening of GATT rules and constraints, and takes the view that it may be necessary for the Community to take steps to create effective access to the markets of third countries. It also stresses that the opening-up of markets will have to go hand in hand with structural adjustment of the textile and clothing industry in the Community and with measures designed to provide enterprises in that industry with a favourable environment.

The Council particularly lays stress on ensuring effective conditions of competition, on economic, technical and social information, on research and development, on continuing vocational training, on the diversification of firms and on the adaptation of the areas dependent on the textile and clothing industry.

OJ C 178, 15.7.1992

1.3.52. Council resolution on the European motor vehicle industry.

- **Reference:** Commission communication on the European motor vehicle industry: COM(92) 166; Bull. EC 4-1992, points 1.3.54 and 1.3.56

Adopted by the Council on 17 June. The Council recognizes that, despite the advanced technology, quality and good performance of Community-manufactured motor vehicles and a model range tailored to consumer demand, there are weaknesses in the organizational and productivity spheres. It emphasizes that considerable efforts will have to be made if the necessary changes are to be put into practice, with the main role to be played by enterprises in developing the necessary strategies, it being for the public authorities to create an efficient working environment favourable to moves by enterprises to adapt. The Council particularly stresses the need to ensure that international trade functions smoothly, to make systematic use of the relevant economic, technical and social data (especially as regards access to third-country markets), to optimize research efforts, to encourage vocational training and education in line with the industry's needs, and to promote the adaptation of employment areas affected by restructuring. It also underscores the importance of the completion of the internal market for the modernization of the industry's structures and of measures to combat pollution as regards both emissions and recycling.

OJ C 178, 15.7.1992

1.3.53. Council conclusions on the European aircraft industry.

- **Reference:** Commission communication on the European aircraft industry: COM(92) 164; Bull. EC 4-1992, points 1.3.54 and 1.3.55

Adopted by the Council on 17 June. The Council agrees that present economic and political developments will mean tougher conditions of competition, thus making it necessary for enterprises to introduce increasingly competitive structures. It welcomes the efforts being made to create a more favourable environment for this industry and calls on the Commission to intensify the dialogue with the industry with a view to establishing the procedure for implementing suitable Community action, to extend contacts to all those involved in the air transport sector, including subcontractors, to define Community R&D activity in the aircraft and air transport sector, and to continue the dialogue with third countries, particularly by initiating discussions on the situation of, and the prospects for, the aircraft industry in the Central and East European countries and the independent States of the former USSR.

OJ C 178, 15.7.1992

1.3.54. Parliament resolution on employment in the European aerospace industry.

Adopted by Parliament on 11 June. Anxious to prevent the capabilities of the aerospace industry from being lost to Europe as a result of reduced defence spending, Parliament urgently calls for a Community strategy for converting and diversifying the current defence-oriented production. It also draws attention to the impact of the European Fighter Aircraft project on employment, technology and European cooperation and to the importance of the success of joint projects of this type for the future competitiveness of companies operating in the high-tech field.

OJ C 176, 13.7.1992

1.3.55. Commission communication concerning measures relating to the industries supplying the utilities sectors in the structurally disadvantaged regions of the Community (→ point 1.3.116).

Community action plan to assist tourism

1.3.56. Proposal for a Council Decision on a Community plan to assist tourism.

- **Commission proposal:** COM(91) 97; Bull. EC 3-1991, point 1.2.52
- **Economic and Social Committee opinion:** OJ C 49, 24.2.1992; Bull. EC 12-1991, point 1.2.78
- **Parliament opinion:** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.100
- **Amended Commission proposal:** OJ C 120, 12.5.1992; COM(92) 130; Bull. EC 4-1992, point 1.3.59

Agreed by the Council on 4 June. The action plan approved by the Council is intended to promote tourism in the Community, not by financing infrastructure investment projects (a field covered by the structural Funds), but by providing support for measures designed:

- (i) to improve knowledge of the industry and to ensure greater consistency of measures;
- (ii) to improve the information and protection of tourists as consumers;
- (iii) to promote cultural tourism, tourism in sympathy with the environment, rural tourism, social tourism and youth tourism;
- (iv) to develop training in the tourist industry;
- (v) to implement transnational initiatives;
- (vi) to promote, on the basis of pilot schemes, European tourism among third countries, and in particular the United States and Japan.

This action plan will run for three years. Implementation will begin on 1 January 1993. The financial resources needed are estimated at ECU 18 million.

Community action to assist small and medium-sized enterprises, the distributive trades and the craft industry

1.3.57. Council resolution on Community action to support enterprises, in particular SMEs, including craft industry enterprises.

- **Reference:** Council Decision 91/319/EEC revising the programme for the improvement of the business environment and the promotion of the development of enterprises, and in particular small and medium-sized enterprises (SMEs), in

the Community: OJ L 175, 4.7.1991; Bull. EC 6-1991, point 1.2.63

Adopted by the Council on 17 June. The Council emphasizes the importance of regular consultation of the enterprise sector, in particular small and medium-sized enterprises, with a view to completing the internal market and notes the role that may be played in this context by a mechanism for evaluating the impact of Community legislation on enterprises. It confirms the undertaking it gave in Decision 91/319/EEC to support the consolidation of the action taken to help enterprises, and recommends the Commission to continue the action necessary to create an environment favourable to the competitiveness of enterprises, in particular SMEs, and to their integration into the single market and to present new proposals before the end of the year.

OJ C 178, 15.7.1992

1.3.58. Council conclusions on Community action to assist commercial and distributive enterprises, including small and medium-sized enterprises.

• **References:**

Council resolution on internal trade in the context of the internal market: OJ C 297, 25.11.1989; Bull. EC 11-1989, point 2.1.36

Commission communication 'Towards a single market in distribution: internal trade in the Community, the commercial sector and the completion of the internal market': COM(91) 41; Bull. EC 3-1991, point 1.2.51

Adopted by the Council on 30 June. The Council emphasizes the importance of trade in the context of the process of convergence of the European economy, in the completion of the internal market and in maintaining economic and social cohesion. It recognizes the diversity of the distribution structures in the different Member States and underlines the importance of balance between the various components of trade and of an open and competitive environment for commercial enterprises; it recommends the development of codes of conduct as a means of self-regulation. The Council also draws attention to the need to improve the financial structure of small and medium-sized com-

mercial enterprises and to the role played by training and the capacity to absorb technology. It states its intention of examining further the work programme put forward by the Commission in its communication 'Towards a single market in distribution' and calls on the Commission to assess the measures initiated under the 'Commerce 2000' project and to submit to it regular reports on Community action to assist trade and small and medium-sized enterprises.

1.3.59. Commission communication on SME participation in public procurement in the Community.

• **References:**

Commission communication on promoting SME participation in public procurement in the Community: COM(90) 166; Bull. EC 4-1990, point 1.1.88

Council conclusions on promoting SME participation in public procurement in the Community: Bull. EC 5-1990, point 1.2.131

Adopted by the Commission on 1 June. This communication, drawn up at the Council's request, follows on from that of April 1990 by describing recent developments in SME access to public contracts. Having noted that SMEs are still participating little in public procurement, the Commission examines the various measures taken or to be taken to change this situation, with particular reference to information and technical assistance, the division of contracts into lots, subcontracting, cooperation between enterprises, simplification and standardization of procedures, and the launching of studies and pilot projects.

II

Enterprise policy

1.3.60. Third annual conference of Euro-Info-Centres.

- **Previous conference:** Bull. EC 9-1991, point 1.2.35

Held in Funchal on 12 and 13 June. The conference, which was attended by Mr

António Cardoso e Cunha, Member of the Commission, and Mr Luís Mira Amaral, the Portuguese Minister for Industry and Energy, brought together the heads of all the Euro-Info-Centres and the 'correspondence centres' set up in certain third countries in 1991. Discussions focused mainly on the role of information in the completion of the internal market.

Industrial policy

Sectoral strategies

Steel

1.3.61. Resolution of the ECSC Consultative Committee concerning a fresh policy for the future of the Community steel industry.

Adopted by the ECSC Consultative Committee on 2 June. The Committee considers that the Community steel industry is going through a critical period; it requests the Commission to assume the responsibilities conferred on it by the ECSC Treaty, and in particular to draw up quarterly forward programmes, to implement the necessary trade defence measures (anti-dumping and countervailing procedures), to reduce the ECSC levy and — in view of the excess capacity in the Community — to limit subsidies.

OJ C 161, 27.6.1992

1.3.62. Forward programme for steel for the second half of 1992.

- **Previous programme:** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.98

Adopted by the Commission (first reading) on 26 June. In this programme the Commission forecasts a slow increase in the rate of activity in most of the steel-using sectors in the second half of the year. This should lead to a slight rise in steel consumption in the Community. Given the difference between internal prices and world market prices, imports are therefore expected to expand a little. Exports, on the other hand,

are likely to be slightly down in the second half of the year because of greater supply-side pressure on the world market.

On the basis of these trends, the Commission estimates that Community steel production will amount to 64.75 million tonnes in the second half of the year and to 135.75 million tonnes for 1992 as a whole.

ECSC Consultative Committee opinion adopted on 26 June. The Committee shares the Commission's analysis of the difficulties currently facing the steel market but calls for it to respond with more purposeful and precise programmes. It also repeats its call for a return to quarterly programmes.

Research and technology

International cooperation

1.3.63. 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
- **Parliament opinion (first reading):** OJ C 94, 13.4.1992; Bull. EC 3-1992, point 1.2.63
- **Economic and Social Committee opinion:** OJ C 106, 27.4.1992; Bull. EC 3-1992, point 1.2.63
- **Council common position:** Bull. EC 4-1992, point 1.3.69

Endorsed by Parliament (second reading) on 10 June.

OJ C 176, 13.7.1992

Adopted by the Council on 29 June.

1.3.64. 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 field of renewable raw

materials: forestry and wood products, including cork (Forest) and the recycling of waste (Reward).

- **Commission proposal:** OJ C 316, 6.12.1991; COM(91) 402; Bull. EC 11-1991, point 1.2.54
- **Parliament opinion (first reading):** OJ C 94, 13.4.1992; Bull. EC 3-1992, point 1.2.64
- **Economic and Social Committee opinion:** OJ C 106, 27.4.1992; Bull. EC 3-1992, point 1.2.64
- **Council common position:** Bull. EC 4-1992, point 1.4.70

Endorsed by Parliament (second reading) on 10 June.

OJ C 176, 13.7.1992

Adopted by the Council on 29 June.

1.3.65. Agreement on international cooperation concerning research into the consequences of the accident at Chernobyl.

- **Reference:** Commission communication on research agreements with the Chernobyl Centre for International Research: Bull. EC 1/2-1991, point 1.2.89

Agreement signed in Brussels on 23 June. The purpose of this cooperation agreement between the Community and Russia, Belarus and Ukraine is to carry out a programme to study the nature of the radioactive contamination resulting from the accident at Chernobyl, broaden the technical skills needed to control such accidents, and improve emergency procedures. The programme will receive funding of ECU 4 million from the Community and ECU 2 million from each of the republics concerned.

Telecommunications and information services

Telecommunications policy

- **Basic Directive:** Council Directive 90/387/EEC on the establishment of the internal market for telecommunications services through the implementation of open network provision: OJ L 192, 24.7.1990, Bull. EC 6-1990, point 1.3.96

1.3.66. Council Directive 92/44/EEC on the application of open network provision to leased lines.

- **Commission proposal:** OJ C 58, 7.3.1991; COM(91) 30; Bull. EC 1/2-1991, point 1.2.92
- **Economic and Social Committee opinion:** OJ C 269, 14.10.1991; Bull. EC 7/8-1991, point 1.2.99
- **Parliament opinion (first reading):** OJ C 305, 25.11.1991; Bull. EC 10-1991, point 1.2.52
- **Council agreement on a common position:** Bull. EC 11-1991, point 1.2.59
- **Council common position:** Bull. EC 12-1991, point 1.2.90
- **Parliament opinion (second reading):** OJ C 150, 15.6.1992; Bull. EC 5-1992, point 1.1.70

Adopted by the Council on 5 June. Purpose: harmonization of conditions for the use, provision and pricing of leased lines in accordance with the principles of Directive 90/387/EEC.

OJ L 165, 19.6.1992

1.3.67. Council Recommendation 92/382/EEC on the harmonized provision of a minimum set of packet-switched data services in accordance with open network provision (ONP) principles.

- **Commission proposal:** COM(91) 208; Bull. EC 6-1991, point 1.2.80

Adopted by the Council on 5 June. Purpose: in implementation of Directive 90/387/EEC, to identify the packet-switched data services whose provision must be harmonized.

OJ L 200, 18.7.1992

1.3.68. Council Recommendation 92/383/EEC on the provision of harmonized ISDN access arrangements and a minimum set of ISDN functionalities in accordance with open network provision (ONP) principles.

- **Commission proposal:** COM(91) 509; Bull. EC 12-1991, point 1.2.89

Adopted by the Council on 5 June. Purpose: in implementation of Directive 90/387/EEC, to identify the ISDN functions to be made available in all Member States in accordance with harmonized technical standards.

OJ L 200, 18.7.1992

1.3.69. Council Resolution on the development of the integrated services digital network (ISDN) in the Community as a European-wide telecommunications infrastructure for 1993 and beyond.

Adopted by the Council on 5 June. The Council supports the rapid introduction of the 'Euro-ISDN', defined as an ISDN fully based on harmonized European standards, and recognizes the need to promote it at world level. It invites the Commission, the Member States and the public telecommunications network operators to encourage its introduction.

OJ C 158, 25.6.1992

1.3.70. Green Paper on the development of the single market for postal services.

- **Commission approval:** Bull. EC 5-1992, point 1.1.67

Formally adopted by the Commission on 5 June.

COM(91) 476

Dissemination and exploitation of R&TD results

1.3.71. Joint declaration of the Council and the Commission in respect of negotiations concerning the IPR aspects of agreements for scientific and technological cooperation between the Community and third countries.

- **Commission proposal:** COM(92) 202; Bull. EC 5-1992, point 1.1.71

Adopted by the Council and the Commission, 30 June.

Transport

1.3.72. The European Council welcomed the progress made in completing the internal market in air transport and maritime cabotage (→ point 1.8).

Bull. EC 6-1992

I

Transport infrastructure networks

- **Reference:** Conclusions of the Maastricht European Council: Bull. EC 12-1991, point 1.1.4

1.3.73. Commission communication on transport infrastructure accompanied by a proposal for a Regulation amending Council Regulation No 3359/90 for an action programme in the field of transport infrastructure with a view to the completion of the integrated transport market in 1992, a proposal for a Council Decision on the trans-European road network and a proposal for a Council Decision on the development of a European inland waterway network.

- **Regulation to be amended:** Council Regulation (EEC) No 3359/90: OJ L 326, 24.11.1990; Bull. EC 11-1990, point 1.3.181

Adopted by the Commission on 10 June. In its communication the Commission analysed the present situation in the transport sector, noting the growing imbalance between the volume of traffic and the amount of investment, which was a potential obstacle to the free movement of persons, goods and services within the Community.

It also noted that the Treaty on European Union adopted at Maastricht was a reflection of the importance attached by the European Council to major infrastructure networks and, indeed, to the development of transport infrastructure as part of the process of building the Community.

The Commission proposed three master plans, one for combined transport (→ point 1.3.74), one for road networks and one for inland waterways. These will supply the missing links between national networks, make them technically compatible and open up the Community's isolated regions.

These master plans are indicative in nature and do not entail any financial commitment

on the part of any Member State or the Community.

The proposal amending Regulation (EEC) No 3359/90 is designed to link the provisions of the future Treaty on European Union with the 1990-92 infrastructure programming exercise by incorporating new objectives (efficiency, safety and environmental concerns) and new priority projects concerning inland waterways, motorways, the railways, sea and air transport and traffic management.

The Commission's proposal on a road network maps out a future trans-European road network. This will comprise some 37 000 kilometres of existing road links to which a number of missing motorway links will have to be added. Under the plan a 12 000 km network of motorways will be built or upgraded over the next 10 years, of which 40% will be in the outlying Member States. It will:

- (i) link up cross-border and outlying or isolated regions in the interests of greater economic and social cohesion;
- (ii) link up the network to Scandinavia and the Central and East European countries;
- (iii) connect up with intermodal centres, for better distribution of freight between modes;
- (iv) by-pass the main urban centres.

The Commission also proposed support for traffic management projects to improve the flow of traffic and a road-mobility strategy to be enhanced by promoting combined transport, rationalizing existing traffic and passing on the direct and indirect costs of traffic to users.

The later steps may also be important in helping to stabilize CO₂ emissions by the year 2000. The Commission also proposes closer environmental impact assessment of road projects.

In view of the cost of implementing this master plan, which is put at ECU 120 billion, the Commission recommends a concerted overhaul of road infrastructure finan-

cing, e.g. through the development of toll motorways.

In its proposal on a European inland waterway network the Commission identifies priority routes where action should be taken in the short and medium term:

- (i) east-west link: improvements of the links via the Mittellandkanal with extensions eastwards towards the Polish border and westwards to the Twentekanaal;
- (ii) north-south link: improvement of the links between the Benelux seaports and Dunkirk; central and eastern Belgium, the Paris Basin, the Moselle and, eventually, the Rhône;
- (iii) south-east link: completion of the Rhine-Main-Danube link and elimination of bottlenecks;
- (iv) Rhine-Rhône link: study of possible developments.

COM(92) 231

1.3.74. Commission communication on the establishment of a European combined transport network and the conditions under which it would operate, accompanied by a proposal for a Council Decision establishing a combined transport network in the Community, a proposal for a Council Directive amending Directive 75/130/EEC on the establishment of common rules for certain combined road/rail transport operations between Member States and a proposal for a Regulation amending Regulation (EEC) No 1107/70 on aid for rail, road and inland waterway transport.

- **Regulation to be amended:** Council Regulation (EEC) No 1107/70 (OJ L 130, 15.6.1970), as last amended by Regulation (EEC) No 1100/89: OJ L 116, 28.4.1989; Bull. EC 4-1989, point 2.1.179
- **Directive to be amended:** Council Directive 75/130/EEC (OJ L 48, 22.2.1975), as last amended by Directive 91/224/EEC: OJ L 103, 23.4.1991; Bull. EC 3-1991, point 1.2.68

Adopted by the Commission on 10 June. The communication maps out the Community's future policy to develop infrastructure in the wake of the decisions taken at the Maastricht European Council on trans-

European transport networks and a general movement towards intermodal policy defined in the Council resolution of 30 October 1990.

It is to provide a general framework for a combined transport system serving in all areas of the Community and diverting a large proportion of traffic away from congested major roads. Such a system will operate on the basis of an intermodal approach incorporating not only road and rail but also inland waterways and maritime transport. These two modes can provide additional and complementary services and, on a number of sea routes, can ensure good communications with islands and other remote areas of the Community such as Greece, Ireland and the Iberian Peninsula.

The network proposal is an indicative plan and entails no financial commitment on the part of any Member State or the Community.

The Commission will be undertaking combined transport pilot projects (PACT programme) and a number of studies (a) to assess the need for Community technical standards to ensure consistency between combined transport regulations, specifications and standards and (b) on transshipment centres.

The communication is accompanied by a proposal for a Decision in which the Commission proposes that a rail network be established, in two stages, by 2005. The first five-year phase will concentrate on completing any work necessary to establish such a network. In the second phase the network will be given the minimum gauge needed to carry containers and swap-bodies standardized at European level.

Community aid might be provided for such projects from transport infrastructure funds and the future Cohesion Fund. Some ECU 2 billion will be required to provide the missing links in such a network and between ECU 200 and 300 million for transshipment facilities.

Projects to upgrade inland waterways are also proposed.

The Commission has also proposed an amendment to Directive 75/130/EEC to add maritime transport to the other modes (rail, road and inland waterway). An initial definition of combined transport is put forward: transport involving a sea journey where the road leg of the operation does not exceed 150 kilometres.

The Commission's proposal to amend Regulation (EEC) No 1107/70 extends the provisions allowing Member States to provide infrastructure aid up to 1995 to enable combined transport to be developed and the rolling stock specific to each mode to be incorporated into such a system.

COM(92) 230

Liberalization

1.3.75. Proposal for a Council Regulation laying down the conditions under which non-resident carriers may operate national road haulage services in a Member State.

- **Commission proposal:** OJ C 77, 24.3.1987; COM(87) 31; Bull. EC 2-1987, point 2.1.169
- **Economic and Social Committee opinion:** OJ C 356, 31.12.1987; Bull. EC 11-1987, point 2.4.45
- **Parliament opinion:** OJ C 94, 11.4.1988; Bull. EC 3-1988, point 2.1.186
- **Amended Commission proposal:** OJ C 301, 26.11.1988; COM(88) 596; Bull. EC 10-1988, point 2.1.179

Agreed by the Council on 22 June. Under the terms of the proposal a number of specialized scheduled frontier services will be immediately liberalized, although this will not apply to other scheduled services. In the case of non-scheduled services, there will be immediate liberalization of all non-scheduled services from 1 January 1996.

1.3.76. Proposal for a Council Regulation applying the principle of freedom to provide services to maritime transport within Member States.

- **Commission proposal:** OJ C 263, 26.10.1989; COM(89) 266; Bull. EC 7/8-1989, point 2.1.201
- **Economic and Social Committee opinion:** OJ C 56, 7.3.1990; Bull. EC 11-1989, point 2.1.188

- **Parliament opinion:** OJ C 295, 26.11.1990; Bull. EC 10-1990, point 1.3.193
- **Amended Commission proposal:** OJ C 73, 19.3.1991; COM(91) 54; Bull. EC 1/2-1991, point 1.2.100

Agreed by the Council on 23 June. Under the proposal maritime cabotage is to be liberalized for Community shipowners operating ships registered in a Member State and flying its flag, provided those ships comply with all requirements for cabotage in that Member State. By way of exemption this provision may be temporarily suspended until 1996.

On the question of crew composition, the proposal provides that for vessels carrying out mainland cabotage and cruise liners, all matters relating to manning are to be the responsibility of the State of registry. However, the rules applied by the host State may also be applied to vessels below 650 gross register tons.

In the case of vessels operating island cabotage, with the exception of cargo vessels over 650 gross register tons, all manning questions will remain the responsibility of the host State.

The following services in the Mediterranean and along the coast of Spain, Portugal and France will be temporarily exempted:

- (i) cruise services, until 1 January 1995;
- (ii) transport of strategic goods (oil products and drinking water), until 1 January 1997;
- (iii) services performed by vessels below 650 gross register tons, until 1 January 1998;
- (iv) scheduled passenger and ferry services, until 1 January 1999.

Cabotage services to Mediterranean islands and the Canary, Azores and Madeira archipelagos, Ceuta and Melilla, the French islands off the Atlantic coast, and French overseas departments will also be exempted until 1 January 1999.

Greece will continue to benefit from this exemption for scheduled passenger and ferry services until 1 January 2004.

1.3.77. Proposals for Council Regulations:

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

- **References:**
 - Council Regulations (EEC) Nos 2342/90 and 2343/90; OJ L 217, 11.8.1990; Bull. EC 7/8-1990, point 1.3.288
 - Council Regulation (EEC) No 294/91 on the operation of air cargo services between Member States; OJ L 36, 8.2.1991; Bull. EC 1/2-1991, point 1.2.102
- **Commission proposals:** OJ C 258, 4.10.1991; COM(91) 275; Bull. EC 7/8-1991, point 1.2.102
- **Parliament opinion:** OJ C 125, 18.5.1992; Bull. EC 4-1992, point 1.3.75
- **Economic and Social Committee opinion:** Bull. EC 4-1992, point 1.3.75

Amended proposals adopted by the Commission on 19 June.

COM(92) 274

Agreed by the Council on 22 June. These proposals are the last in the second package of measures approved by the Council in 1990; their aim is gradually to open air transport to competition.

The licensing proposal lays down the conditions under which operating licences are to be issued to air carriers established in the Community. Any air carrier holding a licence will be granted traffic rights between any Community airports.

The proposal contains specific rules governing the relationship between the competent national authorities and airlines established, or to be established, in Member States.

The air fares proposal is based on freedom of pricing. Suitable safeguards will be built into such a system to protect the interests of the industry and the consumers.

Under the terms of the market access proposal Community air carriers will have access to routes between all airports open to civil air transport within the Community.

However, during a transitional period up to 1 April 1997, consecutive cabotage will be allowed, with capacity limited to 50%.

II

General policy

Development of the common transport policy

1.3.78. Parliament resolution 'Horizon 2000: European transport'.

Adopted by Parliament on 12 June. Parliament defined Community transport policy objectives for the year 2000:

- (i) completion of the process of liberalization and harmonization of all means of transport by 1 January 1993 which should take due account of high environmental protection standards and the need for social protection and cohesion;
- (ii) ensuring that all costs (including environmental and social costs) are included in the pricing of all means of transport;
- (iii) definition of infrastructure objectives independently of regional priorities;
- (iv) financing of a European infrastructure fund from the energy tax;
- (v) greater involvement of sea transport in multimodal transport.

Parliament also considered that, although European transport policy would provide greater access to outlying regions by linking them with other regions, it should not be the sole or primary instrument of regional development.

In its view, it would cost much more to transport people and goods in the future but there should also be a parallel increase in capacity and quality.

Parliament called on the Commission in the medium term to draw up a White Paper

setting out a total European transport concept.

OJ C 176, 13.7.1992

1.3.79. Parliament resolution on transport in the Mediterranean area.

Adopted by Parliament on 12 June. Parliament considered the new Mediterranean policy should embrace the entire Mediterranean rim and neighbouring waters, and coast States — whether or not they belonged to the Community. It noted that development of transport in the region should focus on improving communications between north and south within the Community itself and between the two sides of the Mediterranean.

It stressed the need for environmental impact studies to be carried out before transport infrastructure is developed, primarily in the Pyrenees and Alps, both regions where the ecological balance is very fragile.

It also called on the Commission to implement a Community policy on the safety of navigation and maritime transport.

For the railways, Parliament pointed to the need to finalize plans for conversion to the standard European gauge to develop the north-south link and, above all, services to Spain and Portugal.

It also noted that, of the Mediterranean Member States, Greece is the one which requires the most investment in the transport sector.

Parliament would like to see further agreements and more services operated on an equitable basis between the Community and the Maghreb countries and called for negotiations to be initiated with all non-European Mediterranean countries with a view to the conclusion of air transport agreements.

Finally, it drew attention to the need to complete the north-south waterway link, which is dependent on the Rhône-Rhine connection. In view of the expected rise in waterway traffic to and from Central and

Eastern Europe it called for bilateral agreements with non-Community countries to be updated.

OJ C 176, 13.7.1992

Inland transport

Road transport

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

- **Directive amended:** Council Directive 77/143/EEC (OJ L 47, 18.2.1977), as last amended by Council Directive 91/328/EEC: OJ L 178, 6.7.1991; Bull. EC 6-1991, point 1.2.87
- **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
- **Parliament opinion:** OJ C 94, 13.4.1992; Bull. EC 3-1992, point 1.2.79

Amended proposal adopted by the Commission on 4 June.

OJ C 165, 2.7.1992; COM(92) 241

Agreed by the Council on 23 June. This Directive defines the parts of the braking system which should be checked and the probable causes of failure.

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

- **Directive amended:** Council Directive 77/143/EEC (OJ L 47, 18.2.1977), as last amended by Council Directive 91/328/EEC: OJ L 178, 6.7.1991; Bull. EC 6-1991, point 1.2.87
- **Commission proposal:** OJ C 189, 20.7.1991; COM(91) 244; Bull. EC 7/8-1991, point 1.2.110
- **Economic and Social Committee opinion:** OJ C 49, 24.2.1992; Bull. EC 12-1991, point 1.2.105
- **Parliament opinion:** OJ C 150, 15.6.1991; Bull. EC 5-1992, point 1.1.75

Agreed by the Council on 23 June. This Directive lays down limit values for exhaust emissions for spark ignition (petrol) engined

and the smoke opacity for compression ignition (diesel) engined motor vehicles.

1.3.82. Proposal for a Council Regulation laying down the definitive system under which non-resident carriers may operate domestic road haulage services within a Member State.

- **Commission proposal:** OJ C 317, 7.12.1991; COM(91) 377; Bull. EC 10-1991, point 1.2.54
- **Economic and Social Committee opinion:** Bull. EC 4-1992, point 1.3.74
- **Parliament opinion:** OJ C 150, 15.6.1992; Bull. EC 5-1992, point 1.1.74

Amended proposal adopted by the Commission on 19 June.

OJ C 172, 8.7.1992; COM(92) 283

1.3.83. Parliament resolution on congestion and urban transport.

Adopted by Parliament on 12 June. Parliament considered land use planning should also include urban mobility plans and steps should be taken to ensure good connections between urban, interurban and regional services. In its view, the number of private cars should be limited by promoting public transport, integrated transport making use of new technologies, and taxi services. Public transport should also be accessible to the disabled.

Parliament suggested improvements which could be made to infrastructure and planning and pointed to the number of road accidents in urban areas, the harmful effects of traffic jams and pollution on public health and on historic buildings and works of art.

OJ C 176, 13.7.1992

Sea transport

1.3.84. Parliament resolution on the liberalization of maritime cabotage and its economic and social consequences.

Adopted by Parliament on 12 June. Parliament considered no liberalization should be undertaken in the maritime sector unless accompanied by harmonization. It called on

the Commission to draw up a precise and detailed study of the effects of liberalizing maritime cabotage in the Member States in social, economic and fiscal terms, on the standard of living of the inhabitants of the regions concerned and on seafaring employment. It also drew particular attention to passenger and crew safety and protection of the environment.

OJ C 176, 13.7.1992

Air transport

1.3.85. Proposal for a Council Regulation on the allocation of slots at Community airports.

- **Commission proposal:** OJ C 43, 19.2.1991; COM(90) 576; Bull. EC 12-1990, point 1.3.276
- **Economic and Social Committee opinion:** OJ C 339, 31.12.1991; Bull. EC 9-1991, point 1.2.50
- **Parliament opinion:** OJ C 13, 20.1.1992; Bull. EC 12-1991, point 1.2.112

Amended proposal adopted by the Commission on 26 June.

COM(92) 257

International cooperation

1.3.86. Council Decision 92/384/EEC of 22 July 1991 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
- **Parliament opinion:** OJ C 94, 13.4.1992; Bull. EC 3-1992, point 1.2.81
- **Council agreement:** Bull. EC 3-1992, point 1.2.81

Adopted by the Council on 23 June. Under this Agreement all Community legislation relating to air transport will be applied in Norway and Sweden.

OJ L 200, 18.7.1992

1.3.87. Parliament resolution on action to be taken in respect of a Pan-European transport policy.

- **Reference:** Pan-European Transport Conference: Bull. EC 10-1991, point 1.2.61

Adopted by Parliament on 12 June. Parliament took the view that a political initiative was needed to ensure effective follow-up to the Prague Declaration, adopted at the Pan-European Transport Conference and proposed a second conference, to be held in the second half of 1993 and that a draft All-European Transport Charter be drawn up.

OJ C 176, 13.7.1992

Energy

1.3.88. The European Council emphasized the importance of making rapid progress with the negotiation of the Basic Agreement to implement the European Energy Charter (→ point I.20).

Community energy strategy

1.3.89. Commission communication to the Council on technical harmonization and standardization in the energy sector.

- **References:**
 - Council resolution concerning a new approach to technical harmonization and standardization: OJ C 136, 4.6.1985; Bull. EC 5-1985, point 1.3.1
 - Council resolution concerning new Community energy policy objectives for 1995: OJ C 241, 25.9.1986; Bull. EC 9-1986, point 2.1.154

Adopted on 9 June. Emphasizing the importance of standardization to the completion of the internal energy market, the Commission analysed the results already achieved with the harmonization of technical rules and standards and set out guidelines for future action.

It pinpointed a number of areas in which standardization efforts should be stepped up, in particular oil refining and distribution equipment, electricity and gas pro-

duction and transport equipment, renewable energy and environmental protection.

1.3.90. Commission communication to the Council on a Community strategy to limit carbon-dioxide emissions and to improve energy efficiency (→ point 1.3.136).

Individual sectors

Oil and petroleum products

1.3.91. Commission communication to the Council entitled 'Towards greater stability in Community oil supplies'.

Adopted on 24 June. The Commission analysed the current political and economic context, and in particular the risks of instability and the means of dealing with them, for example by examining the strategy pursued by the United States and Japan. It proposed the establishment of a dialogue between producers and consumers, improvements in both energy efficiency and in the effectiveness of the crisis measures, and an increase in reserve stocks.

Relations with energy-producing or energy-importing non-member countries

European Energy Charter

1.3.92. International Conference.

- Reference: Signature of the Charter: Bull. EC 12-1991, point 1.2.114

Plenary meeting held in Brussels on 18 June. The participants at the fifth plenary meeting of the International Conference on the European Energy Charter noted the progress made towards the conclusion of a basic agreement, in particular as regards the competition, transit, technology and investment protection aspects. It was agreed that work should continue following a very tight schedule.

Treaty of Tlatelolco

1.3.93. Council Decision approving the conclusion of a Safeguard Agreement between the European Atomic Energy Community, the United Kingdom and the International Atomic Energy Agency (IAEA) pursuant to Additional Protocol No 1 to the Treaty of Tlatelolco.

- Commission communication concerning the negotiating directives: Bull. EC 11-1989, point 2.1.193
- Negotiating directives: Bull. EC 1/2-1990, point 1.1.269
- Commission proposal on the conclusion of the Agreement: COM(92) 197; Bull. EC 5-1992, point 1.1.86

Adopted by the Council on 29 June. The purpose of the Decision is to define, for territories located in the geographical zone referred to in the Treaty of Tlatelolco, for which the United Kingdom has international responsibility and to which the Euratom Treaty applies, safeguards arrangements and their application to all source or special fissile material in the context of all peaceful nuclear activity.

Russia

1.3.94. Visit by Mr Cardoso e Cunha from 5 to 8 June.

Mr Cardoso e Cunha officially inaugurated the Community energy centres in Moscow and St Petersburg. The centres will act as focal points for information for industrialists on all aspects of European Community energy technology.

During various meetings, Mr Cardoso e Cunha discussed the European Energy Charter and technical assistance to Russia in the energy field.

Poland

1.3.95. Visit to Warsaw by Mr Cardoso e Cunha from 9 to 11 June.

Mr Cardoso e Cunha officially inaugurated a Community energy centre which will act

as a focal point for information for industrialists on Community energy technology, and met various representatives of the Polish Government.

Social dimension

1.3.96. The European Council welcomed the progress made recently in social matters and urged the Council to continue its efforts in this field as the necessary complement to the realization of the internal market (→ point I.10).

I

Collective redundancies

1.3.97. Council Directive amending Directive 75/129/EEC on the approximation of the laws of the Member States relating to collective redundancies.

- **Directive amended:** Council Directive 75/129/EEC; OJ L 48, 22.2.1975
- **Commission proposal:** OJ C 310, 30.11.1991; COM(91) 292; Bull. EC 9-1991, point 1.2.55
- **Economic and Social Committee opinion:** OJ C 79, 30.3.1992; Bull. EC 1/2-1992, point 1.3.125
- **Parliament opinion:** OJ C 94, 13.4.1992; Bull. EC 3-1992, point 1.2.95
- **Amended Commission proposal:** COM(92) 127; Bull. EC 3-1992, point 1.2.95
- **Council agreement:** Bull. EC 4-1992, point 1.3.84

Formally adopted by the Council on 24 June. The Directive supplements the existing provisions concerning information for and consultation of workers' representatives in the event of collective redundancies. It takes account of the impact of the internal market and provides that the measures laid down apply irrespective of whether the decision concerning collective redundancies is taken by the employer or by an undertaking which controls the employer.

The Directive also provides that administrative and/or judicial procedures are to be

available to workers' representatives and/or workers themselves in order to ensure that the obligations laid down are observed.

Social protection

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

1.3.98. Council recommendation on common criteria concerning sufficient resources and social assistance in the social protection systems.

- **Commission proposal:** OJ C 163, 22.6.1991; COM(91) 161; Bull. EC 5-1991, point 1.2.75
- **Economic and Social Committee opinion:** OJ C 14, 20.1.1992; Bull. EC 10-1991, point 1.2.80
- **Parliament opinion:** OJ C 150, 15.6.1992; Bull. EC 5-1992, point 1.1.90

Formally adopted by the Council on 24 June. The purpose of the recommendation, which is provided for in the Commission's action programme relating to the implementation of the Community Charter of the Fundamental Social Rights of Workers, is to recognize the basic right to sufficient resources and social assistance to enable people to live in a manner compatible with human dignity.

The recommendation contains a number of general principles and practical guidelines whereby the Member States can recognize this basic right and organize its implementation.

1.3.99. Proposal for a Council recommendation on the convergence of social protection objectives and policies.

- **Commission proposal:** OJ C 194, 25.7.1991; COM(91) 228; Bull. EC 6-1991, point 1.2.101
- **Economic and Social Committee opinion:** OJ C 40, 17.2.1992; Bull. EC 11-1991, point 1.2.89
- **Parliament opinion:** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.123

Agreed by the Council on 24 June. This proposal, which is provided for in the Commission's action programme relating to the implementation of the Community Charter

of the Fundamental Social Rights of Workers, sets out a number of principles and guidelines for Member States with the aim of bringing about convergence of national policies in the following areas: sickness, maternity, unemployment, incapacity for work, the elderly and the family.

Employee participation in profits

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

- **Commission proposal:** OJ C 245, 20.9.1991; COM(91) 259; Bull. EC 7/8-1991, point 1.2.127
- **Economic and Social Committee opinion:** OJ C 98, 21.4.1992; Bull. EC 1/2-1992, point 1.3.126
- **Parliament opinion:** OJ C 125, 18.5.1992; Bull. EC 4-1992, point 1.3.90
- **Amended Commission proposal:** OJ C 140, 3.6.1992; COM(92) 193; Bull. EC 5-1992, point 1.1.92

Agreed by the Council on 24 June. The proposal invites the Member States to increase the participation of employees in enterprise profits by means of profit-sharing, employee share ownership or a combination of both. Emphasis is also placed on the role to be played by the social partners in this context.

II

European Social Fund and other structural measures

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

Working conditions

Industrial relations

1.3.102. Commission report to the Council on progress with regard to the

implementation of Directive 77/187/EEC relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of businesses.

- **Reference:** Council Directive 77/187/EEC: OJ L 61, 5.3.1977; Bull. EC 2-1977, point 2.1.23

Adopted by the Commission on 2 June. In this report, the Commission describes the general legal situation relating to the implementation of the Directive and concludes with an overall assessment of the implementation of the Directive in each Member State.

Health and safety at work

- **Basic Directive:** Council Directive 89/391/EEC on the introduction of measures to encourage improvements in the safety and health of workers at work: OJ L 183, 29.6.1989; Bull. EC 6-1989, point 2.1.105

Safety at work sites

1.3.103. Council Directive on the implementation of minimum safety and health requirements at temporary or mobile work sites (eighth individual Directive within the meaning of Article 16 of Directive 89/391/EEC).

- **Commission proposal:** OJ C 213, 28.8.1990; COM(90) 275; Bull. EC 7/8-1990, point 1.3.80
- **Parliament opinion (first reading):** OJ C 72, 18.3.1991; Bull. EC 1/2-1991, point 1.2.119
- **Economic and Social Committee opinion:** OJ C 120, 6.5.1991; Bull. EC 3-1991, point 1.2.80
- **Amended Commission proposal:** OJ C 112, 27.4.1991; COM(91) 117; Bull. EC 4-1991, point 1.2.70
- **Council agreement:** Bull. EC 10-1991, point 1.2.82
- **Council common position:** Bull. EC 12-1991, point 1.2.143
- **Parliament opinion (second reading):** OJ C 50, 15.6.1992; Bull. EC 5-1992, point 1.1.95

Re-examined proposal adopted on 9 June.
COM(92) 260

Formally adopted by the Council on 24 June. The Directive takes a comprehensive approach to prevention, establishing a chain

of responsibility linking all parties concerned, and contains various technical provisions relating to the safety and health of workers at temporary or mobile work sites.

Provision of signs

1.3.104. Council Directive concerning the minimum requirements for the provision of safety and/or health signs at work (10th individual Directive under Directive 89/391/EEC).

- **Directive strengthened:** Council Directive 77/576/EEC on the provision of safety signs at places of work (OJ L 229, 7.9.1977; Bull. EC 7/8-1977, point 2.1.50), amended by Commission Directive 79/640: OJ L 183, 19.7.1979; Bull. EC 6-1979, point 2.1.49
- **Commission proposal:** OJ C 53, 28.2.1991; COM(90) 664; Bull. EC 12-1990, point 1.3.102
- **Economic and Social Committee opinion:** OJ C 159, 17.6.1991; Bull. EC 4-1991, point 1.2.68
- **Parliament opinion (first reading):** OJ C 240, 16.9.1991; Bull. EC 7/8-1991, point 1.2.139
- **Amended Commission proposal:** OJ C 279, 26.10.1991; COM(91) 383; Bull. EC 10-1991, point 1.2.81
- **Council agreement:** Bull. EC 12-1991, point 1.2.142
- **Council common position:** Bull. EC 1/2-1992, point 1.3.127
- **Parliament opinion (second reading):** OJ C 150, 15.6.1992; Bull. EC 5-1992, point 1.1.94

Re-examined proposal adopted by the Commission on 11 June.

COM(92) 258

Formally adopted by the Council on 24 June. The Directive is designed to improve safety by enhancing the provision of signs, with the specific aim of combating risk factors associated with linguistic and cultural differences which might arise as a result of the free movement of workers.

It differs from the earlier Directive in that its scope is wider and it imposes stricter obligations.

Extractive industries

1.3.105. Proposal for a Council Directive concerning minimum requirements for

improving the safety and health protection of workers in the extractive industries for the exploration and exploitation of minerals in mines and quarries (12th individual Directive within the meaning of Article 16(1) of the framework Directive 89/391/EEC).

- **Commission proposal:** OJ C 5, 5.3.1992; COM(92) 14; Bull. EC 1/2-1992, point 1.3.128
- **Economic and Social Committee opinion:** Bull. EC 4-1992, point 1.3.93
- **Parliament opinion (first reading):** OJ C 150, 15.6.1992; Bull. EC 5-1992, point 1.1.93.

Amended proposal adopted by the Commission on 9 June.

OJ C 171, 7.7.1992; COM(92) 251

Common position adopted by the Council on 24 June. The Directive, designed to protect the safety and health of workers in surface and underground extractive industries, contains a set of detailed obligations for the employer, along with provisions on information for and consultation of workers, workers' participation and health surveillance.

Protection of pregnant women

1.3.106. Proposal for a Council Directive concerning measures to encourage improvements in the safety and health of pregnant workers, women workers who have recently given birth and those who are breastfeeding.

- **Commission proposal:** OJ C 281, 9.11.1990; COM(90) 406; Bull. EC 9-1990, point 1.2.53
- **Economic and Social Committee opinion:** OJ C 41, 18.2.1991; Bull. EC 11-1990, point 1.3.54
- **Parliament opinion (first reading):** OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.99
- **Amended Commission proposal:** OJ C 25, 1.2.1991; COM(90) 692; Bull. EC 1/2-1991, point 1.2.117
- **Council agreement:** Bull. EC 11-1991, point 1.2.90
- **Council common position:** Bull. EC 12-1991, point 1.2.144
- **Parliament opinion (second reading):** OJ C 150, 15.6.1992; Bull. EC 5-1992, point 1.1.96

Re-examined proposal adopted by the Commission on 9 June.

COM(92) 259

Solidarity

The elderly

1.3.107. Council Decision on the organization of the European Year of the Elderly and of Solidarity between Generations, 1993.

- **Reference:** Council Decision 91/49/EEC on measures to help the elderly: OJ L 28, 2.2.1991; Bull. EC 11-1990, point 1.3.200
- **Commission proposal:** OJ C 25, 1.2.1992; COM(91) 508; Bull. EC 1/2-1992, point 1.3.131
- **Economic and Social Committee opinion:** Bull. EC 4-1992, point 1.3.97

Endorsed by Parliament on 12 June, subject to amendments highlighting the need for society as a whole to respond effectively to the situation of the elderly and calling for greater integration of the elderly in public life, especially at Community level.

OJ C 176, 13.7.1992

Formally adopted by the Council on 24 June. The purpose of the Decision is to bring about a general improvement in the situation of the elderly, bearing in mind the present demographic trend towards a major increase in the elderly as a proportion of the population and the attendant economic and social implications. It aims specifically to integrate the elderly more fully into public life and to heighten society's awareness of the situation of the elderly.

Education, vocational training and youth

Second general system for the recognition of professional education and training

1.3.108. Council Directive 92/51/EEC on a second general system for the recognition of professional education and training which complements Directive 89/48/EEC.

- **Reference:** Council Directive 89/48/EEC on a general system for the recognition of higher

education diplomas awarded on completion of professional education and training of at least three years' duration: OJ L 19, 24.10.1989; Bull. EC 12-1988, point 2.1.10

- **Commission proposal:** OJ C 263, 16.10.1989; COM(89) 372; Bull. EC 7/8-1989, point 2.1.3
- **Economic and Social Committee opinion:** OJ C 75, 26.3.1990; Bull. EC 1/2-1990, point 1.1.95
- **Parliament opinion (first reading):** OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.2.66
- **Amended Commission proposal:** OJ C 217, 1.9.1990; COM(90) 389; Bull. EC 7/8-1990, point 1.3.89
- **Council agreement:** Bull. EC 12-1991, point 1.2.168
- **Council common position:** Bull. EC 1/2-1992, point 1.3.135
- **Parliament opinion (second reading):** OJ C 150, 15.6.1992; Bull. EC 5-1992, point 1.1.103

Adopted by the Council on 18 June. This Directive supplements the provisions of Directive 89/48/EEC and is the final part of a series of measures aimed at ensuring that qualifications obtained by a Community national in another Member State are recognized by the host Member State. Recognition is based on the principle of mutual trust, without any prior coordination of the types of training for the various professions concerned.

The scope of the Directive in principle covers two levels of education or training, namely higher or post-secondary education diplomas obtained after a period of less than three years and secondary education diplomas, and also applies to certain persons who have not obtained diplomas but have acquired professional experience. The Directive provides for cross-over links between the two systems in order to cover those professions which are part of the first system in one Member State but part of the second in another.

OJ L 209, 24.7.1992

1.3.109. Council resolution concerning nationals of Member States who hold a diploma or certificate awarded in a third country.

Adopted by the Council on 18 June. Noting that the Directive on a second general system for the recognition of professional edu-

cation and training (→ point 1.3.108) refers only to diplomas and certificates awarded in Member States to nationals of those countries, the Council invited the Governments of the Member States to allow nationals of Member States who hold evidence of qualifications awarded in a third country to take up and pursue regulated professions within the Community.

OJ C 187, 24.7.1992

Cooperation in the field of education

1.3.110. Conclusions of the Council and the Ministers for Education meeting within the Council on the development of open and distance learning in the European Community.

- **References:**

Memorandum on higher education in the European Community: COM(91) 349; Bull. EC 11-1991, point 1.2.82

Memorandum on open and distance learning in the European Community: COM(91) 388; Bull. EC 11-1991, point 1.2.83

Commission memorandum on vocational training in the European Community in the 1990s: COM(91) 397; Bull. EC 12-1991, point 1.2.136

Adopted by the Council and the Ministers for Education meeting within the Council on 1 June. The Council and the Ministers for Education emphasized the importance which they attached to the development of open and distance learning in the context of mainstream education and training in the Community.

They called for open and distance learning elements to be incorporated into appropriate Community education and training programmes, and for opportunities for enhancing open and distance learning arrangements, such as those offered by Community programmes in other fields, to be fully exploited. The Council and the Ministers reiterated their interest in receiving proposals which the Commission might formulate, bearing in mind existing structures in

this field at European level and the resources and activities of the private sector.

OJ C 151, 16.6.1992

1.3.111. Conclusions of the Council and the Ministers for Education meeting within the Council on the assessment of new Community programmes concerning education and training.

- **Reference:** Conclusions of the Council and the Ministers for Education meeting within the Council on cooperation and Community policy in the field of education: OJ C 277, 31.10.1989; Bull. EC 10-1989, point 2.1.93

Adopted by the Council and the Ministers for Education meeting within the Council on 1 June. The Council requested that all new Community programmes concerning education and training be assessed according to terms of reference stated explicitly in each proposal. The assessment process should involve an analysis of the situation existing before the implementation of the programme, an interim report on the first two years of implementation, proposing any appropriate adaptations, and a final report.

The Council and the Ministers asked the Commission to ensure consistency in the assessment of aspects common to different programmes and the necessary independence of the assessment system.

OJ C 151, 16.6.1992

1.3.112. Conclusions of the Council and the Ministers for Education meeting within the Council on the development of environmental education.

Adopted by the Council and the Ministers for Education meeting within the Council on 1 June. The Council and the Ministers for Education recognized that many positive actions to intensify environmental education have been carried out by the Member States and the Commission.

They pointed out that environmental education should be considered an integral and essential part of every citizen's upbringing and that special attention should be given

to the intensification of initial and in-service training of teachers in this area.

OJ C 151, 16.6.1992

Economic and social cohesion: structural measures

1.3.113. The European Council reaffirmed that economic and social cohesion is an essential dimension of the Community and decided that the Cohesion Fund provided for by the Maastricht Treaty for the benefit of the four most disadvantaged Member States should come into operation at the beginning of 1993 (→ point I.5).

Development, coordination and implementation of policies and measures

1.3.114. Parliament resolution on cross-border and interregional cooperation.

- **Reference:** Commission notice laying down guidelines for operational programmes which Member States are invited to establish in the framework of a Community initiative concerning border areas (Interreg): OJ C 215, 30.8.1990; Bull. EC 7/8-1990, point 1.3.106

Adopted on 9 June. Parliament felt there was an urgent need for measures to solve employment problems resulting from the abolition of the Community's internal frontiers, which are particularly acute in border areas.

Regretting the continuing lack of an appropriate legal framework for cross-border cooperation, Parliament asked the Commission to make every effort to promote measures of this type, in particular by establishing cross-border development agencies to encourage economic, cultural and social cooperation. It also invited those Member States which have not yet ratified the European Outline Convention on Transfrontier Cooperation to do so.

Parliament was aware of the sensitivity of these regions to the dangers created by pol-

luting industries and the movement of toxic waste.

It invited the Commission to consider extending the Interreg initiative beyond its expiry date in 1993.

OJ C 176, 13.7.1992

1.3.115. Parliament resolution on the impact of Community regional policy on the environment.

- **Reference:** Council Directive 85/337/EEC on environmental impact assessments: OJ L 175, 5.7.1985

Adopted on 9 June. Parliament asked the Commission to look again at sustainable development intended to conserve natural resources through measures such as the development of clean technologies and products, land-use planning and training in environmental impact assessment. It insisted that the Commission ensure that the relevant Directive was fully implemented.

Parliament called for sufficient information on the ecological impact of decisions to be made available before programmes were funded and for a public right to information on the use made of the structural Funds.

It also invited the Commission to devise more comprehensive rural development and environmental initiatives in partnership with elected local and regional authorities.

OJ C 176, 13.7.1992

Financial assistance

Less-developed regions

1.3.116. Communication of the Commission to the Council concerning measures relating to the industries supplying the utilities sectors in the structurally disadvantaged regions of the Community.

- **Reference:** Council Directive 90/531/EEC on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors: OJ L 297, 29.10.1990; Bull. EC 9-1990, point 1.2.6

Adopted on 3 June. This communication is the result of the undertaking given by the Commission, when Directive 90/531/EEC was adopted, to report to the Council on measures to help undertakings in the structurally disadvantaged regions of the Community to participate in the award of contracts. It sets out guidelines for a policy to establish an environment conducive to structural change among firms, often small or medium-sized, which are working closely with the public sector.

To make such firms more dynamic and to render the opening up to international competition of public contracts in the utilities sectors less painful, the Commission proposes a number of measures, which may be grouped in three categories:

- (i) the establishment of a competitive commercial environment conducive to structural change;
- (ii) the introduction of measures based on the development of the potential of firms (cooperation among small firms, improved management and marketing, training);
- (iii) diversification of the industrial fabric where this appears excessively dependent on orders from the public sector.

It asks the Community to make substantial resources available for restructuring under the existing structural Funds, through either

the Community support frameworks or special Community initiatives.

Declining industrial areas

1.1.117. Commission decisions: see Table 2.

Table 2 — *Financing under Objective 2*

<i>(million ECU)</i>		
Country/region	Fund	Total assistance
<i>Spain</i>		
Rioja	ERDF	8.1
Catalonia	ERDF	226.68
<i>Germany</i>		
Rhineland-Palatinate	ESF	1.45

Combating long-term unemployment

1.3.118. Commission decision: see Table 3.

Table 3 — *Financing under Objective 3*

<i>(million ECU)</i>		
Country/region	Fund	Total assistance
<i>Spain</i>		
	ESF	14.3

Other financial assistance

1.3.119. Commission decisions: see Table 4.

Table 4 *Other financial assistance*

<i>(million ECU)</i>			
Type	Country/purpose	Fund	Total assistance
Study	<i>Spain</i>		
	Six impact assessment studies	ERDF	0.05
	Survey on infrastructure provision	ERDF	3.90

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

1.3.120. Council Regulation (EEC) No 1603/92 authorizing an enhanced aid system as established in Regulation (EEC) No 3687/91 for the formation of producers' organizations in the French overseas departments, in the Canary Islands, in Madeira and in the Azores.

- **Commission proposal:** OJ C 100, 22.4.1992; Bull. EC 3-1992, point 1.2.111
- **Economic and Social Committee opinion:** Bull. EC 5-1992, point 1.1.112

Endorsed by Parliament on 9 June, subject to a technical amendment.

OJ C 176, 13.7.1992

Amended proposal adopted by the Commission on 12 June.

COM(92) 271

Adopted by the Council on 15 June.

OJ L 173, 27.6.1992

1.3.121. Council Regulation (EEC) No 1600/92 concerning specific measures for the Azores and Madeira relating to certain agricultural products; Council Regulation (EEC) No 1601/92 concerning specific measures for the Canary Islands relating to certain agricultural products.

- **Commission proposals:** OJ C 145, 6.6.1992; Bull. EC 4-1992, point 1.3.111
- **Economic and Social Committee opinion:** Bull. EC 5-1992, point 1.1.111

Endorsed by Parliament on 9 June, subject to some technical amendments.

OJ C 176, 13.7.1992

Amended proposal adopted by the Commission on 12 June.

COM(92) 271

Adopted by the Council on 15 June.

OJ L 173, 27.6.1992

1.3.122. Council Regulation (EEC) No 1602/92 temporarily derogating from implementation of Community anti-dumping measures on imports into the Canary Islands of certain sensitive products.

- **Commission proposal:** OJ C 97, 16.4.1992; Bull. EC 3-1992, point 1.2.114

Endorsed by Parliament on 9 June.

OJ C 176, 13.7.1992

Amended proposal adopted by the Commission on 12 June.

COM(92) 271

Adopted by the Council on 15 June.

OJ L 173, 27.6.1992

1.3.123. Council Regulation (EEC) No 1605/92 temporarily suspending the autonomous Common Customs Tariff duties on imports of certain industrial products into the Canary Islands; Council Regulation (EEC) No 1606/92 temporarily suspending autonomous Common Customs Tariff duties, subject to a specific ceiling, on imports into the Canary Islands of certain tobaccos falling within CN codes 2402 and 2403; Decision 92/319/ECSC 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.

- **Commission proposals:** OJ C 100, 22.4.1992; Bull. EC 3-1992, point 1.2.113

Endorsed by Parliament on 9 June, subject to some technical amendments.

OJ C 176, 13.7.1992

Amended proposal adopted by the Commission on 12 June.

COM(92) 271

Adopted by the Council on 15 June.

OJ L 173, 27.6.1992

1.3.124. Council Regulation (EEC) No 1604/92 amending Regulation (EEC) No 2504/88 on free zones and free warehouses.

- **Commission proposal:** OJ C 97, 16.4.1992; Bull. EC 3-1992, point 1.2.112

Endorsed by Parliament on 9 June, subject to deletion of a provision concerning the Old Free Port of Hamburg.

OJ C 176, 13.7.1992

Adopted by the Council on 15 June.

OJ L 173, 27.6.1992

1.3.125. Commission decision: see Table 5.

Table 5 — *Financing of measures for the most remote regions*

(million ECU)		
Country/region	Fund	Total assistance
<i>Spain</i>		
Canaries: improvements to the banana sector	EAGGF	9

Environment

1.3.126. Welcoming the results of the Earth Summit held in Rio de Janeiro, and in particular the acceptance by the international community of the aim of sustainable development world-wide, the European Council invited all participating States to proceed rapidly to the implementation of the measures agreed, adding that the

Community and its Member States are prepared to commit themselves to a precise and detailed plan of action. The European Council invited the other participating States to make a similar commitment.

In addition, noting the efforts made in the context of coordinated assistance by G-24, under the Phare programme, and in the technical assistance programme for the CIS to improve the safety of nuclear power plants of Soviet design, the European Council invited the other G-7 partners to establish a multilateral mechanism to enable action to be taken which is not covered by bilateral measures (→ point I.19).

I

Earth Summit

1.3.127. United Nations Conference on Environment and Development (Unced).

- **References:**

Commission communication to the Council entitled 'A common platform: guidelines for the Community for Unced 1992': Bull. EC 10-1991, point 1.2.193

Commission report to Unced: SEC(91) 2448; Bull. EC 3-1992, point 1.2.121

Council Decision on the status of the Community at Unced and on the arrangements for its participation: Bull. EC 3-1992, point 1.2.120

Conclusions of the Council and the Representatives of the Governments of the Member States meeting within the Council concerning Unced: Bull. EC 5-1992, point 1.1.116

Recommendation for a Council Decision concerning the participation of the European Community in the Global Environment Facility (GEF): Bull. EC 5-1992, point 1.1.120

Meeting held in Rio de Janeiro from 3 to 14 June. The Rio Conference, which was attended by 176 countries and 110 Heads of State or Government, and the European Community, which was represented by Mr Delors and Mr Matutes, achieved two major objectives. It raised the awareness of the international community about environment and development issues, and established a firm link between environment and

development (and hence economic growth), which had hitherto been regarded as two conflicting concepts.

In his address, Mr Delors stressed in particular that the Conference constituted a new form of North-South dialogue and that it was necessary to address the imbalance in economic relations between these two parts of the world; through their solidarity, the most industrialized countries can make the environment policies of the poorest countries more effective.

He also recalled that the aim of sustainable development, the shared responsibility of all concerned and the special obligations of the most industrialized countries constituted the guidelines for the action already being undertaken by the European Community. In this context, the Community regarded the climate change and biodiversity conventions as not being ambitious enough, and regretted the absence of a convention on forests.

The Conference adopted the Rio Declaration, which sets out 27 major principles for environment and development, and in particular certain new elements, namely:

- (i) recognition of the need for sustainable development;
- (ii) the common but differentiated responsibilities of States;
- (iii) global partnership.

It did not, however, constitute the Earth Charter initially envisaged, which it is planned to adopt in 1995 on the occasion of the 50th anniversary of the United Nations.

The Declaration is in fact a guide for the implementation of Agenda 21, which sets out the action programme for the international community in the field of environment and development for the 21st century. This agenda contains four main items: social and economic aspects, resource conservation and management, the role of social groups and the means of implementation.

Where financial resources are concerned, it was agreed that the target of 0.7% of GDP

should be achieved as soon as possible. The need to restructure the GEF was recognized. The Community and its Member States announced the allocation of ECU 3 billion to enable an early start to be made on the priority items of Agenda 21.

A declaration of principles on forests was adopted; this constitutes a compromise between North and South and the basis for future international cooperation. Agreement was also reached on the atmosphere (CO₂) and fishing (stocks of migratory fish). A consensus was reached on the preparation of a global convention on desertification by June 1994.

The Climate Change Convention (→ point 1.3.128) and the Biodiversity Convention (→ point 1.3.129) were signed.

1.3.128. Convention on Global Climate Change.

- Commission recommendation concerning negotiating directives: Bull. EC 1/2-1991, point 1.2.223
- Commission proposal concerning signature: COM(92) 76; Bull. EC 3-1992, point 1.2.139
- Council Decision concerning signature: Bull. EC 5-1992, point 1.1.117

Signed in Rio on 13 June. The Convention was signed by 150 countries and by the Community.

When signing the Convention, the Community published a declaration expressing the wish for its rapid implementation, reaffirming the Community's objective of stabilizing carbon dioxide emissions at their 1990 levels in the year 2000, and mentioning the need for additional protocols.

1.3.129. Convention on the Conservation of Biological Diversity.

- Recommendation for a Decision concerning negotiating directives: Bull. EC 5-1991, point 1.2.153
- Negotiating directives: Bull. EC 7/8-1991, point 1.2.272
- Commission proposal concerning signature: COM(92) 186; Bull. EC 5-1992, point 1.1.118

Decision concerning signature adopted by the Council on 9 June.

Signed in Rio on 13 June. The Convention was signed by 155 countries and by the Community.

The Community published a declaration regretting the inadequacy of the environmental objectives and emphasizing the need to increase them subsequently and to comply scrupulously with the financial provisions and intellectual property rules.

II

General

Taking the environment into account in other policies

1.3.130. Parliament resolution on the impact of Community regional policy on the environment (→ point 1.3.115).

Financial instruments

Specific action programme for the North Sea

1.3.131. Commission Decision on the granting of financial support.

- **Reference:** Council Regulation (EEC) No 3908/91 on Community action to protect the environment in the coastal areas and coastal waters of the Irish Sea, North Sea, English Channel, Baltic Sea and North-East Atlantic Ocean (Norspa): OJ L 370, 31.12.1991; Bull. EC 12-1991, point 1.2.305

Adopted by the Commission on 26 June. Purpose: to grant financial support totalling ECU 9.5 million to eight demonstration and technical assistance projects to protect the environment in the coastal areas and coastal waters of the Irish Sea, North Sea, Baltic Sea and North-East Atlantic Ocean.

Industry and environment, civil protection

Waste management

1.3.132. 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.

- **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
- **Parliament opinion:** OJ C 94, 13.4.1992; Bull. EC 3-1992, point 1.2.127
- **Council agreement on a common position:** Bull. EC 3-1992, point 1.2.127
- **Council agreement on a common position:** Bull. EC 5-1992, point 1.1.125

Common position formally adopted by the Council on 18 June.

Environmental quality and natural resources

Protection of water, coastal zones, environment and tourism

1.3.133. Ninth Commission report on bathing water.

- **Basic Directive:** Council Directive 76/160/EEC on bathing water: OJ L 31, 5.2.1976

Published by the Commission in June. The 1991 report on the quality of bathing water sets out the results for the last bathing season for all Member States.

Although it is difficult to identify any general trend, the report indicates that in 1991 bathing water quality was maintained or even improved in certain Member States.

It should also be noted that for a number of years Member States have been making considerable efforts to step up the monitoring of bathing water and improve bathing water quality. Implementation of clean-up programmes established by the national

authorities should ensure that very high quality standards are attained in future.

This document is available from the sales offices for publications of the European Communities.

Protection of nature, environment and agriculture

1.3.134. Commission Regulation (EEC) No 1970/92 amending 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 (Cites).

- **Reference:** eighth Conference of the Parties to the Convention: Bull. EC 3-1992, point 1.2.136
- **Regulation to be amended:** Council Regulation (EEC) No 3626/82: 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 1.1.129

Adopted on 30 June. The purpose of the proposal is to amend the Annexes to Regulation (EEC) No 3626/82 to take account of amendments made during the eighth session of the Conference of the Parties to the Convention.

OJ L 201, 20.7.1992

1.3.135. Parliament resolution on the implementation of the Berne Convention in the European Community.

- **References:**
Berne Convention on the Conservation of European Wildlife and Habitats: OJ C 210, 22.8.1979; Bull. EC 9-1979, point 2.1.47
Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora: OJ L 206, 22.7.1992; Bull. EC 5-1992, point 1.1.132

Adopted on 12 June. Parliament congratulated the Commission and the Council on the adoption of the habitats Directive. It called upon the Commission to identify those sites of importance to species listed in the Berne Convention and to make every effort to coordinate all Community policies and funding mechanisms to ensure that such

sites are protected and appropriately managed.

OJ C 176, 13.7.1992

Global environment: climate change, geosphere and biosphere

1.3.136. Commission communication to the Council on a Community strategy to limit carbon-dioxide emissions and to improve energy efficiency.

- **Commission proposal:** Bull. EC 5-1992, point 1.1.113

Formally adopted by the Commission on 3 June.

Nuclear safety

Plant safety

1.3.137. Council resolution on the technological problems of nuclear safety.

- **References:**
Council resolution of 22 July 1975 on the technological problems of nuclear safety: OJ C 185, 14.8.1875
Report on the implementation of the Council resolution of 22 July 1975 (1987-91); Bull. EC 1/2-1992, point 1.3.165

Adopted by the Council on 18 June. The Council called for the process of consultation and cooperation, in particular between the nuclear safety authorities in the Member States, a process which is already well established in the Community, to be continued in order to arrive at a system of safety criteria and requirements recognized throughout the Community. In this context, it emphasized the importance of research and technological innovation. It also set the priority objective of bringing the nuclear installations in the countries of Central and Eastern Europe and the Republics of the former Soviet Union up to safety levels equivalent to those of the Community and of facilitating the implementation in those countries of the safety criteria and

requirements already recognized at Community level.

OJ C 172, 8.7.1992

Radioactive waste

1.3.138. Council resolution on the renewal of the Community plan of action in the field of radioactive waste.

- **Commission proposal:** COM(92) 22; Bull. EC 1/2-1992, point 1.3.151

Adopted by the Council on 15 June. The Council approved the new plan of action for the period 1993-99 which takes account of technological progress, new requirements relating to safety and the environment and the new context created by the technical and practical issues arising from the abolition of frontier controls within the Community.

OJ C 158, 25.6.1992

Agriculture

1.3.139. The European Council expressed satisfaction with the agreement on reform of the common agricultural policy which will permit production to be controlled and provide support for farm incomes, and confirmed that the existing agricultural guideline would not be exceeded (→ point I.5).

I

Reform of the CAP and agricultural prices for 1992/93

1.3.140. On 30 June, the Council adopted all the Regulations giving legal form to the agreement reached on 25 May on the reform of the common agricultural policy and the 1992/93 agricultural prices (→ point 1.3.148).

Reform of the CAP

Arable crops

1.3.141. Council Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops; Council Regulation (EEC) No 1766/92 on the common organization of the market in cereals; Council Regulation (EEC) No 1738/92 amending Regulation (EEC) No 2727/75 on the common organization of the market in cereals; Council Regulation amending Regulation (EEC) No 762/89 introducing a specific measure for certain grain legumes; Council Regulation fixing the percentages to be used to calculate the aid for dried fodder for the 1993/94 marketing year.

- **Commission proposals:** OJ C 303, 22.11.1991; COM(91) 379; Bull. EC 10-1991, point 1.2.99
- **Economic and Social Committee opinion:** OJ C 98, 21.4.1992; Bull. EC 1/2-1992, point 1.3.167
- **Parliament opinion:** OJ C 125, 18.5.1992; Bull. EC 4-1992, point 1.3.122
- **Council agreement:** Bull. EC 5-1992, point 1.1.139

Formally adopted on 30 June.

OJ L 180, 1.7.1992; OJ L 181, 1.7.1992

Tobacco

1.3.142. Council Regulation on the common organization of the market in raw tobacco; 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; Council Regulation concerning inter-branch organizations and agreements in the tobacco sector.

- **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, points 1.3.168 and 1.3.169
- **Parliament opinion:** OJ C 194, 13.4.1992; Bull. EC 3-1992, points 1.2.145 and 1.2.146
- **Council agreement:** Bull. EC 5-1992, point 1.1.140

Formally adopted on 30 June.

Milk

1.3.143. Council Regulation amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products; Council Regulation establishing an additional levy in the milk and milk products sector; Council Regulation fixing the target price for milk and the intervention prices for butter, skimmed-milk powder and Grana Padano and Parmigiano Reggiano cheeses for two annual periods from 1 July 1993 to 30 June 1995; 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:** OJ C 98, 21.4.1992; Bull. EC 1/2-1992, point 1.3.170
- **Parliament opinion:** OJ C 94, 13.4.1992 and C 125, 18.5.1992; Bull. EC 3-1992, point 1.2.147 and 4-1992, point 1.3.123
- **Council agreement:** Bull. EC 5-1992, point 1.1.141

Formally adopted on 30 June.

Beef and veal

1.3.144. 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 premium for beef producers and Regulation (EEC) No 1357/80 introducing a system of premiums for maintaining suckler cows; Council Regulation fixing, for the period between 1 July 1993 and 30 June 1996, the intervention prices for adult bovine animals; Council Regulation on measures to promote and market quality beef and veal.

- **Commission proposals:** OJ C 303, 22.11.1991; COM(91) 379; Bull. EC 10-1991, point 1.2.102
- **Economic and Social Committee opinion:** OJ C 98, 21.4.1992; Bull. EC 1/2-1992, point 1.3.171
- **Parliament opinion:** OJ C 94, 13.4.1992; Bull. EC 3-1992, point 1.2.148
- **Council agreement:** Bull. EC 5-1992, point 1.1.142

Formally adopted on 30 June.

Sheepmeat and goatmeat

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

- **Commission proposals:** OJ C 303, 22.11.1991; COM(91) 379; Bull. EC 10-1991, point 1.2.103
- **Economic and Social Committee opinion:** OJ C 98, 21.4.1992; Bull. EC 1/2-1992, point 1.3.171
- **Parliament opinion:** OJ C 94, 13.4.1992; Bull. EC 3-1992, point 1.2.148
- **Council agreement:** Bull. EC 5-1992, point 1.1.143

Formally adopted on 30 June.

Accompanying measures

1.3.146. Council Regulation on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside; Council Regulation instituting a Community aid scheme for forestry measures in agriculture; 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
- **Parliament opinion:** OJ C 94, 13.4.1992; Bull. EC 3-1992, point 1.2.149
- **Council agreement:** Bull. EC 5-1992, point 1.1.144

Formally adopted on 30 June.

Transitional compensation for farmers in Germany

1.3.147. Council Decision on transitional national compensation for farmers in Germany.

- **Commission proposal:** OJ C 54, 29.2.1992; COM(91) 551; Bull. EC 12-1991, point 1.2.226
- **Economic and Social Committee opinion:** OJ C 106, 27.4.1992; Bull. EC 3-1992, point 1.2.158

Endorsed by Parliament on 9 June, subject to amendments stressing, in particular, the temporary nature of the measures in question, providing for aid to holdings worked cooperatively in proportion to the number of farmers and increasing the minimum and reducing the maximum amounts of aid.

Adopted on 30 June. This Decision supplements the measures reforming the CAP and authorizes Germany to grant special national aid in 1992, based on the utilized agricultural area, as a transitional replacement for the arrangements to compensate for the dismantling of compensatory amounts, based on VAT.

Agricultural prices for 1992/93 and related measures

1.3.148. Council Regulations (EEC) Nos 1739/92 to 1761/92 and 2046/92 to 2062/92 on the prices for agricultural products and on related measures (1992/93).

- **Commission proposal:** OJ C 119, 11.5.1992; COM(92) 94; Bull. EC 3-1992, point 1.2.141
- **Economic and Social Committee opinion:** Bull. EC 4-1992, point 1.3.133
- **Parliament opinion:** OJ C 150, 15.6.1992; Bull. EC 5-1992, point 1.1.145
- **Council agreement:** Bull. EC 5-1992, point 1.1.145
- **Formal adoption by the Council in part:** OJ L 147, 29.5.1992; Bull. EC 5-1992, point 1.1.145

Formally adopted on 30 June.

OJ L 180, 1.7.1992; OJ L 215, 30.7.1992

II

Legislation

Veterinary legislation

Freedom of movement

1.3.149. Council Directive amending Directive 90/425/EEC concerning veter-

inary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market.

- **Directive amended:** Council Directive 90/425/EEC: OJ L 224, 18.8.1990; Bull. EC 6-1990, point 1.3.140
- **Commission proposal:** OJ C 122, 14.5.1992; COM(92) 147; Bull. EC 4-1992, point 1.3.127

Endorsed by Parliament on 12 June.

OJ C 176, 13.7.1992

Agreed by the Council on 16 June.

Formally adopted by the Council on 30 June. Extends the abolition of veterinary checks at internal frontiers to all trade in live animals with the exception of pets being moved for non-commercial purposes. As a transitional measure, however, some checks during transport will be authorized until 31 December 1992.

1.3.150. Proposal for a Council Decision on the conclusion of the Protocol of Amendment to the European Convention for the Protection of Animals kept for Farming Purposes.

- **Reference:** Council Decision 78/923/EEC concerning the conclusion of the European Convention for the Protection of Animals kept for Farming Purposes: OJ L 323, 17.11.1978

Adopted by the Commission on 9 June. The Protocol provides for amendments to the Convention for the Protection of Animals kept for Farming Purposes in line with technical developments in livestock farming, particularly in the areas of biotechnology and on-farm killing.

COM(92) 243

1.3.151. Proposal for a Council Directive laying down animal health requirements for the placing on the market in the Community of live animals, semen, ova, and embryos not covered in this respect by specific Community rules.

- **Commission proposal:** OJ C 84, 2.4.1990; COM(89) 658; Bull. EC 1/2-1990, point 1.1.227

- **Parliament opinion:** OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.2.181
- **Economic and Social Committee opinion:** OJ C 182, 23.7.1990; Bull. EC 5-1990, point 1.2.181

Agreed on 16 June. Harmonizes animal health requirements for animals for rearing, semen, ova and embryos not yet covered by specific rules. The Council decided that a directive rather than a regulation as initially proposed by the Commission would be the appropriate legal instrument.

1.3.152. Proposal for a Council Directive amending Directive 89/662/EEC concerning veterinary checks in intra-Community trade with a view to the completion of the internal market.

- **Directive to be amended:** Council Directive 89/662/EEC (OJ L 395, 30.12.1989); Bull. EC 12-1989, point 2.1.196), as last amended by Directive 91/496/EEC: OJ L 268, 24.9.1991; Bull. EC 7/8-1991, point 1.2.175

Adopted by the Commission on 2 June. The proposal provides for the abolition on 1 July 1992 of all veterinary checks carried out on animal products at internal frontiers. It takes account of progress made towards veterinary harmonization both with regard to checks on products from third countries and to the control of animal diseases.

OJ C 164, 1.7.1992; COM(92) 211

1.3.153. Council Directive laying down the requirements on public health and animal health problems relating to the killing of wild game and the placing on the market of meat of wild game.

- **Reference:** Council Directive 91/495/EEC concerning public health and animal health problems affecting the production and placing on the market of rabbit meat and farmed game meat: OJ L 268, 24.9.1991; Bull. EC 11-1990, point 1.3.158
- **Commission proposal:** OJ C 327, 30.12.1989; COM(89) 496; Bull. EC 10-1989, point 2.1.162
- **Economic and Social Committee opinion:** OJ C 124, 21.5.1990; Bull. EC 3-1990, point 1.1.156
- **Parliament opinion:** OJ C 260, 15.9.1990; Bull. EC 9-1990, point 1.2.146

- **Amended Commission proposal:** OJ C 311, 12.12.1990; COM(90) 555; Bull. EC 11-1990, point 1.3.158

Adopted on 16 June. The Directive covers the part of proposal COM(89) 496 dealing with 'wild game' (the part covering rabbits and farmed game was adopted in November 1990). The Directive provides for the harmonization of the rules applicable to meat of wild game and in particular the rules relating to the origin of the game, its preparation, veterinary checks and hygiene requirements. It also provides for the approval of establishments in which game will be processed and introduces a health mark for products conforming to the rules.

1.3.154. Council Directive laying down the health rules for the production and placing on the market of raw milk, heat-treated milk and milk-based products.

- **Commission proposals:** OJ C 84, 2.4.1990; COM(89) 667 and 672; Bull. EC 1/2-1990, point 1.1.232 and 3-1990, point 1.1.147
- **Economic and Social Committee opinion:** OJ C 332, 31.12.1990; Bull. EC 9-1990, points 1.2.151 and 1.2.152
- **Parliament opinion:** OJ C 183, 15.7.1991; Bull. EC 6-1991, points 1.2.144 and 1.2.145
- **Amended Commission proposals:** OJ C 306, 26.11.1991 and C 308, 28.11.1991; COM(91) 420 and 425; Bull. EC 10-1991, point 1.2.119 and 11-1991, point 1.2.118

Adopted by the Council on 16 June. The Directive merges two proposals, one on raw milk and milk-based products (COM(89) 667) and the other on heat-treated milk (COM(89) 672). It provides in particular for the establishment at Community level of:

- (i) hygiene rules on the production, packaging, storage and transport of the products concerned,
- (ii) a procedure for the approval of establishments,
- (iii) health marking of products,
- (iv) specific conditions applicable to certain products manufactured from raw milk.

The aim of the Directive is to ensure that free circulation of the products concerned

within the Community is not hindered by differences in national health rules.

1.3.155. Council Directive laying down the conditions for granting temporary and limited derogations from specific Community health rules on milk and milk-based products.

- **Reference:** Council Directive 91/498/EEC on the conditions for granting temporary and limited derogations from specific Community health rules on the production and marketing of fresh meat: OJ L 268, 24.9.1991; Bull. EC 7/8-1991, point 1.2.194
- **Commission proposal:** OJ C 84, 2.4.1990; COM(89) 670; Bull. EC 1/2-1990, point 1.1.230
- **Parliament opinion:** OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.127
- **Economic and Social Committee opinion:** OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.155

Adopted on 16 June. The Directive covers the part of proposal COM(89) 670 covering milk and milk products (the part covering fresh meat was adopted in July 1991). The Directive provides for temporary and limited derogations from the arrangements introduced by the Directive laying down health rules for the production and placing on the market of certain milk products (→ point 1.3.154) to take account of the situation in certain localities and to prevent the sudden closure of establishments. The time limit laid down for the derogations is 31 December 1996.

1.3.156. Council Directive 92/48/EEC laying down the minimum hygiene rules applicable to fishery products handled on board certain vessels.

- **Commission proposal:** COM(92) 160; Bull. EC 4-1992, point 1.3.128

Adopted on 16 June.

OJ L 187, 7.7.1992

1.3.157. The Commission adopted:

Decision 92/293/EEC, 3.6.1992: OJ L 155, 6.6.1992 — Japanese scallops;
Decision 92/322/EEC, 10.6.1992: OJ L 177, 30.6.1992 — bovines and pigs from Hungary;

Decision 92/323/EEC, 10.6.1992: OJ L 177, 30.6.1992 — bovines and pigs from Poland;
Decision 92/324/EEC, 10.6.1992: OJ L 177, 30.6.1992 — bovines and pigs from Czechoslovakia;
Decision 92/325/EEC, 10.6.1992: OJ L 177, 30.6.1992 — bovines and pigs from Bulgaria;
Decision 92/341/EEC, 3.6.1992: OJ L 188, 8.7.1992 — Animo network;
Decision 92/342/EEC, 5.6.1992: OJ L 188, 8.7.1992 — poultry and eggs (Germany);
Decision 92/344/EEC, 9.6.1992: OJ L 188, 8.7.1992 — poultry and eggs (Greece);
Decision 92/345/EEC, 9.6.1992: OJ L 188, 8.7.1992 — poultry and eggs (Spain);
Decision 92/348/EEC, 10.6.1992: OJ L 189, 9.7.1992 — fresh meat from Zimbabwe;
Decision 92/349/EEC, 10.6.1992: OJ L 189, 9.7.1992 — frozen bovine semen from the United States;
Decision 92/353/EEC, 11.6.1992: OJ L 192, 11.7.1992 — registration of equidae;
Decision 92/354/EEC, 11.6.1992: OJ L 192, 11.7.1992 — registration of equidae;
Decision 92/356/EEC, 19.6.1992: OJ L 192, 11.7.1992 — fishery products from Brazil;
Decision 92/357/EEC, 23.6.1992: OJ L 192, 11.7.1992 — frozen bovine semen from New Zealand;
Decision 92/369/EEC, 24.6.1992: OJ L 195, 14.9.1992 — poultry and eggs;
Decision 92/375/EEC, 25.6.1992: OJ L 197, 16.7.1992 — fresh meat from Austria.

Disease control

1.3.158. Council Decision 92/337/EEC amending for the third time Decision 90/424/EEC on expenditure in the veterinary field.

- **Commission proposal:** COM(92) 187; Bull. EC 5-1992, point 1.1.153

Adopted on 16 June.

OJ L 187, 7.7.1992

1.3.159. Proposal for a Council Directive introducing Community measures for the control of certain fish diseases.

- **Reference:** Council Directive 91/67/EEC concerning the animal health conditions governing the placing on the market of aquaculture animals and products: OJ L 46, 19.2.1991; Bull. EC 1/2-1991, point 1.2.142

Adopted by the Commission on 17 June. Provides for measures to control the diseases listed in Directive 91/67/EEC. The aim is to eradicate diseases or prevent their spread, action being taken as soon as the presence of disease is suspected.

OJ C 172, 8.7.1972; COM(92) 204

1.3.160. The Commission adopted:

Decision 92/339/EEC, 2.6.1992: OJ L 188, 8.7.1992 — Newcastle disease;
Decision 92/340/EEC, 2.6.1992: OJ L 188, 8.7.1992 — Newcastle disease.

Plant health legislation

1.3.161. Proposal for a Council Directive amending Annex V to Council Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products

- **Directive to be amended:** Council Directive 77/93/EEC (OJ L 26, 31.1.1977), as last amended by Commission Directive 92/10/EEC: OJ L 70, 17.3.1992; Bull. EC 1/2-1992, point 1.3.186

Adopted by the Commission on 22 June. Modifies the list of plants and plant products for which inspection and the issuing of a passport or plant health certificate are required before movement within the Community.

COM(92) 265

1.3.162. Proposal for a Council Decision on the equivalence of checks for the maintenance of varieties carried out in third countries.

- **Reference:** Council Decision 78/476/EEC on the equivalence of checks on practices for the maintenance of varieties carried out in third countries (OJ L 152, 8.6.1978), as last amended by Decision 88/574/EEC: OJ L 313, 19.11.1988

Adopted by the Commission on 30 June. Lists the third countries where official checks on practices for the maintenance of varieties afford the same guarantees as those carried out by the Member States. The list of countries will replace that annexed to

Decision 78/476/EEC expiring on 30 June 1992.

COM(92) 272

Market organization

Cereals

1.3.163. The Commission adopted:

Regulation (EEC) No 1436/92, 2.6.1992: OJ L 151, 3.6.1992 — common wheat of breadmaking quality (Spain);
Regulation (EEC) No 1484/92, 9.6.1992: OJ L 156, 10.6.1992 — import levies;
Regulation (EEC) No 1486/92, 9.6.1992: OJ L 156, 10.6.1992 — rice import target ceiling (Portugal);
Regulation (EEC) No 1613/92, 24.6.1992: OJ L 170, 25.6.1992 — pasta;
Regulation (EEC) No 1614/92, 24.6.1992: OJ L 170, 25.6.1992 — long grain rice;
Regulation (EEC) No 1661/92, 26.6.1992: OJ L 172, 27.6.1992 — transfers to Portugal;
Regulation (EEC) No 1662/92, 26.6.1992: OJ L 172, 27.6.1992 — transfers to Portugal;
Regulation (EEC) No 1723/92, 30.6.1992: OJ L 179, 1.7.1992 — processing of cereals and rice (Spain);
Regulation (EEC) No 1727/92, 30.6.1992: OJ L 179, 1.7.1992 — cereal supplies to the Azores and Madeira;
Regulation (EEC) No 1728/92, 30.6.1992: OJ L 179, 1.7.1992 — cereal supplies to the Canaries;
Regulation (EEC) No 1776/92, 30.6.1992: OJ L 182, 2.7.1992 — storage.

Sugar

1.3.164. The Commission adopted:

Regulation (EEC) No 1487/92, 9.6.1992: OJ L 156, 10.6.1992 — aid for sugar cane cultivation;
Regulation (EEC) No 1488/92, 9.6.1992: OJ L 156, 10.6.1992 — aid for sugar cane processing;
Regulation (EEC) No 1684/92, 29.6.1992: OJ L 176, 30.6.1992 — export refunds on white sugar;
Regulation (EEC) No 1730/92, 30.6.1992: OJ L 179, 1.7.1992 — refining aid (French overseas departments).

Oils and fats

1.3.165. Proposal for a Council Regulation on the financing of expenditure for

the establishment and updating of the register of olive cultivation.

- **Basic Regulation:** Council Regulation (EEC) No 154/75 on the establishment of a register of olive cultivation in the Member States producing olive oil (OJ L 19, 24.1.1975), as last amended by Regulation (EEC) No 3788/85: OJ L 367, 31.12.1985

Adopted by the Commission on 19 June. For the 1992/93 to 1997/98 marketing years sets at 2.4% the deduction from the olive oil production aid to finance compilation and updating of the cultivation registers.

COM(92) 264

1.3.166. Agreements in the form of exchanges of letters between the Community and Algeria, Morocco and Turkey setting for the period 1 November 1987 to 31 December 1993 the additional amount to be deducted from the levy on imports into the Community of untreated olive oil originating in these countries.

- **Proposals for decisions on conclusion of agreements:** COM(91) 470; Bull. EC 11-1991, point 1.2.145

Decisions 92/350/EEC, 92/351/EEC and 92/352/EEC to proceed to signature of agreements adopted by the Council on 15 June.

OJ L 192, 11.7.1992

1.3.167. Regulations (EEC) Nos 1900/92, 1901/92 and 1902/92 amending respectively Regulations (EEC) Nos 1514/76, 1521/76 and 1180/77 on imports of olive oil originating in Algeria, Morocco and Turkey.

- **Commission proposals:** COM(91) 470; Bull. EC 11-1991, point 1.2.145

Adopted by the Council on 15 June.

OJ L 192, 11.7.1992

1.3.168. The Commission adopted:

Regulation (EEC) No 1449/92, 3.6.1992: OJ L 152, 4.6.1992 — olive oil (carryover from 1990/91); Regulation (EEC) No 1475/92, 5.6.1992: OJ L 155, 5.6.1992 — seed flax (Germany);

Regulation (EEC) No 1515/92, 11.6.1992: OJ L 159, 12.6.1992 — production support arrangements for soya, rape and sunflower;

Regulation (EEC) No 1516/92, 11.6.1992: OJ L 159, 12.6.1992 — production support arrangements for sunflower;

Regulation (EEC) No 1527/92, 12.6.1992: OJ L 160, 13.6.1992 — production aid arrangements for olive oil;

Regulation (EEC) No 1647/92, 23.6.1992: OJ L 172, 27.6.1992 — olive and olive oil yields;

Regulation (EEC) No 1683/92, 29.6.1992: OJ L 176, 30.6.1992 — olive oil analysis methods;

Regulation (EEC) No 1686/92, 29.6.1992: OJ L 176, 30.6.1992 — buying-in and storage of olive oil.

Fodder crops

1.3.169. The Commission adopted:

Regulation (EEC) No 1659/92, 26.6.1992: OJ L 172, 27.6.1992 — peas, field beans and sweet lupins;

Regulation (EEC) No 1734/92, 30.6.1992: OJ L 179, 1.7.1992 — peas, field beans and sweet lupins.

Flowers and live plants

1.3.170. Proposal for a Council Regulation amending Regulation (EEC) No 234/68 on the establishment of a common organization of the market in live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage.

- **Regulation to be amended:** Council Regulation (EEC) No 234/68 (OJ L 55, 2.3.1968), as last amended by Commission Regulation (EEC) No 3991/87: OJ L 377, 31.12.1987

Adopted by the Commission on 10 June. Includes chicory roots and plants in the market organization.

COM(92) 249

Fresh fruit and vegetables

1.3.171. Council Regulation (EEC) No 1569/92 amending Regulation (EEC) No 426/86 on the common organization of the

market in products processed from fruit and vegetables.

- **Commission proposal:** OJ C 116, 7.5.1992; COM(92) 138; Bull. EC 4-1992, point 1.3.146
- **Economic and Social Committee opinion:** Bull. EC 5-1992, point 1.1.163

Endorsed by Parliament on 12 June.
OJ C 176, 13.7.1992

Adopted by the Council on 16 June.
OJ L 166, 20.6.1992

1.3.172. The Commission adopted:

Regulation (EEC) No 1461/92, 4.6.1992: OJ L 153, 5.6.1992 — nuts and locust beans;
Regulation (EEC) No 1462/92, 4.6.1992: OJ L 153, 5.6.1992 — table grapes from Cyprus;
Regulation (EEC) No 1463/92, 4.6.1992: OJ L 153, 5.6.1992 — reference prices for plums;
Regulation (EEC) No 1464/92, 4.6.1992: OJ L 153, 5.6.1992 — offer prices for plums;
Regulation (EEC) No 1489/92, 9.6.1992: OJ L 156, 10.6.1992 — withdrawal prices for glasshouse tomatoes;
Regulation (EEC) No 1657/92, 26.6.1992: OJ L 172, 27.6.1992 — packaging of tomatoes;
Regulation (EEC) No 1658/92, 26.6.1992: OJ L 172, 27.6.1992 — supplementary trade mechanism;
Regulation (EEC) No 1660/92, 26.6.1992: OJ L 172, 27.6.1992 — reference prices for apples;
Regulation (EEC) No 1675/92, 29.6.1992: OJ L 176, 30.6.1992 — table grapes;
Regulation (EEC) No 1676/92, 29.6.1992: OJ L 176, 30.6.1992 — offer prices for apples;
Regulation (EEC) No 1677/92, 29.6.1992: OJ L 176, 30.6.1992 — offer prices for pears;
Regulation (EEC) No 1678/92, 29.6.1992: OJ L 176, 30.6.1992 — reference prices for pears;
Regulation (EEC) No 1685/92, 29.6.1992: OJ L 176, 30.6.1992 — cherries from the former Yugoslavia.

Wine

1.3.173. Council Decision 92/297/EEC on the conclusion of the agreement in the form of an exchange of letters between the European Economic Community and the Republic of Austria on the extension of the agreement on the reciprocal establishment of tariff quotas for certain quality wines.

- **Commission proposal:** COM(92) 131; Bull. EC 4-1992, point 1.3.152

Adopted on 1 June.
OJ L 160, 13.6.1992

Tobacco

1.3.174. Council Regulations (EEC) Nos 1570/92 and 1571/92 amending respectively Regulation (EEC) No 1114/88 which amended Regulation (EEC) No 727/70 on the common organization of the market in raw tobacco and Regulation (EEC) No 2268/88 fixing, for the 1988 harvest, certain prices and the guaranteed maximum quantities in the tobacco sector.

- **Commission proposals:** OJ C 52, 27.2.1992; COM(92) 40; Bull. EC 1/2-1992, point 1.3.210

Endorsed by Parliament on 12 June.
OJ C 176, 13.7.1992

Adopted by the Council on 16 June.
OJ L 166, 20.6.1992

1.3.175. The Commission adopted:

Regulation (EEC) No 1652/92, 26.6.1992: OJ L 172, 27.6.1992 — export refunds.

Hops

1.3.176. Proposal for a Council Regulation laying down, in respect of hops, the amount of aid to producers for the 1991 harvest.

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

Adopted by the Commission on 29 June.
The aid proposed is, as for the 1990 harvest, ECU 340 per hectare for all varieties.
OJ C 179, 16.7.1992; COM(92) 281

Seeds

1.3.177. The Commission adopted:
Regulation (EEC) No 1655/92, 26.6.1992: OJ L 172, 27.6.1992 — reference prices for hybrid maize and hybrid sorghum;

Regulation (EEC) No 1679/92, 29.6.1992: OJ L 176, 29.6.1992 — communication of information;
Regulation (EEC) No 1680/92, 29.6.1992: OJ L 176, 30.6.1992 — varieties of *Lolium perenne* L.

Milk

1.3.178. The Commission adopted:

Regulation (EEC) No 1426/92, 1.6.1992: OJ L 150, 2.6.1992 — long-keeping cheeses;
Regulation (EEC) No 1427/92, 1.6.1992: OJ L 150, 2.6.1992 — Pecorino Romano cheese;
Regulation (EEC) No 1445/92, 2.6.1992: OJ L 152, 4.6.1992 — skimmed-milk powder;
Regulation (EEC) No 1450/92, 3.6.1992: OJ L 152, 4.6.1992 — Kefalotyri and Kasserri cheeses;
Regulation (EEC) No 1540/92, 16.6.1992: OJ L 163, 17.6.1992 — skimmed-milk powder;
Regulation (EEC) No 1588/92, 22.6.1992: OJ L 168, 23.6.1992 — improvement in the quality of milk;
Regulation (EEC) No 1597/92, 23.6.1992: OJ L 169, 24.6.1992 — co-responsibility levy;
Regulation (EEC) No 1682/92, 29.6.1992: OJ L 176, 30.6.1992 — accession compensatory amounts (Portugal).

Beef and veal

1.3.179. The Commission adopted:

Regulation (EEC) No 1428/92, 1.6.1992: OJ L 150, 2.6.1992 and OJ L 179, 1.7.1992 (corrigendum) — sales from intervention;
Regulation (EEC) No 1476/92, 5.6.1992: OJ L 155, 6.6.1992 — imports from Namibia;
Regulation (EEC) No 1550/92, 17.6.1992: OJ L 164, 18.6.1992 — sales from intervention;
Regulation (EEC) No 1551/92, 17.6.1992: OJ L 164, 18.6.1992 — sales from intervention;
Regulation (EEC) No 1615/92, 24.6.1992: OJ L 170, 25.6.1992 — prices for adult bovine animals;
Regulation (EEC) No 1635/92, 25.6.1992: OJ L 171, 26.6.1992 — imports of young male bovine animals;
Regulation (EEC) No 1653/92, 26.6.1992: OJ L 172, 27.6.1992 — imports of calves;
Regulation (EEC) No 1681/92, 29.6.1992: OJ L 176, 30.6.1992 — supplementary trade mechanism (Portugal);
Regulation (EEC) No 1722/92, 30.6.1992: OJ L 179, 1.7.1992 — intervention prices.

Sheepmeat and goatmeat

1.3.180. The Commission adopted:

Regulation (EEC) No 1448/92, 3.6.1992: OJ L 152, 4.6.1992 — premium for loss of income.

Pigmeat

1.3.181. The Commission adopted:

Regulation (EEC) No 1526/92, 12.6.1992: OJ L 160, 13.6.1992 — export refunds;
Regulation (EEC) No 1724/92, 30.6.1992: OJ L 179, 1.7.1992 — supplies to the Canary Islands;
Regulation (EEC) No 1725/92, 30.6.1992: OJ L 179, 1.7.1992 — supplies to the Azores and Madeira;
Regulation (EEC) No 1731/92, 30.6.1992: OJ L 179, 1.7.1992 — weighting coefficients;
Regulation (EEC) No 1732/92, 30.6.1992: OJ L 179, 1.7.1992 — imports from Poland, Hungary and Czechoslovakia.

Poultrymeat and eggs

1.3.182. The Commission adopted:

Regulation (EEC) No 1726/92, 30.6.1992: OJ L 179, 1.7.1992 — supplies to the Azores and Madeira;
Regulation (EEC) No 1729/92, 30.6.1992: OJ L 179, 1.7.1992 — supplies to the Canary Islands;
Regulation (EEC) No 1733/92, 30.6.1992: OJ L 179, 1.7.1992 — imports from Poland, Hungary and Czechoslovakia.

EAGGF Guarantee Section

1.3.183. Council Regulation (EEC) No 1869/92 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.

- **Commission proposal:** OJ C 64, 13.3.1992; COM(92) 49; Bull. EC 1/2-1992, point 1.3.224
- **Economic and Social Committee opinion:** Bull. EC 4-1992, point 1.3.163

Endorsed by Parliament on 12 June.

OJ C 176, 13.7.1992

Adopted by the Council on 30 June. Modifies the accounting procedures for the permanent abandonment of wine-growing areas for the 1988/89 and 1989/90 wine years.

OJ L 189, 9.7.1992

Fisheries

I

Reform of the common fisheries policy

1.3.184. Further conclusions of the Council on the reform of the common fisheries policy.

• **References:**

Conclusions of the Council on the reform of the common fisheries policy: Bull. EC 4-1992, point 1.3.169

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

Commission discussion paper: 'Outline of a common fisheries system in the Mediterranean': Bull. EC 7/8-1990, point 1.3.259

Commission communication on a quality policy for fisheries products: Bull. EC 1/2-1992, point 1.3.237

Commission report on monitoring the implementation of the common fisheries policy: Bull. EC 3-1992, point 1.2.197

Commission report on the discarding of fish in Community fisheries: Bull. EC 3-1992, point 1.2.199

Adopted on 9 June. These conclusions supplement those of April 1992 on the reform of the common fisheries policy. They constitute a response to the Commission communications on the Mediterranean, monitoring and enforcement, discards and quality policy.

Where fishing in the Mediterranean is concerned, the Council considered it necessary to increase research into the state of stocks, to harmonize the laws of the coastal Member States and ensure greater participation of non-Member countries in the effort to conserve and manage resources.

The Council recognized the usefulness of the principle of integrated monitoring and enforcement covering the conservation of resources, the common organization of markets and structural policy. The follow-

ing means could be used: penalties, harmonization of national monitoring and enforcement measures, improved cooperation between the national monitoring and inspection agencies and the use of new satellite surveillance technology where its effectiveness is established. The Council also invited the Commission to put forward proposals to increase the effectiveness of the activities of Community inspectors.

With regard to the discarding of fish, the Council encouraged the Commission to formulate an overall strategy and thought that appropriate scientific research should be carried out as a matter of urgency, particularly in the case of selective fishing.

The Council approved the Commission guidelines in respect of the policy on quality improvements and stressed the importance of research, consumer information and the modernization of vessels. It invited the Commission to continue studying these issues and to propose appropriate measures where necessary.

II

Resources

Internal aspects

TACs and quotas

1.3.185. Proposal for a Council Regulation amending for the second time Regulation (EEC) No 3882/91 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1992 and certain conditions under which they may be fished.

- **Regulation to be amended:** Council Regulation (EEC) No 3882/91: OJ L 367, 31.12.1991; Bull. EC 12-1991, point 1.2.257

Adopted by the Commission on 26 June. Provides for an increase in the total allow-

able catches of sole in the North Sea, in so far as the state of the stock allows, in order to encourage a decrease in discards.

COM(92) 282

Technical measures

- **Basic Regulation:** Council Regulation (EEC) No 3094/86 (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

1.3.186. Council Regulation (EEC) No 1465/92 amending for the 12th time Regulation (EEC) No 3094/86 laying down certain technical measures for the conservation of fishery resources.

- **Commission proposal:** COM(92) 225; Bull. EC 5-1992, point 1.1.182

Adopted on 1 June.

OJ L 155, 6.6.1992

1.3.187. Proposal for a Council Regulation amending for the 13th time Regulation (EEC) No 3094/86 laying down certain technical measures for the conservation of fishery resources.

Adopted by the Commission on 26 June. Proposes stricter conditions for the fishing of whiting, so that this activity does not threaten the rebuilding of populations of certain endangered species, in particular cod, haddock and saithe.

COM(92) 279

External aspects

Angola

1.3.188. Protocol annexed to the fisheries agreement between the EEC and Angola.

- **Reference:** Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off

Angola: OJ L 341, 3.12.1987; Bull. EC 11-1987, point 2.1.228

Initialled in Luanda on 12 June. The new Protocol provides for the continuation of shrimp fishing, with a total annual catch level slightly below that of the previous protocol as a result of the development of stocks, and with new commercial fishing for demersal fish. The financial aspects of the agreement remain unchanged.

Baltic States

1.3.189. Council Decision authorizing the Commission to negotiate fisheries agreements with the Republics of Latvia, Lithuania and Estonia.

- **Commission recommendation:** Bull. EC 5-1992, point 1.1.184

Adopted on 9 June.

North Atlantic Salmon Conservation Organization (Nasco)

1.3.190. Ninth annual meeting.

- **Previous meeting:** Bull. EC 6-1991, point 1.2.194

Held in Washington from 9 to 12 June. At this meeting, Nasco adopted a resolution on fishing for salmon on the high seas, and a protocol to be submitted for signature by States which are not party to the Convention but whose vessels fish for salmon on the high seas contrary to the Nasco Convention and the United Nations Convention on the Law of the Sea.

Northwest Atlantic Fisheries Organization

1.3.191. Commission Regulation (EEC) No 1439/92 concerning the stopping of fishing for cod by vessels flying the flag of a Member State.

Adopted by the Commission on 2 June. In the context of the extraordinary meeting of the scientific council of NAFO (Northwest Atlantic Fisheries Organization), the Commission decided to impose a moratorium with effect from 3 June on fishing for cod in the Grand Banks zone 2J + 3KL pending more detailed information on the catches made by the Community fleet in respect of its quota for 1992.

OJ L 151, 3.6.1992

Market organization

1.3.192. Council Regulation laying down common marketing standards for preserved tuna and bonito.

- **Commission proposal:** COM(91) 527; Bull. EC 12-1991, point 1.2.275

Adopted on 9 June. The Regulation defines the precise trade description of the products sold as 'tuna' or 'bonito' with a view to ensuring market transparency and encouraging trade based on fair competition.

1.3.,193. The Commission adopted:

Regulation (EEC) No 1561/92, 18.6.1992: OJ L 165, 19.6.1992 — temporary surveillance in respect of imports of Atlantic salmon;

Regulation (EEC) No 1672/92, 29.6.1992: OJ L 176, 30.6.1992 — common market organization, Canary Islands;

Regulation (EEC) No 1663/92, 26.6.1992: OJ L 172, 27.6.1992 — compensation in respect of tuna;

Regulation (EEC) No 1673/92, 29.6.1992: OJ L 176, 30.6.1992 — withdrawal and selling prices;

Regulation (EEC) No 1674/92, 29.6.1992: OJ L 176, 30.6.1992 — carry-over premium for the 1992 fishing year.

Consumer protection

I

General product safety

1.3.194. Council Directive on general product safety.

- **Reference:** Council Directive 85/374/EEC on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products: OJ L 210, 7.8.1985; Bull. EC 7/8-1985, point 2.1.132
- **Commission proposal:** OJ C 193, 31.7.1989; COM(89) 162; Bull. EC 4-1989, point 2.1.121
- **Economic and Social Committee opinion:** OJ C 75, 26.3.1990; Bull. EC 1/2-1990, point 1.1.137
- **Parliament opinion (first reading):** OJ C 96, 17.4.1990; Bull. EC 3-1990, point 1.1.94
- **Amended Commission proposal:** OJ C 156, 27.6.1990; COM(90) 259; Bull. EC 6-1990, point 1.3.130
- **Council agreement:** Bull. EC 10-1991, point 1.2.195
- **Council common position:** Bull. EC 12-1991, point 1.2.316

Endorsed by Parliament (second reading) on 10 June, subject to amendments clarifying the concept of 'risk' and prohibiting the export to countries outside the Community of unsafe products which have been withdrawn or banned from sale on the Community market.

OJ C 176, 13.7.1992

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

COM(92) 267

Adopted by the Council on 29 June. The Directive aims to ensure Community-wide respect of the general safety requirement whereby only safe products are marketed.

The Directive, which will take effect from 29 June 1994, requires manufacturers to:

- place on the market only products which are safe under normal or reasonably foreseeable conditions of use;
- inform consumers of all the possible risks connected with their use;
- take the necessary steps to ensure that consumers are informed of dangers associated with the use of the product.

Distributors must act with due care in order to help ensure compliance with these obligations.

While the general safety requirement does not apply in cases where specific Community rules governing the safety of products already exist, thereby avoiding the imposition of a dual obligation on manufacturers in respect of the same product, it closes the gaps in cases where no specific legislation exists.

Furthermore, the Directive formalizes the role of Member States in terms of the management of general product safety. Member States are required to establish, by 29 June 1994, the necessary means and infrastructure to ensure compliance with the general safety requirement.

Uniform management is to be ensured in such a way that adequate, identical measures are taken where necessary. Specific procedures are to be established in order to cope with emergencies at Community level caused by products which represent a serious and immediate danger. When member States cannot cope with an emergency situation in a harmonized way, these procedures provide for a rapid Community decision geared to coordinated action in all the Member States. In addition, a safeguard notification procedure is provided for to deal with risky products for which there is no equivalent information procedure at Community level.

This Directive complements the Directive on defective product liability, creating at Community level a comprehensive and consistent system for dealing with problems of general product safety.

Unfair terms

1.3.195. 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 Commission proposal: OJ C 73, 24.3.1992; COM(92) 66; Bull. EC 3-1992, point 1.2.212

Common position agreed by the Council on 29 June. The proposal constitutes a first step towards standardizing consumer protection through the approximation, by 31 December 1994 at the latest, of the laws, regulations and administrative provisions of the Member States relating to unfair 'non-negotiated' terms in contracts concluded between a consumer and a seller or supplier acting for purposes relating to his occupation, whether in the public or private sector.

A term which has not been negotiated is to be regarded as unfair if it creates, to the detriment of the consumer, a significant imbalance in the parties' rights and obligations arising under the contract. The Ministers did not reach a decision on the indicative list of terms which may be regarded as unfair.

The proposal does not cover contractual terms reflecting binding statutory provisions or regulations, or provisions and principles of international agreements ratified by the Member States or the Community, particularly in the transport sector.

The Directive leaves open the possibility for Member States to ensure a higher level of protection for the consumer.

Future priorities in consumer protection policy

1.3.196. Council resolution on future priorities for the development of consumer protection policy.

Agreed by the Council on 29 June. With an eye to the single market, the Council invited the Commission to propose measures providing greater transparency and better information for consumers, improving health and safety protection, and safeguarding their economic interests.

It encouraged the Commission to submit to it proposals aimed at improving consumer information and invited the Member States to promote consumer information and education campaigns.

It drew up the list of priorities for the policy of protection and promotion of consumers' interests, including integration of this policy into other common policies, consumer information and education, legal redress for consumers or consumer organizations, safety and health, representation of consumers and protection of economic interests.

II

Health, physical safety and quality

1.3.197. Proposal for a Council Directive amending for the sixth time Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products.

- Commission proposal: OJ C 52, 28.2.1991; COM(90) 488; Bull. EC 1/2-1991, point 1.2.239

Endorsed by Parliament (first reading) on 10 June, subject to amendments concerning the prohibition, after 1 January 1998, of ingredients tested on animals (depending on the progress made in developing satisfactory methods to replace animal testing) and information to be given on labels.

OJ C 176, 13.7.1992

A people's Europe

1.3.198. The European Council welcomed the political agreement which emerged on the establishment of a European Drugs Monitoring Centre and confirmed its support for the organization of a European Week in November to promote the prevention of drug abuse. It called upon the ECCD

to report to the next European Council on implementation of the programme for the fight against drugs adopted by the Rome European Council in December 1990, possibly attaching new proposals (→ point I.11).

1.3.199. Parliament resolution on the murder of Giovanni Falcone and the need to combat organized crime in the European Community.

Adopted on 11 June. Appalled by the murder of Giovanni Falcone, his wife and three policemen, Parliament called upon all concerned to intensify their struggle against organized crime.

OJ C 176, 13.7.1992

Audiovisual media, information, communication and culture

Audiovisual policy and production

Introduction of advanced television services in Europe

- References:
Commission communication to Parliament and the Council on encouraging audiovisual production in the context of the strategy for high-definition television: Bull. EC 7/8-1991, point 1.2.291

Council Directive 92/38/EEC on the adoption of standards for satellite broadcasting of television signals: OJ L 137, 20.5.1992; Bull. EC 5-1992, point 1.1.201

1.3.200. Proposal for a Decision on an action plan for the introduction of advanced television services in Europe.

- Commission proposal: COM(92) 154; Bull. EC 4-1992, point 1.3.185

Conclusions adopted by the Presidency of the Council meeting (telecommunications) on 5 June. The Presidency noted the possibility of consensus being reached on the basis of a number of guidelines: the action

plan to focus on promoting services in the 16:9 format (D2-MAC or HD-MAC standard) with a view to establishing a critical mass permitting the development of advanced television services; the indicative nature of the allocation of resources to the various elements in the chains of production of services to provide the flexibility needed in terms of programme production; the Member States to be guaranteed adequate participation in the administration of the programme through a committee with an appropriate status; the concept of dual degressivity to be recognized as the general principle for funding the services with a view to ensuring, without prejudice to the criterion of quality, a balanced allocation in geographical and linguistic terms which takes into account the difficulties in responding in the short term of the regions with weaker audiovisual capacity.

1.3.201. Memorandum of understanding (MOU).

Text approved on 15 June by broadcasters, industrialists, satellite operators and a number of cable distribution companies with a view to formal signature once each of the organizations concerned has completed its internal procedures. The MOU forms one of the three pillars of the Commission strategy to ensure the successful introduction of European HDTV. The second pillar is the action plan proposed by the Commission (→ point 1.3.200) and the third is Council Directive 92/38/EEC on the adoption of standards for satellite broadcasting of television signals. An indicator of operator

interest in the development of the new services and a concrete demonstration that the market forces share the Commission's strategic vision in this field, the MOU provides for the rapid implementation of the measures needed to support efforts to evolve towards HDTV, avoiding discontinuity and double investments. The financial incentives provided for in the action plan will play a vital part.

Culture

Community's architectural heritage

1.3.202. Support for pilot projects.

- **References:**

Resolution of the Ministers with responsibility for cultural affairs meeting within the Council on the protection of Europe's architectural heritage: OJ C 320, 13.12.1986; Bull. EC 11-1986, point 2.1.128

Call for applications: OJ C 284, 31.10.1991; Bull. EC 10-1991, point 1.2.200

Projects selected by the Commission on 22 June. A total of ECU 3 million has been allocated to 44 projects selected from 959 applications for the restoration of monuments within their surroundings in an integrated approach to public spaces. This year's scheme is particularly interested in helping monuments to be seen in their historic context and includes market places, castles, entire residential quarters, public squares, defensive structures, archaeological sites and religious monuments in all 12 Member States.

4. The role of the Community in the world

European Free Trade Association

1.4.1. The European Council welcomed the signing of the Agreement establishing a European Economic Area, which paved the way for beginning the enlargement negotiations — expected to be concluded speedily — with the EFTA countries which had applied to join the European Union. It stated that the negotiations would start once the Treaty on European Union had been ratified and agreement had been reached on the second package (Delors II) of structural and financial measures (→ point I.4).

Bilateral relations

Austria

1.4.2. Sir Leon Brittan visited Vienna on 1 June.

Sir Leon had talks with the Chancellor, Mr Franz Vranitzky, Foreign Minister Mr Alois Mock, Economic Affairs Minister Mr Wolfgang Schüssel, and Mr Ditz, State Secretary at the Finance Ministry. The main matters discussed were Austria's accession to the European Community and the problems potentially associated with accession, particularly in connection with agriculture, transit, neutrality and money-laundering. Also discussed were the European Economic Area, the development of European Union and certain aspects of competition, State aid, banking and insurance.

1.4.3. Mr Vranitzky visited Strasbourg on 10 June.

Mr Vranitzky saw Mr Delors, Mr Andriessen and Mr Van Miert, as well as Mr Egon Klepsch, Parliament's President. Discussions centred on the process of European integration in the wake of the Danish referendum and the preparation of negotiations for Austrian accession to the European Community. Mr Vranitzky once again expressed his government's wish to acquire

membership of the Community without delay and to see negotiations begin shortly.

Switzerland

1.4.4. Accession to the European Communities.

- Application for accession: Bull. EC 5-1992, point 1.2.2

The Council made its initial examination of the application on 15 June. It decided to set in motion the procedures laid down in the Treaties, and therefore asked the Commission to deliver an opinion on the matter.

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

Central and Eastern Europe

Assistance to the countries of Central and Eastern Europe

1.4.5. Parliament resolution on investments in countries of Central and Eastern Europe and the guarantees for those investments.

Adopted by Parliament on 12 June. Acknowledging the need to provide financial impetus and long-term assistance for the establishment of market economies in the countries of Central and Eastern Europe, in the interests of enabling those countries gradually to take responsibility for their own development, Parliament considered that the Community should help with investment management and promotion policy, in close collaboration with national economic and other authorities, business representatives and the Group of 24. It called on the Member States to conclude investment protection agreements with the countries in question to promote and protect investment. These should be

based on a standard Community text. Parliament also proposed that an investment observatory be established. Its function would be to propose mechanisms to promote, guarantee and protect Community investment in non-member countries, particularly those of Central and Eastern Europe, and to analyse the inadequacies of their economic, legal and tax systems from the points of view of competition and the market economy.

OJ C 176, 13.7.1992

Bilateral relations

Albania

1.4.6. Council Regulation (EEC) No 1567/92 on a second emergency measure to supply food products to the population of Albania.

- **Reference:** Council Regulation (EEC) No 3860/91 on an emergency measure to supply food products to the population of Albania: OJ L 362, 31.12.1991; Bull. EC 12-1991, point 1.3.16
- **Commission proposal:** Bull. EC 5-1992, point 1.2.16

Adopted by the Council on 15 June. Concerned by the continuing critical food situation in Albania, the Council adopted a Regulation for a second emergency operation to send foodstuffs to Albania to improve supplies. This ECU 45 million food aid package follows on from a previous similar operation worth ECU 35 million.

OJ L 166, 20.6.1992

Bulgaria

1.4.7. Proposal for a Council Decision providing further medium-term financial assistance for Bulgaria.

- **Reference:** Council Decision 91/311/EEC providing medium-term financial assistance for Bulgaria: OJ L 174, 3.7.1991; Bull. EC 6-1991, point 1.3.15

Adopted by the Commission on 3 June.

Council agreement given on 9 June. Because the Bulgarian economy had not yet been

stabilized, despite the Government's structural adjustment and reform measures, and because further official assistance was needed to bolster the balance of payments and build up reserves, the Council gave its assent to a Community contribution of ECU 110 million to a medium-term G-24 programme of financial assistance for Bulgaria. The total value of the programme would be ECU 170 million, and it would last a maximum of seven years.

The Community loan is intended to support the Bulgarian Government's economic programme for 1992. This was developed in close association with the IMF and was backed by a standby arrangement. The loan will be made in two tranches, with receipt being conditional on adherence to the principles of the economic programme agreed by the Bulgarian Government with the IMF and the Community.

Romania

1.4.8. Proposal for a Council Decision providing further medium-term financial assistance for Romania.

- **Reference:** Council Decision 91/384/EEC providing medium-term financial assistance for Romania: OJ L 208, 30.7.1991; Bull. EC 7/8-1991, point 1.3.18

Adopted by the Commission on 3 June.

Council agreement given on 9 June. In the light of the political and economic reform carried out in Romania in 1991, with the assistance of the Community, the Council gave its assent to a further medium-term G-24 loan to even out Romania's balance of payments and improve monetary reserves.

The Romanian Government's macro-economic programme, designed to eliminate price distortions, stabilize price levels and halt the drop in GDP, did not fully succeed in 1991, chiefly because of adverse external circumstances which depressed imports. The maximum level of the loan would be ECU 80 million, and it would last a maximum of seven years. It would be part of a G-24 programme of medium-term

financial assistance of approximately ECU 140 million.

The loan will be made in a single tranche and disbursement will be conditional on the fulfilment of conditions attached to the Government's reform programme and on a satisfactory track record in the implementation of a new IMF standby arrangement.

As is the case with all of its balance of payments loans, the Community will fund this loan by borrowing on the market, secured by its general budget.

Czechoslovakia, Hungary and Poland

1.4.9. Council Regulation (EEC) No 1509/92 withdrawing Hungary, Poland and Czechoslovakia from the lists of beneficiaries of the Community generalized preferences scheme as from 1 March 1992.

- **Commission proposal:** OJ C 69, 18.3.1992; COM(92) 44; Bull. EC 1/2-1992, point 1.4.15
- **Parliament opinion:** OJ C 150, 15.6.1992; Bull. EC 5-1992, point 1.2.18

Adopted by the Council on 5 June. As a consequence of the conclusion and entry into force of the Interim Agreements on trade and trade-related measures with Czechoslovakia, Hungary and Poland, the Council adopted a Regulation removing those countries from the Community generalized preferences scheme from 1 March 1992.

OJ L 159, 12.6.1992

Independent States of the former Soviet Union

Assistance to the independent States of the former Soviet Union

1.4.10. Financing decisions in connection with the programme of technical assistance for the former Soviet Union (multidisciplinary funds).

- **Reference:** Council Regulation (EEC) No 2157/91 concerning the provision of technical assistance to economic reform and recovery in the

USSR: OJ L 201, 24.7.1991; Bull. EC 7/8-1991, point 1.3.5

Adopted by the Commission on 3 June. The Commission has decided to establish a multidisciplinary technical assistance fund for the independent States which succeeded the Soviet Union. The fund will have a budget of ECU 10 million for the purpose of financing small-scale, rapidly organized cooperation activities in the fields of technology and training. It will also be used to help with the preparation of sectoral programmes. The Commission has furthermore decided to set up a multidisciplinary technical assistance fund to increase its cooperation with the European Bank for Reconstruction and Development (EBRD). The fund will have a budget of ECU 15 million and will be used to finance cooperation in technology, training and the promotion of trade and investment, within rapidly organized projects limited to ECU 1 million each.

Mediterranean and Middle East

1.4.11. The European Council examined the situation in the former Yugoslavia, particularly as regards humanitarian aid supply lines.

The Council reasserted its support for the Middle East peace process, its solidarity with the Maghreb countries and its commitment to a general strategy designed to contribute to the stability and prosperity of the Mediterranean region based on a concept of partnership (→ point I.23).

I

Economic sanctions against Serbia and Montenegro

1.4.12. Council Regulation (EEC) No 1432/92 prohibiting trade between the European Economic Community and the Republics of Serbia and Montenegro.

Decision 92/285/ECSC of the Representatives of the Governments of the Member States, meeting within the Council, prohibiting trade between the European Coal and Steel Community and the Republics of Serbia and Montenegro, as amended by Decision 92/314/ECSC.

- **Reference:** Statement by the Community and its Member States on UN Security Council Resolution 757: point 1.5.4 of this Bulletin
- **Commission proposals:** COM(92) 245; Bull. EC 5-1992, points 1.2.19 and 1.2.20

Regulation (EEC) No 1432/92 adopted by the Council, and Decision 92/285/ECSC adopted by the Representatives of the Governments of the Member States meeting within the Council, on 1 June. The Council formally adopted the measures agreed in principle on 27 May, broadening their scope in line with UN Security Council Resolution 757 of 30 May. The purpose of these measures is to impose a total trade embargo, including oil and oil products, banning any activity whose direct or indirect object or effect is to promote commercial transactions, plus an embargo on the provision of non-financial services liable to benefit the economy of the Republics of Serbia and Montenegro, particularly air transport services.

Regulation (EEC) No 1432/92 and Decision 92/285/ECSC do not apply to the following: food exports to the republics concerned; consignments to the Community of commodities and products originating in Serbia and Montenegro exported before 31 May; transshipment through the territory of Serbia and Montenegro of commodities and products originating outside those republics and temporarily within their territory; activities related to Unprofor, the Conference on Yugoslavia or the European Community monitoring mission; exports to Serbia and Montenegro of commodities and products intended for strictly medical purposes.

OJ L 151, 3.6.1992

Decision 92/314/ECSC adopted by the Representatives of the Governments of the Member States meeting within the Council on 15 June. This Decision amends Decision

92/285/ECSC and stipulates that the embargo does not apply to exports to Serbia and Montenegro of products covered by the ECSC Treaty intended for strictly medical purposes.

OJ L 166, 20.6.1992

1.4.13. Council Regulation (EEC) No 1433/92 amending Regulation (EEC) No 3587/91, Regulation (EEC) No 545/92, Regulation (EEC) No 546/92 and Regulation (EEC) No 547/92 with regard to the Republics of Bosnia-Herzegovina and Montenegro. Decision 92/286/ECSC of the Representatives of the Governments of the Member States meeting within the Council amending Decisions 92/150/ECSC and 92/151/ECSC with regard to the Republics of Bosnia-Herzegovina and Montenegro (1992).

- **Commission proposals:** COM(92) 244 and COM(92) 245; Bull. EC 5-1992, points 1.2.19 and 1.2.21

Adopted by the Council on 1 June. The Council decided to remove the Republics of Serbia and Montenegro from the list of beneficiaries of the Community measures designed to extend to certain republics the trade concessions previously granted to Yugoslavia.

OJ L 151, 3.6.1992

Developing relations with Slovenia

1.4.14. Recommendation for a Council Decision authorizing the Commission to open negotiations for an economic and trade cooperation agreement between the European Economic Community and the Republic of Slovenia, and for an agreement between the Member States of the European Coal and Steel Community and the ECSC, of the one part, and the Republic of Slovenia, of the other part.

- **References:**

Council Decision 91/602/EEC denouncing the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia: OJ L 325, 15.11.1991; Bull. EC 11-1991, point 1.3.21

Decision 91/587/ECSC of the Representatives of the Governments of the Member States denouncing the Agreement between the Member States of the ECSC and the Socialist Federal Republic of Yugoslavia: OJ L 315, 15.11.1991; Bull. EC 11-1991, point 1.3.20

Council Regulation (EEC) No 3567/91 concerning the arrangements applicable to the import of products originating in the Republics of Bosnia-Herzegovina, Croatia, Macedonia and Slovenia: OJ L 342, 12.12.1991; Bull. EC 12-1991, point 1.3.19

Council Regulation (EEC) No 545/92 concerning the arrangements applicable to the import into the Community of products originating in the Republics of Croatia and Slovenia and the Yugoslav Republics of Bosnia-Herzegovina, Macedonia and Montenegro: OJ L 63, 7.3.1992; Bull. EC 1/2-1992; point 1.4.18

Decision 91/150/ECSC of the Representatives of the Governments of the Member States meeting within the Council concerning the arrangements applicable to the import into the Community of products covered by the ECSC Treaty and originating in the Republics of Croatia and Slovenia and the Yugoslav Republics of Bosnia-Herzegovina, Macedonia and Montenegro: OJ L 63, 7.3.1992; Bull. EC 1/2-1992, point 1.4.18

Council Regulation (EEC) No 546/92 establishing ceilings and Community surveillance for imports of certain products originating in the Republics of Croatia and Slovenia and the Yugoslav Republics of Bosnia-Herzegovina, Macedonia and Montenegro (1992): OJ L 63, 7.3.1992; Bull. EC 1/2-1992, point 1.4.18

Council Regulation (EEC) No 547/92 opening and providing for the administration of Community tariff quotas for certain products originating in the Republics of Croatia and Slovenia and the Yugoslav Republics of Bosnia-Herzegovina, Macedonia and Montenegro (1992): OJ L 63, 7.3.1992; Bull. EC 1/2-1992, point 1.4.18

Decision 92/151/ECSC of the Representatives of the Governments of the Member States meeting within the Council establishing ceilings and Community surveillance for imports of certain products falling within the ECSC Treaty and originating in the Republics of Croatia and Slovenia and the Yugoslav Republics of Bosnia-Herzegovina, Macedonia and Montenegro (1992): OJ L 63, 7.3.1992; Bull. EC 1/2-1992, point 1.4.18

Council Regulation (EEC) No 548/92 complementing Regulation (EEC) No 3587/91 extending into 1992 the application of Regulation (EEC) No 3833/90 applying generalized tariff preferences for 1991 in respect of certain agricultural products originating in developing countries with the view of re-establishing the

benefit of these preferences in respect of the Republics of Croatia and Slovenia and the Yugoslav Republics of Bosnia-Herzegovina, Macedonia and Montenegro: OJ L 63, 7.3.1992; Bull. EC 1/2-1992, point 1.4.19

Adopted by the Commission on 1 June. The proposed cooperation agreement with Slovenia is part of a general strategy aimed at securing new contractual links as rapidly as possible with the new States that formerly made up Yugoslavia, provided that those States meet a number of political and economic conditions.

The agreement should have the same content as the Cooperation Agreement signed in 1980, and will provide for the possibility of upgrading to a Europe agreement at a later date. As part of its policy of adopting positive measures for peacekeeping parties, the Community has already reinstated Slovenia as a beneficiary of the trade provisions specified in the 1980 Agreement, which was denounced by the Council last November.

The new agreement will contain a clause making its implementation conditional on respect for human rights and democratic principles. A joint statement providing for the institutionalization of political dialogue with Slovenia will also be appended to the agreement.

The agreement between the ECSC Member States and Slovenia will have the same content as the Agreement signed in 1980 with Yugoslavia, also now denounced, as regards both trade and cooperation and the general and final provisions.

General situation in the former Yugoslavia

1.4.15. Parliament resolution on relations between the European Community and the republics of the former Yugoslavia.

• References:

Joint statement of the Community and its Member States with regard to the recognition of Yugoslav republics: Bull. EC 12-1991, point 1.4.6

Council Regulation (EEC) No 1432/92 prohibiting trade between the European Economic

Community and the Republics of Serbia and Montenegro: OJ L 151, 3.6.1992; point 1.4.12 of this Bulletin

Decision 92/285/ECSC of the Representatives of the Governments of the Member States meeting within the Council prohibiting trade between the European Coal and Steel Community and the Republics of Serbia and Montenegro, as amended by Decision 92/314/ECSC (1992): OJ L 151, 3.6.1992; point 1.4.12 of this Bulletin

Adopted by Parliament on 9 June. Parliament considered that Yugoslavia had ceased to exist as a federation of six republics, and believed that the rights and obligations of the former federation had devolved on the different republics. It welcomed the embargo imposed by the UN Security Council and by the Community on Serbia and Montenegro.

Parliament further considered that the republics of the former Yugoslav federation could be recognized only if they fulfilled all the criteria and conditions laid down in the statement of 16 December 1991, and insisted that recognition of the new federal entity composed of Serbia and Montenegro should be made conditional on respect for the rights of the Albanian population of Kosovo and the Hungarian minority of Vojvodina.

More generally, the resolution called for the recognition and restoration of the rights of all minorities, particularly the universal right to self-determination, and demanded that all parties to the conflict respect internationally recognized humanitarian principles and protect human rights.

Parliament also considered that borders could only be altered with the full and freely expressed authorization of the relevant authorities and peoples following negotiations conducted under international supervision.

It believed that there was no longer any legal basis for the federal army, that it should be dissolved under UN supervision, and that the European Community and the United Nations should take firm action against those responsible for the military aggression against Bosnia-Herzegovina.

Finally, Parliament expressed the hope that the Community would continue to develop a common foreign and security policy, thus increasing its power to prevent and resolve conflicts.

OJ C 176, 13.7.1992

Implementation of the new Mediterranean policy

• References:

Council Decision on a new Mediterranean policy: Bull. EC 12-1990, point 1.4.15

Parliament resolution on a new Mediterranean policy: OJ C 240, 16.9.1991; Bull. EC 7/8-1991, point 1.3.20

1.4.16. Council Regulation (EEC) No 1762/92 on the implementation of the Protocols on financial and technical cooperation concluded by the Community with Mediterranean non-member countries.

- **Reference:** 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: OJ L 94, 8.4.1992; Bull. EC 3-1992, point 1.3.20
- **Commission proposal:** OJ C 157, 15.6.1991; COM(91) 184; Bull. EC 5-1991, point 1.3.21
- **Parliament opinion:** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.4.23

Adopted by the Council on 29 June. This Regulation lays down the arrangements and the rules for the administration of the financial cooperation envisaged in the Protocols on financial and technical cooperation between the European Community and Mediterranean non-member countries, providing for financial operations involving funds from the Community budget and for loans from the European Investment Bank's own resources.

OJ L 181, 1.7.1992

1.4.17. Council Regulation (EEC) No 1763/92 concerning financial cooperation in respect of all Mediterranean non-member countries.

- **Commission proposal:** OJ C 68, 16.3.1991; COM(91) 48; Bull. EC 1/2-1991, point 1.3.22
- **Parliament opinion:** OJ C 39, 17.2.1992; Bull. EC 1/2-1992, point 1.4.22

- **Amended Commission proposal:** OJ C 48, 22.2.1992; COM(92) 19; Bull. EC 1/2-1992, point 1.4.22

Adopted by the Council on 29 June. This Regulation lays down the arrangements and the rules governing financial cooperation under the new Mediterranean policy, complementing the provisions already in force under the financial Protocols. Two types of measures are envisaged.

The first involves operations of regional interest in the various fields of cooperation, notably in the form of support for measures concerning several Mediterranean non-member countries or one such country and the Community.

The second type involves cooperation with regard to the environment, notably in the form of financing for interest-rate subsidies on loans granted by the European Investment Bank.

OJ L 181, 1.7.1992

1.4.18. Council Regulation (EEC) No 1764/92 amending the arrangements for the import into the Community of certain agricultural products originating in Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Syria and Tunisia.

- **Reference:** Commission communication to the Council on the implementation of trade arrangements under the new Mediterranean policy: COM(91) 179; Bull. EC 5-1991, point 1.3.22
- **Commission proposal:** COM(91) 179; Bull. EC 5-1991, point 1.3.23

Adopted by the Council on 29 June. This Regulation lays down the implementing procedures for the measures adopted in the Council Decision on a new Mediterranean policy with a view to encouraging agricultural exports from Mediterranean non-member countries to the Community. Under this Regulation, the last remaining customs duties on agricultural exports from the countries concerned will be abolished on 1 January 1993. This measure applies to the agricultural products covered by the additional Protocols concluded following the accession of Spain and Portugal, i.e.

to nearly all agricultural exports from the countries concerned. This development comes sooner than originally planned, as the elimination of tariffs was originally scheduled for 1 January 1996.

The Regulation also provides for the zero-rate tariff quotas for certain products to be raised by 12% or 20% between 1992 and 1995.

This Regulation does not apply to Turkey, since all tariff restrictions on its agricultural exports to the Community have already been lifted.

OJ L 181, 1.7.1992

II

Mediterranean countries

Bilateral relations

Malta

1.4.19. Visit to the Commission by Mr Fenech Adami, Malta's Prime Minister, on 5 June.

Mr Adami met Mr Andriessen. Their talks focused mainly on Malta's application to join the Community and on the general prospects for broadening the Community. They also touched on the progress made by the Commission in drawing up its opinion concerning Malta's application.

Middle East

Bilateral relations

Kurdish people

1.4.20. Parliament resolution on the rights of the Kurdish people.

Adopted by Parliament on 12 June. Parliament condemned the armed attacks on and

economic blockade of the Kurds by the Saddam Hussein regime, and stressed that the Western nations have a moral responsibility towards these people as a result of the Gulf War.

The resolution called on the UN, the European Community and its Member States to take initiatives to provide military protection for the Kurds in Iraq, and to support their demands for autonomy. It also called on Turkey and Iran to cooperate in allowing humanitarian aid to be supplied across their borders.

Parliament condemned the attacks by Turkish armed forces on Kurds and deplored Syria's strategy of systematic 'Arabization'.

The resolution concluded by stressing the duty of Member States to provide asylum to Kurdish refugees and insisting on the urgent need for the European Community to develop and enforce a joint policy for the control of international arms sales.

OJ C 176, 13.7.1992

Yemen

1.4.21. Council Decision authorizing the Commission to amend by exchange of letters the Cooperation Agreement between the European Economic Community and the Yemen Arab Republic.

- **Recommendation for a Council Decision:** Bull. EC 5-1992, point 1.2.26

Adopted by the Council on 29 June. Following the unification of the two Yemeni republics, the Council authorized the Commission to enter into negotiations with the new Republic of Yemen with a view to extending the scope of the existing Cooperation Agreement signed in 1985 between the European Community and the Yemen Arab Republic to cover the whole territory of the new Republic of Yemen.

United States, Japan and other industrialized countries

1.4.22. Concerned at the recent violence in South Africa, the European Council

appealed to all the interested parties to resume negotiations within the Convention for a Democratic South Africa (Codesa) about a peaceful transition to a democratic and non-racist South Africa, notably through the installation of a transitional government (→ point I.29).

I

Community-Japan relations

1.4.23. Council conclusions on the Commission communication entitled 'A consistent and global approach: a review of the Community's relations with Japan'.

- **References:**

EC-Japan Joint Declaration: Bull. EC 7/8-1991, point 1.3.33

Commission communication to the Council entitled 'A consistent and global approach: a review of the Community's relations with Japan': COM(92) 219; Bull. EC 5-1992, point 1.2.27

Adopted by the Council on 15 June. The Council welcomed the political and economic dialogue instituted by the EC-Japan Joint Declaration and hoped that there would be a long-term political commitment to partnership in bilateral relations. It reiterated the need for a consistent and comprehensive approach to relations with Japan based on policies aimed at improving Community businesses' access to the Japanese market and on improved dialogue and cooperation in areas of mutual interest. It expressed satisfaction with the state of political dialogue, which had improved since the adoption of the Joint Declaration and stated that it would continue efforts to further relations between the Community and Japan.

With regard to economic policy, the Council welcomed the steps taken in recent years by the Japanese Government to improve market access in some sectors. It was concerned, however, at the recent deterioration in the Community's trade balance with Japan, by the return to export-led growth

rather than growth stimulated by domestic demand, the slowness of structural reform, the failure to open up certain sectors of the market and the increasing recourse of the United States and Japan to bilateral arrangements. The Council called on the Japanese authorities to address these issues and to ease access to procurement contracts. It was in favour of direct investment in the Community, particularly if this was well integrated into the fabric of the Community economy and contributed to industrial development and renewal. It urged the Japanese authorities to improve the climate for foreign investment in Japan.

The Council placed particular emphasis on industrial cooperation in relations between the Community and Japan and fully supported the Commission's desire to improve cooperation in fields such as science and technology, the environment, development assistance, social matters, energy and culture.

It approved the Commission's proposals for increasing the effectiveness of dialogue between the Community and Japan, particularly in economic matters.

II

Other industrialized countries

South Africa

1.4.24. Mr Keys, Minister of Trade, Industry and Finance, visited the Commission on 29 and 30 June.

- **Reference:** Joint statement on violence in South Africa: point 1.5.8 of this Bulletin

Mr Keys saw Mr Bangemann, Mr Marin and Mr Andriessen for discussions which covered the future of economic relations between South Africa and the Community. In the wake of the serious political crisis caused by the Boipatong massacre, the **Members of the Commission emphasized the urgency of setting the national reconcili-**

ation process in motion again, and called attention once more to the importance the Community attached to a rapid resumption of negotiations within the Convention for a Democratic South Africa (Codesa).

Asia and Latin America

1.4.25. The European Council welcomed the signature of new Agreements with Brazil and Paraguay, stressing the importance that the development of closer links between the Community and Latin America has assumed. The need to give support to the push for economic integration at a regional level by the countries of Latin America was also underlined (→ point 1.25).

I

Developing closer links with Asian countries

Asean

1.4.26. Recommendation for a Council Decision on the opening of negotiations with a view to a cooperation agreement between the European Economic Community and the member countries of the Association of South-East Asian Nations (Brunei, Indonesia, Malaysia, Philippines, Singapore and Thailand).

- **Agreement to be replaced:** EC-Asean Cooperation Agreement: OJ L 144. 10.6.1980

Adopted by the Commission on 24 June. The proposed agreement, which is intended to replace the current Agreement between the Community and the Asean countries, will be of a non-preferential nature and will include a future developments clause. It will not include a financial protocol. The aim is to provide the framework and the means for economic cooperation between partners on an equal footing and make provision for cooperation measures to promote trade. It

will also cover more specific matters, such as intellectual property, exchanges of information in trade protection proceedings and also environmental protection.

In addition, a declaration formalizing political dialogue between the Community and Asean will be annexed to the agreement, which will also refer explicitly to the protection of, and respect for, human rights.

Macao

1.4.27. Trade and cooperation Agreement between the European Economic Community and Macao.

- Negotiating directives: Bull. EC 4-1992, point 1.4.20

Proposal for a Decision on conclusion of the Agreement adopted by the Commission on 5 June.

OJ C 167, 4.7.1992; COM(92) 239

Decision concerning signature of the Agreement, subject to conclusion, adopted by the Council on 15 June.

Agreement signed on 15 June. The Agreement was signed for the Council by Mr J. de Deus Pinheiro, President of the Council and Portugal's Minister of Foreign Affairs, and for the Commission by Mr Andriessen, Commission Vice-President. Mr V. Rocha Vieira, as Governor, signed on behalf of Macao. This agreement, the essential purpose of which is to reinforce and strengthen relations between the European Economic Community and Macao, in the mutual interest of both parties, is also designed to intensify and diversify trade relations and to develop cooperation actively, in an evolutionary and pragmatic manner.

Respect for democratic principles and for human rights form the basis for cooperation between the Community and Macao and for the implementation of this Agreement.

In relation to trade cooperation, the contracting parties have granted each other most-favoured-nation treatment.

The two parties agreed to develop cooperation in all areas in which they have responsibility for policy, including industry, trade, science and technology, energy, transport, telecommunications and protection of the environment.

Mongolia

1.4.28. Agreement on trade and economic cooperation between the European Economic Community and the Mongolian People's Republic.

- Commission recommendation on negotiating directives: Bull. EC 7/8-1991, point 1.3.39
- Negotiating directives: Bull. EC 11-1991, point 1.4.3
- Commission proposal on conclusion of the Agreement: OJ C 71, 20.3.1992; COM(92) 50; Bull. EC 1/2-1992, point 1.4.46
- Council decision on the signature of the Agreement subject to conclusion: Bull. EC 3-1992, point 1.3.36

Agreement signed on 16 June. The Agreement was signed for the Council by Mr J. de Deus Pinheiro, President of the Council and Portugal's Minister of Foreign Affairs, and by Mr Andriessen for the Commission.

On this occasion, Mr D. Byambasuren, Prime Minister, who signed the Agreement for Mongolia, stated that this was an agreement of 'historic significance' for Mongolia which opened up new horizons by virtue of the extremely favourable terms that it offered. He also hoped that cooperation between his country and the Community would be very close, especially in the areas of telecommunications, light industry, mining, agriculture and tourism.

The Agreement, which is based on respect for democratic principles and human rights, includes provisions relating to trade cooperation, under which the two parties have granted each other most-favoured-nation treatment.

As regards economic cooperation, the main aims of the parties are to diversify their economic links, encourage scientific and technological progress and open up new sources of supply and new markets. In

relation to financial and technical cooperation, the Community will extend its aid programmes for non-associated developing countries to Mongolia.

1.4.29. Proposal for a Council Regulation implementing certain provisions of the Agreement between the European Economic Community and Mongolia on trade and economic cooperation.

• **References:**

Trade and economic cooperation Agreement: point 1.4.28 of this Bulletin

Council Regulation (EEC) No 3420/83 on import arrangements for products originating in State-trading countries, not liberalized at Community level (OJ L 346, 8.12.1983), as last amended by Regulation (EEC) No 3859/91: OJ L 362, 31.12.1991; Bull. EC 12-1991, point 1.3.15

Council Regulation (EEC) No 288/82 on common rules for imports (OJ L 35, 9.2.1982), as last amended by Regulation (EEC) No 3859/91: OJ L 362, 31.12.1991; Bull. EC 12-1991, point 1.3.15

Adopted by the Commission on 15 June. In order to respect the undertaking that it made in the new trade and cooperation Agreement signed with Mongolia to eliminate progressively the quantitative restrictions on imports into the Community of products originating in Mongolia, the Commission proposes to liberalize, with the exception of textiles, those products which are currently covered by Regulation (EEC) No 3420/83. It also proposes to extend any subsequent liberalization measure applying to the countries covered by Regulation (EEC) No 288/82 automatically to Mongolia.

COM(92) 262

Developing closer relations with Latin America

Brazil

1.4.30. Framework cooperation Agreement between the European Economic Community and Brazil.

- **Commission recommendation concerning negotiating directives:** Bull. EC 1/2-1992, point 1.4.44
- **Negotiating directives:** Bull. EC 3-1992, point 1.3.37
- **Initialling of the Agreement:** Bull. EC 4-1992, point 1.4.21
- **Proposal for a Council Decision on the conclusion of the Agreement:** OJ C 163, 30.6.1992; COM(92) 209; Bull. EC 5-1992, point 1.2.33

Decision concerning signature of the Agreement, subject to conclusion, adopted by the Council on 15 June.

Agreement signed on 29 June. The Agreement was signed for the Council by Mr J. de Deus Pinheiro, President of the Council and Portugal's Minister of Foreign Affairs, by Mr Matutes for the Commission and by Mr C. Lafer, Minister of Foreign Affairs, for the Federative Republic of Brazil.

The aims of this Agreement, which is based on respect for democratic principles and human rights and contains a future-developments clause, are to establish extensive cooperation between the parties in areas which are of key importance to social and economic progress, to step up and diversify trade and to encourage the flow of investment.

The parties have undertaken to develop their economic cooperation with the widest possible scope, to grant each other extensive opportunities for trade, to promote the diversification of Brazil's productive base in the industrial and service sectors and to increase investment. They have also devoted special attention to scientific and technological cooperation, protection of the environment and social development.

Andean Pact

1.4.31. Cooperation Agreement between the European Community and the Cartagena Agreement and its member countries: Bolivia, Colombia, Ecuador, Peru and Venezuela.

- **Commission recommendation:** Bull. EC 3-1992, point 1.3.33
- **Negotiating directives:** Bull. EC 5-1992, point 1.2.31

Initialled on 26 June.

II

Asia

Bilateral relations

China

1.4.32. Mr Z. Gan, Deputy Minister of the State Planning Commission, visited the Commission on 22 June.

Mr Z. Gan, along with Mr Y. Gu, Deputy Minister of Foreign Economic Relations and Trade, and Mr Y. Zhang, Deputy Minister of the Board of Production, had talks with Mr Andriessen and sir Leon Brittan in the context of an important procurement mission to the Community.

Mr Gan described this mission as a means of reducing the Community's growing deficit in bilateral trade and as a new step forward in his country's effort to reform and to open up to the outside world. Mr Andriessen welcomed the contribution that this initiative would make to the promotion of economic cooperation.

Korea

1.4.33. Mr G. K. Choi, Deputy Prime Minister and Minister of Economic Planning, visited the Commission on 1 June.

Mr Choi met Mr Andriessen for talks in which they expressed satisfaction at the improvement of relations between the European Community and Korea and, more particularly, at the fact that the dispute over intellectual property had been settled. They agreed that finding a solution to the outstanding problems of market access and foreign investment would help towards the development of a new type of cooperation between the Community and Korea. In this context, Mr Andriessen stressed the importance that the Community attached to the

abolition of discriminatory taxes on alcoholic beverages imported into Korea.

Among the other subjects discussed were the respective policies of the Community and Korea towards the countries of Central and Eastern Europe and the Commonwealth of Independent States (CIS).

Countries of Indo-China

1.4.34. Parliament resolution on economic and trade relations between the European Community and Indo-China.

- **Reference:** Parliament resolution on the situation in South-East Asia: OJ C 267, 14.10.1991; Bull. EC 9-1991, point 1.3.33

Adopted by Parliament on 12 June. Noting that the situation of extreme poverty in Laos, Viet Nam and Cambodia had worsened as a result of the collapse of the Council for Mutual Economic Assistance and the break-up of the Soviet Union, Parliament welcomed the economic reform policies that these countries were pursuing in order to bring their economies progressively into the international trading system. It went on to state that the European Community should play a more active and positive role in the political and economic development of these countries.

More specifically, Parliament considered that Laos, Viet Nam and Cambodia should be given their fair share of the aid available through the Community's budget for cooperation with the countries of Asia and Latin America.

Lastly, Parliament stressed the need to expand aid projects for financial and technical cooperation, and for education and training for these countries, as well as to provide funds through the new programmes on environment and human factors.

OJ C 176, 13.7.1992

Latin America

Bilateral relations

Argentina

1.4.35. Visit by Mr Matutes on 1 June. Mr Matutes met Mr G. Di Talla, Argentina's Minister of Foreign Affairs, and

Mr D. Cavallo, Minister of the Economy, the main subjects of their talks were the state of bilateral relations, especially in relation to economic cooperation, and the economic situation in Argentina. They also discussed in detail the Uruguay Round talks and reform of the common agricultural policy. During their meeting, a memorandum of understanding on access to the Community's BC-Net was signed.

ACP countries and OCTs

Stabex

1.4.36. Proposal for a Council Regulation repealing Council Regulation (EEC) No 1638/80 of 24 June 1980 on the system for guaranteeing the stabilization of earnings from certain commodities exported by the African, Caribbean and Pacific (ACP) States and the overseas countries and territories associated with the Community.

- **References:**

- Fourth Lomé Convention: Bull. EC 9-1991, point 1.3.38

- Council Decision 91/482/EEC on the association of the OCTs with the EEC: OJ L 263, 19.9.1991; Bull. EC 7/8-1991, point 1.3.46

- **Regulation to be repealed:** Council Regulation (EEC) No 1638/80: OJ L 163, 28.6.1980

Adopted by the Commission on 12 June. The fourth ACP-EEC Convention and Council Decision 91/482/EEC on the association of the OCTs with the EEC provide that the statistics used in the calculations required for the Stabex system shall be those compiled and published by the Statistical Office of the European Communities. There is therefore no longer any need for the monthly notification by the Member States of their imports from the ACP States and the OCTs as required by Regulation (EEC) No 1638/80.

1.4.37. Commission report pursuant to Article 194(4) of the Fourth ACP-EEC Convention.

- **Reference:** Fourth ACP-EEC Convention: Bull. EC 9-1991, point 1.3.38

Decision adopted by the Commission on 17 June to send a report to the ACP-EEC Council of Ministers. Noting that the resources available for Stabex, ECU 315 million, would not be sufficient to cover eligible transfers, the Commission decided to send a report to the ACP-EEC Council of Ministers in accordance with Article 194(4) of the fourth Convention concerning shortfalls in resources. In its report, which will enable the Council of Ministers to assess the situation and decide what steps to take, the Commission proposes to add ECU 75 million to the resources available by drawing on the funds allocated for 1993 and 1994.

1.4.38. Proposal for a Council Decision on the amount of Stabex transfers to be paid to OCTs for 1990.

- **Basic Decision:** Council Decision 91/482/EEC on the association of the OCTs with the EEC: OJ L 263, 19.9.1991; Bull. EC 7/8-1991, point 1.3.46

Adopted by the Commission on 18 June. Noting that the resources available under Stabex for 1990 were not sufficient to cover all transfer rights, the Commission proposed, in application of Article 121(4) of Decision 91/482/EEC, to reduce the transfer rights of French Polynesia and the Falkland Islands because the sum of these rights exceeded the total resources available.

Bilateral relations

Madagascar

1.4.39. Mr G. Razanamasy, Prime Minister, visited the Commission on 18 June.

Mr Razanamasy, who was accompanied by Mr C. Rabenoro, the Foreign Minister, had a meeting with Mr Marin.

At this meeting, Mr Razanamasy asked for more Community financial aid to support

the process of democratization (to cover monitoring arrangements and information campaigns) and bring relief to the victims of drought in the south.

Mr Marín reiterated the Commission's support for Madagascar and said a detailed assessment of requirements should be carried out and a request supported by figures sent to the Commission.

Financial and technical cooperation

1.4.40. Financing of projects.

Commission decisions allocating a total of ECU 91 300 000 from the fifth, sixth and seventh EDFs (see Table 6).

Table 6 — *Financing of operations under the fifth, sixth and seventh EDFs*

(million ECU)

Country	Purpose	Amount	
		Grant	Special loan
	<i>Economic infrastructure</i>		
Mali	Road study	0.900	—
Uganda	Road repairs	23.000	—
Swaziland	Road repairs	10.000	—
	<i>Social development</i>		
Burundi	Water supply (province of Rutana)	5.500	—
	<i>Other</i>		
Zambia	General import programme	41.500	—
Jamaica	General import programme	8.400	—
Angola	Logistic support for elections	2.000	—
	Total	91.300	—

General development cooperation

1.4.41. The European Council considered that an active relationship and dialogue with developing countries was a fundamental condition for overcoming the disparities and gaps between the peoples of the world (→ point I.26).

Commodities and world agreements

Coffee

1.4.42. Council Decision on Community participation in the negotiations on a new international coffee agreement.

- **Commission recommendation:** Bull. EC 5-1992, point 1.2.46

Adopted by the Council on 15 June.

Copper

1.4.43. International Study Group.

- **Reference:** Council Decision 91/179/EEC on acceptance of the terms of reference of the International Copper Study Group: OJ L 89, 10.4.1991; Bull. EC 3-1991, point 1.3.44

Inaugural meeting in Geneva on 26 June. The International Copper Study Group is made up of representatives of 18 countries

that account for 51% of the world's copper trade. The Community is a full member. At the inaugural meeting the Group adopted its rules of procedure and programme of work. However, the siting of the Group's headquarters, the election of the Secretary-General and the adoption of the 1992 budget were carried over.

Humanitarian aid

Food aid

1.4.44. Storage programmes and early warning systems.

- **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: grant of ECU 99 200 for Guinea to be channelled through the UNHCR.

1.4.45. Emergency food aid.

- **Reference:** Special food aid programme: Bull. EC 5-1992, point 1.2.49

Commission decision: grant of ECU 31.4 million to the WFP, ICRC, IFRC, UNHCR and various NGOs for the distribution in the African countries covered by the 1992 special programme of 64 954 tonnes of cereals, 8 413 tonnes of vegetable oil and 1 071 tonnes of skimmed-milk powder, plus ECU 4.7 million for the purchase of other products.

Emergency aid

1.4.46. Commission decisions: see Table 7.

Table 7 — *Emergency aid*

<i>(million ECU)</i>		
Country	Purpose	Amount
Paraguay	Flooding	0.250
Kenya	Displaced persons	3.0
Uruguay	Flooding	0.4
Albania	Social situation	1.0

Cooperation via non-governmental organizations

1.4.47. Projects in developing countries.

Commission cofinancing: commitment of ECU 20.16 million for 102 operations presented by 71 NGOs.

1.4.48. Campaigns to raise public awareness of development issues.

Commission contribution: ECU 1.81 million towards 17 operations.

Cooperation in international forums

1.4.49. United Nations Conference on the Environment and Development (→ point 1.3.12).

Commercial policy

I

Trade protection: decision-making procedures

1.4.50. Proposal for a Council Regulation on the harmonization and streamlining of decision-making procedures for Community instruments of commercial defence and modification of the relevant Council Regulations.

- **Regulations to be amended:**

Council Regulation (EEC) No 288/82 on common rules for imports (OJ L 35, 9.2.1982), as last amended by Regulation (EEC) No 3859/91: OJ L 362, 31.12.1991; Bull. EC 12-1991, point 1.3.15

Council Regulation (EEC) No 1765/82 on common rules for imports from State-trading countries (OJ L 195, 5.7.1982; Bull. EC 6-1982, point 2.2.8), as last amended by Regulation (EEC) No 3859/91: OJ L 362, 31.12.1991; Bull. EC 12-1991, point 1.3.15

Council Regulation (EEC) No 1766/82 on common rules for imports from the People's

Republic of China (OJ L 195, 5.7.1982; Bull. EC 6-1982, point 2.2.8), as last amended by Regulation (EEC) No 1409/86: OJ L 128, 14.5.1986

Council Regulation (EEC) No 2641/84 on the strengthening of the common commercial policy with regard in particular to protection against illicit commercial practices: OJ L 252, 20.9.1984; Bull. EC 9-1984, point 2.2.5

Council Regulation (EEC) No 2423/88 on protection against dumped or subsidized imports from countries not members of the European Economic Community: OJ L 209, 2.8.1988; Bull. EC 7/8-1988, point 2.2.8

- **Reference:** Commission opinion on the extension of the competence of the Court of First Instance: Bull. EC 3-1992, point 1.6.13

Adopted by the Commission on 17 June.

This proposal is a follow-up to the Commission opinion on extending the jurisdiction of the Court of First Instance, with particular reference to trade protection. The Commission notes that the introduction of a two-tier judicial system could render the decision-making process in this area time-consuming and unwieldy. The proposal therefore sets out to streamline it by transferring to the Commission some of the powers currently resting with the Council. Under the arrangements, the decision on whether or not to apply a trade protection measure would be taken in all instances by the Commission after consultation of the Member States. The Member States would be entitled to refer the Commission decision to the Council, which would then have 20 days to come to a different decision by qualified majority.

These changes, which concern exclusively internal Community procedures, will not affect the international rights and obligations of the Community or the position of its trading partners.

OJ C 181, 17.7.1992

II

General matters

Commercial policy instruments

Trade protection

Council anti-dumping measures

1.4.51. Council Regulation (EEC) No 1483/92 extending the provisional anti-

dumping duty on imports of radio broadcast receivers of a kind used in motor vehicles originating in South Korea.

- **Commission proposal:** COM(92) 206; Bull. EC 5-1992, point 1.2.61

Adopted by the Council on 4 June.

OJ L 156, 10.6.1992

1.4.52. Council Regulation (EEC) No 1607/92 amending Regulation (EEC) No 2200/90 by imposing an additional anti-dumping duty on imports of silicon metal originating in the People's Republic of China.

- **Commission proposal:** COM(92) 200; Bull. EC 5-1992, point 1.2.62

Adopted by the Council on 22 June.

OJ L 170, 25.6.1992

1.4.53. Council Regulation (EEC) No 1762/92 amending Regulation (EEC) No 1768/89 in respect of the definitive anti-dumping duty on certain imports of video cassettes originating in Hong Kong.

- **Commission proposal:** COM(92) 208; Bull. EC 5-1992, point 1.2.60

Adopted by the Council on 29 June.

OJ L 182, 2.7.1992

1.4.54. Proposal for a Council Regulation repealing Regulation (EEC) No 2464/77 imposing a special import duty on imports of certain nuts of iron or steel originating in Taiwan.

- **Regulation to be repealed:** Council Regulation (EEC) No 2464/77; OJ L 286, 10.11.1977

Adopted by the Commission on 18 June.

COM(92) 276

Commission anti-dumping measures

1.4.55. Anti-dumping proceeding concerning imports of compact disc players originating in Taiwan, Singapore and Malaysia.

Notice of initiation published on 5 June.

OJ C 148, 12.6.1992

1.4.56. Commission Regulation (EEC) No 1451/92 imposing a provisional anti-dumping duty on imports into the Community of certain large electrolytic aluminium capacitors originating in Japan.

- **Reference:** Notice of initiation: OJ C 93, 11.4.1991; Bull. EC 4-1991, point 1.3.71

Adopted by the Commission on 2 June.
OJ L 152, 4.6.1992

1.4.57. Commission Regulation (EEC) No 1808/92 imposing a provisional anti-dumping duty on imports of ferro-silicon originating in Poland and Egypt; Commission Decision 92/331/EEC accepting the Egyptian producer's undertaking in connection with the anti-dumping proceeding concerning imports of ferro-silicon originating in Poland and Egypt.

- **Reference:** Notice of initiation: OJ C 122, 8.5.1991; Bull. EC 5-1991, point 1.3.88

Adopted by the Commission on 30 June.
OJ L 183, 3.7.1992

1.4.58. Commission Decision No 1775/92/ECSC imposing a definitive anti-dumping duty on imports of certain semi-finished products of alloy steel, originating in Turkey and Brazil, definitively collecting the provisional anti-dumping duty imposed on such imports and accepting an undertaking offered in connection with the anti-dumping proceeding concerning imports of these products.

- **Reference:** Provisional duty: OJ L 95, 9.4.1992; Bull. EC 3-1992, point 1.3.61

Adopted by the Commission on 30 June.
OJ L 182, 2.7.1992

1.4.59. Impending expiry of certain anti-dumping measures concerning mercury originating in the Soviet Union.

- **Reference:** Definitive duty: OJ L 346, 10.12.1987; Bull. EC 12-1987, point 2.2.4

Notice published on 2 June.
OJ C 148, 12.6.1992

1.4.60. Commission Decision 92/313/EEC accepting an undertaking given in connection with the review of the anti-dumping measure concerning imports of container corner fittings of worked cast steel originating in Austria and terminating the investigation.

- **References:**
Initial undertaking: OJ L 256, 27.9.1985; Bull. EC 9-1985, point 2.3.2
Notice of initiation of a review: OJ C 310, 11.12.1990; Bull. EC 12-1990, point 1.4.74

Adopted by the Commission on 13 June.
OJ L 165, 19.6.1992

Treaties and trade agreements

1.4.61. Council Decision 92/294/EEC authorizing extension or tacit renewal of certain trade agreements concluded between Member States and third countries.

- **Commission proposal:** COM(92) 175; Bull. EC 5-1992, point 1.2.67

Adopted by the Council on 4 June.
OJ L 156, 10.6.1992

Individual sectors

Textiles

1.4.62. Commission communication on the implications of the completion of the single market for commercial policy in the textile and clothing industry.

- **Commission communication:** Bull. EC 5-1992, point 1.2.57

Agreed by the Council on 29 June. The Council agreed to the Commission guidelines, particularly the abolition of regional shares of Community quotas as from 1 January 1993, the removal of regional limits involving one or more Member States, the replacement of regional quotas by Community quotas not divided among the Member States, and the establishment of a computerized network for administering them.

1.4.63. Council Regulation amending Regulation (EEC) No 4136/86 on common rules for imports of certain textile products originating in third countries.

- Commission proposal: COM(92) 163; Bull. EC 4-1992, point 1.4.51

Adopted by the Council on 4 June.

1.4.64. Council Decision authorizing the Commission to negotiate protocols on quantitative measures applicable to trade in textile products with Poland, Hungary, and Czechoslovakia.

- Commission recommendation: Bull. EC 5-1992, point 1.2.69

Adopted by the Council on 5 June.

International organizations and conferences

1.4.65. The European Council reiterated the Community's readiness to remain flexible in the key areas of the Uruguay Round on the basis of reciprocity. It called on parties to the negotiations to show a similar flexibility so that the few remaining differences might be overcome and a comprehensive agreement concluded (→ point I.15).

European Bank for Reconstruction and Development

General

Georgia

1.4.66. The Bank's Board of Governors approved Georgia's membership of the Bank. All the republics of the former Soviet Union were now shareholders in the institution. The problem of their representation on the Board of Directors remained, however, unresolved.

Former Soviet Union

1.4.67. The Board of Directors approved an increase of ECU 7 million in the budget in view of the removal of the statutory restrictions on the Bank's operations in the former Soviet Union. The increase was reflected in the authorization to take on 70 more members of staff by the end of the year. The Bank's staff was expected to number about 640 people by the end of the year.

Financing

Hungary

1.4.68. A loan of DM 57 million (ECU 28 million) was granted to an American-Canadian joint venture to finance the rehabilitation of a four-star hotel and office complex in the centre of Budapest (Grand Hotel Royal). This privatization project would involve the purchase by the shareholders of France's Compagnie générale du bâtiment and Canada's Sefri, which tendered successfully for the privatization of the Grand Hotel Royal, of the entire equity from the State Property Agency.

Romania

1.4.69. A loan in dollars equivalent to ECU 22 million was granted to Petrom, Romania's national oil company, which produces natural gas and oil. The project, regarded as a pilot operation in the company's restructuring, should lead to increased productivity and the establishment of new accounting procedures. The five-year loan would help fund 70% of the operation. The Bank had plans for a substantial technical assistance programme to back up the operation.

Human rights in the world

Colombia

1.4.70. Parliament resolution on human rights in Colombia.

Adopted on 11 June. Parliament condemned the December killing of 21 Paez Indians and called on the Colombian Government to punish those responsible.

OJ C 176, 13.7.1992

Côte d'Ivoire

1.4.71. Parliament resolution on human rights violations in Côte d'Ivoire.

- **Reference:** Resolution of the Council and Representatives of the Member States meeting within the Council on human rights, democracy and development: Bull. EC 11-1991, points 1.3.67 and 2.3.1

Adopted on 11 June. Parliament condemned the attempts to suppress the opposition and called for the release of political prisoners and the restoration of their civil rights. It called on the Council and the Commission to put pressure on the Côte d'Ivoire authorities to that end and, if this met with no success, to consider applying the sanctions provided for in the resolution on human rights, democracy and development of 28 November 1991, which could go as far as the suspension of cooperation.

OJ C 176, 13.7.1992

United States

1.4.72. Parliament resolution on the death penalty in the United States.

Adopted on 11 June. Deeply concerned at the recent increase in executions in the United States of America, Parliament called on the legislatures, Governors and pardoning authorities of the US states and the president and Congress of the United States to suspend application of the death penalty. It particularly stressed the need for clemency towards minors or the mentally handicapped.

OJ C 176, 13.7.1992

Iran

1.4.73. Parliament resolution on the persecution of Baha'is and other human rights violations in Iran.

Adopted on 11 June. Parliament condemned religious and ethnic persecution, the use of torture, the application of the death penalty, imprisonment without charge and secret trials, all of which were common practice in Iran. It called on the Commission, in its trade negotiations with Iran, to include in any agreement reached a very strong clause requiring respect for human rights and permitting suspension of the agreement in the event of violations.

OJ C 176, 13.7.1992

1.4.74. Parliament resolution on human rights violations in Iran.

Adopted on 11 June. Parliament condemned the Iranian Government's repression of all forms of domestic opposition and attempts to export terrorism outside the country through the agency of terrorist groups. It called on the international community to make every effort to ensure that human rights and freedoms were respected in Iran.

OJ C 176, 13.7.1992

Israel

1.4.75. Parliament resolution on the escalation of violence in Israel.

Adopted on 11 June. Parliament condemned Palestinian, Israeli and Arab extremists whose slogans, intransigence, intolerance and fanaticism fomented violence and so jeopardized the sensitive peace negotiations. It also condemned the continued policy of settlement in the Occupied Territories, calling for an end to the implantation of new colonies.

OJ C 176, 13.7.1992

Lebanon

1.4.76. Parliament resolution on the political situation in Lebanon.

Adopted on 11 June. Parliament welcomed the prospect of the first general election for 20 years, but was concerned at the conditions under which the election was being prepared and the difficulty of establishing

reliable electoral rolls owing to the destruction of archives and the number of false identity papers in circulation.

OJ C 176, 13.7.1992

Thailand

1.4.77. Parliament resolution on military repression in Thailand.

Adopted on 11 June. Parliament condemned the repression ordered by the military government and welcomed the setting-up of an independent inquiry into the massacre, calling for those responsible to be brought to justice and convicted. It called on the

Member States to assist the recent favourable developments, which could free Thai democracy from military interference and secure full respect for human rights.

OJ C 176, 13.7.1992

Diplomatic relations

1.4.78. HE Mr Balthazar Habonimana, Representative of the Republic of Burundi to the EEC and Head of Mission to the ECSC and Euratom, whose appointment took effect on 29 June, presented his letters of credence to the President of the Council and the President of the Commission.

5. Intergovernmental cooperation

European political cooperation

1.5.1. The joint statements adopted and published in June are reproduced below in chronological order.

Yugoslavia

1.5.2. The following joint statement on UN Security Council Resolution 757 was published in Lisbon and Brussels on 1 June.

- **Reference:** Joint statement of 11 May: Bull. EC 5-1992, point 1.3.5

'The European Community and its Member States welcome the United Nations Security Council Resolution 757 of 30 May 1992. They will, without delay, take the legal measures needed to ensure the immediate enforcement of the measures adopted in that resolution.

The European Community and its Member States express the view that those measures should be considered in the light of their untiring efforts to achieve a lasting and peaceful solution for the problems of the former Socialist Federal Republic of Yugoslavia, namely through the Conference on Yugoslavia and through the talks of the three communities of Bosnia-Herzegovina on consti-

tutional arrangements. The adopted measures, therefore, should remain in force until decisive steps by those directly responsible have been taken in the direction of peace.

The European Community and its Member States urge all parties to the Yugoslav crisis, and in particular Serbia and Montenegro, to comply with all relevant EC declarations and Security Council resolutions and recall the special obligation which falls upon them in the search for a peaceful and negotiated solution for the outstanding problems.

The European Community and its Member States remain deeply concerned with the situation in the Republic of Bosnia-Herzegovina. While recalling their statement of 11 May 1992, they urge again all parties involved in the conflict to engage constructively in the constitutional talks under the aegis of the EC Peace Conference as the only political framework which may enable a peaceful solution for the conflict in that republic.

The European Community and its Member States will continue to follow closely developments in the territory of the former Socialist Federal Republic of Yugoslavia and will be ready to take further measures if and whenever deemed appropriate.'

Thailand

1.5.3. The following joint statement was published in Lisbon and Brussels on 10 June.

- **Reference:** Joint statement of 20 May: Bull. EC 5-1992, point 1.3.9

'The Community and its Member States recall their statement of 20 May 1992 on the recent tragic events in Thailand and welcome the positive political developments which have been taking place, namely the constitutional amendments scheduled for discussion in Parliament on 10 June 1992. The Community and its Member States remain concerned that a number of civilian demonstrators are still unaccounted for and urge the Thai authorities to take the appropriate steps to restore the confidence of the Thai people in their government.

The Community and its Member States therefore hope that the future Thai Government will respect human rights fully and express the wish that efforts will be intensified towards a peaceful and democratic development in Thailand.

The Community and its Member States urge all parties concerned to refrain from taking action that may jeopardize the ongoing democratic process and work together for a lasting peaceful solution. They express the hope that a resolution of the present political uncertainties will open the way for the development of closer and stronger links with a democratic Thailand which will contribute positively to peace and stability in the region.'

Yugoslavia

1.5.4. The following joint statement on the situation in Yugoslavia was published in Lisbon and Brussels on 16 June:

'The Community and its Member States recall their support for United Nations Security Council Resolution 757 and stress once again the need for its full implementation. The sole purpose of the sanctions decided upon is to find a peaceful and equitable solution to the Yugoslav crisis. They are not motivated by hostility against the Serbian and Montenegrin people.

The Community and its Member States welcome and support United Nations Security Council Resolution 758 of 8 June and the steps taken by the Secretary-General of the UN to secure the reopening of Sarajevo airport for humanitarian purposes under the exclusive authority of the United Nations, and with the assistance of Unprofor. They welcome the active participation of Member States in this operation. They are ready to assist the Secretary-General in any manner which would facilitate the immediate delivery of urgently needed humanitarian supplies to Sarajevo and other destinations in Bosnia-Herzegovina.

They also call upon all parties concerned to cooperate fully with Unprofor and international humanitarian agencies in achieving their aim of helping the long-suffering people of Bosnia-Herzegovina.

The Community and its Member States also support the establishment of a security zone encompassing Sarajevo and its airport, and express the hope that this may be the beginning of a process of normalization which will bring peace to Bosnia-Herzegovina in its entirety. They welcome the last cease-fire brokered by the UN and urge all parties to respect it. In this context, they also take note of the unilateral measures announced by the Serbs of Bosnia, expect that they will comply with these, and call upon the other parties in the conflict to reciprocate.

The Community and its Member States welcome Lord Carrington's decision to visit Sarajevo with Ambassador Cutileiro, once the airport has been reopened, to reconvene the talks on future constitutional arrangements for Bosnia-Herzegovina held under the aegis of the EC Peace Conference. They reaffirm once again that only a political, negotiated settlement on the basis of the principles agreed by the three main political parties of Bosnia-Herzegovina on 18 March 1992 may bring a lasting and just solution to the outstanding problems of the Republic.

The Community and its Member States, therefore, urge the leaders of those parties to fully assume their historical responsibilities and call upon them to state publicly and unreservedly their readiness to resume the constitutional talks and their willingness to participate in them in good faith.

The Community and its Member States have noted that the situation in Kosovo is potentially dangerous and urge all parties to show the necessary restraint and sense of responsibility. They urge the authorities in Belgrade to refrain from further repression and engage in serious dialogue with representatives of Kosovo. Failure to do so would impede the prospects for the restoration of normal relations with the international community. The Community and its Member States recall that frontiers can only be changed by peaceful means and remind the inhabitants of Kosovo that their legitimate quest for autonomy should be dealt with in the framework of the EC Peace Conference. They also call upon the Albanian Government to exercise restraint and to act constructively.'

Union of Myanmar (formerly Burma)

1.5.5. The following joint statement was published in Lisbon and Brussels on 16 June:

'The Community and its Member States note the measures adopted by the State Law and Order Restoration Council (Slorc) after the replacement of General Saw Maung by General Than Shwe on 23 April 1992, in particular the announcement of the suspension of the offensive against the Karens, the release of some political prisoners including some senior National League for Democracy (NLD) personalities and the permission for Aung San Suu Kyi's husband and children to visit her.

The Community and its Member States welcome the proposal for a preparatory meeting with political parties on 23 June 1992 to consider arrangements for a national convention. They hope that this meeting will set out an agreed and firm timetable for the process of an early transition to democracy, with full safeguards and respect for human rights.

The Community and its Member States believe that the release of remaining political prisoners, including the lifting of house arrest on Aung San Suu Kyi, and freedom for her to leave and return to Myanmar and have regular contact with her family, the lifting of martial law, and action to safeguard the rights of minorities in Myanmar are essential elements in this process. The Community and its Member States note with concern that the agreed arrangements for return of Rohingya refugees from Bangladesh are not being implemented as planned, and urge the Burmese authorities to cooperate fully with Bangladesh and the UN to ensure the safe and orderly return of refugees, allowing a UNHCR presence on the Burmese side of the border.

The Community and its Member States stress their willingness to re-establish constructive relations with Rangoon as soon as Myanmar becomes a democratic State and respects human rights, in accordance with the UN Charter and universally accepted standards.'

Release of hostages held in Lebanon

1.5.6. The following joint statement on the release of two German hostages was published in Lisbon and Brussels on 18 June:

'The Community and its Member States are extremely pleased that the two German hostages in Lebanon have been freed.

The Community and its Member States reiterate their strong condemnation of any hostage taking, as well as any action against freedom and human dignity and hope that this liberation will contribute to an improvement of the situation in Lebanon and to strengthening the links between this country and the European Community.

The Community and its Member States express their gratitude to those who contributed to freeing the two German hostages, in particular the United Nations Secretary-General and his representatives.'

Nagorno-Karabakh

1.5.7. The following joint statement was published in Lisbon and Brussels on 18 June:

'The Community and its Member States are deeply concerned about the continued fighting in Nagorno-Karabakh. They strongly condemn any use of force, which will in no way help to resolve the crisis. They call upon the parties involved to show restraint and avoid inflicting further suffering or loss of human life.

The Community and its Member States urge the governments concerned to use all their influence to end the vicious circle of violence and to bring about an effective cease-fire.

They renew their call to Azerbaijan and Armenia to respect human rights, to which they have committed themselves at their admission into the CSCE. They urge them to contribute to the efforts under way in the framework of the preliminary emergency meeting in Rome to create the necessary conditions to hold the Minsk Conference at the earliest moment under the auspices of the CSCE, which offers the best hope of seeing peace restored to this region.'

South Africa

1.5.8. The following joint statement on the violence in South Africa was published in Lisbon and Brussels on 23 June.

- **Reference:** Joint statement on the national peace accord in South Africa: Bull. EC 9-1991, point 1.4.6

'The Community and its Member States express their shock at the recent appalling incidents of violence in South Africa, particularly in Boipatong, which have taken a heavy toll of innocent human life.

The Community and its Member States, which had welcomed the signing of the national peace accord in September 1991, and all further efforts to bring an end to violence, expect all parties concerned to fully respect their commitments.

The Community and its Member States urge the South African Government to investigate these incidents rapidly and thoroughly, so that those responsible are punished, and note its commitment

to do so. They also call upon the leaders of all parties concerned in South Africa to persevere with determination in the peaceful path to a non-racial democracy, representative of all South Africans, initiated in the framework of Codesa.'

Cambodia

1.5.9. The following joint statement was published in Lisbon and Brussels on 25 June:

'The Community and its Member States welcome the successful outcome of the Ministerial Conference on the rehabilitation and reconstruction of Cambodia which took place in Tokyo on 22 June 1992 and fully support the Tokyo declarations on the rehabilitation and reconstruction of Cambodia and on the Cambodian peace process. They stress the importance of strictly adhering to the peace agreements reached in Paris on 23 October 1991 aimed at the rehabilitation and reconstruction of Cambodia.

The Community and its Member States appreciate the prominent role played by Prince Sihanouk as President of the Supreme National Council, the action undertaken by the United Nations Transitional Authority in Cambodia (Untac), and the efforts of the UN Secretary-General's representative, Mr Akashi.

The Community and its Member States call upon all Cambodian parties to implement fully the Paris agreements. They express concern at the refusal of one party to allow the necessary deployment of Untac and call upon that party to cooperate with Untac in the full and timely implementation of the second phase of the cease-fire.

The Community and its Member States consider that the reconstruction and rehabilitation of Cambodia can only be achieved with full respect for human rights and the holding of free and fair elections in 1993 which will contribute to peace and stability in the Asia-Pacific region.'

North Korea

1.5.10. The following joint statement was published in Lisbon and Brussels on 29 June.

- **Reference:** Joint statement of 31 January: Bull. EC 1/2-1992, point 1.5.16

'The Community and its Member States recall their statement of 31 January 1992, and welcome the positive steps undertaken so far by the Government of the Democratic People's Republic of Korea towards full implementation of the Safeguards Agreement with the International Atomic Energy

Agency (IAEA), namely the ratification of the Agreement and the nuclear inspections now being carried out.

The Community and its Member States hope that the IAEA inspections will proceed satisfactorily and will create international confidence as well as contribute to peace and stability in the Asia-Pacific region. Furthermore, the Community and its Member States underline the importance they attach to early and full implementation of bilateral nuclear inspections agreed to in the framework of the Joint Declaration on the denuclearization of the Korean peninsula on 31 December 1991.

The Community and its Member States also urge the government of the Democratic People's Republic of Korea to abide by Missile Technology Control Regime guidelines for sensitive missile-relevant transfers and to cease missile sales.'

Preventive diplomacy

1.5.11. The following joint statement on the UN Secretary-General's report on preventive diplomacy was published in Lisbon and Brussels on 30 June:

'The European Community and its Member States welcome the release of the report by the Secretary-General of the United Nations on "Preventive diplomacy, peace-making and peace-keeping", pursuant to the statement adopted by the summit meeting of the Security Council on 31 January 1992, which represents a highly valuable basis for a thorough reflection among the Member States of the United Nations.

The European Community and its Member States attach great political significance to the field of preventive diplomacy, and believe that it is possible to explore the potential of the Charter of the United Nations to foster a deeper and more effective use of its capabilities to defuse potential conflicts at an early stage. In this respect, the Twelve welcome the call for increased activity by the United Nations in preventing conflicts, seeking negotiated and lasting solutions and maintaining peace, as well as an enhanced cooperation with regional organizations.

The European Community and its Member States reiterate their commitment to the Charter and look forward to debating the Secretary-General's report in the appropriate forums.'

Other intergovernmental cooperation

1.5.12. The European Council urged the two parties concerned to resolve the last

obstacle holding up signature of the Convention on the crossing of external borders and called on all the Member States to ratify the Dublin Convention by the end of the year. It also asked the appropriate authorities to set in train the programme of work agreed at Maastricht on asylum and immigration and to draft the agreement required to set up Europol (→ point I.12).

1.5.13. Six-monthly meeting of Ministers responsible for immigration.

- **References:**

Convention determining the State responsible for examining applications for asylum lodged in one of the Member States of the European Communities: Bull. EC 6-1990, point 2.2.2

Commission communication on the abolition of border checks: Bull. EC 5-1992, point 1.1.7

- **Previous meeting:** Bull. EC 12-1991, point 1.4.15

Meeting held in Lisbon on 11 June. This latest meeting, at the end of which a statement was adopted (→ point 2.2.1), was chaired by Mr M. Dias Loureiro, Portugal's Interior Minister, and was attended by Mr Bangemann, Commission Vice-President.

Having noted the Commission's communication on the abolition of border checks in the Community, the Ministers urged the need for effective implementation of the back-up measures set out in the 'Palma document', with a view to maintaining an adequate level of security in the Community.

They also considered the implications of the situation in Bosnia-Herzegovina in terms of the numbers of people being made homeless, exchanged information on measures proposed by the Member States and the Community, and agreed to keep in touch on this matter.

On the subject of asylum, noting that only two Member States had ratified the Dublin Convention determining the State responsible for examining applications for asylum lodged in one of the Member States, the Ministers agreed to use their best endeavours to achieve full ratification by the end of

the year and to ensure prompt and effective implementation following the Convention's entry into force. They endorsed certain conclusions regarding the interpretation of concepts and the uniform application of the Convention, although these remained to be approved by the Committee responsible for implementing the Convention.

They also noted with approval the progress made in defining the 'initial host country', notwithstanding the reservations still maintained by some Member States, and agreed that reports be drawn up on the situation in non-Community countries, so as to provide improved assessment of individual applications for asylum.

It was also decided to set up a Centre for information, research and exchange on asylum and the ministers approved, as a basis for negotiation, a preliminary draft agreement extending the Dublin Convention to non-Community countries.

Turning to the Convention on the crossing of external borders, the Ministers noted the compromise put forward by the presidency to the countries involved in the last remaining difficulty, and also a statement by Mr Bangemann drawing attention to the worrying implications of failure to sign the Convention, which contained many provisions foreshadowed in the Palma document.

The Ministers decided to set up a study on the possibility of establishing a Centre for information, research and exchange on cross-border movements and immigration.

They also approved the terms of reference of the Group on Immigration with regard to the reunion of families and took note of the work already under way, with a request that a draft decision setting out common principles be presented for their consideration in December.

Lastly, they decided to add the 12 republics of the former Soviet Union to the list of countries whose nationals were obliged to obtain visas.

1.5.14. Trevi Group.

- **Reference:** Conclusions of the Maastricht Council: Bull. EC 12-1991, point I.8

- **Previous meeting:** Bull. EC 12-1991, point 1.4.16

Meeting held in Lisbon on 11 June. With a Commission representative in attendance, the Ministers continued their discussions on police cooperation. These were concerned mainly with the establishment of Europol, the body for cooperation among the police

forces of the Member States in the fight against international drug trafficking and organized crime. Germany was asked to lead a task force to work on the establishment of the European Drugs Unit (EDU), with Strasbourg as a base. The EDU was scheduled to be operational from the start of 1993.

6. Financing Community activities

Budgets

General budget

Budgetary procedure

1991 financial year

1.6.1. Commission communication to the Court of Auditors, Parliament and the Council on the balance sheets and accounts of the fifth, sixth and seventh European Development Funds for the 1991 financial year.

Adopted on 22 June.

COM(92) 256

1993 financial year

1.6.2. Parliament resolution on the estimates of revenue and expenditure of the European Parliament for the 1993 financial year.

Adopted on 11 June. Parliament noted that its draft estimates for 1993 amounted to ECU 630 million, corresponding to a 7% increase on the 1992 budget, and that this increase was in line with the maximum rate of increase for non-compulsory expenditure indicated by the Commission.

OJ C 176, 13.7.1992

ECSC operating budget

1991 financial year

1.6.3. Commission decision approving implementation of the ECSC operating budget for 1991 and communication on the ECSC financial statements, the explanatory notes thereto and the allocation of the surplus.

Adopted on 24 June.

Financial operations

Loans raised

1.6.4. In June, on behalf of the ECSC, the Commission made a FF 300 million 20-year public issue with an issue price of 100%.

Loans granted

1.6.5. Acting under Articles 54 and 56 of the ECSC Treaty, the Commission granted loans in June totalling ECU 80.8 million, as follows.

Industrial loans

1.6.6. Industrial loans (Article 54) totalling ECU 1.9 million were made to Germany.

Conversion loans

1.6.7. Conversion loans (Article 56) totalling ECU 77.1 million were made to Germany.

Workers' housing

1.6.8. Loans totalling ECU 1.8 million were granted for steelworkers and mine-workers (ECSC sector) in Germany, France, the United Kingdom, the Netherlands, Ireland and Spain.

European Investment Bank

General

1.6.9. Commission communication to the Council on the extension of operations by the European Investment Bank outside the Community; proposal for a Council Decision empowering the Commission to indemnify the European Investment Bank against losses under loans for projects in certain countries outside the Community.

- **Reference:** Council conclusions on the extension of European Investment Bank activities: Bull. EC 5-1992, point 1.4.10

Adopted on 3 June. The purpose of this communication and the accompanying proposal for a Decision is to put into effect the

guidelines adopted by the Council on 19 May so that the European Investment Bank will be able to grant loans for projects of mutual interest in countries with which the Community has concluded cooperation agreements. Decisions to finance a specific project will be taken, on a case-by-case basis, by the Board of Directors of the EIB, in accordance with the usual criteria. An overall limit of ECU 250 million a year has been set for a three-year period and will be reviewed at the end of the period. Under the proposed Decision the Community will fully guarantee the Bank in cases where the Bank does not receive the payments due under any loan granted.

COM(92) 242; OJ C 172, 8.7.1992

Funding

1.6.10. In June the European Investment Bank, the European Community's financial institution, granted loans totalling ECU 1 912.4 million, of which ECU 173.5 million went outside the Community.

Community

Links with Community policies

1.6.11. Loans were made for the following measures:

- (i) ECU 863.9 million for the economic development of disadvantaged regions;
- (ii) ECU 364.2 million for the improvement of transport and telecommunications infrastructures of benefit to the Community;
- (iii) ECU 331.4 million for the protection of the environment and the improvement of the quality of life;
- (iv) ECU 139.2 million for the pursuit of Community objectives in the field of energy.

The Bank also continued its operations to support small and medium-sized businesses (since the beginning of the year, around

ECU 847.7 million has been granted in global loans).

Individual loans often come under several Community policies; some are therefore counted more than once in the above amounts.

Geographical breakdown

Belgium

1.6.12. ECU 47.6 million was granted in the form of global loans to finance small and medium-scale projects and ECU 47.5 million for a gas terminal in Zeebrugge and a gas pipeline between Zeebrugge and the French frontier.

Denmark

1.6.13. ECU 7.7 million was granted in the form of global loans to finance small and medium-scale projects.

Germany

1.6.14. ECU 97.9 million went towards the expansion of the telecommunications network through the introduction of the DES Kopernikus satellite system and the Temex telemetering centres. ECU 73.5 million was granted in the form of global loans to finance small and medium-scale projects.

Spain

1.6.15. ECU 371.1 million was provided to improve roads in Andalusia and Murcia, various basic infrastructures in Galicia (roads, water supply, sewage plants) and urban renewal schemes in Barcelona.

France

1.6.16. ECU 158.9 million was granted in the form of global loans to finance public infrastructures of regional interest and ECU

72.9 million was provided for the Metrobus public transport system in the Rouen conurbation and for improving the road connection with the Haut-Jura (route départementale 436).

Ireland

1.6.17. ECU 19.2 million was provided to continue renewal of the Aer Lingus fleet.

Italy

1.6.18. ECU 136.2 million was granted in the form of global loans to finance small and medium-scale projects. ECU 62.3 million was provided for the extension of the natural gas supply network in Rome and a compression station in Avruzzi. ECU 19.4 million went towards the modernization of three cement plants near Bari, Rome and Syracuse, ECU 8.4 million to flood-control installations, systems to regulate river flow and urban waste treatment in Abruzzi and ECU 5 million to restore various public buildings and tourist and cultural infrastructures in Umbria and Liguria.

Netherlands

1.6.19. ECU 43.5 million was granted in the form of global loans to finance small and medium-scale projects. ECU 26 million was provided for the construction of a heat and power plant in Gelderland and the construction of an undersea gas pipeline.

Portugal

1.6.20. ECU 332.3 million was provided for the improvement and extension of telecommunications networks in Lisbon and Oporto, various sections of motorway in central and northern Portugal, the modernization of airports and air traffic control systems and improvements on the railways.

ECU 83.7 million was provided for the expansion of the transport and electricity supply networks.

ECU 11.4 million was provided to extend a plant near Coimbra producing paper pulp from eucalyptus.

United Kingdom

1.6.21. ECU 71.6 million was provided for water supply and sewerage plants and ECU 42 million for the extension and modernization of industrial gas production plants in various localities.

Community development cooperation policy

Mediterranean

Tunisia

1.6.22. ECU 32 million, including ECU 7 million from risk capital, was granted in the form of a global loan to finance small and medium-scale projects.

ACP countries

Madagascar

1.6.23. ECU 6.5 million was lent from risk capital for a fish farm breeding shrimps on the north-western coast.

Cooperation with Central and East European countries

Eastern Europe

Czechoslovakia

1.6.24. ECU 85 million was granted in the form of a global loan to finance small and medium-scale projects.

Hungary

1.6.25. ECU 50 million was granted to improve the road network.

7. Community institutions

Parliament

Strasbourg: 8 to 12 June

1.7.1. The June part-session was dominated by discussions on ratification of the Maastricht Treaty by the Member States and, more particularly, the outcome of the Danish referendum, as well as the Delors II package of structural and financial measures and the appointment of the President of the Commission. The House resumed debates started during the last part-session on relations with the republics of the former Yugoslavia and the UN Conference on Environment and Development. The legislative agenda was somewhat overshadowed by these topical issues but good progress was made none the less.

On the appointment of the next President of the Commission, Parliament reiterated how important it was that it should be involved and, anticipating implementation of the Maastricht Treaty, adopted a resolution calling on the Member States to consult it before nominating by common accord the person they intended to appoint. A vote on this is scheduled for the July part-session (→ point 1.7.18).

On the Danish referendum Parliament adopted a resolution expressing the hope that respect for the wishes of the Danish people could be reconciled with the need to continue with the ratification process, a need confirmed by the Council meeting in Oslo (→ point 1.1.4). In his address to the House, Mr Delors told members that there were lessons to be learned from the Danish 'no' vote, namely that the Community must make its decisions more transparent, redouble its efforts to explain its activities in the Member States, clarify the debate on national sovereignty and be a protagonist of simplicity.

The financial and structural policy guidelines and priorities set out in the Delors II package won the support of a large majority of members, although Parliament proposed

that the ceiling on resources for the measures planned be increased to 1.4% of GNP rather than 1.37% and highlighted the urgent need for a fifth resource. Mr Delors stressed that the figures proposed by the Commission represented a ceiling rather than actual expenditure and vigorously defended the proposals on the Cohesion Fund and the structural Funds, on the policies designed to enhance the Community's competitiveness, and on the Community's external policies (→ point 1.2.2).

On the external relations front, discussions centred mainly around armed conflicts and the rights of minorities.

In its debates on the Community's relations with the republics of the former Yugoslavia, Parliament highlighted the role played by Serbia in the present armed conflict. It was in favour of keeping the existing borders and called for internationally acknowledged human rights and minority rights to be respected and for more Community aid, particularly for the civilian population (→ point 1.4.15).

A resolution firmly condemning Iraqi and Turkish policy towards the Kurds was also adopted, although the House stopped short of linking the recognition of Kurdish rights to the establishment of an independent Kurdish State (→ point 1.4.20). Israeli policy with regard to the Gaza strip and the West Bank and the occupation of Lebanon by foreign troops, both of which were having a destabilizing effect on the fragile Middle East peace process, also drew criticism from the House (→ point 1.4.75).

Still in the field of external relations, Parliament debated two issues relating to the United States, the first concerning the death penalty, which the House condemned (→ point 1.4.72), and the second concerning the dispute between the Community and the USA over the report by the GATT soya panel. This triggered a discussion on the reform of the common agricultural policy, in which the Council was called upon to produce a more precise timetable for implementation of the reform measures so

that the Community's farmers could plan ahead and take appropriate action.

Discussing international environment policy, Parliament did not adopt any particular stance on the Rio Summit; it merely called on the Community to retain its proposal on the CO₂ tax but to drop the conditions contained in it.

Finally, during the brief debate which followed the Commission statement on the free-trade agreement between the Community and the Gulf Cooperation Council, currently under negotiation, members expressed concern as to the implications for the petrochemicals industry and human rights.

No particular problems arose during the debates on internal Community policies and opinions were adopted on a relatively large number of proposals.

Under the cooperation procedure opinions were adopted at first reading on proposals dealing with the return of unlawfully removed cultural objects (→ point 1.3.25) and with public procurement procedures in excluded sectors (→ point 1.3.8), the last in the list contained in the White Paper on the completion of the single market. Following a statement by Mr Bangemann, who clarified the Commission's position and agreed to certain amendments, an opinion was adopted at first reading on the proposal on direct life assurance (→ point 1.3.14) and, after the adoption of compromise amendments, on the proposal on cosmetic products (→ point 1.3.197).

The only controversial proposal, on biotechnological inventions, was referred back to committee following a parliamentary question on compatibility with the biodiversity convention signed by the Community and its Member States at the Rio Summit.

Parliament adopted decisions at second reading on Council common positions with a view to the adoption of Directives concerning the approximation of laws on the type-approval of motor vehicles and their trailers (→ point 1.3.18) and two- or three-

wheel motor vehicles (→ point 1.3.20) and a Directive on general product safety intended to prevent European producers and distributors from introducing dangerous products on to the Community market (→ point 1.3.194), and the adoption of decisions concerning the conclusion of two agreements on research and technological development in the field of renewable raw materials with Finland (→ point 1.3.63) and Sweden (→ point 1.3.64).

Finally, under the consultation procedure Parliament gave its opinion on proposals concerning the agricultural sector (→ points 1.3.147, 1.3.149, 1.3.171, 1.3.174 and 1.3.183), the European Year of the Elderly (→ point 1.3.107), the exportation of cultural goods (→ point 1.3.26) and specific measures for the Canary Islands, Madeira and the Azores (→ point 1.3.121).

It also held debates and adopted resolutions on transport (→ points 1.3.78, 1.3.79, 1.3.83, 1.3.84 and 1.3.87), investment in Central and Eastern Europe (→ point 1.4.5), relations with the countries of Indo-China (→ point 1.4.34), employment in the European aerospace industry (→ point 1.3.54), human rights (→ points 1.4.70, 1.4.71, 1.4.73, 1.4.74 and 1.4.78) and Parliament's preliminary draft estimates for 1993 (→ point 1.6.2).

Finally, Parliament adopted a resolution on a scheme for allocating the seats of its members and decided to amend Rule 29a of its Rules of Procedure.

Report of proceedings: OJ Annex 3-419
Full text of opinions and resolutions:
OJ C 176, 13.7.1992

Council

1583rd meeting

1.7.2. Ministers for Education meeting within the Council (Luxembourg, 1 June).

- Previous meeting: Bull. EC 11-1991, point 1.7.13

President: Mr Couto dos Santos, Portuguese Minister attached to the Prime Minister, with responsibility for Youth.

Commission: Miss Papandreou.

Main items

Development of open and distance learning: conclusions adopted (→ point 1.3.110).

Development of environmental education: conclusions adopted (→ point 1.3.112).

Assessment of new Community education and training programmes: conclusions adopted (→ point 1.3.111).

Other business

Lingua: exchange of views.

Draft convention defining the statute of the European Schools: outstanding issues examined.

Special meeting

1.7.3. General affairs (Oslo, 4 June).

- **Previous meeting:** Bull. EC 5-1992, point 1.5.4

President: Mr Pinheiro, Portuguese Minister for Foreign Affairs.

Commission: Mr Delors.

Main item

Outcome of the Danish referendum: conclusions adopted (→ point 1.1.3).

1584th meeting

1.7.4. Tourism (Luxembourg, 4 June).

- **Previous meeting:** Bull. EC 11-1990, point 1.8.20

President: Mr Faria de Oliveira, Portuguese Minister for Trade and Tourism.

Commission: Mr Cardoso e Cunha.

Main item

Community action plan to assist tourism: agreed (→ point 1.3.56).

Other business

Community intervention in the field of tourism: Commission communication presented.

Community policies and measures with an effect on tourism: Commission communication presented.

Spas and hydrotherapy in the Community: current work examined.

1585th meeting

1.7.5. Telecommunications (Luxembourg, 5 June).

- **Previous meeting:** Bull. EC 12-1991, point 1.7.11

President: Mr Ferreira do Amaral, Portuguese Minister for Telecommunications.

Commission: Mr Pandolfi and Mr Dondelinger.

Main item

Action plan for the introduction of advanced television services in Europe: conclusions adopted by the Presidency (→ point 1.3.200).

Other business

Postal services: Green Paper presented by the Commission.

1586th meeting

1.7.6. Economic and financial affairs (Luxembourg, 9 and 10 June).

- **Previous meeting:** Bull. EC 5-1992, point 1.5.8

President: Mr Braga de Macedo, Portuguese Minister for Finance.

Commission: Mr Delors, Sir Leon Brittan, Mr Christophersen, Mr Schmidhuber and Mrs Scrivener.

Main items

Convergence programme of Spain: conclusions adopted (→ point 1.3.1).

Balance-of-payments loan to Bulgaria and Romania: agreed (→ point 1.4.7).

Other business

Financial directives — definition of own funds: constructive re-examination.

Multilateral surveillance: exchange of views.

Delors II package: examined in depth.

Abolition of fiscal frontiers: further examination.

1587th meeting

1.7.7. Fisheries (Luxembourg, 9 June).

- *Previous meeting:* Bull. EC 4-1992, point 1.7.2

President: Mr de Azevedo Soares, Portuguese Minister for Maritime Affairs.

Commission: Mr Marín.

Main items

Reform of the common fisheries policy: additional conclusions on the Mediterranean, monitoring and enforcement, discards and quality policy adopted (→ point 1.3.184).

Common marketing standards for preserved tuna and bonito: Regulation adopted (→ point 1.3.192).

Other business

Common organization of the market in fishery products: major points of a proposal for a Regulation presented.

Fishing on the high seas: Commission communication presented.

1588th meeting

1.7.8. General affairs and political cooperation (Luxembourg, 15 June).

- *Previous meeting:* Bull. EC 5-1992, point 1.5.4

President: Mr Pinheiro, Portuguese Minister for Foreign Affairs.

Commission: Mr Delors, Mr Andriessen, Mr Matutes and Mr Schmidhuber.

Main items

Relations with Japan: conclusions adopted (→ point 1.4.23).

Switzerland's application for accession: initial examination (→ point 1.4.4).

Other business

Delors II package: further in-depth examination.

Treaty on European Union: report by the Group of Personal Representatives presented.

Lisbon European Council (26 and 27 June): preparations.

Establishment of a European Drugs Monitoring Centre and a European Information Network on Drugs and Drug Addiction: exchange of views.

Uruguay Round: progress in negotiations examined.

Relations with the Maghreb: initial exchange of views.

1589th meeting

1.7.9. Agriculture (Luxembourg, 15 and 16 June).

- *Previous meeting:* Bull. EC 5-1992, point 1.5.10

President: Mr Cunha, Portuguese Minister for Agriculture.

Commission: Mr Mac Sharry.

Main items

Raw milk, heat-treated milk and milk-based products: Directive adopted (→ point 1.3.154).

Temporary derogations from specific Community health rules: Directive adopted (→ point 1.3.155).

Meat of wild game: Directive adopted (→ point 1.3.153).

Expenditure in the veterinary field: Decision adopted (→ point 1.3.158).

Hygiene rules applicable on board certain fishing vessels: Directive adopted (→ point 1.3.156).

Abolition of veterinary checks at internal frontiers: proposal for a Directive agreed (→ point 1.3.149).

Animal health requirements: proposal for a Directive agreed (→ point 1.3.151).

Other business

Implementation of texts concerning the reform of the common agricultural policy: wide-ranging discussion on state of play.

Protection of forests: initial exchange of views.

Uruguay Round: statement on progress in the negotiations presented.

Computerization of veterinary import procedures (Shift project): initial exchange of views.

1590th meeting

1.7.10. Industry (Luxembourg, 17 June).

- Previous meeting: Bull. EC 11-1991, point 1.7.12

President: Mr Mira Amaral, Portuguese Minister for Industry and Energy.

Commission: Mr Bangemann, Sir Leon Brittan and Mr Cardoso e Cunha.

Main items

Industrial cooperation with third countries: resolution adopted (→ point 1.3.50).

Textile and clothing industries: resolution adopted (→ point 1.3.51).

European automobile industry: resolution adopted (→ point 1.3.52).

European aircraft industry: conclusions adopted (→ point 1.3.53).

Community action to support SMEs and craft enterprises: resolution adopted (→ point 1.3.57).

Aid to shipbuilding: agreed (→ point 1.3.34).

Other business

Industry and environment: Commission statement presented.

Mining policy: Commission statement presented.

Shipping industries: Commission statement presented.

State aid to steel: Commission communication presented.

ECSC future financial activities: Commission communication announced.

1591st meeting

1.7.11. Internal market (Luxembourg, 18 June).

- Previous meeting: Bull. EC 5-1992, point 1.5.5

President: Mr Martins, Portuguese State Secretary for European Integration.

Commission: Mr Bangemann.

Main items

Amendment of Directive 90/531/EEC on the procurement procedures of entities operating in the excluded sectors: common position agreed (→ point 1.3.8).

Copyright and related rights: common position adopted (→ point 1.3.27).

Other business

European company: discussed.

Future system for the free movement of medicinal products: policy guidelines established.

Abolition of frontier controls: Commission communication presented.

Precious metals: Commission statement presented.

Contaminants in food: dossier examined.

Export controls on dual-use goods and technologies: exchange of views.

Trans-European networks: progress examined.

Community trademark: progress report by the Presidency examined.

Completion of the internal market: oral statement presented by the Commission.

Cultural goods: discussed in depth.

1592nd meeting

1.7.12. Transport (Luxembourg, 22 and 23 June).

- Previous meeting: Bull. EC 3-1992, point 1.6.6

President: Mr Ferriera do Amaral, Portuguese Minister for Public Works, Transport and Communications, and Mr de Azevedo Soares, Portuguese Minister for Maritime Affairs.

Commission: Mr Van Miert.

Main items

Liberalization of air transport: proposals for Regulations agreed (→ point 1.3.77).

Passenger cabotage: proposal for a Regulation agreed (→ point 1.3.75).

Freedom to provide maritime transport services within Member States: proposal for a Regulation agreed (→ point 1.3.76).

Other business

Competition in air transport: discussed.

Relations with third countries regarding transport by inland waterway: exchange of views.

Goods cabotage: discussed.

Tax harmonization in the road transport sector: discussed in detail.

Transport infrastructure: three Commission communications presented.

Road safety: progress examined.

Community register (Euros): exchange of views.

Transport of dangerous or polluting goods: progress examined.

Shipping safety: dossier examined.

Implementation of Regulations on shipping: dossier examined.

1593rd meeting

1.7.13. Labour and social affairs (Luxembourg, 24 June).

- Previous meeting: Bull. EC 4-1992, point 1.7.6

President: Mr da Silva Penada, Portuguese Minister for Employment and Social Security.

Commission: Miss Papandreou.

Main items

Employee participation in profits: draft recommendation agreed (→ point 1.3.100).

Convergence of social protection objectives and policies: draft recommendation agreed (→ point 1.3.99).

Other business

Organization of working time: discussed in depth.

Protection of pregnant workers: dossier examined.

Ehlass: dossier examined.

Contracts negotiated at a distance: Commission statement presented.

Contracts relating to time-share real estate: Commission statement presented.

Sweeteners for use in foodstuffs: examination of proposal terminated.

1594th meeting

1.7.14. Consumer protection (Luxembourg, 29 June).

- Previous meeting: Bull. EC 10-1991, point 1.7.8

President: Mr Borrego, Portuguese Minister for the Environment and Natural Resources.

Commission: Mr Van Miert.

Main items

General product safety: Directive adopted (→ point 1.3.194).

Unfair contract terms: common position agreed (→ point 1.3.195).

Future priorities for consumer protection policy: resolution adopted (→ point 1.3.196).

Other business

Comparative advertising: discussed.

Liability of suppliers of services: exchange of views.

1595th meeting

1.7.15. Economic and financial affairs (Luxembourg, 29 June).

- Previous meeting: point 1.7.6 of this Bulletin

President: Mr Braga de Macedo, Portuguese Minister for Finance.

Commission: Sir Leon Brittan and Mrs Scrivener.

Main items

Capital adequacy of investment firms and credit institutions: common position agreed (→ point 1.3.11).

Investment services: common position agreed (→ point 1.3.10).

Other business

Abolition of fiscal frontiers: outstanding issues re-examined.

Taxation of road transport: report by the Presidency presented.

Withholding tax on interest and royalties: progress examined.

1596th meeting

1.7.16. Agriculture (Luxembourg, 30 June).

- Previous meeting: point 1.7.9 of this Bulletin

President: Mr Cunha, Portuguese Minister for Agriculture.

Commission: Mr Mac Sharry.

Main items

Reform of the common agricultural policy: Regulations adopted (→ points 1.3.140 to 1.3.147).

Agricultural prices for 1992/93: Regulations adopted (→ point 1.3.148).

Commission

1.7.17. After consulting the President and the enlarged Bureau of the European Parliament, the European Council agreed to

extend Mr Delors's term as President of the Commission (→ point I.30).

Appointment of the President and Members of the Commission

1.7.18. Parliament resolution on the appointment of the Commission President.

Adopted on 10 June. In the belief that the democratic deficit adversely affecting the Community institutions results partly from its inadequate involvement in the appointment of the Members and President of the Commission, Parliament claimed that it should have the opportunity to give its views in plenary sitting on the person the Member States intended to appoint to head the Commission.

It announced that it would be holding a debate during the July part-session on both the President designate and the policy guidelines which it felt the new Commission should adopt.

OJ C 176, 13.7.1992

1.7.19. Resignation of Mr Ripa di Meana.

Mr Ripa di Meana, Member of the Commission responsible for the environment, resigned on 29 June following his appointment to the post of Italian Minister for the Environment in the new Government formed by the Prime Minister, Mr Amato.

Proposals adopted

1.7.20. The Commission adopted a proposal for a Regulation on the harmonization and streamlining of decision-making procedures for Community instruments of commercial defence (→ point 1.4.50).

Communications, green papers and reports

1.7.21. The Commission adopted a communication on guidelines on company taxation in the context of the further development of the internal market (→ point 1.3.6)

and two communications on a transport infrastructure programme in Europe (1993-97) (→ point 1.3.73).

It also adopted a communication entitled 'Towards greater stability in Community oil supplies' (→ point 1.3.91), a communication setting out guidelines for measures to assist the industries supplying the 'excluded' sectors in the structurally disadvantaged regions of the Community (→ point 1.3.116) and a communication on the extension of operations by the European Investment Bank outside the Community (→ point 1.6.9). It sent the Council a draft recommendation for a Decision on a cooperation agreement with Asean (→ point 1.4.26).

The Commission also presented a report to the European Council entitled 'Europe and the challenge of enlargement' (→ point I.4 and Supplement 3/92 — Bull. EC).

Community lawcourts

Court of Justice

1.7.22. Decisions given by the Courts are covered in the Bulletin for the month in which they are reported in the Official Journal. The 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.

Main decisions

Agriculture

Articles 178 and 215 of the EEC Treaty

19.5.1992: Joined Cases C-104/89 and C-37/90 *Mulder and Others v Council and Commission*

1. The defendants are ordered to make good the damage suffered by the applicants as a result of the application of Regulation (EEC) No 857/84, as supplemented by Regulation (EEC) No 1371/84,

in so far as those Regulations did not provide for the allocation of a reference quantity to producers who, pursuant to an undertaking given under Regulation (EEC) No 1078/77, did not deliver any milk during the reference year adopted by the Member State concerned.

2. Interest at the annual rate of 8% in Case C-104/89 and at 7% in Case C-37/90 shall be payable on the amounts of compensation as from the date of this judgment.

3. For the rest, the applications are dismissed.

4. The parties are ordered to inform the Court within 12 months from the date of delivery of this judgment of the amounts of damages payable arrived at by agreement.

5. In the absence of agreement, the parties shall transmit to the Court within the same period a statement of their views with supporting figures.

OJ C 152, 17.6.1992

Infringements

Article 169 of the EEC Treaty

19.5.1992: Case C-195/90 *Commission v Germany*

In adopting the Law of 30 April 1990 on charges for the use of federal roads and motorways by heavy goods vehicles, Germany has failed to fulfil its obligations under Article 76 of the EEC Treaty.

OJ C 153, 18.6.1992

Other decisions

Agriculture

Article 173 of the EEC Treaty

7.5.1992: Case C-53/91 *Netherlands v Commission*

OJ C 146, 10.6.1992

20.5.1992: Case C-385/89 *Greece v Commission*

OJ C 149, 13.6.1992

Fisheries

Article 173 of the EEC Treaty

7.5.1992: Joined Cases C-258/90 and C-259/90 *Pesquerias De Bermeo and Naviera Laida v Commission*

OJ C 142, 4.6.1992

Article 177 of the EEC Treaty

7.5.1992: Joined Cases C-251/90 and C-252/90 *Procurator Fiscal v Wood and Cowie*

OJ C 142, 4.6.1992

Free movement of persons, right of establishment and freedom to provide services

Article 177 of the EEC Treaty

7.5.1992: Case C-104/91 *Colegio Oficial de Agentes de la Propiedad Inmobiliaria and Ministerio Fiscal v Aguirre Borrell and Others*

OJ C 146, 10.6.1992

20.5.1992: Case C-106/91 *Ramrath v Ministre de la Justice*

OJ C 152, 17.6.1992

Social policy and free movement of workers

Article 177 of the EEC Treaty

19.5.1992: Case C-29/91 *Dr Sophie Redmond Stichting v Bartol and Others*

OJ C 153, 18.6.1992

Competition

Article 49 of the Statute of the Court

6.4.1992: Case C-229/91P *Automobiles Peugeot and Peugeot SA v Commission*

OJ C 142, 4.6.1992

Taxation

Article 177 of the EEC Treaty

7.5.1992: Case C-347/90 *Bozzi v Cassa nazionale di previdenza ed assistenza a favore degli avvocati e dei 'procuratori legali'*

OJ C 142, 4.6.1992

Infringements

Article 169 of the EEC Treaty

9.4.1992: Case C-262/89 *Commission v Italy*
OJ C 161, 27.6.1992

9.4.1992: Case C-11/91 *Commission v Italy*
OJ C 161, 27.6.1992

5.5.1992: Case C-349/90 *Commission v Luxembourg*
OJ C 149, 13.6.1992

6.5.1992: Case C-62/92 *Commission v Belgium*
OJ C 149, 13.6.1992

12.5.1992: Case C-327/90 *Commission v Greece*
OJ C 146, 10.6.1992

20.5.1992: Case C-190/90 *Commission v Netherlands*
OJ C 149, 13.6.1992

20.5.1992: Case C-290/90 *Commission v Germany*
OJ C 149, 13.6.1992

Analysis of judgments delivered between 1 April and 30 June 1992

European Economic Area

1.7.23. Opinion 1/92 of 10 April, draft Agreement between the Community and the EFTA countries relating to the creation of the European Economic Area.

• References:

Opinion 1/91 of the Court of Justice: Bull. EC 12-1991, point 1.7.18

Agreement relating to the creation of the European Economic Area: Bull. EC 4-1992, point 1.4.1

In response to a request made by the Commission under Article 228 of the EEC Treaty, the Court examined the provisions of the draft EEA Agreement which dealt with the settlement of disputes and had been renegotiated following Opinion 1/91 of 14 December 1991, when the Court had held

that the judicial review arrangements envisaged in the original draft Agreement were incompatible with the Treaty.

Having examined the new provisions in the light of the principles laid down in Opinion 1/91, the Court concluded that they were compatible with the Treaty. In its earlier Opinion the Court had held that the Agreement, unlike an accession treaty, could not guarantee a uniform legal framework for the activities of economic operators. In its second Opinion the Court acknowledged that the means by which the contracting parties intended to guarantee the greatest possible uniformity in the interpretation and application of the law throughout the EEA would not undermine the autonomy of the Community legal order.

The new draft Agreement no longer provided for the establishment of an EEA Court but only for a Joint Committee whose task it would be to settle differences between the contracting parties and to ensure as uniform an interpretation as possible of the EEA Agreement by keeping under constant review the development of the case-law of the Court of Justice and the EFTA Court (which will be set up by the EFTA countries and will have jurisdiction only within the EFTA framework). The decisions taken by the EEA Joint Committee can in no circumstances affect the case-law of the Court of Justice: this provides a safeguard essential to the autonomy of the Community legal order.

If a dispute between contracting parties cannot be settled by the Committee or if the Committee fails to secure a homogenous interpretation of the Agreement after a difference between the case-law of the two Courts has been brought before it, the contracting parties may agree to request the Court of Justice for a ruling on the interpretation of the relevant rules. It is compatible with the EEC Treaty for the EEA Agreement to confer this new jurisdiction on the Court (without any amendment of the Treaty itself) since the decisions taken by the Court will be binding and since the nature of the Court's function (that of a

court whose decisions are binding) will not be changed.

Free movement of goods

1.7.24. Judgment of 8 April, Case C-62/90 *Commission v Germany* — Importation of medicinal products by individuals.

The Commission took the view that the importation of medicinal products by individuals for their personal needs should not be subject to restrictions if the products in question had been duly prescribed and issued in another Member State. It had brought an action for a declaration that by prohibiting the importation of such products through the post Germany had failed to fulfil its obligations under the Treaty.

In line with earlier judgments the Court found in this case that the German import ban was contrary to Article 30 of the Treaty and that it did not qualify for a derogation under Article 36 as being essential to the protection of public health and human life. The Court held that since the authorization arrangements for placing pharmaceuticals on the market and the conditions for access to the professions of doctor and pharmacist and for the exercise of those professions had been harmonized, the importing State enjoyed guarantees equivalent to those arising from the sale of a medicinal product on its own territory.

In response to Germany's contention that it would be impossible to check, at frontier crossing points, whether the quantities of medicinal products imported exceeded personal needs without intruding into private life, the Court held that although the right to privacy and the right to protection of medical secrecy were fundamental rights protected by Community law, they were not absolute prerogatives but subject to restrictions arising from the exercise of freedoms guaranteed by the Treaty (such as the free movement of goods), provided that such restrictions did not represent, in view of the object pursued, disproportionate and intolerable intervention adversely affecting the very substance of the fundamental rights

in question. Germany had not shown that it would be impossible to carry out checks without an excessive breach of medical confidentiality.

1.7.25. Judgment of 9 June, Case C-47/90 *Delhaize v Promalvin* — Prohibition on the bulk export of Rioja wines.

The Spanish authorities have recently adopted regulations requiring Rioja wines, if they are to be classified as wines of designated origin, to be bottled at premises located within the region of production. An order for the bulk delivery of Rioja wine to Belgium could not be fulfilled because of the regulations, and this had given rise to legal proceedings. The Court had then been asked for a preliminary ruling on whether this Spanish legislation was compatible with the rules of the Treaty on the free movement of goods.

The Court drew attention to earlier cases in which it had held that Article 34 of the Treaty precluded any national measures whose object or effect was to place specific restrictions on exports and thus discriminate between domestic trade and export trade so as to confer a particular advantage on domestic products or the home market; such is the case with any legislation which places restrictions on bulk exports of wine but places no restrictions on bulk sales between businesses located in the region of production.

The Court rejected the various arguments put forward by Spain, holding that Article 36 of the Treaty could not be relied upon to justify measures which were needed to ensure that the designation of origin fulfilled its specific function, namely that of guaranteeing that the product bearing a given designation comes from a specific geographical area and possesses certain specific attributes. Spain had failed to show that the bottling of the wine within its region of production conferred or preserved such attributes. The Court could not accept the argument that controls could only be carried out in the region of production: there was Community legislation laying down

arrangements for monitoring the authenticity of wine. Lastly, the Court rejected the Spanish Government's claim that the regulations in question were part of a policy to promote the quality of wine.

State aid

1.7.26. Judgments of 30 June, Case C-312/90 *Spain v Commission* and Case C-47/91 *Italy v Commission* — Admissibility of an action for annulment of the letter commencing the procedure for the examination of State aid.

In these two judgments the Court defined the rights which Member States enjoyed as regards State aid and declared admissible an action calling on the Court to declare void the letter commencing the Article 93 procedure for the examination of State aid. The Commission had taken the view that in both cases new aid schemes were being introduced and had reminded the authorities concerned that, under Article 93(3) of the Treaty, the proposed measures could not be put into effect until a final decision had been reached.

The two Member States had applied for the annulment of the decision commencing the procedure. The Court rejected the Commission's plea of inadmissibility.

The Court has consistently held that an act cannot be contested under Article 173 (applications for annulment) unless it produces legal effects. In this case the Court held that the Commission, by deciding to treat the measures concerned as new rather than existing aid schemes, had made a deliberate choice as to the rules of procedure to be applied and that it had therefore taken a decision which produced legal effects. Member States must not implement new aid schemes (as distinct from existing ones) if the Commission has found, on preliminary scrutiny, that they are incompatible with the common market and has decided to commence the Article 93 procedure. By treating the schemes as new ones the Commission took a decision which produced legal effects, since the final decision reached

at the end of the procedure would not have enabled the irreversible consequences of a delay in the payment of the aid to be offset.

Equality between men and women

1.7.27. Judgment of 4 June, Case C-360/90 *Arbeiterwohlfahrt der Stadt Berlin v Bötzel* — Equal compensation for training courses followed by staff committee members employed on a part-time basis.

In Germany members of staff committees who take part in training courses relating to staff committee activities must be released from their duties by their employer without any reduction in pay. A part-time worker falling into this category had received no compensation for the hours spent on training courses outside her individual work timetable. If she had been a full-time worker, the employer would have been obliged to pay her compensation on a full-time basis.

The Court first pointed out that, in line with its earlier rulings, the compensation received, in the form of paid holiday or overtime pay, for training courses providing the skills needed for the activities of staff committees constituted 'pay' within the meaning of Article 119 of the Treaty and Directive 75/117/EEC on equal pay for men and women. It also found that the members of the staff committee, whether working full-time or part-time, were spending the same number of hours on the training courses concerned but the part-time workers were receiving less compensation and were not therefore receiving equal treatment. Lastly, the Court followed a line of earlier judgments in ruling that, if there were a much smaller percentage of women than men amongst the full-time workers on the staff committee, the unequal treatment suffered by the part-time workers on the committee would be contrary to Article 119 of the Treaty and Directive 75/117/EEC unless the lower rate of compensation could be justified by factors unconnected with any discrimination based on sex, bearing in mind the difficulties which women have in

working full-time. According to the findings of the Berlin court, the part-time workers on the staff committee were usually women. The Court therefore concluded that the employer had discriminated indirectly against women workers.

Taxation

1.7.28. Judgment of 11 June, Joined Cases C-149/91 and C-150/91 *Sanders and Guyomar'ch v Directeur des services fiscaux* — Parafiscal levy on cereals

The Court had to rule on the compatibility with Community law of a parafiscal levy on French and imported cereals, the revenue from which was allocated to the ONIC (Office national interprofessionnel des céréales).

As regards the compatibility of the levy with the common organization of the market in cereals, the Court reaffirmed the judgment handed down in Case C-235/90 *Morvan*, holding that the market organization precluded Member States from levying a charge on a limited number of agricultural products over a prolonged period where such a charge was likely to encourage market participants to modify their patterns of production or consumption. A parafiscal levy could also constitute a charge having an effect equivalent to customs duties (prohibited by Article 12 of the Treaty) or a discriminatory form of internal taxation (prohibited by Article 95), depending on the use made of the revenue from the levy. It would be completely incompatible with Community law if it conferred an advantage on national products only, or partially incompatible if the advantages conferred by the use of the revenue offset a proportion of the charge on the national product and thus placed the imported product at a disadvantage. In this connection the Court pointed out that the eligibility of products for intervention did not constitute an advantage since this entitlement arose directly from the Community rules.

Lastly, the Court held that even if the levy fell in certain respects within the scope of

Article 12 or 95 of the Treaty, the use made of the revenue therefrom could still constitute State aid, which might be incompatible with the common market. As in the past, however, the Court ruled that it was for the Commission, subject to supervision by the Court, and not for the national courts to determine whether a particular aid scheme was compatible with the common market.

Transport

1.7.29. Judgment of 19 May, Case C-195/90 *Commission v Germany* — Charge for the use of roads by heavy goods vehicles.

Germany had introduced a charge for the use of main roads by all heavy goods vehicles, regardless of their place of registration. At the same time the normal road tax, which applied only to vehicles registered in Germany, had been reduced in the case of heavy goods vehicles by an amount equivalent to the new charge.

In response to an application from the Commission, the Court had issued an order on 12 July 1990 suspending the collection of the new charge on vehicles registered in other Member States. On 19 May 1992 the Court gave its ruling on the substance of the Commission's application, which was supported by five Member States, and found that Germany had failed to fulfil its obligations under Article 76 of the Treaty.

Article 76 stipulates that until the rules for a common transport policy have been laid down, no Member State may make its national provisions governing this sector less favourable in their direct or indirect effect on carriers of other Member States as compared with national carriers. According to the Court, the purpose of this Article was to avoid a situation where the introduction of a common transport policy would be made more difficult by the adoption of national measures which would detrimentally affect the position of carriers from other Member States as compared with national carriers. The Court found that in this case carriers from other Member States (who are not required to pay road tax)

would have been placed in a less favourable position than national carriers (who are subject to road tax), since the latter could offset the new charge against a reduction in their road tax.

Pending the adoption of measures under the common transport policy, however, Article 76 did not prohibit national measures which were just as disadvantageous to national carriers as they were to carriers from other Member States. The Court rejected the German Government's argument that the new charge was justified by the fact that its objective was to protect the environment by promoting the transfer of road haulage traffic to the railways and inland waterways. Although Article 76 did not prohibit measures designed to achieve this objective, it did prohibit any such measures which altered the position of carriers from other Member States as compared with that of national carriers. The Court also found that it had not been established that the new charge was likely to result in a transfer of haulage traffic away from the roads rather than in an increase in the share of the market held by German carriers to the detriment of carriers from other Member States.

Common commercial policy

1.7.30. Judgment of 11 June, Case C-358/89 *Extramet Industrie v Council* — Annulment of an anti-dumping duty.

In response to an application from the main importer of calcium metal, the Court annulled Regulation (EEC) No 2808/89 imposing a definitive anti-dumping duty on imports of calcium metal originating in China or the Soviet Union. The duty had been imposed following a complaint from the Community's sole producer of calcium metal.

The Court granted the application on the grounds that the Community's legislative authorities had made errors in determining the damage suffered by the Community industry. Under the anti-dumping rules the Council and Commission have to consider whether the damage to be assessed for the

purposes of establishing that dumping has taken place is in fact attributable to imports: they must set aside all damage arising from other factors. The applicant, which is a company importing and processing calcium metal, had claimed that the Community producer was itself responsible for the damage suffered: if the producer had agreed to supply calcium metal to the applicant it would not have suffered any damage.

The Court found that the preamble to the Regulation did not show that the Community institutions had in fact considered whether the producer, by refusing to sell to the applicant, had contributed to the damage on which the imposition of the anti-dumping duty had been based. It consequently annulled the Regulation.

Community liability

1.7.31. Judgment of 19 May, Joined Cases C-104/89 and C-37/90 *Mulder and Others v Council and Commission* — Compensation for milk producers.

When the milk quota system was introduced in 1984 the relevant legislation did not allocate quotas to those milk producers who had undertaken, under an earlier scheme and in return for a premium, not to market any milk over a limited period. By its judgment in Case 120/86 *Mulder* [1988] ECR 2321 the Court had declared the legislation invalid on the grounds that it was in breach of the principle of legitimate expectations: the producers concerned could have legitimately expected that, once the period covered by their undertaking came to an end, they would not be subject to restrictions specifically affecting them because of the fact that they had taken advantage of the opportunities offered by the Community rules. In response to this ruling the Council had granted these producers, with effect from 1989, a quota corresponding to only 60% of the quantity of milk delivered during the year before they applied for the non-marketing premium. By judgments given on 11 December 1990 in Cases C-189/89 *Spagl* and C-217/89 *Pastätter* the Court had declared this 40% reduction invalid.

The producers in question had therefore brought actions against the Community to obtain compensation for the damage incurred as a result of the Community legislation. By its judgment in the present cases the Court granted a first group of such applications.

The Court found in the first place that the necessary conditions for the Community to be held liable, under Article 215 of the Treaty, for the damage incurred had been satisfied in the case of the 1984 legislation. This had been adopted in breach of the principle of legitimate expectations, which was a general principle of Community law and a fundamental rule designed to protect the individual; it had been a serious breach in that the legislative authorities had failed completely, without invoking any higher public interest, to take account of the specific situation of the producers in question.

In contrast, the Court held that, in the case of the 1989 legislation introducing the 60% rule, the breach of the principle was not sufficiently serious.

Court of Auditors

1.7.32. Report on the financial statements of the European Coal and Steel Community at 31 December 1991.

Adopted by the Court of Auditors on 18 June. This report concerns the regularity of the accounting and the financial management by the Commission (the High Authority), in accordance with Article 78f(5) of the Treaty establishing the European Coal and Steel Community, as amended by Article 8 of the Treaty of 22 July 1975 amending Certain Financial Provisions of the Treaties establishing the European Communities and of the Treaty establishing a Single Council and Single Commission of the European Communities.

In the Court's opinion, the financial statements, which have been prepared in accordance with generally accepted accounting practice (and the Council's published

instructions in particular), give a true and fair view of the financial situation of the European Coal and Steel Community at 31 December 1991 and of the results of its operations for the year then ended.

1.7.33. Special report No 3/92 on the environment.

Adopted by the Court of Auditors on 18 June. This report examines several measures relating to the protection of the environment which are financed from the Community budget.

The report begins with an evaluation of Community financing for pollution control and forest protection, in terms of both research and assistance from the structural Funds, placing special emphasis on coordination and complementarity.

Special attention is given to the provisions designed to ensure that the operations financed by the structural Funds comply with the policy on the environment. Areas of possible conflict were identified by the Court during its on-the-spot investigations.

Part of the document deals with the outcome of discussions held with the local authorities in the Member States, which are responsible for monitoring compliance with the pollution limits set by the Community directives on the environment.

As regards implementation of the principle of preventive action and the 'polluter pays' principle as laid down in the EEC Treaty, the report stresses the need for more detailed knowledge and a more realistic assessment of the environmental cost of certain activities. This cost cannot always be borne by the public and must increasingly be shouldered by those whose activities are to blame.

The Court's special report will be sent to the Community institutions and then published in the *Official Journal of the European Communities*.

ECSC Consultative Committee

299th meeting (extraordinary)

1.7.34. Luxembourg, 2 June.

Chairman: Mr Cimenti.

Items discussed

Problems relating to the deterioration of the market for steel and measures to be taken by the Commission: resolution (→ point 1.3.61).

Agreement on the European Economic Area (EEA), in particular the provisions relating to coal and steel products: examined.

300th meeting (regular)

1.7.35. Trieste, 25 and 26 June.

Chairman: Mr Cimenti.

Items discussed

Forward programme for steel (second half of 1992): consultation (→ point 1.3.62).

Draft Commission Decision on the granting of aid to steel enterprises by the Danish and Dutch Governments: consultation (→ point 1.3.38).

PART TWO

DOCUMENTATION

1. The ecu

Values in national currencies of ECU 1

June 1992 ¹		
BFR/ LFR	Belgian franc and Luxembourg franc	42.2112
DKR	Danish krone	7.89874
DM	German mark	2.05099
DR	Greek drachma	248.633
ESC	Portuguese escudo	170.432
FF	French franc	6.90388
HFL	Dutch guilder	2.31057
IRL	Irish pound	0.768074
LIT	Italian lira	1 551.13
PTA	Spanish peseta	129.018
UKL	Pound sterling	0.702905
AUD	Australian dollar	1.72499
CAD	Canadian dollar	1.55918
FMK	Finnish markka	5.58651
ISK	Icelandic króna	74.2303
NKR	Norwegian krone	8.01795
NZD	New Zealand dollar	2.40394
OS	Austrian schilling	14.4359
SFR	Swiss franc	1.85793
SKR	Swedish krona	7.40444
USD	United States dollar	1.30324
YEN	Japanese yen	165.375

¹ Average for the month; OJ C 164, 1.7.1992.

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

June 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	HFL	Dutch guilder All products	2.65256
DKR	Danish krone All products	8.97989	IRL	Irish pound All products	0.878776
DM	German mark All products	2.35418	LIT	Italian lira All products	1 761.45
DR	Greek drachma Beef, tobacco, structural measures, milk and milk products	274.609	PTA	Spanish peseta Cereals, sugar	153.498
	Pigmeat	269.738		Eggs and poultrymeat, fishery products	151.660
	Other products	252.121		Pigmeat	146.993
ESC	Portuguese escudo Beef, tobacco, structural measures, milk and milk products	206.307		Olive oil, wine	149.813
	Pigmeat	195.622		Other products	154.138
	Other products	208.676		Oilseeds, sheepmeat and goatmeat, rice	150.828
				Structural measures	150.853
				Tobacco	150.441
				Beef, milk and milk products	152.069
				Other crop products	154.213
FF	French franc All products	7.89563	UKL	Pound sterling Pigmeat	0.805396
				Other products	0.795423

2. Meeting of the Ministers with responsibility for immigration

2.2.1. At their meeting in Lisbon on 11 June the Ministers responsible for immigration adopted the following statement.

'The Ministers with responsibility for immigration met under the chairmanship of Mr Dias Loureiro, Minister for Internal Affairs of the Portuguese Republic. The meeting was attended by Mr Bange-mann, Vice-President of the Commission.

Abolition of border checks

The Ministers noted the Commission representative's presentation of the communication, approved by the Commission on 8 May 1992, on the abolition of border checks.

They discussed the accompanying measures referred to in the Palma document which are designed to bring about the free movement of persons, and stressed the need to apply those measures effectively in order to maintain a sufficiently high level of security within the Community.

Situation in Bosnia-Herzegovina

On the initiative of their colleagues from Germany and Italy, the Ministers discussed the situation in Bosnia-Herzegovina and its consequences with regard to population movements.

They exchanged information on measures taken or envisaged by the Member States and the Community to deal with the situation.

They agreed to continue their contacts on the matter, in particular through the Rapid Consultation Centre, which had already met on 18 and 19 May.

Asylum

Ratification of the Dublin Convention determining the State responsible for examining applications for asylum lodged in one of the Member States of the European Communities

The Ministers noted that two Member States had ratified.

As the Convention is an essential instrument for the implementation of Article 8a of the EEC

Treaty, the Ministers agreed to direct their efforts towards ensuring that, if possible, all other Member States ratified the Convention by the end of 1992. They took steps to ensure that the Convention would actually be implemented quickly following its entry into force.

Harmonization of asylum policies

The Ministers welcomed the progress made as regards the definition of "first host country".

In the light of certain reservations, the Ministers instructed the *ad hoc* Group to continue examining the issue. They also asked it to widen its discussion to the general problem of the host third country.

Assessment of the situation in third countries

Sound knowledge of the situation in third countries is a particularly important factor in assessing individual applications for asylum. Political Cooperation was asked to compile joint reports in order to help provide uniform documentation in this connection.

Centre for Information, Research and Exchange on Asylum (clearing house)

The Ministers adopted a Decision setting up the Centre within the General Secretariat of the Council. Thanks to the exchanges and contracts which will be organized within it, it will enable the objective of harmonization of asylum policy to be brought a stage nearer.

The Ministers asked the Centre to focus initially on the compulsory exchange of information resulting from the Dublin Convention.

Extension of the Dublin Convention

The Ministers approved a preliminary draft Convention extending the Dublin Convention to third countries as a basis for negotiations. They instructed the Presidency to establish contacts with the third countries which were particularly interested in such a Convention, especially the EFTA Member States.

Continuation of discussions

The Ministers asked the *ad hoc* Group on Immigration to continue implementing the work programme submitted to and approved by the European Council at Maastricht, bearing in mind the deadlines set.

External frontiers

Draft Convention of the Member States of the European Communities on the crossing of external frontiers

The Ministers took note of a statement by the Presidency, informing them that it had submitted a proposal for a compromise to the countries concerned by the last issue outstanding.

These countries are at present examining that proposal, and the Ministers expressed the hope that it would soon be possible to sign the Convention.

The Ministers supported the Presidency in its intention to continue its efforts in order to reach agreement very soon.

The Ministers took note of a Commission statement emphasizing the worrying situation that would arise should this Convention — which contains numerous measures considered essential in the Palma programme — not be signed.

Centre for Information, Research and Exchange on the Crossing of Borders and Immigration (Cirefi)

The Ministers called for a feasibility study on the establishment of such a Centre to be submitted for their meeting in December 1992.

Admission — Expulsion

The Ministers took note of the harmonization discussions on the subject of family reunification which had been initiated as a matter of priority, and called on the *ad hoc* Group on Immigration to submit a draft decision to them at their meeting in December 1992. They confirmed that the purpose of the harmonization discussions was to produce common principles on the basis of which Member States would undertake to make any necessary adaptations to their national law in order to bring it into line with those principles.

Visas

The Ministers took stock of the list of countries whose nationals are subject to visa requirements, and agreed to add the following countries to that list:

Armenia	Moldova
Azerbaijan	Uzbekistan
Belarus	Russia
Georgia	Tadjikistan
Kazakhstan	Turkmenistan
Kyrgyzstan	Ukraine

The Ministers decided to continue their consultations on the visa arrangements applicable to the Baltic States and the States which were formerly members of the Yugoslav Federation.

Common instructions to consular posts

The Ministers called for a consular manual to be drawn up, in conjunction with the bodies responsible for consular cooperation, covering in particular the requirement under the Dublin Convention and the draft Convention of the crossing of external frontiers, together with any other relevant data.

European information system

The Ministers reiterated the importance they attached to the establishment of this system, which is needed to apply the Convention on the crossing of external frontiers.

Travel document abuse

The Ministers welcomed the organization, with Commission backing, of a training seminar for instructors of staff responsible for checking travel documents.

Contacts with the European Parliament

The Ministers welcomed the formation within the European Parliament of a Committee on Civil Liberties and Internal Affairs and took note of a statement by the Portuguese Presidency on the contacts it had established with that Committee.

The Ministers said that, with regard to their cooperation to date as the Twelve, they had always kept their respective parliaments informed of the progress of such cooperation in the area of immigration and asylum.

Without prejudice to the application of the provisions of the Treaty on European Union, the

Ministers propose to establish appropriate relations with the aforementioned parliamentary Committee.

Relations with NGOs

The Ministers noted a statement by the Presidency on the latter's talks with the Migrants Forum.

Contacts with third countries

The Ministers took note of the talks which the Presidency:

(i) had already held with Switzerland and Morocco;

(ii) will be having with third countries on 12 June 1992.

Next meeting

The Ministers agreed to hold their next meeting on 30 November and 1 December 1992 in London.'

3. Infringement proceedings

Reasoned opinions

Failure to communicate any measures incorporating Directives into national law

2.3.1. In June the Commission delivered reasoned opinions in the following cases:

Employment, industrial relations and social affairs

Directive 88/35/EEC (OJ L 20, 26.1.1988)
Electrical equipment for use in mines susceptible to firedamp
Netherlands

Environment, nuclear safety and civil protection

Directive 86/609/EEC (OJ L 358, 18.12.1986)
Protection of animals
Portugal

Consumers

Directive 89/174/EEC (OJ L 64, 8.3.1989)
Cosmetics
Portugal

Directive 90/121/EEC (OJ L 71, 17.3.1990)
Cosmetics
Portugal

Directive 90/207/EEC (OJ L 108, 28.4.1990)
Cosmetics
Portugal

Failure properly to incorporate Directives into national law

2.3.2. In June the Commission delivered a reasoned opinion in the following case:

Consumers

Directive 76/768/EEC (OJ L 262, 27.9.1976)
Cosmetics
Portugal

Infringement of the Treaties or of Regulations; failure properly to apply Directives in practice

2.3.3. In June the Commission delivered reasoned opinions in the following cases:

Internal market and industrial affairs

Articles 5, and 36 of the EEC Treaty
Organization of Verona customs office
Italy

Articles 30 and 36 of the EEC Treaty
Approval of tankers for transport of dangerous goods
France

*Employment, industrial relations
and social affairs*

Regulation (EEC) No 1408/71 (OJ L 149, 5.7.1971)
Refusal to take into account periods of Belgian insurance contributions, resulting in non-payment of French unemployment benefit
France

Agriculture

Directive 88/182/EEC (OJ L 81, 26.3.1988)
Designation of origin of 'Cabrales' cheese
Spain

Directive 88/182/EEC (OJ L 81, 26.3.1988)
Designation of origin of 'Dehesa de Extremadura' ham
Spain

Personnel and administration

Protocol on the Privileges and Immunities of the European Communities
Dispute involving a temporary agent on importation of a tax-free car
Spain

*Financial institutions
and company law*

Directive 68/151/EEC (OJ L 65, 14.3.1968)
Submission of annual accounts to the registrar of companies
Germany

**Cases referred to the Court
of Justice**

*Failure to communicate any measures
incorporating Directives into
national law*

2.3.4. In June the Commission referred the following case to the Court of Justice:

*Environment, nuclear safety
and civil protection*

Directive 86/662/EEC (OJ L 384, 31.12.1986)
Noise emitted by hydraulic and rope-operated excavators
Belgium

Proceedings terminated

*Failure properly to incorporate
Directives into national law*

2.3.5. In June the Commission decided not to continue the following infringement proceedings:

*Internal market
and industrial affairs*

Directive 81/851/EEC (OJ L 317, 6.11.1981) and Articles 5 and 189 of the EEC Treaty
Refusal to process applications for marketing authorization
Italy
Reasoned opinion delivered on 26 June 1990

Directive 84/532/EEC (OJ L 300, 19.11.1984)
Construction plant and equipment
Ireland
Reasoned opinion delivered on 3 July 1991

Directive 77/249/EEC (OJ L 78, 26.3.1977)
Lawyers
France
Reasoned opinion delivered on 6 September 1985

Competition

Directive 88/301/EEC (OJ L 131, 27.5.1988)
Telecommunications terminals
Spain
Reasoned opinion delivered on 31 December 1990

*Environment, nuclear safety
and civil protection*

Directive 75/439/EEC (OJ L 194, 25.7.1975)
Waste oils — failure to submit report
Belgium
Reasoned opinion delivered on 4 July 1988

Directive 78/659/EEC (OJ L 222, 14.8.1978)
Quality of water for fish farms
France
Reasoned opinion delivered on 12 February 1991

Directive 79/923/EEC (OJ L 281, 10.11.1979)
Quality of shellfish-breeding waters
France
Reasoned opinion delivered on 27 November 1990

Directive 80/779/EEC (OJ L 229, 30.8.1980)
Sulphur dioxide
France
Reasoned opinion delivered on 6 July 1989

Directive 82/884/EEC (OJ L 378, 31.12.1982)
Lead in the air
France
Reasoned opinion delivered on 20 October 1988

Directives 80/836/EEC (OJ L 246, 17.9.1980) and
84/467/EEC (OJ L 265, 5.10.1984)
Protection against ionizing radiation
Spain
Reasoned opinion delivered on 2 April 1991

Financial institutions and company law

Directive 80/390/EEC (OJ L 100, 17.4.1980)
Transferable securities
France
Reasoned opinion delivered on 25 January 1989

Consumers

Directive 76/768/EEC (OJ L 262, 27.9.1976)
Cosmetics
Italy
Reasoned opinion delivered on 1 August 1990

Directive 88/378/EEC (OJ L 187, 16.7.1988)
Safety of toys
Greece
Reasoned opinion delivered on 21 October 1991

Failure to communicate any measures incorporating Directives into national law

2.3.6. In June the Commission decided not to continue the following infringement proceedings:

Internal market and industrial affairs

Directive 88/295/EEC (OJ L 127, 20.5.1988) and
Articles 5 and 189 of the EEC Treaty
Public supply contracts
Netherlands
Reasoned opinion delivered on 5 April 1991

Directive 82/711/EEC (OJ L 297, 23.10.1982)
Articles intended to come into contact with foodstuffs
Denmark
Reasoned opinion delivered on 19 March 1992

Directive 83/463/EEC (OJ L 255, 15.9.1983)
Labelling of foodstuffs
Greece
Reasoned opinion delivered on 2 December 1991

Directive 85/572/EEC (OJ L 372, 31.12.1985)
Plastic materials and articles intended to come into contact with foodstuffs
Denmark, Greece, Spain
Reasoned opinions delivered on 27 March 1992

Directive 88/388/EEC (OJ L 184, 15.7.1988)
Flavourings for use in foodstuffs
Ireland, Italy
Reasoned opinions delivered on 28 November 1991

Directive 88/593/EEC (OJ L 318, 25.11.1988)
Fruit jams, jellies and marmalades
Germany, Ireland, Netherlands
Reasoned opinions delivered on 28 November 1991

Directive 89/107/EEC (OJ L 40, 11.2.1989)
Food additives
Germany, Ireland
Reasoned opinions delivered on 2 December 1991

Directive 89/108/EEC (OJ L 40, 11.2.1989)
Quick-frozen foodstuffs for human consumption
Germany, France, Italy
Reasoned opinions delivered on 28 November 1991

Directive 89/109/EEC (OJ L 40, 11.2.1989)
Articles intended to come into contact with foodstuffs
Italy
Reasoned opinion delivered on 17 February 1992

Directive 89/394/EEC (OJ L 186, 30.6.1989)
Fruit juices
Ireland, Netherlands
Reasoned opinions delivered on 10 February 1992

Directive 89/397/EEC (OJ L 186, 30.6.1989)
Official control of foodstuffs
Ireland, Italy, Netherlands
Reasoned opinions delivered on 25 February 1992

Directive 89/398/EEC (OJ L 186, 30.6.1989)
Foodstuffs intended for particular nutritional uses
Ireland, Italy
Reasoned opinions delivered on 27 February 1992

Directive 90/128/EEC (OJ L 75, 21.3.1990)
Plastic materials and articles intended to come into contact with foodstuffs
Greece, Spain
Reasoned opinions delivered on 19 March 1992

- Directive 87/20/EEC (OJ L 15, 17.1.1987)
Testing of veterinary medicinal products
Italy
Reasoned opinion delivered on 3 July 1989
- Directive 82/242/EEC (OJ L 109, 22.4.1982)
Non-ionic surfactants
Italy
Reasoned opinion delivered on 3 July 1989
- Directive 82/243/EEC (OJ L 109, 22.4.1982) and
Article 171 of the EEC Treaty
Anionic surfactants
Italy
Reasoned opinion delivered on 18 April 1990
- Directive 86/94/EEC (OJ L 80, 25.3.1986)
Detergents
Italy
Reasoned opinion delivered on 21 October 1991
- Directive 89/178/EEC (OJ L 64, 8.3.1989)
Labelling of dangerous preparations
Italy
Reasoned opinion delivered on 27 January 1992
- Directive 89/284/EEC (OJ L 111, 22.4.1989)
Calcium, magnesium, sodium and sulphur in fertilizers
Greece, Spain, Italy
Reasoned opinions delivered on 21 October 1991
- Directive 89/519/EEC (OJ L 265, 12.9.1989)
Fertilizers
Greece, United Kingdom
Reasoned opinions delivered on 21 October 1991
- Directive 90/35/EEC (OJ L 19, 24.1.1990)
Child-proof fastenings
Netherlands
Reasoned opinion delivered on 27 January 1992
- Directive 75/106/EEC (OJ L 42, 15.2.1975)
Prepackaged liquids
Portugal
Reasoned opinion delivered on 28 November 1991
- Directive 76/211/EEC (OJ L 46, 21.2.1976)
Prepackaged products
Portugal
Reasoned opinion delivered on 28 November 1991
- Directive 76/889/EEC (OJ L 336, 4.12.1976)
Radio interference caused by electrical household appliances
Portugal
Reasoned opinion delivered on 31 December 1991
- Directive 76/890/EEC (OJ L 336, 4.12.1976)
Radio interference caused by fluorescent lighting
Portugal
Reasoned opinion delivered on 31 December 1991
- Directive 78/891/EEC (OJ L 311, 4.11.1978)
Prepackaging
Portugal
Reasoned opinion delivered on 28 November 1991
- Directive 79/1005/EEC (OJ L 308, 4.12.1979)
Prepackaged liquids
Portugal
Reasoned opinion delivered on 28 November 1991
- Directive 82/499/EEC (OJ L 222, 30.7.1982)
Radio interference caused by electrical household appliances
Portugal
Reasoned opinion delivered on 31 December 1991
- Directive 82/500/EEC (OJ L 222, 30.7.1982)
Interference suppression on fluorescent lighting
Portugal
Reasoned opinion delivered on 31 December 1991
- Directive 83/447/EEC (OJ L 247, 7.9.1983)
Interference suppression on fluorescent lighting
Portugal
Reasoned opinion delivered on 31 December 1991
- Directive 85/10/EEC (OJ L 4, 5.1.1985)
Prepackaged liquids
Portugal
Reasoned opinion delivered on 28 November 1991
- Directive 86/295/EEC (OJ L 186, 8.7.1986)
Roll-over protective structures (ROPS) for construction plant
Spain, Portugal
Reasoned opinions delivered on 28 November and 21 October 1991
- Directive 86/296/EEC (OJ L 186, 8.7.1986)
Falling-object protective structures (FOPS) for construction plant
Spain, Portugal
Reasoned opinions delivered on 21 October and 28 November 1991
- Directive 86/663/EEC (OJ L 384, 31.12.1986)
Self-propelled industrial trucks
Portugal
Reasoned opinion delivered on 28 November 1991
- Directive 87/308/EEC (OJ L 155, 16.6.1987)
Radio interference caused by electrical household appliances
Portugal
Reasoned opinion delivered on 31 December 1991
- Directive 87/310/EEC (OJ L 155, 16.6.1987)
Interference suppression on fluorescent lighting
Portugal
Reasoned opinion delivered on 31 December 1991
- Directive 87/404/EEC (OJ L 220, 8.8.1987)
Simple pressure vessels
United Kingdom
Reasoned opinion delivered on 30 September 1991

Directive 88/316/EEC (OJ L 143, 10.6.1988)
Prepackaged liquids
Spain, Portugal
Reasoned opinions delivered on 21 October and
28 November 1991

Directive 88/571/EEC (OJ L 311, 17.11.1988)
Electrical equipment
Portugal
Reasoned opinion delivered on 30 September 1991

Directive 89/240/EEC (OJ L 100, 12.4.1989) and
Articles 5 and 189 of the EEC Treaty
Self-propelled industrial trucks
Germany, Portugal
Reasoned opinions delivered on 16 and 28 Nov-
ember 1991

Directive 89/676/EEC (OJ L 398, 30.12.1989)
Prepackaged liquids
Spain, Italy, Luxembourg, Portugal
Reasoned opinions delivered on 21 October, 28
November and 30 September 1991

Directive 82/470/EEC (OJ L 213, 21.7.1982) and
Article 171 of the EEC Treaty
Self-employed persons in services incidental to
transport
Italy
Reasoned opinion delivered on 12 March 1991

Directive 85/384/EEC (OJ L 223, 21.8.1985)
Architects
Italy
Reasoned opinion delivered on 22 January 1990

Directive 85/614/EEC (OJ L 376, 31.12.1985)
Architects — mutual recognition of diplomas
Italy
Reasoned opinion delivered on 22 January 1990

Directive 86/17/EEC (OJ L 27, 1.2.1986)
Architects — mutual recognition of diplomas
Italy
Reasoned opinion delivered on 22 January 1990

Competition

Directive 90/388/EEC (OJ L 192, 24.7.1990)
Markets for telecommunications services
Ireland
Reasoned opinion delivered on 19 December 1991

Employment, industrial relations and social affairs

Directive 86/188/EEC (OJ L 137, 24.5.1986)
Protection of workers from noise
Portugal
Reasoned opinion delivered on 9 March 1992

Directive 89/622/EEC (OJ L 359, 8.12.1989)
Labelling of tobacco products
Spain
Reasoned opinion delivered on 12 May 1992

Agriculture

Directive 79/109/EEC (OJ L 29, 3.2.1979) and
Article 171 of the EEC Treaty
Brucellosis
Italy
Reasoned opinion delivered on 13 October 1989

Directive 85/397/EEC (OJ L 226, 24.8.1985)
Trade in heat-treated milk
Spain
Reasoned opinion delivered on 13 November 1991

Directive 88/299/EEC (OJ L 128, 21.5.1988)
Substances having a hormonal action
Italy
Reasoned opinion delivered on 4 November 1991

Directive 68/193/EEC (OJ L 93, 18.4.1968)
Material for the vegetative propagation of the vine
Portugal
Reasoned opinion delivered on 13 November 1991

Directive 71/140/EEC (OJ L 71, 25.3.1971)
Material for the vegetative propagation of the vine
Portugal
Reasoned opinion delivered on 13 November 1991

Directive 72/169/EEC (OJ L 103, 2.5.1972)
Inspection of vine varieties
Portugal
Reasoned opinion delivered on 13 November 1991

Directive 74/648/EEC (OJ L 352, 28.12.1974)
Material for the vegetative propagation of the vine
Portugal
Reasoned opinion delivered on 13 November 1991

Directive 74/649/EEC (OJ L 352, 28.12.1974)
Material for the vegetative propagation of the vine
Portugal
Reasoned opinion delivered on 13 November 1991

Directive 77/629/EEC (OJ L 257, 8.10.1977)
Material for the vegetative propagation of the vine
Portugal
Reasoned opinion delivered on 13 November 1991

Directive 78/55/EEC (OJ L 16, 20.1.1978)
Seeds
Portugal
Reasoned opinion delivered on 13 November 1991

Directive 78/692/EEC (OJ L 236, 26.8.1978)
Plant seed
Portugal
Reasoned opinion delivered on 13 November 1991

- Directive 82/331/EEC (OJ L 148, 27.5.1982)
Material for the vegetative propagation of the vine
Portugal
Reasoned opinion delivered on 13 November 1991
- Directive 86/320/EEC (OJ L 200, 23.7.1986)
Marketing of cereal seed
Italy
Reasoned opinion delivered on 28 October 1991
- Directive 87/481/EEC (OJ L 273, 26.9.1987)
Vegetable seed
Netherlands
Reasoned opinion delivered on 28 October 1991
- Directive 88/380/EEC (OJ L 187, 16.7.1988)
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- Directive 89/2/EEC (OJ L 5, 7.1.1989)
Marketing of cereal seed
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Reasoned opinion delivered on 28 October 1991
- Directive 90/110/EEC (OJ L 67, 15.3.1990)
Additives in feedingstuffs
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Reasoned opinion delivered on 23 October 1991
- Directive 90/335/EEC (OJ L 162, 28.6.1990)
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- Directive 90/490/EEC (OJ L 271, 3.10.1990)
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Portugal
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- Directive 90/506/EEC (OJ L 282, 13.10.1990)
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- Directive 90/533/EEC (OJ L 296, 27.10.1990)
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- Directive 80/219/EEC (OJ L 47, 21.2.1980) and Article 171 of the EEC Treaty
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- Directive 80/1098/EEC (OJ L 325, 1.12.1980) and Article 171 of the EEC Treaty
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Reasoned opinion delivered on 13 October 1989
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- Directive 83/91/EEC (OJ L 59, 5.3.1983)
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- Directive 88/409/EEC (OJ L 194, 22.7.1988)
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- Directive 88/409/EEC (OJ L 194, 22.7.1988)
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- Directive 88/658/EEC (OJ L 382, 31.12.1988)
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Reasoned opinion delivered on 4 November 1991
- Directive 88/658/EEC (OJ L 382, 31.12.1988)
Intra-Community trade in meat products
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Reasoned opinion delivered on 28 November 1991
- Directive 89/227/EEC (OJ L 93, 6.4.1989)
Meat products
Greece, Ireland, Luxembourg, Netherlands
Reasoned opinions delivered on 4, 7 and 20 November 1990
- Directive 89/362/EEC (OJ L 156, 8.6.1989)
Hygiene in milk production
Italy
Reasoned opinion delivered on 7 November 1991
- Directive 89/384/EEC (OJ L 181, 28.6.1989)
Freezing point of untreated milk
Spain, Italy, Luxembourg
Reasoned opinions delivered on 28 November and 4 December 1991
- Directive 89/556/EEC (OJ L 302, 19.10.1989)
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Belgium, Portugal
Reasoned opinions delivered on 13 November and 9 December 1991
- Directive 90/442/EEC (OJ L 224, 18.8.1990)
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Belgium, Greece
Reasoned opinions delivered on 30 October and 20 November 1991

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Directive 89/438/EEC (OJ L 212, 22.7.1989)
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Reasoned opinions delivered on 30, 21 and 28 October 1991

Directive 88/449/EEC (OJ L 222, 12.8.1988)
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Reasoned opinion delivered on 28 October 1991

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Directive 75/439/EEC (OJ L 194, 25.7.1975) and Article 171 of the EEC Treaty
Waste oils
Belgium
Reasoned opinion delivered on 21 December 1984

Directive 75/442/EEC (OJ L 194, 25.7.1975) and Article 171 of the EEC Treaty
Waste
Belgium
Reasoned opinion delivered on 21 December 1984

Directive 85/411/EEC (OJ L 233, 30.8.1985)
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Italy
Reasoned opinion delivered on 12 September 1988

Directive 86/278/EEC (OJ L 181, 4.7.1986) and Articles 5 and 189 of the EEC Treaty
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Italy
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Directive 87/101/EEC (OJ L 42, 12.2.1987)
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Directive 87/252/EEC (OJ L 117, 5.5.1987)
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Italy
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Directive 87/405/EEC (OJ L 220, 8.8.1987) and Articles 5 and 189 of the EEC Treaty
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Italy
Reasoned opinion delivered on 10 October 1991

Directive 88/347/EEC (OJ L 158, 25.6.1988) and Articles 5 and 189 of the EEC Treaty
Limit values for discharges of dangerous substances
Italy
Reasoned opinion delivered on 26 February 1991

Financial institutions and company law

Directive 84/641/EEC (OJ L 339, 27.12.1984)
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Directive 84/253/EEC (OJ L 126, 12.5.1984) and Articles 5 and 189 of the EEC Treaty
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Energy

Directive 85/536/EEC (OJ L 334, 12.12.1985)
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Customs and indirect taxation

Directive 88/331/EEC (OJ L 151, 17.6.1988) and Articles 5 and 189 of the EEC Treaty
Final importation of goods
Ireland
Reasoned opinion delivered on 27 May 1991

Consumers

Directive 87/357/EEC (OJ L 192, 11.7.1987)
Safety of consumers
Ireland
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Infringement of the Treaties or of Regulations; failure properly to apply Directives in practice

2.3.7. In June the Commission decided not to continue the following infringement proceedings:

Internal market and industrial affairs

Directive 79/112/EEC (OJ L 33, 8.2.1979) and Article 30 of the EEC Treaty
Marketing of vegetable extracts in cubes and glass bottles
Italy
Reasoned opinion delivered on 2 May 1988

- Directive 83/189/EEC (OJ L 109, 26.4.1983) and Article 30 of the EEC Treaty
Barriers to imports of radio and telecommunications equipment
Germany
Reasoned opinion delivered on 17 July 1989
- Article 30 of the EEC Treaty
Importation of fish-based products containing saccharin
Luxembourg
Reasoned opinion delivered on 27 March 1990
- Articles 30 and 36 of the EEC Treaty
Ban on marketing pre-cooked frozen bread
Italy
Reasoned opinion delivered on 22 May 1990
- Articles 30 to 36 of the EEC Treaty
Milk substitutes
Germany
Reasoned opinion delivered on 14 August 1985
- Decision 83/433/EEC (OJ L 238, 21.8.1987) and Articles 30 and 35 of the EEC Treaty
Barriers to imports of shoes released for free circulation
Italy
Reasoned opinion delivered on 4 June 1991
- Directive 83/189/EEC (OJ L 109, 26.4.1983)
Rules on the tar and nicotine content of cigarettes
Netherlands
Reasoned opinion delivered on 4 February 1991
- Directive 80/767/EEC (OJ L 215, 18.8.1980), Regulation (EEC) No 2658/87 (OJ L 256, 7.9.1987) and Article 5 of the EEC Treaty
Public supply contracts — Consolidation: non-transmission of information
Greece, Portugal
Reasoned opinions delivered on 8 and 28 October 1991
- Directive 71/305/EEC (OJ L 185, 16.8.1971) and Article 30 of the EEC Treaty
Public procurement — Tendering conditions for sheet piling
Germany
Reasoned opinion delivered on 31 December 1990
- Directive 71/305/EEC (OJ L 185, 16.8.1971) and Article 59 of the EEC Treaty
Public works contracts — 'Bonifica dell'agro tortoli' contract
Italy
Reasoned opinion delivered on 30 November 1990
- Directives 71/305/EEC (OJ L 185, 16.8.1971) and 77/62/EEC (OJ L 13, 15.1.1977)
Public works and public supply contracts — Failure to observe time-limits
Italy
Reasoned opinion delivered on 19 June 1991
- Directive 71/305/EEC (OJ L 185, 16.8.1971)
Public works and public supply contracts — Method for setting time-limits
Italy
Reasoned opinion delivered on 3 July 1991
- Directive 71/305/EEC (OJ L 185, 16.8.1971)
Construction of 'Convitto' at the ITA G. Garibaldi, Rome
Italy
Reasoned opinion delivered on 5 April 1991
- Directives 77/62/EEC (OJ L 13, 15.1.1977), 80/767/EEC (OJ L 215, 18.8.1980) and 88/295/EEC (OJ L 127, 20.5.1988)
Public supply contracts — Coastal surveillance and patrol boats
Ireland
Reasoned opinion delivered on 30 September 1991
- Directive 77/62/EEC (OJ L 13, 15.1.1977)
Public supply contracts — Requirement to send a request to participate by registered letter
Italy
Reasoned opinion delivered on 18 September 1991
- Directives 88/295/EEC (OJ L 127, 20.5.1988) and 77/62/EEC (OJ L 13, 15.1.1977)
Public supply contract for optical readers put up for tender by the INPS
Italy
Reasoned opinion delivered on 27 November 1990
- Directive 88/295/EEC (OJ L 127, 20.5.1988)
Public supply contracts — Non-compliance with the rules on prior information
Netherlands
Reasoned opinion delivered on 10 April 1992
- Directive 88/295/EEC (OJ L 127, 20.5.1988)
Public supply contracts — Region of Sicily
Italy
Reasoned opinion delivered on 11 April 1991
- Directive 89/440/EEC (OJ L 210, 21.7.1989)
Public works contracts — Construction of waste water systems in Naples
Italy
Reasoned opinion delivered on 30 September 1991
- Directive 79/112/EEC (OJ L 33, 8.2.1979) and Article 395 of the Act of Accession of Spain and Portugal
Labelling of foodstuffs
Spain
Reasoned opinion delivered on 22 March 1991
- Directive 73/23/EEC (OJ L 77, 26.3.1973) and Article 100 of the EEC Treaty
Low-voltage electrical equipment
Italy
Reasoned opinion delivered on 3 April 1990

Articles 5, 48, 52 and 59 of the EEC Treaty
Conditions of access to the professions of kinesi-
therapist and chiroprapist-podiatrist
France
Reasoned opinion delivered on 16 March 1990

Articles 5, 30, 59 and 62 of the EEC Treaty
Restrictions on the free movement of broadcasting
services
Netherlands
Reasoned opinion delivered on 27 January 1989

Article 59 of the EEC Treaty
Restrictions on the free movement of broadcasting
services
Netherlands
Reasoned opinion delivered on 23 April 1991

Employment, industrial relations and social affairs

Regulation (EEC) No 1408/71 (OJ L 149, 5.7.1971)
Deduction of sickness insurance contributions
from supplementary pension benefits
Belgium
Reasoned opinion delivered on 29 December 1989

Regulation (EEC) No 1408/71 (OJ L 149, 5.7.1971)
Refusal to remit a social security benefit to other
Member States
France
Reasoned opinion delivered on 24 July 1980

Agriculture

Directives 64/432/EEC and 64/433/EEC (OJ L 121,
29.7.1964), Directive 71/118/EEC (OJ L 55,
8.3.1971) and Article 30 of the EEC Treaty
Requirement for authorization to import fresh
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Belgium
Reasoned opinion delivered on 9 March 1987

Article 30 of the EEC Treaty
Import restrictions on certain milk products
Italy
Reasoned opinion delivered on 19 December 1990

Regulation (EEC) No 804/68 (OJ L 148,
28.6.1968), Directive 83/643/EEC (OJ L 359,
22.12.1983) and Articles 30 and 36 of the EEC
Treaty
Inspection measures and health certificates on the
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Reasoned opinion delivered on 14 March 1988

Regulation (EEC) No 1698/70 (OJ L 190,
26.8.1970)
1971 wine law
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Reasoned opinion delivered on 25 October 1973

Regulations (EEC) Nos 2744/75 (OJ L 281,
1.11.1975), 2029/82 (OJ L 218, 27.7.1982), 3383/
82 (OJ L 218, 27.7.1982) and 2891/77 (OJ L 336,
27.12.1977), Decision 82/495/EEC (OJ L 219,
28.7.1982) and Article 5 of the EEC Treaty
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Reasoned opinion delivered on 29 January 1988

Transport

Directive 80/1263/EEC (OJ L 375, 31.12.1980)
Arrangements for exchanging driving licences —
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Reasoned opinion delivered on 30 May 1989

Environment, nuclear safety and civil protection

Directive 75/442/EEC (OJ L 194, 25.7.1975)
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Reasoned opinion delivered on 27 February 1990

Directives 75/442/EEC (OJ L 194, 25.7.1975) and
76/464/EEC (OJ L 129, 18.5.1976) and Article 5 of
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Waste — River Pousada
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Reasoned opinion delivered on 8 May 1991

Directive 79/409/EEC (OJ L 103, 25.4.1979)
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Reasoned opinion delivered on 8 August 1991

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Article 5 of the EEC Treaty and Regulation (EEC)
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Regulation (EEC) No 2241/87 (OJ L 207,
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Article 59 of the EEC Treaty
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Article 95 of the EEC Treaty

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Directives 69/169/EEC (OJ L 133, 4.6.1969) and 78/1033/EEC (OJ L 366, 28.12.1978)

National rules preventing the tax-free import of more than 10 litres of fuel per vehicle

Denmark

Reasoned opinion delivered on 21 June 1989

Directives 69/169/EEC (OJ L 133, 4.6.1969) and

85/348/EEC (OJ L 183, 16.7.1985)

Rebates for tax-free allowances for travellers

Ireland

Reasoned opinion delivered on 16 October 1987

Directive 69/169/EEC (OJ L 133, 4.6.1969)

Tax-free allowances for alcoholic beverages in passenger transport

Ireland

Reasoned opinion delivered on 29 July 1987

Directives 83/183/EEC and 83/182/EEC (OJ L 105, 23.4.1983)

Imprisonment as a result of customs difficulties

Greece

Reasoned opinion delivered on 17 April 1991

4. Additional references in the Official Journal

2.4.1. This section lists the titles of legal instruments and notices of Community institutions or organs which have appeared in the Official Journal since the last Bulletin was published but relating to items appearing in earlier issues of the Bulletin; the references were not available when the Bulletin went to press.

The number of the Bulletin and the point to which this additional information refers is followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

Bull. EC 11-1991

Point 1.2.32

Commission Decision 92/296/EEC of 27 November 1991 concerning aid granted by the Italian Government to Nuova Cartiera di Arbatax
OJ L 159, 12.6.1992

Bull. EC 1/2-1992

Point 1.3.14

Proposal for a Council Directive on the legal protection of databases
OJ C 156, 23.6.1992

Point 1.4.9

Commission Decision 92/287/ECSC of 27 February 1992 concerning the conclusion on behalf of the European Coal and Steel Community of the Interim Agreement between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, of the other part, on trade and trade-related matters

Commission Decision 92/288/ECSC of 27 February 1992 concerning the conclusion on behalf of the European Coal and Steel Community of the Interim Agreement between the European Economic Community and the European Coal and Steel Community, of the one part, and the Czech and Slovak Federal Republic, of the other part, on trade and trade-related matters

Commission Decision 92/289/ECSC of 27 February 1992 concerning the conclusion on behalf of the European Coal and Steel Community of the Interim Agreement between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Hungary, of the other part, on trade and trade-related matters

OJ L 151, 3.6.1992

Bull. EC 3-1992

Point 1.2.53

Commission Decision 92/318/EEC of 25 March 1992 on aid granted by Spain to Industrias Mediteraneas de la Piel SA (Imepiel)

OJ L 172, 27.6.1992

Commission Decision 92/321/EEC of 25 March 1992 concerning aid awarded by Spain to Intelhorce SA (ex Industrias Textiles de Guadalhorce, SA), now called GTE, General Textil España, SA, a State-owned producer of cotton textiles

OJ L 176, 30.6.1992

Point 1.2.54

Commission Decision 92/316/EEC of 11 March 1992 concerning aid envisaged by the Netherlands Government in favour of an environmentally-sound disposal of manure

OJ L 170, 25.6.1992

Point 1.2.93

Commission communication pursuant to Article 93(2) of the EEC Treaty to other Member States and interested parties concerning aids which Germany decided to grant to agricultural drying enterprises in the *Land Brandenburg*

OJ C 161, 27.6.1992

Bull. EC 4-1992

Point 1.3.111

Proposal for a Council Regulation (EEC) introducing specific measures for the Azores and Madeira concerning certain agricultural products

Proposal for a Council Regulation (EEC) introducing specific measures for the Canary Islands concerning certain agricultural products

OJ C 145, 6.6.1992

Point 1.3.114

Council Directive 92/32/EEC of 30 April 1992 amending for the seventh time Directive 67/548/EEC on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances

OJ L 154, 5.6.1992

Point 1.3.130

Council Directive 92/35/EEC of 29 April 1992 laying down control rules and measures to combat African horse sickness

Council Directive 92/36/EEC of 29 April 1992 amending, with regard to African horse sickness, Directive 90/426/EEC on animal health conditions governing the movement and import from third countries of equidae

OJ L 157, 10.6.1992

Point 1.3.31

Council Directive 92/33/EEC of 28 April 1992 on the marketing of vegetable propagating and planting material, other than seed

Council Directive 92/34/EEC of 28 April 1992 on the marketing of fruit plant propagating material and fruit plants intended for fruit production

OJ L 157, 10.6.1992

Point 1.3.179

Proposal for a Council Directive on the protection of consumers in respect of contracts negotiated at a distance (distance selling)

Commission Recommendation 92/295/EEC of 7 April 1992 on codes of practice for the protection of consumers in respect of contracts negotiated at a distance (distance selling)

OJ L 156, 10.6.1992

Bull. EC 5-1992

Point 1.1.11

Proposal for a Council Directive on deposit-guarantee schemes
OJ C 163, 30.6.1992

Point 1.1.12

Council Resolution of 14 May 1992 on increased protection for copyright and neighbouring rights
OJ C 138, 28.5.1992

Point 1.1.16

Proposal for a Council Directive amending for the 13th time Directive 76/769/EEC on the approximation of the laws, regulations, and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations
OJ C 157, 24.6.1992

Point 1.1.18

Amendment to the proposal for a Council Directive on the manufacture and the placing on the market of certain substances used in the illicit

manufacture of narcotic drugs and psychotropic substances
OJ C 157, 24.6.1992

Point 1.1.135

Amended proposal for a Council Directive on air pollution by ozone
OJ C 158, 25.6.1992

Point 1.1.150

Proposal for a Council Directive concerning the protection of animals kept for farming purposes
OJ C 156, 23.6.1992

Point 1.1.186

Proposal for a Council Regulation (EEC) amending Regulation (EEC) No 3687/91 on the common organization of the market in fishery products and amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff
OJ C 158, 25.6.1992

Point 1.2.33

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OJ C 163, 30.6.1992

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