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

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

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PART ONE

ACTIVITIES IN NOVEMBER 1992

News in brief

The single market and the Community economic and social area

Internal market

- The Council agrees a resolution on making the single market work (→ point 1.3.15).
- The Council adopts conclusions on the guidelines on company taxation in the context of the further development of the internal market (→ point 1.3.16).
- The Commission adopts a proposal for a Directive on measures to simplify VAT (→ point 1.3.18).
- The Council adopts the third life assurance Directive (→ point 1.3.19).
- The Council agrees a proposal for a Directive and a proposal for a Regulation on the protection of cultural objects (→ points 1.3.20 and 1.3.21).
- The Commission adopts a proposal for a Regulation on checks for conformity with the rules on product safety in the case of products imported from third countries (→ point 1.3.22).

Enterprise policy, industrial policy and services

- The Commission adopts a communication (→ point 1.3.73), Parliament adopts a resolution (→ point 1.3.74) and the Council agrees a resolution (→ point 1.3.75) on industrial competitiveness and protection of the environment.
- The Commission adopts a communication on greater competitiveness in the steel industry and the need for further restructuring (→ point 1.3.76).
- The Commission adopts a communication on the non-energy mining industry (→ point 1.3.80).
- The Commission adopts a communication on the European maritime industries (→ point 1.3.81).

Telecommunications, information services and industry

- The Council agrees a resolution on the assessment of the situation in the telecommunications services sector (→ point 1.3.86).
- The Council adopts a resolution on the implementation in the Community of the decisions of the European Radiocommunications Committee on radio frequencies (→ point 1.3.87).
- The Council adopts a resolution on the numbering of telecommunications services (→ point 1.3.90).

Energy

The Commission approves a draft Decision establishing Community rules for State aid to the coal industry (→ point 1.3.106).

Education, vocational training and youth

The Council adopts conclusions on the Eurydice network (→ point 1.3.134), the European dimension in higher education (→ point 1.3.138), open and distance learning (→ point 1.3.140) and cooperation with the United States in the field of education and training (→ point 1.3.141).

The Commission adopts a proposal for a recommendation on continuing vocational training (→ point 1.3.139).

Environment

The Council adopts conclusions on clean and efficient energy for development (→ point 1.3.150).

Agriculture

The Commission adopts proposals for Regulations on transitional measures for Spain and Portugal (→ point 1.3.161).

The Commission adopts a proposal for a Regulation on the common organization of the market in potatoes (→ point 1.3.162).

The Council adopts a Regulation establishing an integrated administration and control system for certain Community aid schemes (→ point 1.3.163).

Fisheries

A fisheries agreement is initialled between the Community and Argentina (→ point 1.3.222).

Consumers

The Council agrees a common position on a proposal for a Directive relating to cosmetic products (→ point 1.3.231).

A people's Europe

The Council adopts a resolution on the monitoring and surveillance of communicable diseases (→ point 1.3.237).

The Council adopts conclusions on health education (→ point 1.3.238) and on health education in schools (→ point 1.3.239).

- The Council adopts conclusions on drug demand reduction in the Community (→ point 1.3.240).

Audiovisual media, information, communication and culture

- The Council adopts conclusions on guidelines for Community cultural action (→ point 1.3.245).

Role of the Community in the world

Enlargement

- The Commission adopts an opinion on Finland's application for membership (→ point 1.4.1).
- Norway applies for membership (→ point 1.4.3).

Mediterranean and Middle East

- The Council adopts Decisions on the conclusion of financial Protocols with Morocco (→ point 1.4.18) and Syria (→ point 1.4.20).

Asia and Latin America

- The Commission adopts a proposal for a Regulation setting up a diversification and development fund for Latin American banana-producing countries (→ point 1.4.35).
- The Council adopts a Decision on negotiating directives with a view to a framework cooperation agreement with the countries of Central America (→ point 1.4.36).

African, Caribbean and Pacific (ACP) countries and overseas countries and territories (OCTs)

- The Commission adopts a proposal for a Regulation establishing a special system of assistance to traditional ACP suppliers of bananas (→ point 1.4.44).

General development cooperation

- The Council adopts a declaration on development cooperation policy in the run-up to 2000 (→ point 1.4.47).
- The Commission adopts a communication on demography, family planning and cooperation with developing countries (→ point 1.4.48) and the Council adopts a resolution on family planning in population policies in developing countries (→ point 1.4.49).
- The Council adopts a resolution on human rights, democracy and development (→ point 1.4.50).

- The Council adopts conclusions on cooperation with non-governmental organizations (NGOs) (→ point 1.4.52).

International organizations and conferences

- The Commission adopts a report on the compatibility of the results of the agricultural negotiations with the United States with the reform of the common agricultural policy (→ point 1.4.84).

Financial operations

- The Commission adopts a communication (→ point 1.6.6) and the Council adopts conclusions (→ point 1.6.7) on the future of the ECSC Treaty.

1. European union

Preparations for the Edinburgh European Council

1.1.1. Economic and Social Committee resolution on the Edinburgh Summit.

Adopted on 27 November. In the run-up to the Edinburgh Summit the Committee called for European integration to be achieved by harmonious economic and social development in all regions of Europe and by the relaunch of a cooperative strategy for growth concentrating on employment and environmental protection. The Committee also stressed that all the protagonists in European integration should take on their respective responsibilities in order to maximize the success of the common policies.

As the Community body responsible for formulating and transmitting the opinion of the Community's economic and social forces, the Committee believes it can make a special contribution to greater transparency in decision-making through increased provision of information to the public and wider consultation of its representatives.

Subsidiarity and transparency

□ References:

Conclusions of the special meeting of the European Council, Birmingham: Bull. EC 10-1992, point I.8

Commission communication on the principle of subsidiarity: Bull. EC 10-1992, point 1.1.4

1.1.2. Interinstitutional conference.

First meeting held in Brussels on 10 November. This first meeting of the conference convened in the wake of the Birmingham European Council was chaired jointly by Mr Klepsch, President of Parliament, Mr Garel-Jones, President of the Council, and Mr Delors, President of the Commission. While welcoming the

resumption of dialogue between the institutions, the Members of Parliament attending the meeting agreed that application of the principle of subsidiarity should not be allowed to undermine the *acquis communautaire* or the institutional balance, and should affect only the way in which Community powers are exercised. They also stressed once again the importance of concluding a new interinstitutional agreement. Mr Delors, for his part, emphasized that subsidiarity was a commonsense principle, a principle which should determine whether the Community is to take action, but also one which was difficult to define. He also reiterated the three principles referred to by the Commission in its communication on subsidiarity, namely that Community action should be dictated by the need to achieve the objectives set out in the Treaty, that the efficiency of Community action should be compared with that of action by the Member States, and that the criterion of proportionality should be applied.

1.1.3. Parliament resolution on the implementation of the principle of subsidiarity.

Adopted on 18 November. Given that verification of conformity with the provisions of Article 3b constitutes one facet of verification of the legal basis for the proposed measure and that application of the principle of subsidiarity does not call into question either the institutional balance established by the Treaties or the *acquis communautaire*, Parliament called for the introduction of an appropriate mechanism, within the framework of an interinstitutional agreement, to ensure implementation of, and compliance with, the principle of subsidiarity.

In particular, Parliament takes the view that application of the principle of subsidiarity should be monitored during the Community decision-making process and should under no circumstances lead to the right to propose legislation being called into question or to the estab-

lishment of a procedure for prior or parallel consultation of the Council.

OJ C 337, 21.12.1992

1.1.4. Interinstitutional conference.

Second meeting held in Brussels on 26 November. At this second meeting of the conference, Parliament presented the Council and the Commission with a draft interinstitutional agreement on the implementation of the principle of subsidiarity and outlined the requirements for its democratic application. Parliament takes the view that subsidiarity should be applied in the context of the powers accorded to the institutions by the Treaties, that the *acquis communautaire*, the Commission's right of initiative and the institutional balance should be maintained, and that compliance with the principle of subsidiarity should be monitored within the framework of the normal decision-making process. Parliament also presented a draft solemn declaration by Parliament, the Council and the Commission on transparency and democracy.

Procedures for the ratification of the Maastricht Treaty

Belgium

1.1.5. Vote by the Belgian Parliament.

On 4 November the Senate approved the Treaty on European Union by 115 votes to 26, with one abstention. The Chamber of Deputies had already approved the Treaty on 17 July, by 143 votes to 33.

Denmark

1.1.6. Parliament resolution on the ratification of the Maastricht Treaty.

□ **Reference:** Parliament resolution on the consequences of the referendum in Denmark for the Treaty of 7 February 1992: OJ C 176, 13.7.1992; Bull. EC 6-1992, point 1.1.4

Adopted on 18 November. Although Parliament shares the concerns of Danish public opinion with regard to the inadequate transparency and democracy of the Community system and has put forward practical proposals to remedy this situation, it expressed its profound concern at the letter and spirit of the 'national compromise' agreed by the main Danish parties as a basis for a 'special arrangement' between Denmark and her partners if the result would be to exempt Denmark from some of the Treaty obligations on the common defence policy, the achievement of a single currency, Community citizenship, and internal affairs and justice. Parliament firmly rejected the principle of an 'à la carte' Community, which would be the consequence of agreeing to the Danish 'national compromise'. It recognized, however, the potential appeal to Danish opinion of adopting a statement interpreting the Treaty, aimed at clarifying and democratizing the Community's decision-making process without calling into question the basic provisions of the Treaty.

OJ C 337, 21.12.1992

Spain

1.1.7. Vote by the Spanish Parliament.

On 25 November the Senate approved the Treaty on European Union by 222 votes to 0, with 3 abstentions. The Chamber of Deputies had already approved the Treaty on 29 October by 314 votes to 3, with 8 abstentions.

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

1.2.1. Parliament resolution on the Delors II package.

□ **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

Council's second reading of the draft budget for 1993: point 1.6.2 of this Bulletin

Adopted on 18 November. Parliament emphasized the close connection between the decisions reached on the 1993 budget and the Delors II package and called on the Council to discuss the Community's financial perspective as soon as possible in order to reach an agreement before the Edinburgh European Council. It stressed that the aim of the 1993 budget and the new Interinstitutional Agreement is to meet the Community's needs over the coming years and help to make up the democratic deficit, on the basis of power-sharing between the two arms of the budgetary authority.

OJ C 337, 21.12.1992

1.2.2. Own-initiative opinion of the Economic and Social Committee on the Commission communication on Community structural policies: assessment and outlook.

□ **Reference:** Commission communication: COM(92) 84; Bull. EC 3-1992, point 1.1.5

Adopted on 24 November. The Committee, while approving the way in which the Funds are structured, made a number of comments on the participation of the social partners and the local authorities, which it would like to see playing a bigger role in the process for granting finance.

As regards macroeconomic policy, the Committee considered that the Commission had given insufficient attention to the possible consequences for cohesion and had not made an accurate assessment of the impact of all Community policies. Finally, the Committee pointed out that the thrust of regional assistance in the least-favoured parts of the Community should be on developing infrastructure.

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

Economic and monetary policy

I

Convergence programme

1.3.1. Council conclusions on Belgium's economic convergence programme.

□ **Reference:** Council conclusions on national medium-term adjustment programmes: Bull. EC 7/8-1991, point 1.1.2

Adopted by the Council on 23 November.

'On 23 November the Council carried out an examination of the Belgian programme of economic convergence for the period 1992-96. The Council heard at its meeting a statement from the Belgian Government expressing its commitment to strengthen further the action to implement the process of convergence. Having taken into account this further commitment, the Council expressed its positive appreciation of the programme and the commitment to the process of convergence.

The Council expressed satisfaction that the economic policies followed by Belgium had led to a commendable record in the areas of price and monetary stability, putting Belgium in a position to reach most of the convergence criteria in the Treaty of Maastricht. Against this background, the Council expressed the view that, taking account of a public-sector debt ratio of almost 125% of GDP and a deficit well above 3% of GDP, fiscal consolidation was the key requirement in the conduct of economic policy.

The Council welcomed the multiannual measures that had been taken by the government in order to reach these objectives. It took note with satisfac-

tion of the commitment of the Belgian authorities not in any way to put into question these measures or the three basic norms of the convergence programme (zero growth of expenditure in volume, evolution of revenues parallel to that of GNP, and financial equilibrium of the social security system), even if some budgetary room for manoeuvre was generated by an easing of interest rates compared to the level assumed in the convergence programme.

The Council believes, however, that it will be necessary to continue to bear down vigorously on public-debt levels for some time to come beyond the end of the period covered by the convergence programme and that the government should take every opportunity to make maximum progress in reducing the debt burden. For that reason, and without prejudice to the criteria set out in the Maastricht Treaty, the Council expressed satisfaction that the Belgian authorities intended to stabilize the primary budget surplus beyond 1996 at the level prescribed for that year in the convergence programme.

Moreover, the Council stressed the important role of the authorities at the level of communities and regions in the implementation of the budgetary objectives of the convergence programme. It expressed satisfaction at the agreement reached between the State, the communities and the regions on these objectives. It invited the Belgian authorities to use all means to guarantee the efficiency of that cooperation.

In the light of this first discussion, the Council invited the Commission to follow the implementation of the programme in close cooperation with the Monetary Committee and to report to it at regular intervals, at least once a year.'

Currency readjustments

1.3.2. Communiqué from the Monetary Committee.

The following communiqué was issued on 22 November:

'The ministers and central bank governors of the Member States of the European Community have by mutual agreement following a common procedure involving the Commission and after consultation with the Monetary Committee decided to fix new central rates in the EMS.

The bilateral central rates of the Spanish peseta and the Portuguese escudo against the other currencies of the exchange-rate mechanism have been reduced by 6%.

The new ecu central rates are the following (in units of national currencies per ecu):

BFR	40.6304	HFL	2.21958
DKR	7.51410	IRL	0.735334
DM	1.96992	LFR	40.6304
DR	254.254 ¹	LIT	1 690.76 ¹
ESC	182.194	PTA	143.386
FF	6.60683	UKL	0.805748 ¹

The Spanish and Portuguese Governments will implement strictly all the measures necessary to ensure that the objectives of their convergence programmes are achieved. The Spanish Government will immediately lift the special measures on some foreign-exchange transactions which it recently imposed. It will give the highest priority to meeting the budgetary targets and implementing the structural measures laid down in the convergence programme. The ministers and governors draw the attention of the two governments to the vital importance of restraint on the growth of labour costs.

Member States whose currencies are in the exchange-rate mechanism will implement their economic and monetary policies in such a way as to improve their convergence on price stability and ensure the stability of their currencies within the parity grid.

The agri-monetary consequences of the present realignment will be examined by the competent bodies.

The new bilateral central rates and the compulsory intervention points in the exchange-rate mechanism will be communicated by the central banks in time for the opening of foreign-exchange markets on 23 November 1992.¹

II

European Monetary System

Medium-term financial assistance

1.3.3. Report from the Commission to the Council reviewing the facility providing medium-term financial assistance for Member States' balances of payments.

- **Reference:** Council Regulation (EEC) No 1969/88 establishing a single facility providing medium-term financial assistance for Member States' balances of payments: OJ L 178, 8.7.1988; Bull. EC 6-1988, point 2.1.6

Adopted by the Commission on 24 November. In order to allow the Council to examine before 31 December 1992, in accordance with Regulation (EEC) No 1969/88, whether the facility established still met the need which led to its creation, the Commission drew up the report provided for in that Regulation. It noted that balance-of-payments difficulties might arise during the transition to economic and monetary union. Examination of the mechanism did not reveal any need to adapt the existing arrangements or the ceiling currently applicable. It was deemed necessary to retain the facility at least until the end of Stage II. The situation could be reviewed by the end of 1996.

Free movement of capital

1.3.4. Report from the Commission to the Council, the Monetary Committee and the Committee of Central Bank Governors reviewing Article 3 of Council Directive 88/361/EEC for the implementation of Article 67 of the EEC Treaty.

- **Reference:** Council Directive 88/361/EEC on the complete liberalization of capital movements: OJ L 178, 8.7.1988; Bull. EC 6-1988, point 2.1.8

Adopted by the Commission on 24 November. Article 3 of Directive 88/361/EEC allows

¹ Notional central rates based on market rates of 20 November.

Member States to take protective measures of limited duration in respect of certain capital movements 'where short-term capital movements of exceptional magnitude impose severe strains on foreign-exchange markets and lead to serious disturbances in the conduct of a Member State's monetary and exchange-rate policies'. No Member State has invoked this protective clause, which will become redundant from 1 January 1994, on ratification of the Treaty on European Union. The Commission concludes that Article 3 of Directive 88/361/EEC should not be amended for the period during which it remains in force.

Statistical area

Guidelines

General

1.3.5. Proposal for a Council Decision on the framework programme for priority actions in the field of statistical information 1993-97.

- Commission proposal:** OJ C 277, 26.10.1992; COM(92) 395; Bull. EC 9-1992, point 1.2.4

Endorsed by the Economic and Social Committee on 24 November, subject to a number of observations. The Committee particularly stressed the need to involve economic operators in the definition of the objectives and statistical methods.

Statistical classifications

1.3.6. Proposal for a Council Regulation on the statistical classification of products by activity in the European Economic Community.

- Commission proposal:** COM(92) 325; Bull. EC 7/8-1992, point 1.3.4

Endorsed by the Economic and Social Committee on 24 November, subject to observations

concerning in particular the date of entry into force of the Regulation, which the Committee considers should be postponed until 1 January 1994.

Statistics relating to the trading of goods

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

- Commission proposal:** OJ C 107, 28.4.1992; COM(92) 97; Bull. EC 3-1992, point 1.2.2
- Economic and Social Committee opinion:** OJ C 223, 31.8.1992; Bull. EC 5-1992, point 1.1.4

Endorsed by Parliament (first reading) on 19 November, subject to amendments aiming in particular to have the Regulation reviewed at the end of 1994.

OJ C 337, 21.12.1992

Business statistics

1.3.8. Proposal for a Council Regulation on Community coordination in drawing up business registers for statistical purposes.

- Commission proposal:** COM(92) 352; Bull. EC 9-1992, point 1.2.5

Endorsed by the Economic and Social Committee on 24 November, subject to a suggestion that limits should be placed on the quantity of information to appear in the business registers.

1.3.9. Proposal for a Council Regulation on the statistical units for the observation and analysis of the production system in the European Community.

- Commission proposal:** OJ C 276, 16.10.1992; COM(92) 353; Bull. EC 9-1992, point 1.2.6

Endorsed by Parliament (first reading) on 18 November.

OJ C 337, 21.12.1992

Endorsed by the Economic and Social Committee on 24 November, subject to observations

concerning in particular the date of entry into force of the Regulation, which the Committee considers should be postponed until January 1994.

Environmental statistics

1.3.10. Proposal for a Council Decision adopting a four-year programme (1993-96) to develop regular official statistics on the environment.

- **Commission proposal:** OJ C 209, 22.8.1990; COM(90) 319; Bull. EC 7/8-1990, point 1.7.1
- **Economic and Social Committee opinion:** OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.6.2
- **Parliament opinion:** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.5

Amended proposal adopted by the Commission on 20 November.

OJ C 328, 12.12.1992; COM(92) 483

Agricultural statistics

1.3.11. Proposal for a Council Regulation concerning statistical information to be supplied by Member States on crop products other than cereals.

- **Reference:** Council Regulation (EEC) No 837/90 concerning statistical information to be supplied by Member States on cereals production: OJ L 88, 3.4.1990; Bull. EC 3-1990, point 1.5.2

Adopted by the Commission on 11 November.

Purpose: to supplement the statistics on cereals production provided for by Regulation (EEC) No 837/90 with area data on the remaining farmland and production figures for other main crops. The proposal defines the data to be supplied and specifies the deadlines for transmission and the degree of accuracy required. It provides for a Community financial contribution to facilitate the adaptation of survey methodologies in the Member States.

COM(92) 430

1.3.12. Proposal for a Council Decision amending Decision 85/360/EEC on the restructuring of the system of agricultural surveys in Greece.

- **Commission proposal:** OJ C 273, 22.10.1992; COM(92) 415; Bull. EC 10-1992, point 1.3.5

Endorsed by Parliament on 20 November.

OJ C 337, 21.12.1992

Results

Per capita gross domestic product (GDP) in the regions of the Community in 1990

1.3.13. The 1990 estimates of per capita GDP reveal wide differences between the Member States of the Community. Greece and Portugal are at the bottom of the table with a per capita GDP, expressed in purchasing power standards, of less than 60% of the Community average, behind Ireland (68%) and Spain (75%). Luxembourg (124%) still heads the list, followed by Germany (117% if the former GDR is excluded), France (112%), Denmark (107%) and Belgium (105%). The remaining Member States (Italy, the Netherlands and the United Kingdom) are close to the Community average.

There are also wide disparities between regions. A small group of regions had a per capita GDP of over 125% of the Community average in 1990: Brussels and Antwerp (B); Stuttgart, Upper Bavaria, Middle Franconia, Bremen, Hamburg and Darmstadt (D); Île-de-France (F); Vallé d'Aosta, Lombardy and Emilia-Romagna (I); Luxembourg; Groningen (NL) and Greater London (UK). At the other end of the scale, some 20% of regions had a per capita GDP of less than 75% of the Community average: all regions of Greece and Portugal except Lisboa e Vale do Tejo; Galicia, Asturias, Cantabria, Castilla-León, Castilla-La Mancha, Extremadura, Comunidad Valenciana, Andalusia, Murcia and Ceuta y Melilla (E); Campania,

Puglia, Basilicata, Calabria, Sicily and Sardinia (I); Flevoland (NL); Northern Ireland (UK) and Ireland. Of these regions, Epirus and the Northern Aegean Islands (GR) and Alentejo (P) had a GDP of less than 40% of the Community average. Seven regions — Cantabria, Comunidad Valenciana, Murcia and the Canary Islands (E); Puglia (I); Lisboa e Vale do Tejo (P) and Northern Ireland (UK) had a per capita GDP very close to the threshold of 75% of the Community average.

Between 1980 and 1990, per capita GDP in most Member States converged towards the Community average. There were two notable exceptions to this: Luxembourg, which continued to forge ahead of the rest, and Greece, whose relative position worsened. The convergence was less obvious at regional level, with only 40% of the regions moving significantly closer to the Community average in terms of per capita GDP between 1980 and 1990.

Each Member State shows a number of regional differences.

□ Six of the ten regions showing the strongest growth in per capita GDP during the 1980s were in Spain. Nevertheless, all regions of Spain remained below the Community average in 1990, although País Vasco, Navarre, Madrid, Catalonia and Balearic Islands were very close to it.

□ More than two-thirds of German regions (excluding the former GDR) had a per capita GDP above the Community average, with only one, Lüneburg (81%), substantially below it.

□ Italy shows wide north-south disparities: although national per capita GDP remained unchanged compared with the Community average between 1980 and 1990, some regions (Veneto, Friuli-Venezia Giulia and Lazio) underwent significantly stronger growth than others (e.g. Emilia-Romagna, Umbria and Basilicata).

□ In Belgium, France and the United Kingdom, the regions containing the national capitals (Brussels, Île-de-France, Greater London) had a per capita GDP more than 50% above the Community average — far greater than in the other regions of these countries.

These trends are illustrated in Table 1.

Table 1 — *Per capita gross domestic product in the Member States*

	Per capita GDP 1990 EUR 12 = 100 (in PPS)	Per capita GDP 1989 EUR 12 = 100 (in PPS)
EUR 12	100	100
Belgium	105	106
Denmark	107	106
Germany (excluding the former GDR)	117	119
Greece	47	52
Spain	75	72
France	112	114
Ireland	68	61
Italy	102	102
Luxembourg	124	115
Netherlands	101	108
Portugal	56	53
United Kingdom	101	97

NB: Since exchange rates do not necessarily reflect the purchasing power of a currency on its national territory, Eurostat uses the purchasing power standard (PPS) to eliminate differences in general price levels between countries and so facilitate comparisons.

Information

Publications

1.3.14. New Eurostat publications available from sales offices:

□ *New technologies and techniques for statistics: proceedings of the Bonn Conference, 24 to 26 February 1992;*

□ *General government accounts and statistics 1979-90;*

□ *Fertility: measurement and change in the Community;*

□ *Digest of statistics on social protection in Europe.*

Internal market

I

Functioning of the single market after 1992

1.3.15. Council resolution on making the single market work.

□ **References:**

Council conclusions on the abolition of internal border controls: Bull. EC 5-1992, point 1.1.8

Conclusions of the European Council meeting in Lisbon: Bull. EC 6-1992, points I.7 to I.9

Agreed by the Council on 10 November. In this resolution the Council underlines its determination to ensure that the single market will comprise an area without internal frontiers in which goods, persons, services and capital can move freely in accordance with the provisions of the Treaty, and will work effectively to the benefit of all Community citizens, guaranteeing that the four freedoms are fulfilled. It also stresses the need for Member States to transpose and implement single-market measures effectively and for a close partnership to be established between the Member States and between them and the Commission. It invites the Commission to present rapidly practical proposals to help ensure the smooth running of the single market, to produce an annual report on the operation of the single market and, in 1996, an overall assessment of the effectiveness of the measures taken, and to submit, where appropriate, consultation documents (Green Papers). The Council also draws attention to the need to speed up European standardization and to improve the information available to consumers and economic operators, particularly by consolidating Community legislation.

Company taxation

□ **References:**

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

Commission communication on guidelines on company taxation in the context of the further development of the internal market: SEC(92) 1138; Bull. EC 6-1992, point 1.3.6

1.3.16. Council conclusions on the guidelines on company taxation in the context of the further development of the internal market.

Adopted on 23 November. The Council shares the Commission's assessment of the value of the Committee of Independent Experts on Company Taxation's (Ruding Committee) contribution and endorses the approach recommended by the Commission in the light of the Committee's findings.

It considers that Community action on business taxation should be limited to the minimum necessary to ensure that the internal market functions smoothly and that the measures proposed should take account of the Member States' general fiscal environment, budgetary constraints, the effect on trade and investment flows (including those between the Community and the rest of the world) and the need to combat tax evasion and avoidance. It also considers that such measures should reflect the fact that taxation is only one of the factors influencing investment decisions, should take due account of the importance of simplicity and administrative practicability, and should follow comprehensive consultations with the Member States and appropriate discussions with other interested parties.

The Council recognizes the importance of eliminating double taxation of cross-border income flows and also the need to ensure effective taxation. It shares the concern expressed by the Commission and the Ruding Committee about special tax arrangements designed to attract internationally mobile capital and considers that urgent consideration needs to be given to solving this problem. It also endorses the Commission's view that the Ruding Committee's proposal for a minimum rate of corporation tax of 30% would pose problems and notes the importance of applying competition rules strictly, while at the same time recognizing that favourable tax treatment can, under certain circumstances, have a role to play in regional development.

1.3.17. Own-initiative Economic and Social Committee opinion on the conclusions and recommendations of the Ruding Committee and on the Commission communication subsequent to those conclusions setting out guidelines on company taxation linked to the further development of the internal market.

Adopted on 24 November. The Committee endorses the Commission communication. It is in favour of moves to eliminate double taxation but considers it inappropriate for a minimum rate of corporation tax to be set. It makes the general recommendation that the Community should adopt a prudent approach to company taxation.

Simplification of the transitional VAT arrangements

1.3.18. Proposal for a Council Directive amending Directive 77/388/EEC and introducing simplification measures.

Directive to be amended: Sixth Council Directive 77/388/EEC on the harmonization of the laws of the Member States relating to turnover taxes — common system of value-added tax: uniform basis of assessment: OJ L 145, 23.6.1977, as amended by Council Directive 91/680/EEC: OJ L 376, 31.12.1991; Bull. EC 12-1991, point 1.2.44, and as last amended by Council Directive 92/77/EEC: OJ L 316, 31.10.1992; Bull. EC 10-1992, point 1.3.9

Reference: Council Directive 92/12/EEC on the general arrangements for products subject to excise duty and on the holding and movement of such products: OJ L 76, 23.3.1992; Bull. EC 1/2-1992, point 1.3.9

Adopted by the Commission on 4 November. This proposal is designed to simplify the transitional VAT arrangements laid down by Directive 91/680/EEC in order to limit the tax formalities imposed on firms and to alleviate the burdens on them.

The Commission's principal proposals are as follows:

to abolish the requirement for traders not subject to VAT to register for VAT purposes when carrying out intra-Community purchases of products subject to excise duty;

to treat goods from territories belonging to the Community's customs territory but not to its tax territory (such as the French overseas departments) in the same way as goods from third countries in order to apply VAT to them when they enter the Community's tax territory;

to simplify 'triangular transactions' by authorizing the original seller to designate the final recipient directly as the person liable to pay VAT without the intermediary having to register for VAT purposes in the country of the final recipient;

to clarify the changeover from the arrangements applicable until 31 December 1992 to the new arrangements, particularly as regards recreational craft that have benefited from the temporary importation arrangements applied by certain Member States for an unlimited period.

OJ C 335, 18.12.1992; COM(92) 448

Endorsed by Parliament on 20 November, subject to technical and textual amendments.

OJ C 337, 21.12.1992

Endorsed by the Economic and Social Committee on 24 November, subject to various comments. The Committee particularly regrets the extremely short period of time allowed it to consult the trading interests concerned.

Direct life assurance

1.3.19. Council Directive 92/96/EEC on the coordination of laws, regulations and administrative provisions relating to direct life assurance and amending Directives 79/267/EEC and 90/619/EEC (third life assurance Directive).

Directives amended:

First Council Directive 79/267/EEC: OJ L 63, 13.3.1979; Bull. EC 3-1979, point 2.1.34

Second Council Directive 90/619/EEC: OJ L 330, 29.11.1990; Bull. EC 11-1990, point 1.3.4

Reference: Third Council Directive 92/49/EEC on direct insurance other than life assurance: OJ L 228, 11.8.1992; Bull. EC 6-1992, point 1.3.13

Commission proposal: OJ C 99, 16.4.1991; 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
- **Parliament opinion (first reading):** OJ C 176, 13.7.1992; Bull. EC 6-1992, point 1.3.14
- **Amended Commission proposal:** OJ C 196, 3.8.1992; COM(92) 285; Bull. EC 6-1992, point 1.3.14
- **Council common position:** Bull. EC 6-1992, point 1.3.14
- **Parliament opinion (second reading):** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.40

Adopted by the Council on 10 November. This Directive is designed, in parallel with the third non-life insurance Directive, to apply the following principles to insurance undertakings:

- coordination of the principal rules governing prudential and financial supervision;
- mutual recognition of authorizations granted to insurance undertakings and of the systems of prudential supervision in the different Member States;
- granting of a single authorization valid throughout the Community and supervision of all of an undertaking's activities by the Member State of origin.

The adoption of this Directive marks the completion of the internal market in the insurance field.

OJ L 360, 9.12.1992

Protection of cultural goods

1.3.20. Proposal for a Council Directive concerning 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
- **Parliament opinion (first reading):** OJ C 176, 13.7.1992; Bull. EC 6-1992, point 1.3.25
- **Amended Commission proposal:** OJ C 172, 8.7.1992; COM(92) 280; Bull. EC 6-1992, point 1.3.25

Common position agreed by the Council on 10 November. After 1992, Member States will retain the right, pursuant to and within the

limits laid down by Article 36 of the Treaty, to define and protect their national treasures but will no longer be entitled to base such protection on controls or formalities at intra-Community frontiers. The proposal therefore provides for the introduction of a return procedure to enable them to have returned from other Member States, subject to certain conditions and a period of limitation, cultural objects which are classed as national treasures and which have been unlawfully removed from their territory.

1.3.21. 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
- **Parliament opinion:** OJ C 176, 13.7.1992; Bull. EC 6-1992, point 1.3.26

Agreed by the Council on 10 November. This Regulation subjects the export of certain cultural goods outside the Community's customs territory to presentation of an export licence which is issued by the Member State on whose territory the object is lawfully located and which is valid throughout the Community. Since a number of categories of cultural goods of artistic, historical or archaeological value are covered by this Regulation, monetary thresholds also apply in some cases.

Checks on goods imported from third countries

1.3.22. Proposal for a Council Regulation on checks for conformity with the rules on product safety in the case of products imported from third countries.

Adopted by the Commission on 11 November. This proposal provides for the customs authorities in the Member States to be authorized to suspend any decision to release for free circulation goods imported from third countries where those goods display characteristics giving rise to strong suspicion of a serious and immediate risk to health and safety or where an accompanying document is found to

be missing or the goods are not marked as specified by the rules applicable to product safety. This is intended to permit the customs authorities to give due warning to the national authorities responsible for monitoring the market from the product-safety angle, thereby enabling them to examine the suspect goods within a short but reasonable period of time before deciding whether or not to authorize their release for free circulation. The Commission thus intends to ensure that the arrangements applicable at the common external frontier are effectively and consistently administered from a product-safety viewpoint by all national customs authorities.

OJ C 329, 15.12.1992; COM(92) 466

II

Removal of physical frontiers

Checks on goods

1.3.23. Proposal for a Council Regulation on measures to adapt the profession of customs agent to the internal market.

□ **Commission proposal:** OJ C 220, 27.8.1992; COM(92) 328; Bull. EC 7/8-1992, point 1.3.14

Endorsed by Parliament on 20 November, subject to various amendments. Parliament calls in particular for the increase in the maximum rate of Community contribution, from 50 to 75%, to be extended to the Objective 2 and 5b regions as defined under the structural Funds, for priority to be given to small and medium-sized enterprises, for provision to be made for temporary wage subsidies for the agents in question during training or during the start-up of a new activity, and for there to be closer coordination between the specific measures provided for in the proposal and the other Community instruments.

OJ C 337, 21.12.1992

Endorsed by the Economic and Social Committee on 20 November. The Committee draws attention, however, to the urgency of the measures proposed and to the need to assist

companies which have already taken measures now deemed 'eligible' under the proposal and which will still have an impact in 1993.

Free movement of persons

1.3.24. Parliament resolution on the abolition of controls at internal borders and free movement of persons within the European Community.

□ **Reference:** Commission communication on the abolition of border controls: SEC(92) 877; Bull. EC 5-1992, point 1.1.7

Adopted by Parliament on 19 November. Parliament considers that free movement of goods, persons, services and capital must at all events be achieved by 1 January 1993 and that there should be no possibility of postponing the entry into force of any one of these measures. It endorses the Commission's opinion regarding the obligation to produce results imposed by Article 8a of the Treaty. It also believes that the principle of free movement should apply equally to citizens of third countries legally resident in a Community country. Parliament also recommends various measures capable of providing a useful back-up to the abolition of frontier checks, in particular the introduction of separate entry and exit gates for Community nationals at ports and airports, the standardization of customs checks on non-Community citizens, the granting of assistance to Member States receiving refugees, and the creation of a European immigration service and a European police force.

OJ C 337, 21.12.1992

1.3.25. Parliament resolution on European immigration policy.

□ **Reference:** Commission communication on immigration: Bull. EC 10-1991, point 1.2.2.1

Adopted by Parliament on 18 November. Parliament stresses the need for Community-level harmonization of immigration and visa policy. It considers that asylum policy should be distinguished from policies relating to other forms of immigration. It calls on the Commission to draw up a draft statute for those who are fleeing poverty, hunger, war or disasters and who are not covered by the Geneva Conven-

tion or the New York Protocol, as well as plans for a European fund for refugees.

Parliament draws attention to the right to family reunification and emphasizes that the repatriation of immigrants with right of residence to their countries of origin should take place only on a voluntary basis.

It considers that measures must be taken to combat illegal immigration and that illegal immigrants should be deported unless their health and physical well-being are at risk. It argues that migratory pressures could be stemmed by helping countries of origin to develop their economies.

Parliament also calls for information campaigns to improve understanding of immigrants' motives and of the difficult circumstances in which they live, for policy on the integration of second- and third-generation immigrants to be stepped up and for firm action to put an end to xenophobic violence. It urges the Commission to draw up a proposal for a framework directive on immigration.

OJ C 337, 21.12.1992

1.3.26. Parliament resolution on the harmonization within the European Community of asylum law and policies.

□ **References:**

Commission communication on the right of asylum: Bull. EC 10-1991, point 1.2.2.2

Sixth-monthly meeting of Ministers responsible for immigration: Bull. EC 6-1992, point 1.5.13

Adopted by Parliament on 18 November. Parliament advocates rapid harmonization of Member States' asylum policies on the basis of cooperation with the Office of the United Nations High Commissioner for Refugees and with non-governmental organizations. It also calls for the Commission to play a more active role in this area and for a European Committee on Asylum and Refugees to be set up. It argues, on the other hand, that the powers of the Centre for Information, Consultation and Exchange of Information, which the Ministers responsible for immigration have decided to set up, should be limited. It recommends that use be made of procedures for examining asylum applications which guarantee the rights of

refugees, in particular the right of appeal, and that asylum seekers whose applications have been recognized by the national authorities should be granted temporary social assistance. Parliament also calls, in the event of an influx of asylum seekers, for each Member State to take in refugees in proportion to its capacity to do so.

OJ C 337, 21.12.1992

Removal of technical frontiers

Free movement of goods

Standardization

1.3.27. Proposal for a Council Directive amending for the second time Directive 83/189/EEC laying down a procedure for the provision of information in the field of technical standards and regulations.

□ **Directive to be amended:** Council Directive 83/189/EEC: OJ L 109, 26.4.1983; Bull. EC 3-1983, point 2.1.8, as amended by Council Directive 88/182/EEC: OJ L 81, 26.3.1988; Bull. EC 3-1988, point 2.1.12

Adopted by the Commission on 27 November. The proposal aims, in the light of the completion of the internal market, to amend Directive 83/189/EEC by increasing the transparency of the measures taken by Member States regarding technical standards and regulations and by reinforcing the discipline to be observed by Member States in the case of joint action.

OJ C 340, 23.12.1992; COM(92) 491

Motor vehicles

1.3.28. Council Directive 92/97/EEC 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 Commission proposal:** OJ C 179, 16.7.1992; COM(92) 263; Bull. EC 6-1992, point 1.3.21
- Council common position:** Bull. EC 6-1992, point 1.3.21
- Parliament opinion (second reading):** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.25

Adopted by the Council on 10 November. The Directive reduces the maximum authorized level of sound emissions from motor vehicles. The new limit values represent a reduction of at least 50% in the noise emitted by the various categories of vehicle.

OJ L 371, 19.12.1992

1.3.29. Proposals for Council Directives on the masses and dimensions, the audible warning devices, the stands, the protective devices intended to prevent unauthorized use, the mounting of the rear registration plate, the statutory markings, and the passenger handholds of two- or three-wheeled motor vehicles.

- Commission proposals:** OJ C 293, 9.11.1992; COM(92) 330; COM(92) 332 to 337; Bull. EC 9-1992, point 1.2.16

Endorsed by Parliament (first reading) on 18 November.

OJ C 337, 21.12.1992

Industrial products

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

- Commission proposal:** OJ C 123, 15.5.1992; COM(92) 141; Bull. EC 4-1992, point 1.3.15
- Economic and Social Committee opinion:** OJ C 313, 30.11.1992; Bull. EC 9-1992, point 1.2.20

Endorsed by Parliament (first reading) on 18 November, subject to technical amendments.

OJ C 337, 21.12.1992

Narcotic drugs

1.3.31. 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.

- Commission proposal:** OJ C 21, 29.1.1991; COM(90) 597; Bull. EC 12-1990, point 1.3.8
- Economic and Social Committee opinion:** OJ C 159, 17.6.1991; Bull. EC 4-1991, point 1.2.5
- Parliament opinion (first reading):** OJ C 125, 18.5.1992; Bull. EC 4-1992, point 1.3.18
- Amended Commission proposal:** OJ C 157, 24.6.1992; COM(92) 218; Bull. EC 5-1992, point 1.1.18
- Council common position:** Bull. EC 7/8-1992, point 1.3.27

Endorsed by Parliament (second reading) on 18 November, subject to amendments providing in particular for the application by Member States of a graduated scale of penalties in the event of the proposed provisions being infringed.

OJ C 337, 21.12.1992

Foodstuffs

1.3.32. Commission Recommendation 92/540/EEC concerning a coordinated programme for the official control of foodstuffs for 1993.

- Basic Directive:** Council Directive 89/397/EEC on the official control of foodstuffs: OJ L 186, 30.6.1989; Bull. EC 6-1989, point 2.1.20

Adopted by the Commission on 9 November. As provided for in Directive 89/307/EEC, the Recommendation urges Member States to implement a coordinated food inspection programme in 1993. That programme provides for samples to be taken and for analyses to be made, with particular reference to the adulteration of orange juice, the presence of nitrates and nitrites in baby foods containing vegetables, weight inspections for deep-frozen seafood, and microbiological tests on edible ices and ready-made foods.

OJ L 350, 1.12.1992

1.3.33. Proposal for a Council Directive on the subject of additional measures concerning the official control of foodstuffs.

- Commission proposal:** OJ C 51, 26.2.1992; COM(91) 526; Bull. EC 1/2-1992, point 1.3.42

- Economic and Social Committee opinion:** Bull. EC 10-1992, point 1.3.32

Endorsed by Parliament (first reading) on 18 November, subject to amendments providing in particular for minimum levels of competence to be laid down at Community level for food control officials and for the arrangements for the financing of inspections.

OJ C 337, 21.12.1992

1.3.34. 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:** OJ C 223, 31.8.1992; Bull. EC 5-1992, point 1.1.20
- Council common position:** Bull. EC 6-1992, point 1.3.23

Endorsed by Parliament (second reading) on 18 November.

OJ C 337, 21.12.1992

Creation of a financial area

1.3.35. Proposal for a Council Directive on 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
- Council agreement on a common position:** Bull. EC 6-1992, point 1.3.11
- Council common position:** Bull. EC 7/8-1992, point 1.3.30

Endorsed by Parliament (second reading) on 18 November, subject to amendments relating to the procedure for amending the Directive.

OJ C 337, 21.12.1992

1.3.36. 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 Commission proposal:** OJ C 175, 11.7.1992; COM(92) 273; Bull. EC 6-1992, point 1.3.12
- Council common position:** Bull. EC 6-1992, point 1.3.12

Endorsed by Parliament (second reading) on 18 November, subject to amendments concerning the arrangements to be applied to the branches of credit institutions with head offices in third countries and the procedure for amending the Directive.

OJ C 337, 21.12.1992

1.3.37. Proposal for a Council Directive relating to the freedom of management and investment of funds held by institutions for retirement provision.

- Commission proposal:** OJ C 312, 3.12.1991; COM(91) 301; Bull. EC 10-1991, point 1.2.4
- Economic and Social Committee opinion:** OJ C 169, 6.7.1992; Bull. EC 4-1992, point 1.3.23

Endorsed by Parliament (first reading) on 18 November, subject to amendments designed in particular to ensure that members, beneficiaries or plan participants are represented on the management bodies of institutions for retirement provision and to reinforce generally the arrangements for the supervision of the management of such institutions.

OJ C 337, 21.12.1992

Intellectual property

1.3.38. Council Directive 92/100/EEC on rental right and lending right and on certain rights related to copyright in the field of intellectual property.

- 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
- **Council common position:** Bull. EC 6-1992, point 1.3.27
- **Parliament opinion (second reading):** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.42

Adopted by the Council on 19 November. The Directive grants authors, performing artists, phonogram producers and film producers an exclusive right to rent or lend their works, performances, phonograms and films. Member States may derogate from the exclusive lending right under certain circumstances. The Directive also provides for the approximation of Member States' laws on certain rights related to copyright by providing for rights of fixation, reproduction, distribution, broadcasting and communication to the public for groups of holders of the abovementioned rights and for broadcasting organizations.

OJ L 346, 27.11.1992

1.3.39. Proposal for a Council Directive harmonizing the term of protection of copyright and certain related rights.

- **Commission proposal:** OJ C 92, 11.4.1992; COM(92) 33; Bull. EC 1/2-1992, point 1.3.13
- **Economic and Social Committee opinion:** OJ C 287, 4.11.1992; Bull. EC 7/8-1992, point 1.3.32

Endorsed by Parliament (first reading) on 19 November, subject to various amendments. Parliament proposes in particular that the person who first makes available to the public a work which is in the public domain should have the same rights of exploitation as would have fallen to the author, and these for 25 years. Other amendments relate to the deadlines for the entry into force of the Directive and to various technical and drafting aspects of the proposal.

OJ C 337, 21.12.1992

1.3.40. Proposal for a Council Directive on the legal protection of databases.

- **Commission proposal:** OJ C 156, 23.6.1992; COM(92) 24; Bull. EC 1/2-1992, point 1.3.14

Endorsed by the Economic and Social Committee on 24 November. The Committee argues, however, that the option of prohibiting unfair extraction from databases should be included among copyrights and not be regarded as a separate right.

1.3.41. Proposal for a Council Regulation on the Community trade mark.

- **Commission proposal:** OJ C 351, 31.12.1980; COM(80) 635; Bull. EC 11-1980, point 2.1.13
- **Economic and Social Committee opinion:** OJ C 310, 30.11.1981
- **Parliament opinion:** OJ C 307, 14.11.1983; Bull. EC 10-1983, point 2.1.19
- **Amended Commission proposal:** OJ C 230, 31.8.1984; COM(84) 470; Bull. EC 7/8-1984, point 2.1.21
- **Second Parliament opinion:** OJ C 280, 28.10.1991; Bull. EC 10-1991, point 1.2.8

Second amended proposal adopted by the Commission on 4 November.

COM(92) 443

Company law

1.3.42. Council Directive 92/101/EEC 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
- **Council common position:** Bull. EC 6-1992, point 1.3.29
- **Parliament opinion (second reading):** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.45

Adopted by the Council on 23 November. The Directive prevents a company from using a subsidiary to acquire its own shares.

OJ L 347, 28.11.1992

Removal of tax frontiers

Turnover tax (VAT)

1.3.43. Proposal for a Council Directive amending Directive 77/388/EEC as regards the value-added tax arrangements applicable to passenger transport.

- **Commission proposal:** COM(92) 416; Bull. EC 9-1992, point 1.2.11

Economic and Social Committee opinion delivered on 24 November. The Committee endorses the aims of the proposal but emphasizes the dangers of distortion of competition between modes of transport as a result of only some of them being subject to VAT and advocates a uniform system of taxation for all modes of transport. It also considers that the taxation system proposed will affect the price of certain forms of transport to the detriment of the consumer. It further draws attention to the deadlines for the transposition and entry into force of the proposed legislation.

Excise duties and other indirect taxes

1.3.44. Proposal for a Council Directive amending Directive 92/12/EEC on the general arrangements for products subject to excise duty and on the holding and movement of such products.

- **Commission proposal:** OJ C 283, 31.10.1992; COM(92) 426; Bull. EC 10-1992, point 1.3.48

Endorsed by Parliament on 20 November, subject to an amendment to the wording.

OJ C 337, 21.12.1992

Endorsed by the Economic and Social Committee on 24 November.

Trans-European networks

1.3.45. Proposals for Council Regulations introducing a declaration of European interest to facilitate the establishment of trans-European networks in the transport, electricity and natural gas, and telecommunications sectors.

- **Commission proposals:** OJ C 71, 20.3.1992; COM(92) 15; Bull. EC 1/2-1992, point 1.3.15
- **Economic and Social Committee opinion:** OJ C 287, 4.11.1992; Bull. EC 7/8-1992, point 1.3.34

Endorsed by Parliament on 20 November, subject to amendments designed in particular to ensure that projects to which a declaration of European interest has been granted are given priority for Community assistance and for financial or tax advantages at national level, to provide for projects to be submitted by Member States, regions and local authorities for consideration, and to clarify the definition of the criteria for selecting projects.

OJ C 337, 21.12.1992

Competition

Twenty-first Report on Competition Policy

1.3.46. Opinion of the Economic and Social Committee on the *Twenty-first Report on Competition Policy*.

- **Reference:** Twenty-first Report: Bull. EC 4-1992, point 1.3.27

Adopted on 25 November. The Committee welcomed the improved layout of the Report, the clarity of its drafting and its readability; however, it wondered whether the threshold at which merger control is triggered was not unduly high and noted that the legal means available could be used only if the employees' representatives were provided with the relevant information in good time. The Committee urged the Commission to ensure that State aid was transparent, temporary and on a diminishing scale. A coordinated policy of economic and social cohesion between GATT and the European Community should be pursued. The Committee requested that precise criteria should be applied in assessing blatant dumping.

General rules applying to businesses

Insurance

1.3.47. Proposal for a Regulation on the application of Article 85(3) of the EEC Treaty to certain categories of agreements, decisions and concerted practices in the insurance sector.

□ **Commission proposal:** OJ C 207, 14.8.1992

Opinion adopted by the Economic and Social Committee on 25 November. The Committee thought that the proposed text should not be amended in such a way as to be less favourable to policyholders. It called on the Commission to adopt at a later date provisions ensuring that claims were settled more quickly and to tackle the problems associated with insurance policies used to guarantee loans.

Air transport

1.3.48. Draft Commission Regulation (EEC) on the application of Article 85(3) of the Treaty to certain categories of agreements, decisions, and concerted practices concerning joint operations, consultations on tariffs on scheduled air services and slot allocation at airports, and draft Commission Regulation (EEC) amending Regulation (EEC) No 83/91 on the application of Article 85(3) of the Treaty to certain categories of agreements between undertakings relating to computer reservation systems for air transport services.

□ **References:**

Council Regulation (EEC) No 2410/92 amending Regulation (EEC) No 3975/87 laying down the procedure for the application of the rules on competition to undertakings in the air transport sector: OJ L 240, 24.8.1992; Bull. EC 7/8-1992, point 1.3.35

Council Regulation (EEC) No 2411/92 amending Regulation (EEC) No 3976/87 on the application of Article 85(3) of the Treaty to certain categories of agreements and concerted practices in the air transport sector: OJ L 240, 24.8.1992; Bull. EC 7/8-1992, point 1.3.36

□ **Commission drafts:** OJ C 253, 30.9.1992

Additional opinion adopted by the Economic and Social Committee on 24 November. The Committee endorsed the drafts, but was con-

cerned that the Commission's role in consultations on tariffs should not be overly bureaucratic and computerized reservation systems should be competitive across the Community.

Application of the competition rules to businesses: specific cases

Prohibited horizontal agreements

Commission decisions

International Union of Railways (UIC)

1.3.49. *Adopted on 25 November.* The decision imposes a fine of ECU 1 million on the UIC for infringement of Article 85 of the EEC Treaty. The case relates to the conditions governing the appointment by the railway companies of travel agencies authorized to sell railway tickets, and the conditions under which appointed agencies can sell such tickets. The Commission found that there were five infringements of the competition rules: railway companies could not directly appoint an agency situated in another Member State; uniform conditions were set for granting commissions to agencies; a single rate of commission was set; agents could not pass on part of their commission to their customers; agents were prohibited from promoting competing means of transport in their advertising or advice to customers.

OJ L 366, 15.12.1992

Dominant positions

Commission decisions pursuant to Articles 85(1) and 86 of the EEC Treaty

Gillette/Eemland (Wilkinson Sword)

1.3.50. *Adopted on 10 November.* The decision orders Gillette, the US razor group, to dispose of its interest in Eemland, the parent company of Wilkinson Sword and Gillette's

main competitor in the relevant market. Gillette is also required to reassign to Eemland the Wilkinson Sword businesses in all the EFTA countries as well as the former German Democratic Republic, Czechoslovakia, Hungary, Poland, the former Yugoslavia and Turkey. The investigation carried out by the Commission following complaints from other competitors found that there had been an abuse by Gillette of its dominant position, enabling it to acquire influence over Eemland's commercial policy by becoming one of its principal creditors. The agreements between Gillette and Eemland relating to the geographical separation of the Wilkinson Sword trade mark between the Community and neighbouring countries and their supply arrangements were identified as another element of cooperation.

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

Fortis/La Caixa

1.3.51. Adopted on 5 November. The Commission decided not to oppose an operation under which Fortis and La Caixa intend to set up a joint venture on the insurance market in Spain. La Caixa will transfer all its shareholdings in the insurance sector to the joint venture (with the sole exception of a minority shareholding in Adeslas), and Fortis will purchase 50% of the joint venture. Although Fortis intends to continue operating on the Spanish market, the operation was deemed to be a concentration, since La Caixa is no longer considered to be active on the insurance market and since, in its capacity as the insuring partner, Fortis will play a predominant role in defining the business policy of the joint venture.

The Spanish life assurance market was deemed to be the only market affected by the transaction.

OJ C 297, 13.11.1992

Mannesmann/Hoesch

1.3.52. Adopted on 12 November. The decision authorizes a concentration by Mannesmannröhrenwerke AG (MRW) and Hoesch AG involving the setting-up of a joint venture in the special steel tube sector and MRW's purchase of 50% of a Hoesch group undertaking manufacturing ordinary tubes. The Commission was concerned that the joint venture would have a very significant share of the German market for gas pipelines. However, it finally took the view that the concentration would not create a dominant position, since the harmonization of standards at Community level and the entry into force of the public procurement Directive on 1 January 1993 will open up the market to competition from many different Community undertakings. The Commission was therefore able to authorize the transaction.

Rhône Poulenc Chimie (RPC)/Sita

1.3.53. Adopted on 26 November. The decision approves a transaction under which Rhône Poulenc Chimie (RPC) and Sita, a subsidiary of the société Lyonnaise des eaux, are to set up a new joint venture for the treatment of special industrial waste. The transaction does not pose any competition problems. The fact that the parent companies are active on markets upstream or downstream does not alter the concentrative nature of the transaction, since such links account for a small percentage of the joint venture's activities.

OJ C 319, 5.12.1992

British Airways/TAT

1.3.54. Adopted on 27 November. The decision approves the acquisition by British Airways (BA) of a 49.9% stake in TAT European Airlines (TAT EA). The remainder of the capital of TAT EA will continue to be held by

the TAT group. As a result of the acquisition, TAT EA will become a joint venture jointly controlled by BA and TAT, and the acquisition is of a concentrative nature in view of TAT's withdrawal from the air transport sector and the industrial leadership that will be exercised by BA. The competition problems raised by the transaction are limited, TAT EA being a small airline (3.8% of air traffic in France) involved almost exclusively in domestic traffic, while BA is totally absent from that market. However, in view of the recent acquisition of Dan Air by BA, the Commission wondered whether there would be real scope for new competitors to start up or increase their traffic on the Lyons-Gatwick and Paris-Gatwick routes, since Gatwick is congested during peak times, especially in summer. The Commission obtained an undertaking from BA that it would surrender up to 12 slots for one or more competitors so as to enable them to operate six daily return flights between Paris and Gatwick, if the desired slots were not available. Similarly, four slots would be provided on the Lyons-Gatwick route, once traffic there had exceeded 40 000 passengers a year.

Application of the competition rules to government intervention

State aid

Decisions to raise no objection

Germany

1.3.55. Commission decision on aid to Rawe GmbH.

□ **Reference:** Code on aid to the synthetic fibres industry, latest extension: Bull. EC 3-1989, point 2.1.72

Adopted on 25 November. The aid takes the form of a DM 8 million loan guarantee by the *Land* of Lower Saxony. The aid is acceptable because it comes under an approved scheme and, as far as the 'synthetic fibres' part is

concerned, it is accompanied by a substantial reduction in capacity.

Belgium

1.3.56. Commission decision on aid for environmental protection granted to Forges de Clabecq SA.

□ **Reference:** Commission Decision No 3855/91/ECSC of 27 November 1991 establishing Community rules for aid to the steel industry as from 1 January 1992: OJ L 362, 31.12.1991; Bull. EC 11-1991, point 1.2.26

Adopted by the Commission on 25 November. Aid amounting to BFR 80.625 million and equivalent to 15% of the investment is compatible with Decision 3855/91/ECSC.

1.3.57. Commission decision on aid to Verlipack.

Adopted on 25 November. The equity-type loan contains aid elements having a maximum intensity of 3.4% net grant equivalent. However, the aid is acceptable because the total granted is well below the regional aid ceiling applying in the region, the private shareholders subscribed a capital increase in December 1991 and the investment will promote environmental protection and efficient energy use.

France

1.3.58. Commission decision on a specific arrangement for the mining and Sambre-Avesnois areas in the Nord/Pas-de-Calais.

Adopted on 11 November. Priority investment areas are to be established in a number of precisely defined locations in the two above-mentioned areas. Firms setting up in such priority investment areas in the five years following their establishment will qualify for a tax credit over 10 years as from the time they set up in the area. The tax credit may not exceed 22% of the investment carried out. The particularly difficult situation in the two mining areas concerned justifies the specific arrangement, whose intensity and nature is nevertheless in line with what is acceptable in the

regions eligible under Article 92(3)(c) of the EEC Treaty.

Ireland

1.3.59. Commission decision concerning the programme of aid for SMEs facing difficulties following the realignment of exchange rates.

Adopted on 11 November. The definition of SME is that set out in the Commission's recently adopted framework on aid for SMEs. The scheme will expire on 31 March 1993. It applies only to firms that are highly dependent on export sales, this being measured on the basis of quantitative criteria. In applying the scheme, it must be ensured that there is no increase in the capacity or exports of the firms concerned. In agreeing to the scheme, the Commission took account of the exceptional situation created by the currency realignments and the fact that Ireland meets the conditions specified in Article 92(3)(a) of the EEC Treaty.

Netherlands

1.3.60. Commission decision on the tariff for natural gas used as a feedstock in industry.

Adopted on 11 November. Exempting industries using gas as a feedstock from paying the excise duties on gas is in line with general practice regarding petroleum products in the Member States and is, by analogy, in line with the proposal for a Council Directive on the harmonization of the structures of excise duties on mineral oils. For these reasons, the exemption is not aid within the meaning of Article 92(1) of the EEC Treaty. However, the scope for the distributing company Gasunie to cut the price of gas for nitrate fertilizer producers in the event of a serious disturbance on the ammonia market could give such producers undue advantages. The Commission therefore requested that, in the event of the clause being implemented, it should be notified in advance, pursuant to Article 93(3) of the EEC Treaty.

1.3.61. Commission decision on aid to Philips for the Consumer IC and Radiology 2000 projects.

□ **Reference:** Community framework on 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 25 November. The Consumer IC project relates to the combining of digital and analog components. The Radiology 2000 project covers X-ray detection systems, magnetic resonance and ultrasound simulations. The aid intensity of each of the projects (40%) is compatible with the Community framework on aid for research and development, with basic research accounting for 73% and applied research for 27%.

1.3.62. Commission decision on environmental tax measures.

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

Adopted on 25 November. The reduction in the tax on groundwater consumption for firms with their own water-drawing facilities constitutes aid. However, such aid is acceptable, since this type of tax exists only in the Netherlands, is in line with the Council resolution on the future Community groundwater policy and the firms concerned have to invest large amounts.

1.3.63. Commission decision on the extension of the Dutch investment grant scheme (Investerings Premie Regeling — IPR) in the regions of South Limburg and Twente.

Adopted on 25 November. The extension of the scheme until 31 December 1993 is acceptable in view of the socio-economic situation in the regions concerned.

United Kingdom

1.3.64. Commission decision on the United Kingdom contribution to the Eureka EU 42 project (European software factory).

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

Adopted on 11 November. The research project relates to the integrated manufacture of software. The aid will be granted to the firm

Sema and the Imperial College of Science, Technology and Medicine (ICSTM). The ICSTM will be aided at a rate 50% for basic research. Sema will be aided at a rate of 37% for basic research, applied research and development. The latter rate is acceptable since the project has been deemed to be an important project of common European interest and therefore qualifies for the exemption provided for in Article 92(3)(b) of the EEC Treaty.

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

□ **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

Germany

1.3.65. Commission decision on aid to Fresenius AG for the purchase of a site from the town of Friedberg (Hessen).

Adopted on 25 November. The terms on which the town of Friedberg sold a site to the firm Fresenius AG contain aid elements. The aid was not notified and does not appear to qualify for any of the exemptions provided for in the Treaty. The German authorities have been reminded of the judgment of the Court of Justice in Case C-301/87 *Boussac*.

Italy

1.3.66. Commission decision on the refinancing of reductions in the burden of social security contributions payable by firms situated in the Mezzogiorno and on differentiated increases in the part of the burden taken over by the State.

□ **Reference:** Commission decision of 24 June 1992 on the same subject: OJ C 240, 10.4.1992; Bull. EC 6-1992, point 1.3.46

Adopted on 11 November. The draft law simply reproduces the provisions contained in Decree-Law No 14 of 21 January 1992, which was not converted into law by the Italian Parliament and in respect of which the Commission initiated the Article 93(2) procedure on 21 June 1992.

1.3.67. Commission decision on Law No 19 of 9 January 1991 laying down provisions for the economic development of Friuli-Venezia Giulia and other frontier areas.

Adopted on 11 November. The Commission took the view that some of the measures were not aid (establishment and recapitalization of financing companies which operate under market conditions; the transfer of the free port of Venice to Porto Marghera; establishment of a centre for business information, consultation, training and assistance whose services are invoiced at market prices) and that some of the aid was compatible (aid for craft firms). It reserved its position on a number of other measures whose implementing provisions have not yet been drafted. Lastly, it initiated Article 93(2) proceedings in respect of the tax concessions for firms making profits through the Trieste financial and insurance services centre. No exemption seems to be possible here in view of the nature of the activities concerned (banking and insurance) and the fact that the measures do not have a sufficiently narrow geographical focus. The Italian authorities have been reminded of the judgment of the Court of Justice in Case C-301/87 *Boussac*.

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

Netherlands

1.3.68. Commission decision on tariff F charged by Gasunie for gas supplies to nitrate fertilizer producers.

Adopted on 11 November. The Commission takes the view that tariff F is justified on commercial grounds, since it has enabled Gasunie to maintain its sales to nitrate fertilizer producers. It considers that the Dutch Government did not have any greater influence on the setting of the tariff than a normal shareholder would have had and that the tariff did not give Dutch nitrate fertilizer producers any advantage over their competitors in other Member States.

OJ C 344, 29.12.1992

Final decision subject to conditions

Belgium

1.3.69. Commission decision on the draft order on economic expansion in the Brussels Region.

- **Reference:** Decision to initiate proceedings: OJ C 22, 29.1.1992; Bull. EC 11-1991, point 1.2.27

Adopted on 11 November. The aid provided for in the draft order is now deemed compatible with the common market provided, firstly, that the 'sectoral or technological programmes' involve only financing supplementary to aid from the Community Funds or aid within the limits laid down by a Community framework on national aid and, secondly, that the 'specific contracts' relate only to important projects of common European interest previously authorized by the Commission under Article 92(3)(b) of the EEC Treaty.

The draft order will be amended accordingly. The provisions on aid for research have been withdrawn and will be notified subsequently.

Appropriate measures (Article 93(1) of the EEC Treaty)

Germany

1.3.70. Commission decision on the activities of the Treuhandanstalt (THA).

Adopted on 25 November. The appropriate measures proposed to the German authorities are as follows:

- loans and guarantees granted, directly or indirectly, by the THA to firms with more than 1 500 employees before privatization must be notified whenever they total DM 150 million or a multiple thereof;
- sales of previously independent companies in clusters through bidding procedures must be notified where the total number of employees concerned is more than 1 000;
- compensation awarded to former owners repurchasing their firms must be notified where it does not comply with the rules of ordinary law and amounts to DM 50 million or more;

- sales 'at negative prices' must be notified where the number of employees is more than 1 000.

Cases notified will be dealt with by the Commission within specific deadlines that will be shorter than usual.

Public enterprises

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

Transmediterranea

1.3.71. *Adopted by the Commission on 11 November.* The decision initiates proceedings under Article 90(3) against Spain in respect of discrimination resulting from new reductions in sea transport tariffs, for journeys between the Iberian Peninsula and the Canary and Balearic Islands and Ceuta and Melilla, granted by Transmediterranea solely to elderly residents of Spanish nationality.

Although there was no explicit legislative provision governing the company's conduct, the Commission took the view that there were sufficient elements to indicate that what was involved was a 'State measure' within the meaning of Article 90(1) (in particular the Spanish State is a 95% shareholder and pays a large annual subsidy because of the public service nature of the type of transport provided).

The Commission considers that such a 'State measure' is incompatible with the EEC Treaty.

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

A copy of the letter was sent to Transmediterranea so as to enable it to present its views.

Danish monopoly in respect of terminals at the port of Rødby

1.3.72. *Adopted on 11 November.* The decision initiates proceedings under Article

90(3) against Denmark in respect of the Danish Government's refusal to allow a shipping company both to construct a new terminal in the immediate vicinity of the port of Rødby and to have access to the existing terminal in the port with a view to operating a sea link between Rødby and Puttgarden. The Commission considers that these two refusals constitute a measure incompatible with Article 90, read in conjunction with Article 86 of the EEC Treaty.

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

A copy of the letter has been sent to the enterprises concerned, DSB and DB, so as to enable them to present their comments.

Enterprise policy, industrial policy and services

I

Industrial competitiveness and the environment

□ References:

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

Fifth Community programme of policy and action in relation to the environment and sustainable development: COM(92) 23; Bull. EC 3-1992, point 1.2.115

1.3.73. Commission communication to the Council and to Parliament on industrial competitiveness and protection of the environment.

Adopted by the Commission on 4 November. This communication is to be viewed in the context of both the Commission communication on industrial policy in an open and

competitive environment and the fifth action programme on the environment. It is based on the premise that industrial development and environmental protection are not incompatible concepts. Industries can gain significant competitive advantages by developing technologies which reduce energy costs and by taking account of increased consumer awareness of the need for non-polluting products.

However, environment policy can benefit industry only if all concerned (industry, consumers, the public authorities and the Community) are prepared to accept their responsibilities.

On the basis of these principles, the Commission is encouraging greater integration of industrial and environment policies, a constructive dialogue with industry, and preservation of the integral nature of the internal market based on a high level of environmental protection. It also recommends preventative solutions based on the use of clean technologies and the development of markets for ecologically sound products. In order to promote this process, the Commission considers it essential to coordinate the use of the specific instruments of Community industrial and environment policies, while at the same time giving priority, as far as possible, to a market-oriented approach.

The Commission also draws attention to the need to base the Community's regulatory action on certain principles: predictability, to enable firms to plan ahead; flexibility; an integrated approach; and cost-effectiveness.

SEC(92) 1986

1.3.74. Parliament resolution on the environment and industrial competitiveness.

Adopted on 17 November. In this resolution Parliament examines the compatibility of the aims of economic growth and environmental protection. It draws attention to the competitive advantage which Community industries could gain from an ambitious environment policy. It also emphasizes the importance of the principles of prevention, 'polluter pays', subsidiarity and economic efficiency for the implementation of environment policy. Parliament hopes that the GATT negotiations will

not be prejudicial to environmental protection measures.

OJ C 337, 21.12.1992

1.3.75. Council resolution on industrial competitiveness and environmental protection.

Adopted on 24 November. In this resolution the Council stresses the need to incorporate environmental objectives into industrial policies and points out that a preventative and market-oriented approach can be beneficial to industrial competitiveness. It also considers that economic instruments that are compatible with competition policy can help to achieve the Community's environmental aims. The Council takes the view that Community measures to protect the environment should be coherent, predictable and practicable for industry, and particularly for small and medium-sized enterprises.

The Council invites the Commission to promote a constructive dialogue with industry on new legislative or regulatory proposals in the environmental field in order to take account of their impact on the competitiveness of the industrial sectors concerned.

Restructuring of the steel industry

□ References:

Resolution of the ECSC Consultative Committee concerning a fresh policy for the future of the Community steel industry: OJ C 161, 27.6.1992; Bull. EC 6-1992, point 1.3.61

Parliament resolution on the situation in the European steel industry: OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.64

1.3.76. Commission communication on greater competitiveness in the steel industry and the need for further restructuring.

Approved on 18 November.

Formally adopted on 23 November. This communication sets out the practical measures which firms, Member States and the Community could take to encourage and support the restructuring process in the steel industry. The package of measures proposed is a response to the call from industry for a plan

for closing down non-viable production capacity and rationalizing structures and to the resolutions of the ECSC Consultative Committee and Parliament inviting the Commission to take action to support the restructuring of the industry.

The package of measures envisaged provides for:

□ financial incentives for partially covering the restructuring costs, to be funded by the firms themselves or by the ECSC budget (possibly from the reserves), the EEC budget and national budgets. In this context, ECU 240 million has been earmarked in the ECSC budget to finance additional social measures to be implemented over a three-year period;

□ competition measures to facilitate decisions by firms where they have to carry out rationalization and restructuring operations jointly;

□ external measures designed to prevent disruption of trade in steel and involving both rules to promote fair international trade, and in particular the negotiations on a multilateral agreement, and policies towards the countries of Central and Eastern Europe and the independent States created as a result of the break-up of the Soviet Union.

SEC(92) 2160

1.3.77. ECSC Consultative Committee resolution on the restructuring of the Community steel industry.

Adopted on 20 November. After analysing the factors which have caused the current crisis in the Community steel industry, the Committee calls on the Commission to exercise fully the powers conferred on it by the ECSC Treaty, particularly in connection with the financing of the restructuring undertaken by the industry. It also emphasizes the link which has to be established, in accordance with the steel aids code, between State aid and the reduction of production capacity.

1.3.78. Commission communication on the future of the ECSC Treaty — financial activities (→ point 1.6.6).

1.3.79. Council conclusions on the future of the ECSC Treaty — financial activities (→ point 1.6.7).

Extractive industries

1.3.80. Commission communication on the non-energy mining industry: current situation and guidelines for a Community approach.

□ **References:**

Council resolution on the development of the Community mining industry: OJ C 207, 12.8.1989; Bull. EC 7/8-1989, point 2.1.50

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

Adopted by the Commission on 11 November.

In this communication, which is a follow-up to the Council resolution on the development of the Community mining industry, the Commission sets out, within the framework established by its communication on industrial policy, guidelines for a Community approach to the non-energy mining industries. It identifies in particular horizontal measures suited to the specific circumstances of this sector. There is an internal and an external aspect to these measures: the internal aspect relates, for example, to access to information for the economic operators involved, transparency of national regulatory frameworks, the tailoring of training to requirements, and measures to promote a balance between environmental protection and sustained economic growth; the external aspect is concerned particularly with guaranteeing Community companies access to third-country resources under conditions of fair competition.

SEC(92) 1884

Maritime industries

1.3.81. Commission communication on the European maritime industries and further steps for strengthening their competitiveness.

□ **Reference:** Commission communication on the new challenges for maritime industries: COM(91) 335; Bull. EC 9-1991, point 1.2.31

Adopted on 18 November. In its communication on the new challenges for maritime industries, the Commission proposed that a discussion forum be set up bringing together industrialists (shipowners, shipbuilders and suppliers of

maritime equipment) and representatives of research institutes and national authorities in the Member States and the Nordic EFTA countries. The communication just adopted is based on the conclusions submitted by that forum. It recognizes the major role played by maritime industries with respect to competitiveness and recommends that defensive measures be replaced by positive and horizontal measures. With this in mind, the industries involved have agreed to set up specific panels on short sea shipping, marine resources and ship financing. The Commission for its part has already convened a meeting of a high-level panel and is to convene a further meeting of the maritime industries forum.

COM(92) 490

II

Enterprise policy

Small and medium-sized enterprises

1.3.82. Commission communication on an evaluation of the Community's enterprise policy.

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

Adopted by the Commission on 11 November.

In this communication, the Commission comments on an evaluation report drawn up by independent experts on the basis of the Council Decision on the business environment. The report makes a detailed analysis based on five criteria — quality of goal-setting, quality of evaluations made, cost-effectiveness, quantitative impact and qualitative impact — and which demonstrates the validity of an enterprise policy at Community level. It also puts forward a series of recommendations for improving the impact of that policy on SMEs

and proposes in particular that SME access to the structural Funds and to the Community research and development programmes be improved.

SEC(92) 1999

1.3.83. Council resolution on administrative simplification and the need to minimize burdens on enterprises, especially SMEs, arising from Community legislation.

- **Reference:** Commission report on administrative simplification in the Community: Bull. EC 10-1992, point 1.3.62

Adopted by the Council on 24 November. In this resolution the Council recognizes that steps need to be taken to avoid imposing unjustified regulatory burdens on enterprises and that prior consultations on any new legislation and a system of assessing its impact are appropriate means of achieving that aim. It accordingly invites the Commission to develop the existing assessment and consultation systems and to present a report every three years on the situation regarding administrative simplification.

Research and technology

Research

Third framework programme for research and technological development

1.3.84. Proposal for a Council Decision concerning supplementary financing of the third framework programme of Community activities in the field of research and technological development (1990-94).

- **Commission proposal:** OJ C 225, 1.9.1992; COM(92) 309; Bull. EC 7/8-1992, point 1.3.82

Endorsed by Parliament on 18 November, subject to amendments concerning the date on which the framework programme expires and the amounts allocated to the various specific

programmes. Parliament proposed an increase in the resources for the programmes concerning the environment and life sciences and technologies.

OJ C 337, 21.12.1992

Endorsed by the Economic and Social Committee on 25 November. However, the Committee called upon the Commission to increase the funds allocated to the programmes concerning marine sciences and technologies and life sciences and technologies for developing countries.

International cooperation

1.3.85. Administrative Arrangement between the Commission and the Republic of Korea on scientific and technological cooperation.

Signed in Brussels on 12 November. The Arrangement was signed by Mr F. M. Pandolfi, Vice-President of the Commission, and Mr Lee Sang Ock, the Korean Foreign Minister. The aim of the Arrangement is to improve the two parties' knowledge of their respective research activities in the field of science and technology by means of exchanges of non-confidential information.

Telecommunications, information services and industry

I

Telecommunications services

1.3.86. Council resolution on the assessment of the situation in the telecommunications services sector.

□ **References:**

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

Commission report on the situation in the telecommunications sector: SEC(92) 1048; Bull. EC 10-1992, point 1.3.67

Agreed by the Council on 19 November. The Council recognizes that substantial progress has been made towards establishing a Community-wide market for telecommunications services, in particular through the implementation of open network provision, and regards this as a welcome development, particularly for voice telephony, as it promotes better cost orientation for telecommunications services provided across intra-Community borders. The Council nevertheless stresses the need to provide a service to all regions of the Community at an affordable price, since telecommunications policy must take account of the principle of social and economic cohesion and, in particular, the needs of peripheral regions.

The Council calls upon telecommunications organizations and Member States to harmonize tariffs, particularly for intra-Community telecommunications services, and asks the Commission to consider the political, economic, commercial and social implications of the options set out in its communication and to formulate an approach and a timetable for establishing a regulatory framework for the Community telecommunications market.

Radiocommunications frequency bands

1.3.87. Council resolution on the implementation in the Community of the decisions of the European Radiocommunications Committee.

□ **References:**

Council resolution on the strengthening of Europe-wide cooperation on radio frequencies: OJ C 166, 7.7.1990; Bull. EC 6-1990, point 1.3.105

Proposal for a Council Directive on common frequency bands to be designated for the coordinated introduction of the terrestrial flight telecommunications system (TFTS) in the Com-

munity: OJ C 222, 29.8.1992; COM(92) 314; Bull. EC 7/8-1992, point 1.3.90

Proposal for a Council Directive on the frequency bands to be designated for the coordinated introduction of road transport telematic systems (RTTs) in the Community: OJ C 221, 28.8.1992; COM(92) 341; Bull. EC 7/8-1992, point 1.3.91

Adopted by the Council on 19 November. The Council welcomes the active participation of the Member States in the work of the European Radiocommunications Committee (ERC) and urges them to apply the decisions of the ERC on the designation of frequency bands for the coordinated introduction of the TFTS and RTT systems. It asks the Commission to give full consideration to the decision-making mechanisms of the ERC to ensure the provision of the necessary frequencies for new Europe-wide radio services.

OJ C 318, 4.12.1992

1.3.88. Proposal for a Council Directive on common frequency bands to be designated for the coordinated introduction of the terrestrial flight telecommunications system (TFTS) in the Community.

□ **Commission proposal:** OJ C 222, 29.8.1992; COM(92) 314; Bull. EC 7/8-1992, point 1.3.90

Proposal withdrawn by the Commission on 19 November, following the Council resolution on the implementation in the Community of the decisions of the European Radiocommunications Committee (→ point 1.3.87). The Commission nevertheless reserves the right to take legislative action if Member States fail to implement binding measures under national law.

1.3.89. Proposal for a Council Directive on the frequency bands to be designated for the coordinated introduction of road transport telematic systems (RTTs) in the Community, including road information and route guidance systems.

□ **Commission proposal:** OJ C 221, 28.8.1992; COM(92) 341; Bull. EC 7/8-1992, point 1.3.91

Proposal withdrawn by the Commission on 19 November, following the Council resolution on the implementation in the Community of the decisions of the European Radiocommunications Committee.

tions Committee (→ point 1.3.87). The Commission nevertheless reserves the right to take legislative action if Member States fail to implement binding measures under national law.

Numbering of telecommunications services

1.3.90. Council resolution on the promotion of Europe-wide cooperation on the numbering of telecommunications services.

- **Commission proposal:** COM(92) 344; Bull. EC 7/8-1992, point 1.3.92

Adopted by the Council on 19 November. The Council calls for strengthened cooperation at European level, particularly within the European Conference of Postal and Telecommunications Administrations (CEPT), on the numbering of telecommunications services. It asks the Member States and the Commission to investigate the case for introducing a European area code and, if this proves feasible, asks the Commission to promote its coordinated introduction in the Community for Europe-wide services such as subscriber numbers, free or shared-cost telephone services and mobile services.

II

Information and telecommunications technology

1.3.91. Conference on information technology (Esprit).

- **References:**

Council Decisions 84/130/EEC (Esprit I) and 88/279/EEC (Esprit II) concerning the European strategic programme for research and development in information technology: OJ L 67, 9.3.1984; Bull. EC 2-1984, point 1.3.1 *et seq.*; OJ L 118, 6.5.1988; Bull. EC 4-1988, point 2.1.54

Previous conference: Bull. EC 11-1991, point 1.2.58

Meeting held in Brussels from 23 to 27 November. During this conference, attended by many leading figures in European politics and industry, Mr F. M. Pandolfi, Vice-President of the Commission, reviewed the constraints and opportunities facing Community research and stressed the importance of technology-based projects for sharpening the Community's competitive edge in industry. Over 100 Esprit projects, mainly on advanced office and home automation systems, were demonstrated at an exhibition held in conjunction with the conference.

Telecommunications policy

1.3.92. Proposal for a Council Directive on the application of open network provision (ONP) to voice telephony.

- **Commission proposal:** OJ C 263, 12.10.1992; COM(92) 247; Bull. EC 7/8-1992, point 1.3.86

Endorsed by the Economic and Social Committee on 25 November. The Committee has reservations about the advisability of liberalizing and harmonizing access to telephone services, given the wide differences between Member States.

Transport

Infrastructure

1.3.93. Commission communication on transport infrastructure; implementation report provided for in Article 11 of Council Regulation (EEC) No 3359/90 of 20 November 1990; proposal for a Council Decision on the creation of a trans-European road network; proposal for a Council Decision on the creation of a European inland waterway network.

- **Commission proposals:** OJ C 236, 15.9.1992; COM(92) 231; Bull. EC 6-1992, point 1.3.73

Endorsed by the Economic and Social Committee on 24 November. However, the Committee pointed out that the common denominator of all modes of transport should be that infrastructure costs are charged equally.

1.3.94. Proposal for a Regulation amending Council Regulation (EEC) No 3359/90 for an action programme in the field of transport infrastructure with a view to the completion of an integrated transport market in 1992.

- **Commission proposal:** OJ C 236, 15.9.1992; COM(92) 231; Bull. EC 6-1992, point 1.3.73

Endorsed by Parliament on 20 November, subject to amendments in particular in relation to the conditions for obtaining financial support granted by the Community.

OJ C 337, 21.12.1992

Endorsed by the Economic and Social Committee on 24 November.

Multimodal transport

1.3.95. Communication from the Commission concerning the creation of a European combined transport network and its operating conditions; proposal for a Council Decision concerning the establishment of a combined transport network in the Community.

- **Commission proposals:** OJ C 282, 30.10.1992; COM(92) 230; Bull. EC 6-1992, point 1.3.74

Endorsed by the Economic and Social Committee on 24 November. However, the Committee suggested that the Commission should specify the financing arrangements.

1.3.96. Proposal for a Council Directive amending Directive 75/130/EEC on the establishment of common rules for certain types of combined carriage of goods between Member States.

- **Commission proposal:** OJ C 282, 30.10.1992; COM(92) 230; Bull. EC 6-1992, point 1.3.74

Endorsed by Parliament on 20 November, subject to various technical amendments.

OJ C 337, 21.12.1992

Endorsed by the Economic and Social Committee on 24 November, subject to some technical amendments.

1.3.97. Proposal for a Regulation amending Regulation (EEC) No 1107/70 on the granting of aids for transport by rail, road and inland waterway.

- **Commission proposal:** OJ C 282, 30.10.1992; COM(92) 230; Bull. EC 6-1992, point 1.3.74

Endorsed by Parliament on 20 November, subject to amendments mainly concerning technical provisions.

OJ C 337, 21.12.1992

Endorsed by the Economic and Social Committee on 24 November.

1.3.98. Third report on aids for combined transport under Regulation (EEC) No 1107/70, as last amended by Regulation (EEC) No 1100/89.

- **Commission proposal:** OJ C 282, 30.10.1992; COM(92) 230; Bull. EC 6-1992, point 1.3.74

Endorsed by the Economic and Social Committee on 24 November.

Inland transport

1.3.99. Proposal for a Council Directive on the charging of transport infrastructure costs to heavy goods vehicles.

- **Commission proposal:** OJ C 79, 26.3.1988; COM(87) 716; Bull. EC 12-1987, point 2.1.275
- **Initial Economic and Social Committee opinion:** OJ C 208, 8.8.1988; Bull. EC 6-1988, point 2.4.52
- **Initial Parliament opinion:** OJ C 158, 26.6.1989; Bull. EC 5-1989, point 2.1.214
- **First amended Commission proposal:** OJ C 75, 20.3.1991; COM(90) 540; Bull. EC 11-1990, point 1.3.182
- **Second Economic and Social Committee opinion:** OJ C 159, 17.6.1991; Bull. EC 4-1991, point 1.2.52
- **Second Parliament opinion:** OJ C 150, 15.6.1992; Bull. EC 5-1992, point 1.1.76
- **Second amended Commission proposal:** COM(92) 405; Bull. EC 9-1992, point 1.2.62

Endorsed by the Economic and Social Committee in its third opinion on 25 November. However, the Committee commented on the need to arrive at an agreement in order to avoid distortion of competition in the internal market. It also pointed out that the proposals being studied should not lead to the introduction of new tolls.

Sea transport

1.3.100. Proposal for a Council Regulation on the application of the principle of freedom to provide services to maritime transport within Member States.

- Commission proposal:** OJ C 263, 16.10.1989; 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
- Initial 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
- Council agreement:** Bull. EC 6-1992, point 1.3.76

Endorsed by Parliament in its second opinion on 20 November, subject to certain amendments regarding, in particular, the need for liberalization measures to be accompanied by measures leading to harmonization in this sector.

OJ C 337, 21.12.1992

Air transport

1.3.101. Proposal for a Council Directive on the definition and use of compatible technical and operating specifications for the procurement of air traffic management equipment and systems.

- Commission proposal:** OJ C 244, 23.9.1992; COM(92) 342; Bull. EC 7/8-1992, point 1.3.93

Endorsed by the Economic and Social Committee on 24 November.

International cooperation

Transit agreements with Hungary and Czechoslovakia

1.3.102. Agreements in the form of exchanges of letters amending the exchanges of letters between the European Economic Community and Hungary on transit and inland transport infrastructure and agreements in the form of exchanges of letters amending the exchanges of letters between the European Economic Community and Czechoslovakia on transit and inland transport infrastructure.

- Economic and Social Committee opinion:** Bull. EC 9-1992, point 1.2.70

Endorsed by Parliament on 20 November, subject to certain amendments mainly relating to the choice of legal basis, with Parliament proposing Article 75 instead of Article 113 of the EEC Treaty, and to the measures to be taken in the event of constitutional changes affecting Czechoslovakia.

OJ C 337, 21.12.1992

Transit agreements with Austria and Switzerland

- Commission recommendation on the negotiations:** Bull. EC 9-1988, point 2.1.135
- Negotiating directives:** Bull. EC 12-1988, point 2.1.341
- Council agreement:** Bull. EC 10-1991, point 1.2.53
- Agreements initialled:** Bull. EC 12-1991, point 1.2.113
- Proposal for a Council Decision on the conclusion of the agreements:** COM(92) 107; Bull. EC 3-1992, point 1.2.82
- Council Decision on signature of the agreements:** Bull. EC 4-1992, point 1.3.76
- Signature of the agreements:** Bull. EC 5-1992, point 1.2.1
- Amended proposal for a Decision on conclusion of the agreements:** COM(92) 350; Bull. EC 7/8-1992, point 1.3.99
- Economic and Social Committee opinion:** OJ C 313, 30.11.1992; Bull. EC 9-1992, point 1.2.69
- Parliament opinion:** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.71

1.3.103. Agreement on transit traffic between the Community and Austria.

Formal adoption by the Council of the Decision on the conclusion of the agreement on 27 November. This agreement, for a duration of 12 years, is designed to strengthen cooperation between the contracting parties in certain areas of transport, in particular transit traffic across the Alps.

OJ L 373, 21.12.1992

1.3.104. Agreement on transit traffic between the Community and Switzerland.

Formal adoption by the Council of the Decision on the conclusion of the agreement on 30 November. Since the Council adopted the conclusion of the transit agreement with Austria on 27 November, the two transit agreements will be able to enter into force on 1 January 1993, as soon as the contracting parties have informed each other that the necessary procedures have been completed.

OJ L 373, 21.12.1992

1.3.105. Council Regulation (EEC) No 3637/92 on a system of distribution of rights of transit (ecopoints) for vehicles having a laden weight greater than 7.5 tonnes registered in a Member State transiting through the Republic of Austria.

□ **Commission proposal:** COM(92) 343; Bull. EC 7/8-1992, point 1.3.100

Endorsed by Parliament on 20 November, subject to certain amendments regarding, in particular, the choice of legal basis (Article 75 of the EEC Treaty rather than Article 113 as proposed) and the system for calculating the distribution of ecopoints.

OJ C 337, 21.12.1992

Endorsed by the Economic and Social Committee on 24 November. The Committee approved the proposed system but proposed that the ecopoints be distributed on an annual basis rather than in two instalments.

Adopted by the Council on 27 November. The system will enter into force from 1 January 1993.

OJ L 373, 21.12.1992

Energy

I

State aid to the coal industry

□ **References:**

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

Mid-term Commission report to the Council on the application of Decision No 2064/86/ECSC: Bull. EC 11-1991, point 1.2.74

1.3.106. Draft Commission Decision establishing Community rules for State aid to the coal industry.

Approved on 25 November. In its draft Decision, the Commission proposes new rules for State aid to the coal industry replacing, with effect from 1 January 1994, the rules established by Decision No 2064/86/ECSC which expires then. The new rules are intended as transitional provisions to enable the coal sector to be brought under the EEC Treaty when the ECSC Treaty expires in 2002.

In view of the economic situation in the sector, further rationalization efforts accompanied, where appropriate, by restructuring measures, are needed. The Commission therefore takes the view that an exception must once again be made to the ban on State aid laid down in the ECSC Treaty, and that State aid to the coal industry should continue to be authorized subject to certain conditions. In this connection, it proposes two major principles for the new aid rules, as set out in its mid-term report on Decision No 2064/86/ECSC, namely:

□ the phasing-out of aid, on the basis of a Community guide cost; and

□ greater transparency for aid schemes, in particular by including them in public budgets.

Where the phasing-out of aid is concerned, the proposed rules introduce the principle of convergence of the highest production costs in the Community towards the most competitive

cost levels, on the basis of a Community guide cost. During an initial period, from 1994 to 1997, the guide cost will be the weighted average of Community production costs observed in 1992. A new guide cost will be proposed for the period 1998-2002.

Operating aid will be authorized, after notification, if undertakings' current production costs are below the guide cost; if production costs are above the guide cost, aid will be authorized on condition that a restructuring plan is submitted which provides for convergence of costs towards the guide level.

Where transparency is concerned, a more consistent and precise classification will make it possible to subdivide the aid which can be authorized into operating aid, aid for the reduction of activity, aid to cover exceptional costs, aid for research and development, and aid for environmental protection. In addition, the inclusion of all support measures in public budgets before the end of 1997 and the obligation from 1994 for all undertakings to show all assistance received clearly in their accounts will also contribute to the transparency of the new rules.

The Commission is aware of the major social and regional aspects of the problems affecting the coal industry, and is accordingly proposing a negotiated and flexible approach, where restructuring measures are necessary, so that action can be taken to revitalize the regions affected by the decline in the coal industry.

1.3.107. Commission Decision concerning aid to the German coal industry.

Adopted on 25 November. As part of its negotiated and gradual approach to the restructuring of the coal industry, and in the light of the social and regional problems affecting the coal industry in Germany, the Commission authorized the granting of aid totalling DM 11 844.1 million to the German coal industry.

II

Community energy strategy

Promotion of energy technology

1.3.108. Commission Decision granting financial support for projects for the pro-

motion of energy technology (Thermie programme).

- **Basic Regulation:** Council Regulation (EEC) No 2008/90 on the promotion of energy technologies for Europe (Thermie programme): OJ L 185, 17.7.1990; Bull. EC 6-1990, point 1.3.256

Adopted on 13 November. Purpose: to grant ECU 23.8 million for two projects concerning solid fuels.

Promotion of energy efficiency

1.3.109. Proposal for a Council Directive to limit carbon dioxide emissions by improving energy efficiency (SAVE programme).

- **Commission proposal:** OJ C 179, 16.7.1992; COM(92) 182; Bull. EC 5-1992, point 1.1.79

Endorsed by the Economic and Social Committee on 25 November. The Committee emphasized the need to adapt to technical progress and the importance of the exchange of information between the Member States. It considered that efforts must be made to ensure that the proposed package of measures does not have an adverse effect on the competitiveness of certain enterprises.

Energy and environment

1.3.110. Council conclusions on clean and efficient energy for development (→ point 1.3.150).

Internal energy market

Natural gas and electricity

1.3.111. Council conclusions on the internal market in electricity and natural gas.

- **References:**
Council Directive 90/377/EEC concerning a Community procedure to improve the transparency of gas and electricity prices charged to industrial end-users: OJ L 185, 17.7.1990; Bull. EC 6-1990, point 1.3.253
Council Directive 90/547/EEC on the transit of electricity through transmission grids: OJ

L 313, 13.11.1990; Bull. EC 10-1990, point 1.3.213

Council Directive 91/296/EEC on the transit of natural gas through grids: OJ L 147, 12.6.1991; Bull. EC 5-1991, point 1.2.72

Proposals for Council Directives concerning common rules for the internal market in electricity and natural gas: OJ C 65, 14.3.1992; COM(91) 548; Bull. EC 1/2-1992, point 1.3.117

Adopted on 30 November. The Council confirmed the importance it attaches to the completion of the internal energy market and stressed that further progress in this direction should respect the following principles:

- security of supply;
- a high level of environmental protection;
- the protection of small consumers;
- the gradual introduction of transparency and non-discrimination into the gas and electricity markets.

The Council invited the Commission to consider amending its proposals in the light of the discussions within the Council and of the opinion of the European Parliament, with a view to increasing competition in the energy markets, bearing in mind the individual situations in the Member States and the specific features of the gas and electricity sectors.

Standardization

1.3.112. Council conclusions on technical harmonization and standardization in the energy sector.

- Reference:** Commission communication to the Council on technical harmonization and standardization in the energy sector: Bull. EC 6-1992, point 1.3.89

Adopted on 30 November. The Council endorsed the approach adopted by the Commission in its communication.

Oil and gas exploration and production

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

- Commission approval:** Bull. EC 3-1992, point 1.2.84

- Commission proposal:** OJ C 139, 2.6.1992; COM(92) 110; Bull. EC 5-1992, point 1.1.84

Endorsed by Parliament (first reading) on 18 November, subject to amendments concerning in particular the adaptation of existing authorizations.

OJ C 337, 21.12.1992

Endorsed by the Economic and Social Committee on 25 November. However, the Committee wanted the proposal to be carefully examined because legislation on oil and gas production could serve as a model for legislation in non-member countries which supply the Community with oil and gas. The principle of reciprocity of access conditions and the relinquishment of unexploited areas are the main concerns.

Individual sectors

Oil and petroleum products

1.3.114. Council conclusions on the oil market and the refining industry in the Community.

- Reference:** Commission communication to the Council on the oil market and the refining industry in the Community: COM(92) 152; Bull. EC 4-1992, point 1.3.77

Adopted on 30 November. The Council recognized that the existence of a competitive European refining industry contributes to the stability of the markets for refined products, the security of oil supply in the Community and its energy independence, and reaffirmed the importance of protection of the environment. It invited the Commission to consult the industry fully at an early stage in the development of environmental measures. It stressed the importance of the dialogue between oil-producing and oil-consuming countries, and encouraged the Commission to conduct regular reviews of the oil-market situation and of the refining industry in the Community.

Solid fuels

1.3.115. Parliament resolution on the plan to close coalmines in the United Kingdom and coal policy and energy strategy in the European Community.

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

Adopted on 19 November. Parliament stressed the need for the Commission and the Member States to initiate serious deliberations and wide-ranging consultation of all concerned on the coal policy to be pursued in the European Community, and called for a comprehensive energy strategy to be proposed that takes account of the total cost of the resources used. It also asked the Commission to increase Community support for the coal industry by increasing the endowment of the Rechar programme under the structural Funds with effect from 1 January 1994.

OJ C 337, 21.12.1992

1.3.116. ECSC Consultative Committee resolution on coal policy in the internal market.

Adopted on 19 November. The Consultative Committee emphasized the urgent need for a new positive policy *vis-à-vis* Community coal in order to ensure security of supply and to forestall the serious social and human consequences of the demise of Community coal production. It asked the Commission to ensure in particular that the environmental protection programme would not penalize coal as a result of tax measures and to ensure that practical proposals are formulated with a view to the clean use of coal.

1.3.117. Draft Commission Decision granting financial aid for a 1992 technical coal research project.

□ **Commission draft:** Bull. EC 10-1992, point 1.3.75

Endorsed by the ECSC Consultative Committee on 20 November.

1.3.118. Draft Commission Decision granting financial aid for four technical coal research projects.

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

Adopted on 4 November. Purpose: to grant a total of ECU 1.26 million for research projects.

New and renewable energy sources

1.3.119. Proposal for a Council Decision concerning the promotion of renewable energy sources in the Community (Altener programme).

□ **Commission proposal:** OJ C 179, 16.7.1992; COM(92) 180; Bull. EC 5-1992, point 1.1.78

Endorsed by the Economic and Social Committee on 24 November. However, the Committee called for a detailed examination of certain aspects of the proposal, in particular the environmental impact of using renewable energy sources and the impact of completing the internal energy market for the development of renewable energy sources.

It wondered about the implications of developing biomass, biofuels and the use of solar energy. It also considered that it was necessary to clarify the budgetary aspects of the proposal and to provide for criteria for assessing the implementation of the programme.

Agreed by the Council on 30 November.

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

European Energy Charter

1.3.120. Council conclusions on the European Energy Charter.

□ **Reference:** Signature of the European Energy Charter: Bull. EC 12-1991, point 1.2.114

Adopted on 30 November. The Council noted the progress made in negotiating a legally binding basic agreement, emphasized the need to conclude the agreement as soon as possible, and called upon the Commission to take active steps to this end.

Adopted by Parliament on 19 November. Parliament expressed its profound regret at the decision to disband the Athens City Transport Authority and called on the competent authorities in Greece to re-examine the problem of modernizing urban transport. It also called on the Commission to provide financial support for employees made redundant.

OJ C 337, 21.12.1992

Social dimension

Employment

Free movement of workers

1.3.121. Communication on the comparability of vocational training qualifications between the Member States of the European Community established in implementing Council Decision 85/368/EEC of 16 July 1985, in the 'food industry' sector.

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

Published by the Commission on 9 November.
OJ C 292, 9.11.1992

European Social Fund and other structural measures

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

Working conditions

Industrial relations

1.3.123. Parliament resolution on the dissolution of Athens City Transport Authority and the dismissal of 8 000 employees.

Measures for ECSC industry workers

1.3.124. Commission financing decision concerning the granting of aid for research projects under the fifth research programme on 'technical control of nuisances and pollution at the place of work and in the environment of iron and steel works'.

Reference: Memorandum concerning the establishment of a fifth research programme on the technical control of nuisances and pollution at the place of work and in the environment of iron and steel works: OJ C 338, 31.12.1985; Bull. EC 6-1985, point 2.1.175

Adopted by the Commission on 18 November. Purpose: to grant ECU 2.7 million for 12 research projects under the fifth programme.

1.3.125. Commission financing decision concerning the granting of aid for research projects under the fifth medical research programme on 'protection of workers against risks arising from work in the coal and steel industries'.

Reference: Memorandum concerning the establishment of a fifth medical research programme on protection of workers against risks arising from work in the coal and steel industries: OJ C 47, 19.2.1988; COM(87) 655; Bull. EC 12-1987, point 2.1.43

Adopted by the Commission on 24 November. Purpose: to grant ECU 1.1 million for six research projects under the fifth programme.

1.3.126. Commission financing decision concerning the granting of aid for research projects under the first joint research programme on safety in the ECSC industries.

Reference: Memorandum concerning the establishment of a first joint research pro-

gramme on safety in the ECSC industries: OJ C 325, 29.12.1989

Adopted by the Commission on 24 November.
Purpose: to grant ECU 2.3 million for 12 research projects under the first joint programme.

1.3.127. Commission financing decision concerning workers' housing in ECSC industry areas.

Adopted by the Commission on 27 November.
Purpose: to grant financial aid for a research project concerned with the study of needs and strategies in respect of workers' housing in ECSC industry areas.

Health and safety at work

References:

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

Council framework 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

1.3.128. Council Directive 92/91/EEC concerning the minimum requirements for improving the safety and health protection of workers in the mineral-extracting industries through drilling (11th individual Directive under Directive 89/391/EEC).

Commission proposal: OJ C 32, 7.2.1991; COM(90) 663; Bull. EC 12-1990, point 1.3.103

Economic and Social Committee opinion: OJ C 191, 22.7.1991; Bull. EC 5-1991, point 1.2.86

Parliament opinion (first reading): OJ C 280, 28.10.1991; Bull. EC 10-1991, point 1.2.85

Amended Commission proposal: OJ C 46, 20.2.1992; COM(91) 493; Bull. EC 12-1991, point 1.2.145

Council common position: Bull. EC 4-1992, point 1.3.92

Parliament opinion (second reading): OJ C 241, 21.9.1992; Bull. EC 7/8-1992, point 1.3.122

Re-examined Commission proposal: COM(92) 366; Bull. EC 7/8-1992, point 1.3.122

Formally adopted by the Council on 3 November. This Directive, which aims to protect the safety and health of workers in the onshore and offshore drilling industries, details the employer's obligations in areas such as information, workers' participation and health surveillance.

OJ L 348, 28.11.1992

1.3.129. Proposal for a Council Directive concerning the minimum safety and health requirements for transport activities and workplaces on means of transport.

Adopted by the Commission on 16 November. With a view to improving the safety and health of workers employed on means of transport, and to promoting better working conditions in transport activities within the framework of the internal market, the proposal for a Directive sets out a number of requirements, including:

the provision of sanitary facilities and rest rooms for workers on means of transport, where this is appropriate given the nature and duration of the activity involved;

the employer's responsibility for ensuring that the workplaces are properly maintained and cleaned, and that safety, emergency, control and signalling equipment and devices are in good working order;

the compulsory training of workers with a view to reducing the likelihood and severity of accidents in connection with the transport activities.

The minimum safety requirements are to be brought into force by the Member States as of 31 December 1994. An additional two-year period is allowed for bringing workplaces on means of transport already in service on that date up to the requisite standard.

COM(92) 234

1.3.130. Proposal for a Council Directive amending Directive 90/679/EEC on the protection of workers from risks related to exposure to biological agents at work.

Commission proposal: OJ C 217, 24.8.1992; COM(92) 261; Bull. EC 7/8-1992, point 1.3.124

Endorsed by the Economic and Social Committee on 24 November. The Committee nevertheless raised a number of points concerning the protection of certain categories of workers.

Solidarity

Social integration of the disabled

1.3.131. Commission report on progress with regard to implementation of the policy of school integration in the Member States (1988-91).

□ **References:**

Council Decision 88/231/EEC establishing a second action programme to promote economic integration, social integration and an independent way of life for disabled people (Helios): OJ L 104, 23.4.1988; Bull. EC 4-1988, point 2.1.92

Resolution of the Council and the Ministers for Education meeting within the Council concerning the integration of children and young people with disabilities into ordinary systems of education: OJ C 162, 3.7.1990; Bull. EC 5-1990, point 1.2.240

Commission report on the Helios I programme (1988-91): SEC(92) 1206; Bull. EC 7/8-1992, point 1.3.126

Adopted by the Commission on 5 November. In this report, which was drawn up in accordance with the resolution of the Council and the Ministers for Education of 31 May 1990, and which supplements the report on the Helios I programme, the Commission analyses the current situation in the Member States and the progress in implementing the policy of school integration of handicapped people.

It notes that national legislation in the field of integration has mushroomed since 1987, with some totally new concepts being adopted. However, there is still wide disparity between Member States as regards definition of the handicapped pupil.

Furthermore, the Commission emphasizes the need for greater change in the regulations, flexibility and adaptation of national curricula, and adoption of individualized assessments. Above all, a shift in the mentality of all the

participants and all the instruments of school integration is required. Finally, it points out that the transition from the school environment to the world of work and the opportunities available at the end of compulsory schooling deserve further detailed study.

SEC(92) 1891

1.3.132. Proposal for a Council Decision establishing a third Community action programme to assist disabled people — Helios II (1993-97).

□ **Commission proposal:** OJ C 293, 12.11.1991; COM(91) 350; Bull. EC 10-1991, point 1.2.71

□ **Economic and Social Committee opinion:** OJ C 79, 30.3.1992; Bull. EC 1/2-1992, point 1.3.130

□ **Parliament opinion:** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.86

Amended proposal adopted by the Commission on 16 November.

COM(92) 482

International cooperation

1.3.133. Recommendation for a Council Decision concerning negotiations on a convention and a recommendation on the prevention of major industrial accidents at the International Labour Conference (→ point 1.3.157).

Education, vocational training and youth

Cooperation in the field of education

1.3.134. Conclusions of the Council and the Ministers for Education meeting within the Council on the education information network in the European Community (Eurydice).

□ **References:**

Resolution of the Council and the Ministers for Education meeting within the Council comprising an action programme in the field of education: OJ C 38, 19.2.1976

Resolution of the Council and the Ministers for Education meeting within the Council concerning Eurydice: OJ C 329, 31.12.1990

Adopted by the Council and the Ministers for Education meeting within the Council on 27 November. In their conclusions, the Council and the Ministers for Education expressed willingness to provide appropriate assistance in connection with the prospective integration of the EFTA countries into the Eurydice network from 1 January 1993. Regarding qualitative and quantitative needs for information, they invited the Commission to submit a proposal specifying future objectives, priorities, target groups and operational methods of the network.

1.3.135. Conclusions of the Council and the Ministers for Education meeting within the Council on health education in schools (→ point 1.3.239).

1.3.136. Conclusions of the Council and the Ministers for Health meeting within the Council on education and health (→ point 1.3.238).

1.3.137. Commission report on progress with regard to implementation of the policy of school integration in the Member States (1988-91) (→ point 1.3.131).

Higher education

1.3.138. Conclusions of the Council and the Ministers for Education meeting within the Council on measures for developing the European dimension in higher education.

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

Adopted by the Council and the Ministers for Education meeting within the Council on 27 November. The Council and the Ministers for Education welcomed the prominence given in

the Commission's memorandum on higher education to the need for a European dimension in higher education.

Recognizing that student mobility is a key element in achieving this objective and that such actions should therefore be sustained and expanded, they nevertheless considered that complementary measures should be developed as part of the overall strategy, entailing the reinforcement of interinstitutional links, teaching staff mobility, interinstitutional collaboration over the curriculum, and the contribution of distance learning.

The Council and the Ministers for Education invited the Commission to present a general report on the obstacles to such cooperation and on ways of moving forward.

Continuing training

1.3.139. Proposal for a Council recommendation on continuing vocational training.

□ **References:**

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

Decision 90/267/EEC establishing an action programme for the development of continuing vocational training in the European Community (Force): OJ L 156, 21.6.1990; Bull. EC 5-1990, point 1.2.62

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

Social dialogue meeting: Bull. EC 7/8-1992, point 1.3.107

Adopted by the Commission on 25 November. In this proposal, which constitutes the latest measure to be implemented in the context of the action programme relating to the Community Charter of the Fundamental Social Rights of Workers, and which follows on from the memorandum on vocational training in the Community, the Commission draws largely on the joint opinions adopted by the social partners in the context of the social dialogue.

In view of the strategic importance of continuing training for the competitiveness of European countries, the Commission has drawn up a framework of measures to be implemented by the Member States in the context of their national practices and systems, and in cooperation with the social partners, so as to ensure the broadest possible effective access to continuing vocational training for all workers.

The proposal aims also to promote wide-scale dissemination of innovative approaches resulting from the Force programme and to encourage pooling of resources between the public and private sectors. Whilst the emphasis is on continuing training for employees, the contribution of vocational training in combating unemployment is also considered.

COM(92) 486

Open and distance learning

1.3.140. Conclusions of the Council and the Ministers for Education meeting within the Council on actions in respect of open and distance learning.

□ References:

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

Conclusions of the Council on the development of open and distance learning in the European Community: OJ C 151, 16.6.1992; Bull. EC 6-1992, point 1.3.110

Adopted by the Council and the Ministers for Education meeting within the Council on 27 November. Following the Commission memorandum on open and distance learning, the Council and the Ministers for Education set out the criteria for Community action to support Member States and their cooperation in this field. Such action should:

- aim to facilitate cooperation between institutions and organizations in the field;
- respond to the need to enhance the skills of teachers, trainers and managers in the necessary techniques and facilitate the exchange of experience;
- emphasize the importance of quality;

- be developed in consultation with Member States, paying attention also to the views of user groups and providers;

- be developed with regard to its potential contribution to conventional education and training activities;

- focus on meeting users' needs and be able to demonstrate the special contribution that these techniques can make.

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

1.3.141. Conclusions of the Council and the Ministers for Education meeting within the Council on cooperation between the European Community and the United States in the field of education and training.

□ References:

Joint declaration by the EEC and the United States on cooperation in the field of higher education and continuing training: Bull. EC 11-1990, point 1.3.199

Commission communication to the Council and Parliament on EC/US cooperation in education and training: Bull. EC 5-1992, point 1.1.100

Adopted by the Council and the Ministers for Education meeting within the Council on 27 November. Noting the Commission communication on the development of EC/US cooperation in the field of education and training, the Council and the Ministers for Education expressed their readiness to assist the Commission in the consideration of future action, which should take account of existing bilateral programmes, be closely tied to Community policies and programmes, bring balanced benefits to both the EC and US sides, make the most effective use of resources and provide a specific European added value.

The Council and the Ministers invited the Commission to enter into this consideration of future action as soon as possible, with a view to preparing a draft agreement with the United States.

Economic and social cohesion: structural measures

Development, coordination and implementation of policies and measures

1.3.142. Own-initiative Economic and Social Committee opinion on the Commission communication on Community structural policies: assessment and outlook (→ point 1.2.2).

Financial assistance

Less-developed regions

1.3.143. Commission decisions: see Table 2.

Table 2 — *Financing under Objective 1*

(million ECU)		
Country	Fund	Total assistance
<i>Greece</i>	ERDF	104.7
	EAGGF	31.5
<i>Spain</i>	ERDF	3.9
	EAGGF	19.8
<i>France</i>	EAGGF	3
<i>Ireland</i>	ERDF	0.5
	EAGGF	9.5
<i>Portugal</i>	EAGGF	11.8

Declining industrial areas

1.3.144. Commission decisions: see Table 3.

Table 3 — *Financing under Objective 2*

(million ECU)		
Country/region	Fund	Total assistance
<i>France</i>		
Nord/Pas-de-Calais	ERDF	13
<i>Italy</i>		
Umbria	ERDF/ESF	14.8
Valle d'Aosta	ERDF/ESF	4.8
Veneto	ERDF/ESF	9.21
<i>United Kingdom</i>		
Yorkshire and Humber-side (steel areas)	ERDF/ESF	32.8

Structural measures in the social field

1.3.145. Commission decisions concerning the Community support frameworks for Objectives 3 and 4 for 1993.

□ **Commission approval:** Bull. EC 10-1992, point 1.3.90

Adopted on 5 November. These decisions concern Belgium, Denmark, Germany, Spain, France, Italy, Luxembourg, the Netherlands and the United Kingdom.

Adjustment of agricultural structures

1.3.146. Commission decisions: see Table 4.

Table 4 — *Financing under Objective 5a*

(million ECU)		
Country	Fund	Total assistance
<i>Belgium</i>	EAGGF	10.4
<i>Denmark</i>	EAGGF	1.9
<i>Germany</i>	EAGGF	3
<i>Spain</i>	EAGGF	8
<i>Luxembourg</i>	EAGGF	0.26
<i>Netherlands</i>	EAGGF	0.47
<i>United Kingdom</i>	EAGGF	8.66

Fisheries structures

1.3.147. Commission decisions: see Table 5.

Table 5 — *Financing of fisheries structures*

(million ECU)

Country/purpose	Fund	Total assistance
Processing and marketing of fisheries and aquaculture products		
<i>Belgium</i>	EAGGF	0.75
<i>Ireland</i>	EAGGF	4.18
<i>Italy</i>	EAGGF	12.6
Conservation and management of fisheries resources in the Mediterranean (second instalment)	EAGGF	4.7
Promoting mussel raising		
<i>Spain</i>	EAGGF	0.72
Promoting the consumption of small pelagic species		
<i>Italy</i>	EAGGF	0.86

Community initiatives

1.3.148. Commission decision: see Table 6.

Table 6 — *Financing of Community initiatives*

(million ECU)

Community initiative	Country	Fund	Total assistance
Télématique	France (Martinique)	ERDF	0.8

Other financial assistance

1.3.149. Commission decisions: see Table 7.

Table 7 — *Other financial assistance*

(million ECU)

Type	Country/purpose	Fund	Total assistance
Studies	Urdabai biosphere (Spain)	ERDF	0.12
	Conservation of European towns	ERDF	1.44
Seminars	Local development meeting (Italy)	ERDF	0.08
	Need for a European development policy (France)	ERDF	0.036
	Directoria 93 — Meetings of local authority directors	ERDF	0.077
IMPs	<i>Greece</i>		
	Forestry measures	EAGGF	23
	Olive groves	EAGGF	9

<i>(million ECU)</i>			
Type	Country/purpose	Fund	Total assistance
IMPs <i>(continued)</i>	<i>France</i>		
	Alpes-Maritimes (drinking water)	EAGGF	0.08
	Ariège (drinking water)	EAGGF	0.38
	Drôme (roads)	EAGGF	0.09
	Hautes-Alpes (drinking water)	EAGGF	0.23
	Lot (electrification)	EAGGF	0.35
	Tarn (roads)	EAGGF	0.06
	Tarn-et-Garonne (electrification)	EAGGF	0.30
	<i>Italy</i>		
	Lazio (infrastructures)	EAGGF	1.38
	Lazio (afforestation)	EAGGF	1.68
	Umbria (infrastructure)	EAGGF	1.36
	Umbria (afforestation)	EAGGF	8.77
	Liguria (afforestation)	EAGGF	3.10
	Emilia-Romagna (afforestation)	EAGGF	5.26
	Basilicata (afforestation)	EAGGF	5.57
	Campania (afforestation)	EAGGF	5.64

Environment

I

Follow-up to the Rio Conference

1.3.150. Council conclusions on clean and efficient energy for development.

References:

United Nations Conference on Environment and Development (Unced): Bull. EC 6-1992, point 1.3.127

Commission communication to the Council on clean and efficient energy for development: Bull. EC 5-1992, point 1.1.119

Adopted on 18 November. The Council welcomed the Commission communication on clean and efficient energy for development and stated that an essential objective of cooperation with developing countries in the field of energy is to promote sustainable energy production and consumption. In this context, it stressed the need for the gradual replacement of high CO₂ emission fossil fuels and the development of clean combustion techniques and of renewable energy sources.

It therefore called upon the Commission:

to promote technical assistance to developing countries by strengthening existing cooperation instruments;

to ask the EIB to continue its investment activities in the ACP and Mediterranean

countries and encourage investment in the field of energy in Asia and Latin America;

□ to strengthen operational coordination between the activities of the Community and of the Member States.

II

General

Fifth environment programme

1.3.151. Proposal for a Council resolution on a Community programme of policy and action in relation to the environment and sustainable development.

□ **References:**

Fifth European Community programme of policy and action in relation to the environment and sustainable development: COM(92) 23; Bull. EC 3-1992, point 1.2.115

United Nations Conference on Environment and Development (Unced): Bull. EC 6-1992, point 1.3.127

□ **Commission proposal:** COM(92) 23; Bull. EC 3-1992, point 1.2.115

□ **Economic and Social Committee opinion:** OJ C 287, 4.11.1992; Bull. EC 7/8-1992, point 1.3.145

Endorsed by Parliament on 19 November. Parliament called for the inclusion of environmental costs in the cost price of products on the market, for wider application of the principle that the user of natural resources should pay and for a review of the 'polluter pays' principle to ensure that pollution is not legitimized by a counter-payment.

It also called for the concept of sustainable development to be included as a specific objective in the rules governing Community Funds.

Parliament listed the measures to be taken in the sphere of nature conservancy and the protection of natural resources and in industry, energy, agriculture, tourism and transport in order to implement the fifth programme and follow up the results of the United Nations

Conference on Environment and Development.

Lastly, in the sphere of international cooperation, it called for the incorporation of an environmental code in all international trading agreements, the establishment of close cooperation with the countries of Central Europe, and the implementation in the developing countries of a cooperation policy based on both economic and environmental objectives, to enable developing countries to achieve economic autonomy.

OJ C 337, 21.12.1992

Taking the environment into account in other policies

1.3.152. Commission communication to the Council and to Parliament on industrial competitiveness and protection of the environment (→ point 1.3.73).

1.3.153. Parliament resolution on the environment and industrial competitiveness (→ point 1.3.74).

1.3.154. Council resolution on industrial competitiveness and protection of the environment (→ point 1.3.75).

Financial instruments

1.3.155. Commission Decision granting financial support for measures concerning the protection of habitats and of nature.

□ **Reference:** Council Regulation (EEC) No 1973/92 establishing a financial instrument for the environment (LIFE): OJ L 206, 22.7.1992; Bull. EC 5-1992, point 1.1.123

Adopted on 9 November. Purpose: to grant financial support totalling ECU 25 million to 23 projects for the conservation of biotopes or habitats of species in danger of extinction, habitats at risk of disappearing or species in danger of extinction in the Community.

Industry and environment, civil protection

Environmental control of products, industrial plants and biotechnology

1.3.156. Proposal for a Regulation on the evaluation and control of the environmental risks of existing substances.

- **Commission proposal:** OJ C 276, 5.11.1990; COM(90) 227; Bull. EC 7/8-1990, point 1.3.132
- **Economic and Social Committee opinion:** OJ C 102, 18.4.1991; Bull. EC 1/2-1991, point 1.2.226
- **Parliament opinion (first reading):** OJ C 280, 28.10.1991; Bull. EC 10-1991, point 1.2.179
- **Amended Commission proposal:** OJ C 334, 28.12.1991; COM(91) 469; Bull. EC 12-1991, point 1.2.294
- **Council agreement on a common position:** Bull. EC 12-1991, point 1.2.294
- **Council common position:** Bull. EC 7/8-1992, point 1.3.149

Endorsed by Parliament (second reading) on 18 November, subject to amendments of a technical nature.

OJ C 337, 21.12.1992

Civil protection

1.3.157. Recommendation for a Council Decision concerning negotiations on a convention and a recommendation on the prevention of major industrial accidents at the International Labour Conference.

- **Commission recommendation:** Bull. EC 5-1992, point 1.1.126

Amended recommendation adopted by the Commission on 17 November.

COM(92) 473

Environmental quality and natural resources

Urban environment, air quality, transport and noise

1.3.158. Proposal for a Council Directive on the approximation of the laws of the Member

States relating to the sulphur content of gas oil.

- **Commission proposal:** OJ C 174, 5.7.1991; COM(91) 154; Bull. EC 4-1991, point 1.2.135
- **Economic and Social Committee opinion:** OJ C 14, 20.1.1992; Bull. EC 10-1991, point 1.2.181
- **Parliament opinion (first reading):** OJ C 94, 13.4.1992; Bull. EC 3-1992, point 1.2.119
- **Amended Commission proposal:** OJ C 120, 12.5.1992; COM(92) 119; Bull. EC 3-1992, point 1.2.119
- **Council agreement on a common position:** Bull. EC 3-1992, point 1.2.119
- **Council common position:** Bull. EC 7/8-1992, point 1.3.158

Endorsed by Parliament (second reading) on 18 November, subject to amendments intended to ensure that vessels and motor vehicles coming from non-member countries use, within the Community, only fuel whose sulphur content complies with the requirements of the future Directive.

OJ C 337, 21.12.1992

Nuclear safety

Radiation protection

1.3.159. Proposal for a Council Regulation on shipments of radioactive substances within the European Community.

- **Commission proposal:** Bull. EC 7/8-1992, point 1.3.160

Endorsed by the Economic and Social Committee on 24 November. However, the Committee took the view that, following the removal of controls at intra-Community frontiers, harmonized control arrangements should be established both at the Community's external frontiers and within the Community in order to avoid the risks inherent in shipments of radioactive substances.

1.3.160. Parliament resolution on the international transport of plutonium.

Adopted on 19 November. Parliament stated that the most stringent possible safety precautions should be taken with regard to ship-

ments of plutonium, in line with the safety standards laid down by the International Atomic Energy Agency. It called for the countries concerned by such shipments to be informed about them in good time. Parliament was opposed to any transport of radioactive waste by civil aviation companies.

OJ C 337, 21.12.1992

Agriculture

I

Transitional measures for Spain and Portugal

1.3.161. Proposal for a Council Regulation amending the transitional measures governing the common organization of the market in cereals and rice in Portugal introduced by Regulation (EEC) No 3653/90; proposal for a Council Regulation on application of the common price for milk powder in Portugal; amended proposal for a Council Regulation setting compensation for reduction of individual milk reference quantities and for definitive discontinuation of milk production; proposal for a Council Regulation amending Regulation (EEC) No 1785/81 and introducing application in Spain of the sugar sector prices provided for by that Regulation; proposal for a Council Regulation on application of the common intervention price for olive oil in Spain and Portugal; proposal for a Council Regulation discontinuing the compensation mechanism for fruit and vegetables in trade between Spain and Portugal and the other Member States; proposal for a Council Regulation on the list of products subject to the supplementary trade mechanism as regards consignment to Portugal; proposal for a Council Regulation laying down general rules for applying the supplementary trade mechanism to products other than fruit and vegetables; proposal for a Council

Regulation amending Regulation (EEC) No 3210/89 laying down general rules for applying the supplementary trade mechanism to fresh fruit and vegetables; proposal for a Council Regulation amending Regulation (EEC) No 3651/90 laying down general rules for applying the supplementary trade mechanism to movement of fresh fruit and vegetables between Portugal and the other Member States; proposal for a Council Regulation on the granting of aid to encourage the formation and facilitate the operation of producer organizations as provided for in Council Regulations (EEC) Nos 1035/72 and 1360/78 in Portugal; proposal for a Council Regulation derogating, with regard to the granting in Portugal of the suckler cow premium, from Council Regulation (EEC) No 805/68 on the common organization of the market in beef and veal.

□ Regulations to be amended:

Council Regulation (EEC) No 1785/81 on the common organization of the markets in the sugar sector (OJ L 177, 1.7.1981), as last amended by Commission Regulation (EEC) No 61/92: OJ L 6, 11.1.1992; Bull. EC 1/2-1992, point 1.3.191

Council Regulation (EEC) No 3210/89: OJ L 312, 27.10.1989; Bull. EC 10-1989, point 2.1.125

Council Regulation (EEC) No 3651/90: OJ L 362, 27.12.1990; Bull. EC 12-1990, point 1.3.179

□ References:

Treaty of Accession of Spain and Portugal to the Community: OJ L 302, 15.11.1985; Bull. EC 11-1985, points 2.2.1 to 2.2.4

Council Regulation (EEC) No 805/68 on the common organization of the market in beef and veal (OJ L 148, 28.6.1968), as last amended by Regulation (EEC) No 2066/92: OJ L 215, 30.7.1992; Bull. EC 6-1992, point 1.3.144

Council Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables (OJ L 118, 20.5.1972), as last amended by Regulation (EEC) No 1156/92: OJ L 122, 7.5.1992; Bull. EC 4-1992, point 1.3.143

Council Regulation (EEC) No 1360/78 on producer groups and associations thereof (OJ L 166, 23.6.1978), as last amended by Regulation (EEC) No 3763/91: OJ L 356, 24.12.1991; Bull. EC 12-1991, point 1.2.224

Council Regulation (EEC) No 3653/90: OJ L 362, 27.12.1990; Bull. EC 12-1990, point 1.3.179

Proposal for a Council Regulation setting compensation for reduction of individual milk

reference quantities and for definitive discontinuation of milk production: OJ C 337, 31.12.1991; COM(91) 409; Bull. EC 10-1991, point 1.2.101; Bull. EC 5-1992, point 1.1.141

Adopted by the Commission on 11 November. The purpose of the proposals is completion of the single market on 1 January 1993 and, in particular, abolition of all border controls under the transitional arrangements for agricultural products provided for in the Act of Accession of Spain and Portugal.

They therefore abolish or adjust the provisions indicated above with effect from 1 January 1993.

In particular, the Commission proposes:

- the abolition of 'accession' compensatory amounts;
- the restriction of the supplementary trade mechanism to a few sensitive products: oranges, apples and live cattle for Portugal, live cattle and some milk for Spain, tomatoes, pears, peaches and apricots for the Ten;
- the reorganization of the control arrangements for the supplementary trade mechanism for those products to which it is to continue to apply, in order to abolish border controls;
- various compensatory measures: in Portugal increased aid for producer groups and a higher suckler cow premium and in Spain relaxation of the aid provisions for the sugar industry.

COM(92) 253

Common organization of the market in potatoes

1.3.162. Proposal for a Council Regulation on the common organization of the market in potatoes.

- Proposal replaced:** OJ C 61, 17.3.1975; COM(75) 690

Adopted by the Commission on 24 November. This proposal would establish a common organization of the market in potatoes in order to harmonize the Member States' present mechanisms for completion of the single mar-

ket. Potatoes have hitherto not been covered by any common organization.

The Commission proposes basing organization on the following principles:

- no interference with the market, hence no price mechanisms;
- encouragement of marketing through producer groups by granting aid for their formation;
- common provisions on trade with third countries; import volumes normally unrestricted but significant rises could occasion closer surveillance (import licences).

OJ C 333, 17.12.1992; COM(92) 185

Administration and control of aid

1.3.163. Council Regulation (EEC) No 3508/92 establishing an integrated administration and control system for certain Community aid schemes.

- Commission proposal:** OJ C 9, 15.1.1992; COM(91) 533; Bull. EC 12-1991, point 1.2.196
- Economic and Social Committee opinion:** OJ C 98, 21.4.1992; Bull. EC 1/2-1992, point 1.3.173

Endorsed by Parliament on 17 November, subject to amendments under which tobacco would be included and the Commission's powers of supervision and penalization increased.

OJ C 337, 21.12.1992

Agreed by the Council on 17 November.

Formally adopted on 27 November. The Regulation sets out a common framework for introducing, from 1 February 1993, integrated administration and control of direct aids under the reformed common agricultural policy (CAP). As aid depends on area cultivated or number of animals held, computerized databases are to be set up listing holdings, parcels and eligible animals.

OJ L 355, 5.12.1992

II

Legislation

Agricultural structure and rural development

1.3.164. Council Directive 92/92/EEC amending Directive 86/465/EEC concerning the Community list of less-favoured farming areas within the meaning of Directive 75/268/EEC (Germany).

- Commission proposal:** OJ C 251, 28.9.1992; COM(92) 351; Bull. EC 7/8-1992, point 1.3.170
- Parliament opinion:** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.108

Adopted on 9 November. Delimits the less-favoured areas of the new *Länder*.

OJ L 338, 23.11.1992

1.3.165. Council Directive 92/93/EEC amending Directive 75/275/EEC concerning the Community list of less-favoured farming areas within the meaning of Directive 75/268/EEC (Netherlands).

- Commission proposal:** OJ C 260, 9.10.1992; COM(92) 384; Bull. EC 9-1992, point 1.2.109
- Parliament opinion:** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.110

Adopted on 9 November. Extends the list of less-favoured areas in the Netherlands.

OJ L 338, 23.11.1992

1.3.166. Council Directive 92/94/EEC amending Directive 75/273/EEC concerning the Community list of less-favoured farming areas within the meaning of Directive 75/268/EEC (Italy).

- Commission proposal:** OJ C 225, 1.9.1992; COM(92) 349; Bull. EC 7/8-1992, point 1.3.171
- Parliament opinion:** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.109

Adopted on 9 November. Extends the list of less-favoured areas in Italy.

OJ L 338, 23.11.1992

*Veterinary legislation***Freedom of movement**

1.3.167. Proposal for a Council Directive amending Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species and extending it to cover fresh bovine semen, together with the report provided for in Article 4 of that Directive.

- Directive to be amended:** Council Directive 88/407/EEC (OJ L 194, 22.7.1988; Bull. EC 6-1988, point 2.1.223), as last amended by Directive 90/425/EEC: OJ L 224, 18.8.1990; Bull. EC 6-1990, point 1.3.140

Adopted by the Commission on 12 November. This proposal would bring Directive 88/407/EEC into line with the current health situation and with technical advance, in particular requirements relating to infectious bovine rhinotracheitis and infectious pustular vulvovaginitis (covered in a separate report), and extend its scope to fresh semen and modify its implementing provisions.

OJ C 324, 10.12.1992; COM(92) 462

1.3.168. Council Directive 92/102/EEC on the identification and registration of animals.

- Commission proposal:** OJ C 137, 27.5.1992; COM(92) 148; Bull. EC 4-1992, point 1.3.126

Endorsed by Parliament on 19 November, subject to amendments providing for identification of animals born before entry into force of the Directive, requiring marking to entail no suffering and making other changes of detail.

OJ C 337, 21.12.1992

Adopted on 27 November. Sets rules on marking of animals and keeping of registers by their owners permitting identification of the farm of origin, in order to facilitate veterinary control and control of aid schemes for cattle, sheep and goats.

OJ L 355, 5.12.1992

1.3.169. Proposal for a Council Directive concerning the protection of animals kept for farming purposes.

- **Commission proposal:** OJ C 156, 23.6.1992; COM(92) 192; Bull. EC 5-1992, point 1.1.150
- **Economic and Social Committee opinion:** Bull. EC 10-1992, point 1.3.113

Endorsed by Parliament on 19 November.

OJ C 337, 21.12.1992

1.3.170. 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.

- **Commission proposal:** COM(92) 243; Bull. EC 6-1992, point 1.3.150
- **Economic and Social Committee opinion:** Bull. EC 10-1992, point 1.3.114

Endorsed by Parliament on 19 November, subject to amendments concerning the financing of inspections and various technical points.

OJ C 337, 21.12.1992

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

- **Commission proposal:** OJ C 314, 5.12.1991; COM(91) 136; Bull. EC 11-1991, point 1.2.117
- **Economic and Social Committee opinion:** OJ C 106, 27.4.1992; Bull. EC 3-1992, point 1.2.154
- **Parliament opinion:** OJ C 241, 21.9.1992; Bull. EC 7/8-1992, point 1.3.176

Amended proposal adopted by the Commission on 16 November.

OJ C 328, 12.12.1992; COM(92) 460

1.3.172. The Commission adopted:

- Decision 92/518/EEC, 3.11.1992: OJ L 325, 11.11.1992 — importation of bovines and pigs from Switzerland, Sweden, Finland and Iceland;
- Decision 92/523/EEC, 4.11.1992: OJ L 328, 14.11.1992 — bovine embryo collection;
- Decision 92/525/EEC, 3.11.1992: OJ L 331, 17.11.1992 — approval of border inspection posts;
- Decision 92/526/EEC, 4.11.1992: OJ L 332, 18.11.1992 — importation of bovines and pigs from Bulgaria;
- Decision 92/539/EEC, 10.11.1992: OJ L 347, 28.11.1992 — importation of pigs from Hungary;

□ Decision 92/558/EEC, 23.11.1992: OJ L 358, 8.12.1992 — processing of high risk material (new German *Länder*);

□ Decision 92/562/EEC, 17.11.1992: OJ L 359, 9.12.1992 — processing of high risk material;

□ Decision 92/563/EEC, 19.11.1992: OJ L 361, 10.12.1992 — Shift project;

□ Decision 92/570/EEC, 5.11.1992: OJ L 367, 16.12.1992 — importation of bovine semen from the United States.

Disease control

1.3.173. Communication from the Commission on diseases in aquaculture animals accompanied by a proposal for a Council Directive amending Directive 91/67/EEC concerning the animal health conditions governing the placing on the market of aquaculture animals and products.

- **Directive to be amended:** Council Directive 91/67/EEC: OJ L 46, 19.2.1991; Bull. EC 1/2-1991, point 1.2.142

Adopted by the Commission on 16 November. This proposal would update the list of diseases for which the Directive sets preventive measures and clarify certain requirements.

OJ C 324, 10.12.1992; COM(92) 458

1.3.174. Proposal for a Council Directive introducing Community measures for the control of certain fish diseases.

- **Commission proposal:** OJ C 172, 8.7.1992; COM(92) 204; Bull. EC 6-1992, point 1.3.159

Endorsed by the Economic and Social Committee on 24 November with certain observations. The Committee drew attention to the danger of any exception to the non-vaccination policy for fish and recommended that aid be granted for eradication programmes and a separate proposal presented on mollusc diseases.

1.3.175. The Commission adopted:

- Decision 92/528/EEC, 9.11.1992: OJ L 332, 18.11.1992 — bonamiosis and marteliosis (United Kingdom);
- Decision 92/531/EEC, 9.11.1992: OJ L 334, 19.11.1992 — horse sickness;
- Decision 92/532/EEC, 19.11.1992: OJ L 337, 21.11.1992 — fish diseases;

□ Decision 92/538/EEC, 9.11.1992: OJ L 347, 28.11.1992 — infectious haematopoietic necrosis and viral haemorrhagic septicaemia.

Animal feed

1.3.176. The Commission adopted:

- Directive 92/89/EEC, 3.11.1992: OJ L 344, 26.11.1992 — official control;
- Directive 92/95/EEC, 9.11.1992: OJ L 327, 13.11.1992 — official control;
- Directive 92/99/EEC, 17.11.1992: OJ L 350, 1.12.1992 — additives.

Plant health legislation

1.3.177. Council Directive 92/98/EEC amending Annex V to Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community.

- **Commission proposal:** COM(92) 265; Bull. EC 6-1992, point 1.3.161

Adopted on 16 November. Determines the list of plants and plant products for which inspection and the issuing of a passport or health certificate are required before movement within the Community or entry therein if of external origin.

OJ L 352, 2.12.1992

1.3.178. The Commission adopted:

- Directive 92/90/EEC, 3.11.1992: OJ L 344, 26.11.1992 — registration of producers.

Agricultural prices and related measures

1.3.179. Proposal for a Council Regulation amending Regulation (EEC) No 4007/87 extending the period referred to in Articles 90(1) and 257(1) of the Act of Accession of Spain and Portugal.

- **Regulation to be amended:** Council Regulation (EEC) No 4007/87 (OJ L 378, 22.12.1987), as last amended by Regulation

(EEC) No 477/92: OJ L 55, 29.2.1992; Bull. EC 1/2-1992, point 1.3.188

Adopted by the Commission on 20 November. This proposal would extend to 31 December 1993 the period during which transitional measures may be adopted to resolve difficulties over application of agricultural market rules in Spain and Portugal.

OJ C 329, 15.12.1992; COM(92) 447

1.3.180. Council Regulation (EEC) No 3311/92 on special measures for farmers affected by the 1991/92 drought in Portugal.

- **Commission proposal:** OJ C 251, 28.9.1992; COM(92) 348; Bull. EC 7/8-1992, point 1.3.185
- **Parliament opinion:** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.123

Adopted on 9 November. Grants aid per hectare to compensate for lower cereal yields (ECU 35 million) and aid to compensate for purchase of fodder supplements (ECU 47 million).

OJ L 332, 18.11.1992

1.3.181. Proposal for a Council Regulation on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy.

- **Commission proposal:** OJ C 188, 25.7.1992; COM(92) 275; Bull. EC 7/8-1992, point 1.3.163
- **Economic and Social Committee opinion:** Bull. EC 10-1992, point 1.3.122

Endorsed by Parliament on 17 November, subject to amendments on the thresholds for adjustment of conversion rates, compensatory aid levels and the procedure for adjusting the Regulation itself.

OJ C 337, 21.12.1992

Market organization

Cereals

1.3.182. The Commission adopted:

- Regulation (EEC) No 3315/92, 17.11.1992: OJ L 332, 18.11.1992 — maximum moisture content;
- Regulation (EEC) No 3461/92, 30.11.1992: OJ L 350, 1.12.1992 — intervention centres;

Regulation (EEC) No 3469/92, 30.11.1992: OJ L 350, 1.12.1992 — supplementary trade mechanism (Portugal).

Sugar

1.3.183. Council Regulation amending Regulation (EEC) No 1785/81 on the common organization of the markets in the sugar sector.

Commission proposal: OJ C 265, 14.10.1992; COM(92) 403; Bull. EC 9-1992, point 1.2.116

Endorsed by Parliament on 20 November.

OJ C 337, 21.12.1992

Endorsed by the Economic and Social Committee on 25 November.

Adopted on 27 November. Extends to 30 June 1993 the special supply arrangements for Portugal.

Oils and fats

1.3.184. Council Decision on the Community's participation in negotiations to extend the International Agreement on Olive Oil and Table Olives.

Recommendation for a Decision: Bull. EC 10-1992, point 1.3.128

Adopted on 16 November.

1.3.185. Proposal for a Council Regulation laying down marketing standards for certain milk and non-milk fats and fats composed of plant and animal products.

Commission proposal: OJ C 36, 14.2.1992; COM(91) 462; Bull. EC 11-1991, point 1.2.105

Economic and Social Committee opinion: OJ C 223, 31.8.1992; Bull. EC 5-1992, point 1.1.160

Endorsed by Parliament on 19 November, subject to various changes of detail.

OJ C 337, 21.12.1992

1.3.186. The Commission adopted:

Regulation (EEC) No 3288/92, 12.11.1992: OJ L 327, 13.11.1992 — analysis methods for olive oil;

Regulation (EEC) No 3368/92, 24.11.1992: OJ L 342, 25.11.1992 — support for oilseed producers.

Dried fodder

1.3.187. The Commission adopted:

Regulation (EEC) No 3328/92, 18.11.1992: OJ L 334, 19.11.1992 — peas, field beans and sweet lupins.

Live plants and flowers

1.3.188. Council Regulation (EEC) No 3336/92 amending Regulation (EEC) No 234/68 on the common organization of the market in live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage.

Commission proposal: OJ C 166, 3.7.1992, COM(92) 249; Bull. EC 6-1992, point 1.3.170

Parliament opinion: OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.131

Adopted on 16 November. Includes chicory plants and roots in the common organization.

OJ L 336, 20.11.1992

Fresh fruit and vegetables

1.3.189. Council Regulation (EEC) No 3438/92 laying down special measures for the transport of certain fresh fruit and vegetables originating in Greece.

Commission proposal: OJ C 222, 29.8.1992; COM(92) 323; Bull. EC 7/8-1992, point 1.3.191

Endorsed by Parliament on 20 November.

OJ C 337, 21.12.1992

Adopted on 23 November. Given the impossibility of using road and rail routes through the former Yugoslavia to send fresh fruit and vegetables from Greece to the other Member States, the Regulation grants exporters a special temporary allowance on consignments made in 1992 and 1993.

OJ L 350, 1.12.1992

1.3.190. Proposal for a Council Regulation on the common organization of the market in bananas.

Commission proposal: OJ C 232, 10.9.1992; COM(92) 359; Bull. EC 7/8-1992, point 1.3.162

Endorsed by the Economic and Social Committee on 25 November. The Committee drew attention however to the difficulty of obtaining a GATT waiver and the disadvantage of a consolidated quota if demand falls, and raised objections in regard to producer representation, the scope of the term 'importer', the arrangements for establishing the average Community price and the situation of ACP producers.

1.3.191. Proposal for a Council Regulation establishing a special system of assistance to traditional ACP suppliers of bananas (→ point 1.4.44).

1.3.192. Proposal for a Council Regulation setting up a diversification and development fund for the benefit of Latin American countries producing bananas (→ point 1.4.35).

1.3.193. The Commission adopted:

□ Regulation (EEC) No 3212/92, 4.11.1992: OJ L 320, 5.11.1992 — basic and buying-in prices for oranges and clementines;

□ Regulation (EEC) No 3213/92, 4.11.1992: OJ L 320, 5.11.1992 — intervention thresholds for oranges, mandarins, satsumas and clementines;

□ Regulation (EEC) No 3214/92, 4.11.1992: OJ L 320, 5.11.1992 — conversion factors applied to apple buying-in prices;

□ Regulation (EEC) No 3400/92, 26.11.1992: OJ L 346, 27.11.1992 — reference price for sweet oranges;

□ Regulation (EEC) No 3401/92, 26.11.1992: OJ L 346, 27.11.1992 — reference price for clementines;

□ Regulation (EEC) No 3402/92, 26.11.1992: OJ L 346, 27.11.1992 — Community offer price for clementines;

□ Regulation (EEC) No 3403/92, 26.11.1992: OJ L 346, 27.11.1992 — Community offer price for oranges;

□ Regulation (EEC) No 3430/92, 27.11.1992: OJ L 347, 28.11.1992 — STM Portugal;

□ Regulation (EEC) No 3462/92, 30.11.1992: OJ L 350, 1.12.1992 — preventive withdrawals of apples;

□ Regulation (EEC) No 3463/92, 30.11.1992: OJ L 350, 1.12.1992 — conversion factors applied to apple buying-in prices.

Processed fruit and vegetables

1.3.194. Proposal for a Council Regulation setting for the 1992/93 marketing year the per-

centages referred to in Article 3(1a) of Regulation (EEC) No 426/86 in connection with the premium granted for products processed from tomatoes.

□ **Reference:** Council Regulation (EEC) No 426/86 on the common organization of the market in products processed from fruit and vegetables (OJ L 49, 27.2.1986), as last amended by Regulation (EEC) No 1755/92: OJ L 180, 1.7.1992; Bull. EC 6-1992, point 1.3.148

Adopted by the Commission on 6 November. For the 1992/93 marketing year this proposal would set at 80% the 'significant percentage' of tomatoes processed to be covered by contracts concluded with producer groups.

COM(92) 450

1.3.195. Proposal for a Council Regulation on the introduction of a limit to the granting of production aid for processed tomato products.

□ **Reference:** Council Regulation (EEC) No 1203/90 on temporary measures relating to production aid for processed tomato products: OJ L 119, 11.5.1990; Bull. EC 5-1990, point 1.2.142

Adopted by the Commission on 19 November. The proposal would reintroduce from 1993/94 the quota system for production aid for processed tomatoes applied in 1990/91 and 1991/92 under Regulation (EEC) No 1203/90.

COM(92) 474

1.3.196. The Commission adopted:

□ Regulation (EEC) No 3399/92, 26.11.1992: OJ L 346, 27.11.1992 — production aid for processed tomatoes;

□ Regulation (EEC) No 3428/92, 27.11.1992: OJ L 347, 28.11.1992 — supplementary trade mechanism (Portugal);

□ Regulation (EEC) No 3429/92, 27.11.1992: OJ L 347, 28.11.1992 — sale of dried grapes to distillers.

Wine

1.3.197. Council Regulation (EEC) No 3279/92 amending for the first time Regulation (EEC) No 1601/91 laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails.

- Commission proposal:** OJ C 69, 18.3.1992; COM(92) 55; Bull. EC 1/2-1992, point 1.3.207
- Economic and Social Committee opinion:** OJ C 169, 6.7.1992; Bull. EC 4-1992, point 1.3.150
- Parliament opinion (first reading):** OJ C 241, 21.9.1992; Bull. EC 7/8-1992, point 1.3.195
- Council common position:** Bull. EC 7/8-1992, point 1.3.195
- Amended Commission proposal:** COM(92) 391; Bull. EC 9-1992, point 1.2.121
- Parliament opinion (second reading):** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.138

Adopted on 9 November. From 1 January 1993 prohibits the use of lead in the coverings of closing devices for bottles.

OJ L 327, 13.11.1992

1.3.198. Council Regulation (EEC) No 3280/92 amending for the first time Regulation (EEC) No 1576/89 laying down general rules on the definition, description and presentation of spirit drinks.

- Commission proposal:** OJ C 69, 18.3.1992; COM(92) 55; Bull. EC 1/2-1992, point 1.3.207
- Economic and Social Committee opinion:** OJ C 169, 6.7.1992; Bull. EC 4-1992, point 1.3.150
- Parliament opinion (first reading):** OJ C 241, 21.9.1992; Bull. EC 7/8-1992, point 1.3.195
- Council common position:** Bull. EC 7/8-1992, point 1.3.195
- Parliament opinion (second reading):** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.139

Adopted on 9 November.

OJ L 327, 13.11.1992

1.3.199. The Commission adopted:

- Regulation (EEC) No 3234/92, 5.11.1992: OJ L 321, 6.11.1992 — quality wines (Canaries);
- Regulation (EEC) No 3298/92, 13.11.1992: OJ L 328, 14.11.1992 — export refunds;
- Regulation (EEC) No 3369/92, 24.11.1992: OJ L 342, 25.11.1992 — vine variety classification;
- Regulation (EEC) No 3458/92, 30.11.1992: OJ L 350, 1.12.1992 — spirit drinks;
- Regulation (EEC) No 3459/92, 30.11.1992: OJ L 350, 1.12.1992 — alcoholic strength of wines (United Kingdom).

Hops

1.3.200. Council Regulation (EEC) No 3337/92 amending Regulation (EEC) No 1981/82

drawing up the list of Community regions in which production aid for hops is granted only to recognized producer groups.

- Commission proposal:** COM(92) 301; Bull. EC 7/8-1992, point 1.3.202

Adopted on 16 November. Adds Saxony, Saxony-Anhalt and Thuringia to the list of regions in which production aid for hops is granted solely to recognized producer groups.

OJ L 336, 20.11.1992

1.3.201. Council Regulation (EEC) No 3338/92 amending Regulation (EEC) No 2997/87 laying down, in respect of hops, the amount of aid to producers for the 1986 harvest and providing for special measures for certain regions of production.

- Commission proposal:** COM(92) 310; Bull. EC 7/8-1992, point 1.3.203
- Amended Commission proposal:** OJ C 265, 14.10.1992; COM(92) 399; Bull. EC 9-1992, point 1.2.125
- Parliament opinion:** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.144

Adopted on 16 November. Adjusts the varietal conversion scheme to take account of German unification and practical difficulties encountered by Portugal and the United Kingdom in implementing plans.

OJ L 336, 20.11.1992

1.3.202. Council Regulation (EEC) No 3339/92 laying down, in respect of hops, the amount of aid to producers for the 1991 harvest.

- Commission proposal:** OJ C 179, 16.7.1992; COM(92) 281; Bull. EC 6-1992, point 1.3.176
- Parliament opinion:** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.143

Adopted on 16 November. Sets the aid for all varieties at ECU 340 per hectare.

OJ L 336, 20.11.1992

Seeds

1.3.203. The Commission adopted:

- Decision 92/519/EEC, 3.11.1992: OJ L 325, 11.11.1992 — beet seed;
- Decision 92/520/EEC, 3.11.1992: OJ L 325, 11.11.1992 — hybrid rye seed;

□ Decision 92/566/EEC, 30.11.1992: OJ L 362, 11.12.1992 — forest reproductive material.

Milk and milk products

1.3.204. Council Regulation amending Regulation (EEC) No 1307/85 authorizing the Member States to grant a consumption aid for butter.

□ **Commission proposal:** OJ C 221, 28.8.1992; COM(92) 347; Bull. EC 7/8-1992, point 1.3.207

Endorsed by Parliament on 19 November, subject to an amendment recalling that the aid has helped maintain producers' income levels.

OJ C 337, 21.12.1992

Adopted on 27 November. Allows national subsidies to continue for the 1992/93 marketing year, up to 31 December 1992 at the previous maximum of ECU 50 per quintal, then falling to ECU 25.

1.3.205. Proposal for a Council Regulation amending Regulation (EEC) No 2990/82 on the sale of butter at reduced prices to persons receiving social assistance, together with a report on application of Regulation (EEC) No 2990/82.

□ **Regulation to be amended:** Council Regulation (EEC) No 2990/82 (OJ L 314, 10.11.1982), as last amended by Regulation (EEC) No 3917/90: OJ L 375, 31.12.1990; Bull. EC 12-1990, point 1.3.205

Adopted by the Commission on 20 November. On the basis of a report on operation of arrangements for selling butter at a reduced price to recipients of social assistance in Ireland, the Commission proposes that the Regulation be kept in force until 31 December 1994, but with a reduction in the Community aid of ECU 10 per quintal.

COM(92) 478

1.3.206. Proposal for a Council Regulation relating to the continued import of New Zealand butter into the United Kingdom on special terms, together with a report on operation of the existing arrangement.

□ **Reference:** Council Regulation (EEC) No 2967/89 relating to the continued import of

New Zealand butter into the United Kingdom on special terms (OJ L 281, 30.9.1989; Bull. EC 9-1989, point 2.1.99), as last amended by Regulation (EEC) No 1552/90: OJ L 146, 9.6.1990; Bull. EC 6-1990, point 1.3.170

Adopted by the Commission on 24 November. This proposal would extend by one year the special arrangement on importation of New Zealand butter into the United Kingdom.

COM(92) 479

1.3.207. The Commission adopted:

□ Regulation (EEC) No 3286/92, 12.11.1992: OJ L 327, 13.11.1992 — supplies to Madeira;

□ Regulation (EEC) No 3287/92, 12.11.1992: OJ L 327, 13.11.1992 — supplies to the Canaries;

□ Regulation (EEC) No 3326/92, 18.11.1992: OJ L 334, 19.11.1992 — export refunds;

□ Regulation (EEC) No 3327/92, 18.11.1992: OJ L 334, 19.11.1992 — export refunds;

□ Regulation (EEC) No 3346/92, 19.11.1992: OJ L 336, 20.11.1992 — market intervention for butter and cream.

Beef and veal

1.3.208. Proposal for a Council Regulation amending Regulation (EEC) No 805/68 on the common organization of the market in beef and veal.

□ **Commission proposal:** OJ C 264, 13.10.1992; COM(92) 408; Bull. EC 9-1992, point 1.2.126

Endorsed by Parliament on 20 November, subject to amendments specifying the premium for steers for each of the years 1993 to 1995 and the position of producers who are members of a small group.

OJ C 337, 21.12.1992

1.3.209. The Commission adopted:

□ Regulation (EEC) No 3224/92, 4.11.1992: OJ L 320, 5.11.1992 — refunds;

□ Regulation (EEC) No 3258/92, 10.11.1992: OJ L 325, 11.11.1992 — sale from intervention;

□ Regulation (EEC) No 3274/92, 11.11.1992: OJ L 326, 12.11.1992 — sale from intervention.

Sheepmeat and goatmeat

1.3.210. Recommendation for a Council Decision on the opening of negotiations on

adjustment of the voluntary restraint agreements concluded with certain countries for the sheepmeat and goatmeat sector.

Adopted by the Commission on 19 November. The Commission recommends extending to 31 December 1993 the agreements expiring on 31 December 1992.

1.3.211. The Commission adopted:

- Regulation (EEC) No 3204/92, 3.11.1992: OJ L 319, 4.11.1992 — premium for sheepmeat producers;
- Regulation (EEC) No 3249/92, 9.11.1992: OJ L 324, 10.11.1992 — premium per ewe and she-goat;
- Regulation (EEC) No 3250/92, 9.11.1992: OJ L 324, 10.11.1992 — imports from Romania.

Pigmeat

1.3.212. The Commission adopted:

- Decision 92/557/EEC, 19.11.1992: OJ L 358, 8.12.1992 — carcass grading (United Kingdom);
- Regulation (EEC) No 3241/92, 6.11.1992: OJ L 322, 7.11.1992 — imports from Hungary;
- Regulation (EEC) No 3252/92, 9.11.1992: OJ L 324, 10.11.1992 — market support (Netherlands);
- Regulation (EEC) No 3460/92, 30.11.1992: OJ L 350, 1.12.1992 — market support (Netherlands).

Eggs and poultrymeat

1.3.213. Proposals for Council Regulations amending Regulations (EEC) Nos 1906/90 and 1907/90 on certain marketing standards for poultrymeat and for eggs respectively.

- Regulations to be amended:** Council Regulations (EEC) Nos 1906/90 and 1907/90: OJ L 173, 6.7.1990

Adopted by the Commission on 13 November. These proposals would define more precisely which poultrymeat is covered by the standards, allow Member States to set specific poultrymeat conservation requirements for the retail trade, require food industry egg users to be approved as regards hygiene standards, and permit the appearance on eggs and egg packs of statements and symbols designed to promote the sale of eggs.

COM(92) 468

1.3.214. Proposal for a Council Regulation amending Regulations (EEC) Nos 2771/75 on the common organization of the market in eggs, 2777/75 on the common organization of the market in poultrymeat, 827/68 on the common organization of the market in certain products listed in Annex II to the Treaty and 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.

Regulations to be amended:

Council Regulations (EEC) Nos 2771/75 and 2777/75 (OJ L 282, 1.11.1975), as last amended by Regulation (EEC) No 1235/89: OJ L 128, 11.5.1989; Bull. EC 4-1989, point 2.1.124

Council Regulation (EEC) No 827/68 (OJ L 151, 30.6.1968), as last amended by Regulation (EEC) No 789/89: OJ L 85, 30.3.1989; Bull. EC 3-1989, point 2.1.119

Council Regulation (EEC) No 2658/87: OJ L 256, 7.9.1987

Adopted by the Commission on 13 October. This proposal would introduce import licences for eggs and poultrymeat, alter the classification of certain egg products in the Combined Nomenclature, change the procedure for adjusting the list of products on which export refunds on egg content may be paid, discontinue import levies on poultrymeat bound under GATT, and make it possible for marketing standards to be set for goose and duck liver preparations.

OJ C 326, 11.12.1992; COM(92) 428

1.3.215. The Commission adopted:

- Regulation (EEC) No 3370/92, 24.11.1992: OJ L 342, 25.11.1992 — imports from Hungary, Poland and Czechoslovakia.

State aid

Decisions to raise no objection

Germany

1.3.216. Commission decision on aid for farmers in difficulty as a result of drought.

Adopted on 11 November. The aid is being granted to farmers whose net income fell by at least 30% as a result of the drought.

Denmark

1.3.217. Commission decision on aid for development of new products and processes.

Adopted on 25 November. The aid (40% of eligible costs) is fully repayable if successful use is made of project results.

Greece

1.3.218. Commission decision on measures for restructuring olive groves.

Adopted on 11 November. The aid falls within an operational programme under Objective 1 of the structural Funds.

Decision to close proceedings

Italy

1.3.219. Commission decision on aid for nuts.

Adopted on 25 November. The Italian authorities have withdrawn the aid.

Decision to propose appropriate measures

Spain

1.3.220. Commission decision on aid for mountain cattle farms in Navarre.

Adopted on 11 November. The Commission considers that the subsidy paid on first calving of females entered in herd-books for the breed concerned is an operational aid.

Decision to make a negative recommendation

Germany

1.3.221. Commission decision on aid for wine distillation in Rhineland-Palatinate.

Adopted on 11 November. The aid is an operational aid and incompatible with the market organization for wine.

Fisheries

I

Agreement with Argentina

1.3.222. EC-Argentina fisheries agreement

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

Initialled in Buenos Aires on 30 November. The agreement with Argentina is both the first fisheries agreement with a Latin American country and the first of the 'second generation' agreements as described in the Commission's report on the common fisheries policy in that it provides for the creation of joint ventures between Community and Argentine ship-owners. The Community will have access to very substantial annual volumes (120 000 tonnes of Argentine hake and 130 000 tonnes of other species) allocated two-thirds to vessels owned by the joint ventures or by Community companies but flying an Argentine flag and one-third to vessels flying a Community flag.

The Community will provide financial assistance to the companies exploiting these opportunities and offer trade concessions on certain Argentine fishery products. The agreement

also provides for the expansion of scientific and technical cooperation on fisheries between the parties, to which the Community will contribute ECU 28 million per year.

II

Review and future development of the common fisheries policy

1.3.223. Proposal for a Council Regulation establishing a Community system for fisheries and aquaculture.

- **Commission proposal:** OJ C 311, 27.11.1992; COM(92) 387; Bull. EC 10-1992, point 1.3.155

Endorsed by the Economic and Social Committee on 24 November. The Committee drew attention to the role of factors other than fishing in rendering fisheries resources vulnerable and to the economic and social importance of fisheries. It stressed the need for a comprehensive and coherent approach to the sector's problems and retention of the principle of relative stability of fishery activities.

Resources

Internal aspects

TACs and quotas

1.3.224. Council Regulation (EEC) No 3305/92 amending, for the fourth 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.

- **Commission proposal:** COM(92) 432; Bull. EC 10-1992, point 1.3.161

Amended proposal adopted by the Commission on 9 November. Adds to the proposal a

reduction in the Community share of the TAC for northern prawn in Zone IIIa following a quota exchange with Sweden.

COM(92) 456

Adopted by the Council on 12 November.

OJ L 331, 17.11.1992.

External aspects

Faeroe Islands

1.3.225. Proposal for a Council Regulation laying down, for 1993, certain measures for the conservation and management of fishery resources applicable to vessels registered in the Faeroe Islands; proposal for a Council Regulation allocating, for 1993, certain catch quotas between the Member States for vessels fishing in Faeroese waters.

- **Reference:** Community/Faeroe Islands fisheries agreement: OJ L 226, 29.8.1980

Adopted by the Commission on 26 November. This proposal would authorize Faeroese vessels to fish the 1993 quotas allocated to them in Community waters and allocate among the Member States the 1993 quotas available in Faeroese waters.

COM(92) 492

Iceland

1.3.226. Agreement between the Community and Iceland on fishing and the marine environment.

- **Reference:** Agreement on the European Economic Area: Bull. EC 5-1992, point 1.2.1

Initialled in Brussels on 27 November. The agreement, provided for in the exchange of letters on fisheries signed on 2 May along with the European Economic Area Agreement, concerns principally the exchange of an Icelandic quota of redfish for a Community quota of capelin.

Senegal

1.3.227. Protocol defining, for the period 2 October 1992 to 1 October 1994, the fishing rights and financial compensation provided for in the Agreement between the Community and Senegal on fishing off the coast of Senegal.

- Initialled:** Bull. EC 10-1992, point 1.3.168

Adoption by the Commission on 6 November of a proposal for a Council Regulation on the conclusion of the Protocol and of a proposal for a Council Decision on the conclusion of an Agreement in the form of an exchange of letters concerning the provisional application of the Protocol.

OJ C 335, 18.12.1992; COM(92) 449

Adoption by the Council on 27 November of Decision 92/560/EEC on the conclusion of an Agreement in the form of an exchange of letters concerning the provisional application of the Protocol.

OJ L 359, 9.12.1992

Sweden

1.3.228. Council Decision 92/530/EEC denouncing the fisheries agreement between the former German Democratic Republic and Sweden.

- Commission proposal:** OJ C 252, 29.9.1992; COM(92) 377; Bull. EC 9-1992, point 1.2.142
 Parliament opinion: OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.167

Adopted on 12 November.

OJ L 334, 19.11.1992

1.3.229. Proposals for Council Regulations amending Regulation (EEC) No 3885/91 laying down, for 1992, certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Sweden and Regulation (EEC) No 3886/91 allocating, for 1992, certain catch quotas between Member States for vessels fishing in Swedish waters.

- Regulations to be amended:** Council Regulations (EEC) Nos 3885/91 and 3886/91: OJ

L 367, 31.12.1991; Bull. EC 12-1991, point 1.2.274

Adopted by the Commission on 27 November. These proposals would, following consultation with Sweden, reduce Sweden's fishing quota in Community waters and the Community fishing quota in Swedish waters.

COM(92) 497

Market organization

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

- Commission proposal:** OJ C 134, 25.5.1992; COM(92) 79; Bull. EC 3-1992, point 1.2.198
 Economic and Social Committee opinion: OJ C 313, 30.11.1992; Bull. EC 9-1992, point 1.2.146
 Agreed by the Council: Bull. EC 10-1992, point 1.3.156

Endorsed by Parliament on 20 November, subject to amendments extending the proposal to include aquaculture products and making a number of changes of detail.

OJ C 337, 21.12.1992

Consumers**I****Cosmetics**

1.3.231. 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

- **Economic and Social Committee opinion:** OJ C 269, 14.10.1991; Bull. EC 7/8-1991, point 1.2.284
- **Parliament opinion:** OJ C 176, 13.7.1992; Bull. EC 6-1992, point 1.3.197
- **Amended Commission proposal:** OJ C 249, 26.9.1992; COM(92) 364; Bull. EC 9-1992, point 1.2.148

Common position agreed by the Council (consumer protection and information) on 3 November. The proposal is designed to improve and harmonize information for consumers and supervisory authorities on cosmetic products marketed in the Community, thereby eliminating the last obstacles to the free movement of such products in the single market. It also deals with the banning of animal experiments in the cosmetics industry.

In the area of information, the common position provides for the compiling of an inventory of ingredients used in cosmetic products, with a view to establishing a common nomenclature for such ingredients. In addition, producers will be required to indicate the ingredients on the packaging of cosmetic products and to provide the supervisory authorities with information on the identity, quality, efficacy and safety of the product.

With regard to the testing of cosmetics on animals, the common position provides that the Member States shall ban the marketing of cosmetic products containing ingredients or combinations of ingredients tested on animals as from January 1998.

However, in cases where there are no scientifically validated alternative methods offering an equivalent level of consumer protection because of insufficient progress in developing alternatives to animal testing, the date of application of the ban will be deferred by decision of the Commission assisted by a committee composed of representatives of the Member States.

II

Protection of consumers' economic and legal interests

1.3.232. Proposal for a Council Directive relating to the approximation of the laws, regu-

lations and administrative provisions of the Member States concerning comparative advertising and amending Directive 84/450/EEC on misleading advertising.

- **Commission proposal:** OJ C 180, 11.7.1991; COM(91) 147; Bull. EC 5-1991, point 1.2.164
- **Economic and Social Committee opinion:** OJ C 49, 24.2.1992; Bull. EC 12-1991, point 1.2.317

Endorsed by Parliament (first reading) on 18 November, subject to amendments specifying instances where comparative advertising is allowed.

OJ C 337, 21.12.1992

1.3.233. Additional own-initiative Economic and Social Committee opinion on the consumer and the internal market.

- **Previous opinion:** Own-initiative Economic and Social Committee opinion on consumer protection and completion of the internal market: OJ C 339, 31.12.1991; Bull. EC 9-1991, point 1.2.127

Adopted by the Economic and Social Committee on 24 November. Following on from its previous own-initiative opinion, which dealt with the broad issues involved in the relationship between the internal market and consumer policy, the Committee turned its attention to the content of an EC consumer policy.

After reviewing EC measures which have an impact on consumer protection, the Committee regretted the fact that the Commission's legislative programme for 1992, being geared solely to completion of the internal market, failed to address the distrust and fear voiced by consumers. It called for consumers to be given the means to safeguard their rights, by paying greater heed to problems relating to access to justice.

Finally, the Committee urged the Commission to introduce more far-reaching measures in 1993, so as to give a new impetus to EC consumer policy.

1.3.234. Proposal for a Council Directive on the protection of consumers in respect of contracts negotiated at a distance (distance selling), accompanied by a Commission rec-

ommendation on the adoption of related codes of practice.

□ **Commission proposal:** COM(92) 11; Bull. EC 4-1992, point 1.3.179

Endorsed by the Economic and Social Committee on 24 November. The Committee pointed out that, if the Directive was to operate in tandem with a recommendation on codes of practice, consumers should be guaranteed appropriate information on the content of these codes.

Consumer information, education and representation

□ **References:**

Council Directive 92/59/EEC on general product safety: OJ L 228, 11.8.1992; Bull. EC 6-1992, point 1.3.194

Council Decision 89/45/EEC on a Community system for the rapid exchange of information on dangers arising from the use of consumer products: OJ L 17, 21.1.1989; Bull. EC 12-1988, point 2.1.227

Commission communication on the abolition of border controls on goods, capital and services: Bull. EC 6-1992, point 1.3.15

1.3.235. Proposal for a Council Decision concerning the institution of a Community system for the exchange of information in respect of certain products which may jeopardize consumers' health or safety.

Adopted by the Commission on 23 November. The objective of the proposal is to institute a system for the exchange of information relating to products which do not comply with the relevant Community or national regulations, may jeopardize consumers' health and safety (though without presenting a serious and immediate risk), and are not yet covered by an existing equivalent procedure. The proposal is consistent with the Directive on general product safety which is to enter into force on 29 June 1994. It is designed to bridge a gap in the provision of information regarding certain products in the wake of the abolition of controls at internal borders, and forms part of a set of measures already referred to by the

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

The proposed system is, for the most part, devised along the lines of the Community system for the rapid exchange of information created by Decision 89/45/EEC.

OJ C 347, 31.12.1992; COM(92) 429

1.3.236. Commission recommendation calling upon Member States to set up the infrastructures needed to identify dangerous products at the external frontiers.

Adopted by the Commission on 27 November. In this recommendation, the Commission invites the Member States to establish appropriate structures for administrative cooperation between the authorities responsible for supervising the market and the customs authorities, enabling the latter to identify products deemed dangerous, as notified through the Community system for the exchange of information, pending the entry into force of the Directive on general product safety.

OJ L 374, 22.12.1992

A people's Europe

Communicable diseases

1.3.237. Resolution of the Council and the Ministers for Health meeting within the Council on the monitoring and surveillance of communicable diseases.

Adopted on 13 November. The Council and the Ministers for Health invited the Commission to consider, particularly in relation to the development of the internal market and the movement of people between the Member States, the existing arrangements which provide for cooperation between the Member States in the field of the monitoring and control of communicable diseases, including food-borne diseases, together with such arrange-

ments established by the World Health Organization.

They invited the Commission to produce a report by 31 December 1993 on the desirability of improving, within the Community, existing networks between Member States for monitoring outbreaks of communicable diseases.

OJ C 326, 11.12.1992

Health education

□ References:

Council resolution of 23 November 1988 concerning health education in schools: OJ C 3, 5.1.1989; Bull. EC 11-1988, point 2.1.124

Commission communication on the implementation of the Council resolution of 23 November 1988 concerning health education in schools: Bull. EC 5-1992, point 1.1.102

1.3.238. Conclusions of the Council and the Ministers for Health meeting within the Council concerning health education.

Adopted on 13 November. The Council and the Ministers for Health welcomed the Commission communication concerning health education in schools and invited the Commission to consider the opportunities for adopting any or all of its recommendations. They emphasized the importance of targeting health education to specific groups of all ages.

OJ C 326, 11.12.1992

1.3.239. Conclusions of the Council and the Ministers for Education meeting within the Council concerning health education in schools.

Adopted on 27 November. Recognizing that the school setting offers numerous opportunities for promoting the acquisition of knowledge on personal health, the Council and the Ministers for Education emphasized the need to pursue and step up the implementation of the lines of action set out in the Council resolution of 1988 and, in particular, the need to pay specific attention to education on drug misuse and road safety.

They welcomed the conclusions on this subject adopted by the Council and the Ministers for Health meeting within the Council on 13 November 1992 (→ point 1.3.238).

Drugs

1.3.240. Conclusions of the Council and the Ministers for Health meeting within the Council on the second report on drug demand reduction in the European Community.

□ Reference: Second report on drug demand reduction in the European Community: Bull. EC 5-1992, point 1.1.197

Adopted on 13 November. The Council and the Ministers for Health agreed that the second report on drug demand reduction in the Community provided a valuable overview of activities in this field at both Member State and Community level. They noted the value of Community action in assisting the dissemination of experience gained in this field and welcomed, in this context, the launch of European Drug Prevention Week. They asked the Commission to report back on the lessons which could be learned from this Week.

OJ C 326, 11.12.1992

1.3.241. European Drug Prevention Week.

□ References:

Conclusions of the Maastricht European Council: Bull. EC 12-1991, point I.9

Declaration by the Council and the Ministers for Health meeting within the Council on European Drug Prevention Week: OJ C 148, 12.6.1992; Bull. EC 5-1992, point 1.1.195

Organized from 16 to 22 November. The aim of the Week, the principle of which was approved by the Maastricht European Council, was to underline the vital importance of preventing drug addiction, particularly among young people. A series of events were organized throughout the Week orchestrated by the European Committee to Combat Drugs. These included a conference in London addressed by Ms Vasso Papandreou, Member of the Commission.

Human rights

1.3.242. Economic and Social Committee resolution on racism, xenophobia and religious intolerance.

Adopted on 25 November. Gravely concerned at the upsurge of racial violence and xenophobia in many parts of Europe, the Committee called on Parliament to convene a European conference on the subject.

1.3.243. Parliament resolution on the right of asylum (→ point 1.3.26).

1.3.244. Parliament resolution on European immigration policy (→ point 1.3.25).

Audiovisual media, information, communication and culture

I

New prospects for Community cultural action

1.3.245. Conclusions of the Council and the Ministers for Culture meeting within the Council on guidelines for Community cultural action.

References:

Commission communication to the Council, Parliament and the Economic and Social Committee on new prospects for Community cultural action: COM(92) 149; Bull. EC 4-1992, point 1.3.186

Economic and Social Committee opinion: Bull. EC 10-1992, point 1.3.186

Adopted on 12 November. The Council and the Ministers for Culture noted with interest the

Commission communication on new prospects for Community cultural action. They emphasized the need to establish ground rules for action without defining the precise scope of individual activities. Recognizing that Community cultural action should respect national and regional diversity and at the same time bring the common cultural heritage to the fore, they advocated a coherent approach in order to promote cultural activities with a European dimension in all the Member States and encourage cooperation.

The Council and the Ministers defined the scope of Community cultural action and examined the cultural aspects of action under different Treaty provisions. It was agreed that the Ministers for Culture should regularly consider the issues affecting culture under examination in other Councils. Consideration was also given to the subject of cultural cooperation with non-member countries both in Europe and outside, including the signatories to the Lomé Convention and the Latin American, Mediterranean and Asian countries which have already concluded general agreements with the Community. The Council and the Ministers invited the Commission to prepare proposals for planned and structured programmes of action. They took note of progress on the Media programme, the European campaign for promoting books and reading, the development of business sponsorship of the arts, the introduction of networking, the discussion on the possible coordination of archives policy and practice, and Community support for translation, especially translations from European languages which are less frequently used.

The Council and the Ministers for Culture also asked the Commission to produce communications or discussion papers on:

- cultural heritage (both fixed and movable);
- Community policies with a cultural impact;
- cultural cooperation with third countries and international forums;
- strengthening the dialogue on cultural matters with public authorities and professional interests;
- development and exchange in the area of artistic and literary creation.

OJ C 336, 19.12.1992

II

Audiovisual policy and production

Introduction of advanced television services in Europe

1.3.246. Proposal for a Decision on an action plan for the introduction of advanced television services in Europe.

- Commission proposal:** OJ C 139, 2.6.1992; COM(92) 154; Bull. EC 4-1992, point 1.3.185
- Economic and Social Committee opinion:** Bull. EC 10-1992, point 1.3.185

Endorsed by Parliament (first reading) on 18 November. Parliament approved the proposal subject to a number of amendments aimed particularly at extending the life of the plan, expanding its scope, preserving linguistic and cultural diversity and defending the interests of small broadcasters. Parliament also called for the financial implications of the action plan to be incorporated in the Community's financial perspective for 1993-97.

OJ C 337, 21.12.1992

Information and public awareness

Opinion poll

1.3.247. *Eurobarometer*, No 38.

- Reference:** Previous *Eurobarometer*: Bull. EC 5-1992, point 1.1.204

Findings published by the Commission on 17 November. The four standard *Eurobarometer* support indicators showed 73% of Europeans in favour of the efforts being made to unify Western Europe and 19% against; 60% felt their country's membership of the Community was 'a good thing'; 49% thought their country had benefited from membership, while 34% disagreed; and 44% said they would be 'very sorry' if the Community were scrapped.

However, there has been an overall decline in support for the Community of 3 to 5% since the previous poll, with the sharpest drop being recorded in the United Kingdom and eastern Germany. The Danes, on the other hand, appear to be going against the trend: a greater proportion of those polled in the most recent survey supported European unification (up 4 points) and membership of the Community (up 11 points), felt Community membership had brought benefits to their country (up 6 points) and said they would regret the abolition of the Community (up 11 points). According to the poll, 85% of the Italians, 83% of the Belgians, 80% of the Portuguese, 79% of the Greeks, 78% of the Dutch, 72% of the Luxembourgers, 70% of the Irish, 68% of the Spanish, 59% of the Germans and 54% of the French support the Treaty on European Union.

(Document available from the Commission of the European Communities, Directorate-General for Audiovisual Media, Information, Communication and Culture, 200 rue de la Loi, B-1049 Brussels.)

Culture

Protection of cultural goods

1.3.248. Proposal for a Council Directive on the return of cultural objects unlawfully removed from the territory of a Member State (→ point 1.3.20).

1.3.249. Proposal for a Council Regulation on the export of cultural goods (→ point 1.3.21).

European Cities of Culture

1.3.250. Conclusions of the Ministers for Culture meeting within the Council on the procedure for the designation of European Cities of Culture.

- References:**
Resolution of the Ministers responsible for cultural affairs, meeting within the Council, of

13 June 1985, concerning the annual event 'European City of Culture': OJ C 153, 22.6.1985; Bull. EC 5-1985, point 2.1.61

Conclusions of the Ministers for Culture meeting within the Council of 18 May 1990 on future eligibility for the 'European City of Culture': OJ C 162, 3.7.1990; Bull. EC 5-1990, point 1.2.233

Conclusions of the Ministers for Culture, meeting within the Council, concerning the designation of European Cities of Culture after 1996: OJ C 151, 16.6.1992; Bull. EC 5-1992, point 1.1.202

Adopted on 12 November. The Ministers for Culture meeting within the Council felt the need for a more precise procedure for designating European Cities of Culture to complement their resolution of 13 June 1985 and their con-

clusions of 18 May 1990 and 18 May 1992, bearing in mind that the event is open not only to cities in the Community but also to cities in other European countries which apply the principles of democracy, pluralism, the rule of law and respect for human rights.

The following timetable will be used for designating European Cities of Culture: the cities for 1998 and 1999 will be designated in 1993, designations for 2000 and 2001 will be made in 1995, and the procedure will be repeated every two years thereafter. The Ministers for Culture will be responsible for setting the deadline for submission of applications, examining the accompanying dossiers and establishing the selection criteria.

4. Role of the Community in the world

Enlargement

Finland

□ **References:**

Europe and the challenge of enlargement: Supplement 3/92 — Bull. EC

Conclusions of the Lisbon European Council: Bull. EC 6-1992, point 1.4

Opinion on Sweden's application for membership: Bull. EC 7/8-1992, point 1.4.1

□ **Application for membership:** Bull. EC 3-1992, point 1.3.1

□ **Initial examination by the Council:** Bull. EC 4-1992, point 1.4.2

1.4.1. Commission opinion on Finland's application for membership.

Adopted by the Commission on 4 November. Following Finland's application for membership of the European Communities on 18 March, the Commission delivered its opinion, which, like its opinion on Swedish membership, was based on the assumption that the country would, pursuant to Article O of the Maastricht Treaty, join a European union characterized by the establishment of an economic and monetary union, by the implementation of a common foreign and security policy, coupled if appropriate with a common defence policy, possibly leading in time to a common form of defence, by European citizenship, by close cooperation on legal and domestic affairs and by the strengthening of economic and social cohesion.

The Commission's assessment deals only with those areas wholly or partially outside the Agreement on the European Economic Area.

The Commission pointed out that enlargement to include EFTA applicants should not pose any insuperable economic problems and would even help strengthen a number of aspects of the Community. However, there could be diffi-

culties in some areas. For Finland, these included agriculture, competition, regional policy, fisheries and industry. The Commission also believed, however, that such problems could be satisfactorily settled during membership negotiations.

The Commission noted that there had been significant developments in Finnish foreign and security policy. The country's neutrality was now confined to non-involvement in military alliances and the maintaining of an independent defence. There seemed to be general support in Finland for full participation in the common foreign and security policy of the European union. Nevertheless, the Commission recommended that, during the accession negotiations, specific and binding assurances be sought from the Finns as to their political commitment and legal capacity to meet the relevant obligations.

The Commission also pointed to the conclusions of the Lisbon European Council stating that negotiations would start once the Treaty on European Union had been ratified and agreement reached on the Delors II package.

1.4.2. Council conclusions on the Commission opinion on Finland.

Adopted by the Council on 9 November. The Council welcomed the Commission's favourable overall assessment of the Finnish application and requested that it be examined as part of preparatory work for negotiations on enlargement to include EFTA applications to join the union under the conditions laid down by the Lisbon European Council.

Norway

1.4.3. Membership of the European Communities and visit to the Commission by Mrs G. H. Bruntland, Prime Minister of Norway.

Formal application for membership lodged on 25 November. Mrs G. H. Bruntland, Prime Minister of Norway, submitted to Mr D. Hurd, President of the Council, her country's formal application for membership of the European Communities. The application was forwarded the same day to the Commission President, Mr Delors, in the presence of Mr Andriessen, Vice-President of the Commission.

During talks with Mr Delors and Mr Andriessen, the Norwegian Prime Minister stressed how important it was to her country for the membership negotiations to run alongside those for other EFTA applicants. She also mentioned the specific importance attached by Norway to a number of areas, including fisheries.

European Free Trade Association

Relations with EFTA

1.4.4. Proposal for a Council Regulation concerning arrangements for implementing the Agreement on the European Economic Area (EEA).

- **Reference:** Agreement establishing the European Economic Area: Bull. EC 10-1992, point 1.4.1

Adopted by the Commission on 27 November. The purpose of this Regulation is to lay down specific procedures to ensure that the EEA Agreement is properly implemented, especially as regards the parties' exercise of their rights and fulfilment of their obligations.

It includes provisions on safeguard measures, the enforcement of competition law and the implementation of the Agreement's financial arrangements.

OJ C 339, 22.12.1992; COM(92) 495

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

Central and Eastern Europe

Coordinated aid to Central and Eastern Europe

□ **References:**

Council Regulation (EEC) No 3906/89 on economic aid to Hungary and Poland (OJ L 375, 23.12.1989; Bull. EC 12-1989, point 2.2.25), as last amended by Council Regulation (EEC) No 2334/92 in order to extend economic aid to include Slovenia: OJ L 227, 11.8.1992; Bull. EC 7/8-1992, point 1.4.27

The Commission's general guidelines for assistance under the Phare programme for 1991 and 1992: Bull. EC 7/8-1992, point 1.4.9

1.4.5. Council conclusions on the Phare programme.

Adopted by the Council on 9 November. In view of the present exceptional circumstances, the Council and Commission agreed on an increase for the current year in the allocation for humanitarian aid measures and contributions to non-governmental organizations from 10 to 15% of total aid under Regulation (EEC) No 3906/89.

1.4.6. Council conclusions on evaluation of the Phare programme.

Adopted by the Council on 16 November. The Council emphasized the important role the Phare programme had played in developing the Community's relations with the countries of Central and Eastern Europe and took stock of the programme's results with an eye to its evolution in the future. It welcomed the significant contribution Phare had made to the process of economic and social reform and the development of the private sector in the recipient countries, with commitments of ECU 2.25 billion in financial assistance by the end of 1992.

In order to permit a more effective integration of Phare assistance into the recipients' medium-term economic programmes, the Council proposed a multiannual approach to programming. It called for greater decentralization of project implementation and underlined the need for close coordination between recipients and donors and between Phare and similar assistance from the Member States. The Council stressed Phare's positive contribution to regional cooperation and nuclear safety.

The Council furthermore considered that the specific contribution of Phare should continue to be the provision of economic assistance in the form of grants to finance measures central to the process of reform and economic restructuring. The assistance would continue to focus on technical cooperation and the provision of related equipment. According to need, it could also, however, cover other forms of support to stimulate investment in key public sectors such as health or education and pilot housing schemes, and financing mechanisms to promote productive investment.

Relations with Central and Eastern Europe

1.4.7. Opinion of the Economic and Social Committee on economic and social organizations in the countries of Central and Eastern Europe.

References:

Europe Agreement with Czechoslovakia: Bull. EC 12-1991, point 1.3.2

Europe Agreements with Hungary and Poland: Bull. EC 9-1992, point 1.3.11

Europe Agreement with Bulgaria: Bull. EC 5-1992, point 1.2.12

Europe Agreement with Romania: point 1.4.12 of this Bulletin

Adopted by the Economic and Social Committee on 25 November. Keen to see the social dimension given due consideration in the countries of Central and Eastern Europe and in the context of the Europe Agreements signed or about to be signed with those countries, the Economic and Social Committee proposed that a joint advisory committee of members of the ESC and members of equivalent bodies in the

countries concerned be set up. Its function would be to promote dialogue and cooperation between circles involved in socio-economic matters in the Community and their counterparts in the countries of Central and Eastern Europe.

In connection with the implementation of the Europe Agreements and Phare and Tempus programmes, the Economic and Social Committee suggested that advisory bodies similar to the economic and social committees found in most Community Member States be established in order to bridge the information gap and involve the two sides of industry in the issues in question.

Bilateral relations

Baltic States

1.4.8. Council Decision 92/542/EEC providing medium-term financial assistance for Estonia, Latvia and Lithuania.

Commission proposal: OJ C 226, 15.10.1992; Bull. EC 9-1992, point 1.3.7

Parliament opinion: OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.4.12

Adopted by the Council on 23 November. The Council granted seven-year medium-term loans of ECU 40 million for Estonia, ECU 80 million for Latvia and ECU 100 million for Lithuania to support their payment balances and strengthen their reserves. Each loan will be released in two instalments, with the first being paid once a stand-by arrangement has been reached with the International Monetary Fund (IMF).

OJ L 351, 2.12.1992

1.4.9. Mr Meri, Estonia's President, and Mr Velliste, its Foreign Minister, visited the Commission on 27 November.

Mr Meri and Mr Velliste had talks with Mr Delors, Mr Andriessen and Mr Christophersen on the subjects of Estonia's economic situation and Community balance-of-payments assistance.

Human rights and the withdrawal of Russian troops were also discussed.

Bulgaria and Romania

1.4.10. Own-initiative opinion of the Economic and Social Committee on the Community's relations with Bulgaria and Romania.

References:

Europe Agreement with Czechoslovakia: Bull. EC 12-1991, point 1.3.2

Economic and Social Committee opinion on the Community's relations with the countries of Central and Eastern Europe: OJ C 339, 31.12.1991

Europe Agreement with Bulgaria: Bull. EC 5-1992, point 1.2.12

Europe Agreements with Hungary and Poland: Bull. EC 9-1992, point 1.3.11

Europe Agreement with Romania: point 1.4.12 of this Bulletin

Adopted by the Economic and Social Committee on 25 November. Referring back to the observations it had made in 1991 on the Europe Agreements signed with the Visegrad countries, the Economic and Social Committee issued a second additional opinion on the Community's relations with the countries of Central and Eastern Europe, dealing this time with relations with Bulgaria and Romania. In connection with the conclusion of Europe Agreements with the two countries in question, the ESC called primarily for the preambles of the Agreements to include references to the social dimension and to the Community Charter of the Fundamental Social Rights of Workers.

The ESC proposed that political dialogue be handled initially by the Association Council and that an association advisory committee, representing various socio-economic categories, be set up later. With regard to the reference to the possibility of accession found in the preambles to the Agreements, the ESC emphasized that the circumstances of future enlargements would be very different and place high demands on the applicants for accession.

Hungary, Poland and Czechoslovakia

1.4.11. Agreements in the form of exchanges of letters for the extension of the duration of

the Interim Agreements between the European Economic Community and the European Coal and Steel Community and Hungary, Poland and Czechoslovakia.

References:

Association Agreements with Hungary, Poland and Czechoslovakia: Bull. EC 12-1991, point 1.3.2

Council Decisions on the conclusion by the European Economic Community of the Interim Agreements on trade and trade-related matters between the EEC and ECSC, one the one hand, and Hungary, Poland and Czechoslovakia, on the other: OJ L 114, 30.4.1992, OJ L 115, 30.4.1992, OJ L 116, 30.4.1992; Bull. EC 1/2-1992, point 1.4.9

Recommendation for a Decision: Bull. EC 10-1992, point 1.4.15

Negotiating directives: Bull. EC 10-1992, point 1.4.15

Initialling of the Agreements: Bull. EC 10-1992, point 1.4.15

Proposal for a Council Decision on the conclusion of the Agreements: Bull. EC 10-1992, point 1.4.15

Request for Council assent to the conclusion of the Agreements: Bull. EC 10-1992, point 1.4.15

Proposals for Council Decisions on the conclusion of the Agreements endorsed by Parliament on 20 November.

OJ C 337, 21.12.1992

Romania

1.4.12. Europe (association) Agreement between the European Community and Romania.

Opening of negotiations approved by the Council: Bull. EC 9-1991, point 1.3.17

Recommendation for a Decision: Bull. EC 1/2-1992, point 1.4.7

Negotiating directives: Bull. EC 5-1992, point 1.2.12

Agreement initialled on 17 November.

1.4.13. Council Decision 92/551/EEC 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

Commission proposal: OJ C 164, 1.7.1992; Bull. EC 6-1992, point 1.4.8

Agreed by the Council: Bull. EC 6-1992, point 1.4.8

Endorsed by Parliament on 17 November, subject to a small number of technical amendments.

OJ C 337, 21.12.1992

Adopted by the Council on 27 November. The Council approved the granting of up to ECU 80 million of further financial assistance for a maximum of seven years, to support Romania's balance of payments and strengthen its reserves.

This allocation supplements the ECU 375 million provided in 1991, and was necessary to assist the Romanian Government's effort to stabilize the country's economy.

OJ L 353, 3.12.1992

Independent States of the former Soviet Union

International Science and Technology Centre

1.4.14. Agreement establishing the International Science and Technology Centre (ISTC).

Council agreement on the establishment of the ISTC: Bull. EC 3-1992, point 1.3.6

Commission communication: Bull. EC 3-1992, point 1.3.7

Ministerial meeting: Bull. EC 3-1992, point 1.3.8

Recommendation for a Council Decision: Bull. EC 3-1992, point 1.3.9

Parliament resolution: Bull. EC 3-1992, point 1.3.10

Negotiating directives, accompanied by a statement on Community representation on the governing board of the ISTC: Bull. EC 4-1992, point 1.4.4

Proposal for a Council Regulation on the conclusion of the Agreement: Bull. EC 5-1992, point 1.2.10

Proposal for a Council Decision approving the Agreement: Bull. EC 5-1992, point 1.2.10

Council agreement and Council decision on the initialling of the Agreement: Bull. EC 5-1992, point 1.2.10

Initialling of the Agreement: Bull. EC 5-1992, point 1.2.10

Proposal for a Council Regulation on the conclusion of the Agreement endorsed by Parliament on 17 November.

OJ C 337, 21.12.1992

Agreement signed on 27 November.

Technical assistance for the independent States of the former Soviet Union

References:

Ministerial meeting of the national Tacis programme coordinators: Bull. EC 9-1992, point 1.3.3

Commission financing decision approving a programme for the establishment of coordination units in the independent States of the former Soviet Union: point 1.4.16 of this Bulletin

1.4.15. Commission Decision approving 12 indicative programmes for the implementation of Community technical assistance for the CIS and Georgia (1992 Tacis programme).

Adopted by the Commission on 6 November. Twelve indicative programmes for technical assistance within the Tacis programme (Community technical assistance to the CIS and Georgia) were signed during 1992 with the countries concerned. The indicative programmes were drawn up in such a way as to address the specific needs of each recipient and provide the basis for the action programmes to be implemented.

The aim of the 1992 programme of technical assistance is to develop essential qualifications and know-how at local level in order to speed up the process of economic reform, by providing the practical experience and advice needed for a market economy to run and be managed efficiently. Implementation will be decentralized, with the recipients being closely involved

in the preparation and implementation of the activities programmed.

The areas given priority within the programme of technical assistance are the following: production and distribution of foodstuffs, development of human resources, improvement of networks in energy, nuclear safety, transport and telecommunications, and support for business firms. A degree of continuity with the priority areas for 1991 was retained.

1.4.16. Commission financing decision approving the establishment of coordination units in the independent States of the former Soviet Union.

Adopted by the Commission on 6 November. The aim of the programme is to set up in each of the States in question a coordination unit responsible for supervising the preparation and implementation of the Tacis technical assistance projects set out in the 1992 indicative programmes. It also provides for teams of experts to be formed to assist the coordination units with implementation, carry out final project evaluations and ensure that assistance appropriations are rapidly and effectively used by decentralizing implementation. The States' individual needs for assistance will be taken into account. The budget for these operations is ECU 15 million.

1.4.17. Proposal for a Council Regulation concerning the provision of technical assistance for economic reform and recovery in the independent States of the former Soviet Union and in Mongolia.

- Reference:** Council Regulation (EEC) No 2157/91 concerning the provision of technical assistance for economic reform and recovery in the Union of Soviet Socialist Republics: OJ L 201, 24.7.1991; Bull. EC 7/8-1991, point 1.3.5

Approved by the Commission on 25 November. As Regulation (EEC) No 2157/91 on technical assistance for the former Soviet Union expires on 31 December 1992, the Commission is proposing a replacement. The new Regulation will take account of the changes which have taken place in the former Soviet Union and of the experience the Community has gained in technical assistance, but will preserve continuity with the previous Regulation.

The main changes are the addition of Mongolia to the list of recipients to reflect the fact that its situation from the point of view of technical assistance is similar to that of the States of the former Soviet Union, the introduction of multiannual indicative programmes, and greater flexibility in programme implementation. The priority areas for technical assistance are unchanged: development of human resources, support for firms, production and distribution of foodstuffs and improvement of energy and transport networks.

Mediterranean and Middle East

I

Implementation of the new Mediterranean policy

Morocco

1.4.18. Council Decision 92/548/EEC on the conclusion of the fourth financial Protocol with Morocco.

- References:**
Third financial Protocol: OJ L 224, 13.8.1988
Commission communication entitled 'Towards a new Mediterranean policy (1992-96)': Bull. EC 5-1990, point 1.3.24
Negotiating directives: Bull. EC 12-1990, point 1.4.15
- Initialled:** Bull. EC 4-1991, point 1.3.25
- Commission recommendation:** OJ C 135, 25.5.1991; Bull. EC 5-1991, point 1.3.28
- Council decision on signature:** Bull. EC 5-1991, point 1.3.28
- Signed:** Bull. EC 6-1991, point 1.3.27
- Assent of Parliament:** OJ C 305, 23.11.1991; Bull. EC 10-1992, point 1.4.28

Adopted by the Council on 17 November. The fourth financial Protocol lays down the pro-

cedures governing financial and technical cooperation between the Community and Morocco, thus paving the way for the implementation of the new Mediterranean policy in respect of that country. The Protocol covers the period 1993-96, and involves a total package of ECU 438 million, comprising ECU 200 million in loans from the European Investment Bank's own resources, ECU 193 million in grants from the Community budget, and ECU 25 million in venture capital contributions, also from the Community budget.

OJ L 352, 2.12.1992

1.4.19. Mr A. Filali, Minister for Foreign Affairs, visited the Commission on 5 November.

□ **Reference:** EEC-Morocco Cooperation Agreement: OJ L 264, 27.9.1978

Mr Filali saw Mr Delors, with whom he discussed EEC-Morocco cooperation in the light of the Council's conclusion of the fourth financial Protocol between the two parties on 17 November. The approaching negotiations for the conclusion of a partnership agreement between the two sides were also discussed.

Syria

1.4.20. Council Decision 92/549/EEC on the conclusion of a third financial Protocol with Syria.

□ **Commission recommendation:** OJ C 16, 24.1.1991; COM(90) 633; Bull. EC 12-1990, point 1.4.27

□ **Council Decision on the conclusion of the Protocol:** Bull. EC 1/2-1991, point 1.3.26

□ **Signature:** Bull. EC 1/2-1991, point 1.3.26

□ **Assent of Parliament:** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.4.28

Adopted by the Council on 17 November. The third financial Protocol lays down the procedures governing financial and technical cooperation with Syria, paving the way for the implementation of the new Mediterranean policy in respect of that country. The Protocol involves a total package of ECU 146 million, comprising ECU 110 million in loans from the EIB's own resources, and ECU 34 million in grants from the Community budget, part of

which will be in the form of a 2% interest rate subsidy on EIB loans, an arrangement from which the oil sector is excluded. A further ECU 2 million will be provided from the Community budget in the form of venture capital contributions.

OJ L 352, 2.12.1992

II

Mediterranean countries

Relations with the Arab Maghreb Union (AMU)

1.4.21. Mr O. Boubacar, Prime Minister of the Islamic Republic of Mauritania and current chairman of the AMU, visited the Commission on 12 and 13 November.

□ **References:**

EEC-Morocco Cooperation Agreement: OJ L 264, 27.9.1978

EEC-AMU meeting: Bull. EC 11-1991, point 1.3.36

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: OJ L 181, 1.7.1992; Bull. EC 6-1992, point 1.4.16

Council Regulation (EEC) No 1763/92 concerning financial cooperation in respect of all Mediterranean non-member countries: OJ L 181, 1.7.1992; Bull. EC 6-1992, point 1.4.17

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: OJ L 181, 1.7.1992; Bull. EC 6-1992, point 1.4.18

M. Boubacar saw Mr Matutes, with whom he discussed mainly the position of the AMU, and more specifically the outcome of the AMU Summit in Nouakchott on 10 and 11 November. Mr Boubacar stressed the problems caused by the Gulf War, the need to strengthen AMU structures and the importance of resolving certain crucial problems among Union

members. Mr Matutes emphasized that the Maghreb was a major priority for the Community and highlighted the new cooperation instruments introduced under the new Mediterranean policy. He also briefed Mr Boubacar on the discussions under way with Morocco for the negotiation of a new partnership agreement, following a procedure that was also open to the other Maghreb countries.

Mr Boubacar also met Mr Marín, with whom he discussed various aspects of cooperation between the Community and Mauritania and progress in the democratization process in that country. Mr Marín confirmed that the Commission would supply aid to Mauritania, which faced serious food shortages, and that the Community would contribute to the country's structural adjustment programme.

Bilateral relations

Cyprus

1.4.22. Mr G. Vassiliou, President of the Republic of Cyprus, visited the Commission on 13 November.

Mr Vassiliou saw Mr Matutes, with whom he discussed the recent talks in New York on the Cyprus question.

Malta

- Reference:** Accession request by the Republic of Malta: Bull. EC 7/8-1990, point 1.4.25

1.4.23. Mr F. Adami, Prime Minister of Malta, visited the Commission on 13 November.

Mr Adami saw Mr Delors, with whom he discussed progress in the preparation of the Commission opinion on Malta's accession request.

1.4.24. Mr Millan visited Malta on 22 and 23 November.

Mr Millan met Mr C. Tabone, President of the Republic, and Mr F. Adami, Prime Minister, together with other members of the government. Their talks focused on Malta's accession

request, and more specifically on the changes that it would entail.

San Marino

1.4.25. Council Decision 92/561/EEC on the initialling of the Interim Agreement on trade and customs union between the European Economic Community and the Republic of San Marino.

- Reference:** Agreement on cooperation and customs union between the European Economic Community and the Republic of San Marino: Bull. EC 7/8-1992, point 1.4.31
- Commission proposal:** OJ C 114, 5.5.1992

Adopted by the Council on 27 November. Pending ratification by the Member States of the Agreement on cooperation and customs union signed on 16 December 1991 with San Marino, the Council decided to approve the Interim Agreement, which will bring the trade provisions of the Agreement into force in advance.

OJ L 359, 9.12.1992

Turkey

1.4.26. Association Council.

- References:**
EEC-Turkey Association Agreement: OJ L 217, 29.12.1964
Additional Protocol: OJ L 293, 29.12.1972
Conclusions of the Lisbon European Council: Bull. EC 6-1992, point I.4
- Previous meeting:** Bull. EC 9-1991, point 1.3.31

Thirty-third meeting held in Brussels on 9 November. The meeting was chaired by Mr D. Hurd, President of the Council of the European Communities. The Turkish delegation was headed by Mr H. Cetin, Minister for Foreign Affairs, and the Commission was represented by Mr Matutes. The meeting constituted a further step towards the normalization of relations between the Community and Turkey. The Council called for stronger political dialogue at the highest level, as envisaged at the Lisbon European Council in June. The Community reiterated its concern as regards relations between Cyprus and Turkey, to which Mr Cetin responded by saying that any sol-

ution to this question would have to take Turkish Cypriot interests into account. As regards trade, the Association Council confirmed that the existing practice of imposing different charges and measures equivalent to customs duties would, from 1 January 1993, be replaced by a single charging system. From the same date, efforts would also be made to reduce or align tariffs, in line with the revised schedule provided for in the Additional Protocol of 1970.

1.4.27. Joint Parliamentary Committee.

- **Previous meeting:** Bull. EC 3-1991, point 1.3.25

Meeting held in Brussels from 25 to 27 November. The Turkish and Parliamentary delegations, headed by Mr T. Bilget and Mr Galle respectively, discussed the Cyprus issue. Mr Matutes, representing the Commission, stressed the latter's efforts over the past few months to strengthen relations between the Community and Turkey, particularly in respect of the implementation of the 1992 cooperation programme and with a view to establishing a customs union.

1.4.28. Parliament resolution on EC-Turkey relations.

- **References:**
 - EEC-Turkey Association Agreement: OJ L 217, 29.12.1964
 - Accession request by Turkey: Bull. EC 4-1987, points 1.3.1 and 1.3.2
 - Overall Council decision on the new Mediterranean policy: Bull. EC 12-1990, point 1.4.15

Adopted by Parliament on 19 November. Noting that Turkey represented a bastion of stability in a region characterized by deep political and ethnic problems, but observing that it did not at present fulfil the conditions necessary for membership of the Community, Parliament stressed the urgency of improving relations with Turkey. While welcoming the progress made towards democracy, Parliament nevertheless deplored the continuing use of torture and the detention of political prisoners, and although recognizing the right of the Turkish Government to combat terrorism, which it roundly condemned, it observed that human rights should be respected. Parliament also

assessed Turkish policy towards minorities, and called on the government to lift the state of emergency in the south-east of the country, where the majority of the population is Kurdish, while expressing the wish that all minorities be allowed to express their cultural identity.

As regards the resumption of association relations, Parliament recalled the Community position favouring the unity, independence, sovereignty and territorial integrity of the Republic of Cyprus, and noted that the democratization of Turkey was directly linked to the solution of this problem.

Recalling the philosophy of the new Mediterranean policy, Parliament also suggested that joint ventures should be encouraged and Community investment in Turkey promoted. Political dialogue should be strengthened, notably as regards human rights and questions of international security.

OJ C 337, 21.12.1992

1.4.29. Mr S. Demirel, Prime Minister of Turkey, visited the Commission on 24 November.

Mr Demirel saw Mr Delors, with whom he discussed political relations between Turkey and the Community, and a number of economic questions, including the subject of textiles. While acknowledging the geopolitical importance of Turkey, Mr Delors expressed his concern as regards the government's policy towards Cyprus.

Former Yugoslavia

1.4.30. Proposal for a Council Regulation amending Regulation (EEC) No 1432/92 prohibiting trade between the European Economic Community and the Republics of Serbia and Montenegro. Draft Decision of the representatives of the governments of the Member States of the European Coal and Steel Community, meeting within the Council, amending Decision 92/285/ECSC prohibiting trade between the European Coal and Steel Community and the Republics of Serbia and Montenegro.

- **Council Regulation to be amended:** Regulation (EEC) No 1432/92: OJ L 151, 3.6.1992; Bull. EC 6-1992, point 1.4.12

- Decision to be amended:** Decision 92/285/ECSC: OJ L 151, 3.6.1992; Bull. EC 6-1992, point 1.4.12

Adopted by the Commission on 26 November. The Commission proposes amendments to Regulation (EEC) No 1432/92 and Decision 92/285/ECSC in order to strengthen the application of the embargo on Serbia and Montenegro, in line with UN Security Council Resolution 787 (1992), which calls for the prohibition of the transshipment through the republics concerned of a number of sensitive or strategic products, unless such transshipment is specifically authorized.

COM(92) 504

1.4.31. Agreement on trade and economic cooperation between the European Economic Community and Slovenia.

- Reference:** Council Decision authorizing the Commission to negotiate a financial protocol with the Republic of Slovenia: Bull. EC 9-1992, point 1.3.23
- Commission recommendation:** Bull. EC 6-1992, point 1.4.14
- Council Decision concerning negotiating directives:** Bull. EC 7/8-1992, point 1.4.26

Agreement initialled in Brussels on 5 November.

Proposal for a Council Decision on the conclusion of the Agreement adopted by the Commission on 27 November. The Agreement will enable Slovenia and the Community to develop a close and wide-ranging relationship in the fields of economic, technical and financial cooperation and in trade. It will be the first agreement concluded with a State which was previously a member of the Yugoslav Federation, and it will be accompanied by a financial protocol and by an agreement on transport.

COM(92) 487

1.4.32. Council conclusions on the establishment of a European Task Force.

- Reference:** Conclusions of the Birmingham European Council: Bull. EC 10-1992, point I.1

Adopted by the Council on 9 November. The European Task Force, its mandate thus confirmed by the Council, will back up efforts by the Office of the UN High Commissioner for Refugees to provide humanitarian aid to the

former Yugoslav republics, as envisaged in the declaration by the European Council in Birmingham. Its role will be to improve operational coordination on the ground between projects financed by the Commission and those implemented by the Member States, and to provide logistical and technical back-up for the Member States, ECHO, non-governmental organizations (NGOs) and other operational agencies. The Task Force will also supply these operators with technical advice on questions of health, accommodation and logistics.

1.4.33. Parliament resolution on the widening conflict in the former Yugoslavia.

Adopted by Parliament on 19 November. With regard to the war in Bosnia-Herzegovina, Parliament reaffirmed its condemnation of the acts of murder committed against the civilian population and the policy of ethnic cleansing, and called on the Member States as a matter of urgency to open their borders and to make funds available to resolve the refugee problem. The resolution welcomed the decision of the UN Security Council to strengthen the embargo against Serbia and Montenegro, and stressed the need to deploy UN observers in the countries bordering those republics. Alarmed at the prospect of the conflict extending to Kosovo, Parliament also called on the Serbian authorities to stop all violations of human and ethnic rights there. With regard to the situation in the former Yugoslav republic of Macedonia, the resolution also stressed that the authorities of that republic must respect all the preconditions for possible diplomatic recognition, and welcomed the initiative taken by the Greek Government to guarantee the republic's borders. Parliament called on the Commission to present to the Council a proposal for emergency humanitarian aid to the people of the former Yugoslav republic of Macedonia.

OJ C 337, 21.12.1992

Middle East

Bilateral relations

Iraq

1.4.34. Proposal for a Council Regulation prohibiting the honouring of Iraqi claims with

regard to contracts and transactions affected by United Nations Security Council Resolution 661 (1990) and related resolutions.

- **Commission proposal:** OJ C 204, 3.8.1991; Bull. EC 7/8-1991, point 1.3.21

Endorsed by Parliament on 19 November.

OJ C 337, 21.12.1992

Asia and Latin America

I

Developing cooperation with Latin American banana-producing countries

1.4.35. Proposal for a Council Regulation setting up a diversification and development fund for Latin American banana-producing countries.

- **References:**

Proposal for a Regulation on the common organization of the market in bananas: OJ C 232, 10.9.1992; COM(92) 359; Bull. EC 7/8-1992, point 1.3.162

Proposal for a Council Regulation establishing a special system of assistance to traditional ACP suppliers of bananas: COM(92) 465; point 1.4.44 of this Bulletin

Adopted by the Commission on 25 November. The Commission proposes setting up a diversification and development fund with an annual budget of ECU 60 million to assist Latin American banana-producing countries. The fund, due to come into operation in 1994, is to last for five years. The Commission thus fulfils its commitment to take specific measures to assist the Latin American countries concerned in parallel with the common organization of the market in bananas.

This initiative has a dual purpose:

- It represents a political gesture which, to make any impact, must be backed by sufficient funding.
- It is further intended to bolster the small contribution which these countries can make from their own resources towards product and market diversification. It is also aimed at curbing the spread of drug trafficking and traditional monocultures, which jeopardize the ecological balance.

The allocation of resources to the diversification and development programme should give priority to regional activities, in line with the Community approach to Latin America based on strengthening regional cohesion and solidarity between more advanced and poorer countries. Eligible operations will be carried out at both the pre-investment and investment stages and will involve seeking new products, markets or investors. The main aim is to strengthen production capacity, improve the quality of banking services, conduct banking surveys and set up or expand firms. The countries covered by this programme, execution of which is closely tied up with that of the common organization of the market in bananas, are Bolivia, Colombia, Costa Rica, El Salvador, Ecuador, Guatemala, Honduras, Nicaragua, Panama, Peru and Venezuela.

COM(92) 496

Developing closer relations with Central America

1.4.36. Council Decision on negotiating directives with a view to a framework cooperation agreement between the Community and the countries party to the General Treaty on Central American Economic Integration (Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua) and Panama.

- **Commission recommendation:** Bull. EC 7/8-1992, point 1.4.39

Adopted by the Council on 18 November. The framework agreement should last for five

years. It will be non-preferential and will include a future developments clause.

The agreement is designed to promote relations between the Community and Central America by establishing an advanced form of cooperation in fields that closely affect economic and social progress.

It will also help to support integration and step up activities to foster democracy and respect for human rights in Central America. Other objectives include expanding and diversifying trade, increasing trade cooperation and consolidating economic cooperation by encouraging investment.

II

Asia

Bilateral relations

Korea

1.4.37. Eighth round of EEC-Korea high-level consultations.

- Previous meeting:** Bull. EC 5-1991, point 1.3.49

Eighth meeting, held in Brussels from 10 to 12 November. The Korean delegation was led by Mr Lee Sang Ock, Foreign Minister, and the Commission was represented by Mr Andriessen. The two sides discussed EEC-Korea bilateral relations and international trade issues.

Discussions focused on the growth in trade between the Community and Korea. The Commission underlined the importance of Korea pursuing an ongoing and effective open-market, non-discriminatory policy which would provide greater access for Community industrial and agricultural products. Other topics raised included investment promotion, the elimination of barriers to services, the protection of intellectual property rights, telecom-

munications markets, financial services and consumer goods.

Discussions on international trade concerned the Uruguay Round multilateral trade negotiations, and relations with the United States, Japan, the Central European countries and the CIS.

An administrative arrangement was also signed with a view to establishing closer scientific and technical cooperation between the two sides (→ point 1.3.85).

Macao

1.4.38. Proposal for a Decision concerning the conclusion of a trade and cooperation Agreement between the European Economic Community and Macao.

- Negotiating directives:** Bull. EC 4-1992, point 1.4.20
- Commission proposal for a Decision on conclusion of the Agreement:** OJ C 167, 4.7.1992; COM(92) 239; Bull. EC 6-1992, point 1.4.27
- Council decision concerning signature of the Agreement, subject to conclusion:** Bull. EC 6-1992, point 1.4.27

Endorsed by Parliament on 20 November. Parliament approved the conclusion of the Agreement.

OJ C 337, 21.12.1992

Latin America

Bilateral relations

Brazil

1.4.39. Proposal for a Decision on conclusion of the framework cooperation Agreement between the European Economic Community and Brazil.

- Commission recommendation on the 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
- Signing of the Agreement:** Bull. EC 6-1992, point 1.4.30

Endorsed by Parliament on 19 November. Parliament approved the conclusion of the Agreement.

OJ C 337, 21.12.1992

1.4.40. Parliament resolution on economic and trade relations between the European Economic Community and Brazil.

Adopted by Parliament on 19 November. Parliament deplored human rights violations, the lack of respect for the indigenous peoples' way of life and the corruption in Brazilian institutions. It welcomed, however, the government's efforts to eliminate inequality and marginalization so that economic modernization measures taken in the past two years might meet with success, particularly those designed to cut inflation, which was still too high. It also welcomed the results of the government's privatization programme, the process of liberalizing Brazilian external trade and the agreement reached between Brazil and the creditor banks on reducing its external debt.

OJ C 337, 21.12.1992

1.4.41. Visit to the Commission by Mr Cardoso, Brazilian Foreign Minister, on 23 and 24 November.

Mr Cardoso saw Mr Matutes, with whom he discussed the state of bilateral cooperation between the Community and Brazil, trade issues connected with the GATT negotiations, and the investment situation. Talks also touched on North American initiatives in Brazil and the Mercosur Council (Southern Cone Common Market).

Andean Pact

1.4.42. Proposal for a Council Decision concerning the conclusion of a framework cooper-

ation Agreement between the European Economic 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
- Initialling of the Agreement on 26 June:** Bull. EC 6-1992, point 1.4.31

Adopted by the Commission on 13 November.

COM(92) 463

Financial and technical cooperation

1.4.43. Project financing.

- Basic Regulation:** Council Regulation (EEC) No 443/92 on financial and technical assistance to, and economic cooperation with, the developing countries in Asia and Latin America: OJ L 52, 27.2.1992; Bull. EC 1/2-1992, point 1.4.40

Commission decision adopted on 27 November to provide assistance for the following projects:

- Bolivia:** ECU 14.15 million for an integrated development programme in the Andean area and the upper Tarija valley;
- Chile:** ECU 10 million for an integrated development programme in the North I and II areas.

ACP countries and OCTs

I

Assistance for traditional ACP banana suppliers

1.4.44. Proposal for a Council Regulation establishing a special system of assistance to traditional ACP suppliers of bananas.

□ **References:**

Fourth ACP-EEC Convention: Bull. EC 9-1991, point 1.3.38

Proposal for a Council Regulation on the common organization of the market in bananas: OJ C 232, 10.9.1992; COM(92) 359; Bull. EC 7/8-1992, point 1.3.162

Proposal for a Council Regulation to create a programme of diversification and development for certain banana-producing Latin American countries: point 1.4.35 of this Bulletin

ting-up of the market organization for bananas would be compensated. This support would complement Stabex transfers in that it would not be granted unless Stabex transfers had not fully offset the effect of falling prices on producers' earnings.

COM(92) 465

Adopted by the Commission on 11 November. This proposal is closely linked to the proposal for a common organization of the market for bananas, which provides for arrangements to maintain the concessions accorded to traditional suppliers of bananas to the Community market (Belize, Cameroon, Cape Verde, Cote d'Ivoire, Dominica, Grenada, Jamaica, St Lucia, St Vincent and the Grenadines, Somalia and Suriname), in accordance with Protocol 5 to the fourth ACP-EEC Convention.

The setting-up of a new market organization for bananas may, however, threaten the future viability of ACP producers, which are handicapped by being islands and/or the small size of banana plantations, their distance from markets and their dependence on this crop. The Commission proposes to top up the measures already on the table with a special system of aid amounting to ECU 240 million for the period 1993-97.

Producers in traditional banana-exporting countries would be given financial and technical assistance on the same lines as that given to Community producers. This financial aid would be additional to that already made available under the Lomé Convention and would be used to implement programmes to help producers adapt to the new market conditions, notably by improving quality, marketing methods and competitiveness.

A second plank of the proposal is a form of temporary support for the ACP countries' export earnings, by which any losses of earnings arising directly as a result of the situation on the Community market following the set-

II

Bilateral relations

Cameroon

1.4.45. Visit to the Commission by Mr J. Owona, Secretary-General to the Presidency, on 10 November.

Mr Owona saw Mr Marín, with whom he discussed the conduct of the multiparty presidential elections held on 11 October. Mr Marín deplored the irregularities that had been committed during the elections, which had undermined Cameroon's international credibility. Cameroon needed to demonstrate by its acts that it wished to remedy the situation.

Financial and technical cooperation

1.4.46. Financing of projects.

Commission decisions allocating a total of ECU 46 550 000 from the fifth, sixth and seventh EDFs (see Table 8).

Table 8 — *Financing of operations under the fifth, sixth and seventh EDFs*

(million ECU)

Country	Purpose	Amount	
		Grant	Special loan
	<i>Economic infrastructure</i>		
Burkina Faso	Roads	1.600	—
Guinea-Bissau	Rehabilitation of infrastructure	12.000	—
	<i>Rural production</i>		
East Africa	Livestock production — campaign against the tsetse fly	6.160	—
	<i>Social development</i>		
Benin	Health infrastructure	11.846	—
All ACP	Identification of training opportunities	2.700	—
	<i>Industrialization</i>		
Madagascar	Agri-food industries	2.250	—
	<i>Other</i>		
Congo	Support for private sector and SME promotion	10.000	—
	Total	46.556	—

General development cooperation

I

Development cooperation in the run-up to 2000

1.4.47. Declaration of the Council and of the representatives of the Member States meeting in the Council on aspects of development cooperation policy in the run-up to 2000.

□ **References:**

Resolution of the Council and of the representatives of the Member States meeting in the Council on human rights, democracy and development: Bull. EC 11-1991, points 1.3.67 and 2.3.1

Commission communication concerning development cooperation policy in the run-up to 2000: SEC(92) 915; Bull. EC 5-1992, point 1.2.41

Conclusions of the European Council in Lisbon: Bull. EC 6-1992, point 1.26

Adopted by the Council and the representatives of the Member States meeting in the Council on 18 November. The Council welcomed the Commission communication on development cooperation in the run-up to 2000 as a significant contribution to the debate on the future of development cooperation policy and recalled the conclusions of the Lisbon European Council on relations between the Community and the developing countries, which stated that the far-reaching changes in the international scene have contributed to the creation of a new climate. It welcomed the rapid growth which had taken place in some developing countries and the adoption by some of them of programmes of radical economic reforms. The

Council was aware that the developing countries were in a phase of transition resulting from the adjustment process. The Council recalled its resolution on human rights, democracy and development and welcomed the progress made in a number of cases towards better observance of fundamental human rights and reforms in public administration. It recognized nevertheless that inadequate or declining economic growth, unfavourable income distribution and rapid increase in population coupled with the low economic and social status of women meant that a large proportion of the population continued to suffer from acute poverty, hunger, disease and illiteracy, compounded by serious environmental and debt problems. In this respect it recognized that developing countries' own economic policies and their use of human and other local resources were of vital importance.

Aware of the need to promote the smooth integration of the developing countries into the world economy, and mindful of the factor of economic interdependence, the Council stressed the importance of concluding a GATT agreement, with particular regard to the opening-up of new markets for the developing countries and the encouragement of private investment in such countries.

Acknowledging the considerable role played by non-governmental organizations, the Council confirmed that official development assistance would continue to be crucial in the development process. In this context the Member States reaffirmed their commitment to reach the target of 0.7% of GNP for official development assistance and of 0.15% for the least developed countries (LLDCs).

The Council noted that the Community approach covered aid and trade relations. With this in mind, it stated the objectives that the Community and its Member States would pursue, within the general goal of developing and consolidating democracy and the rule of law and encouraging respect for human rights and fundamental freedoms:

the sustainable economic and social development of the developing countries, and more particularly the LLDCs;

their gradual integration into the world economy;

the campaign against poverty in these countries.

The Council favoured a differentiated approach reflecting the effectiveness of the countries' own development efforts. To increase the chances of these objectives being attained, the Council recommended strengthening coordination, both within the Community and between the Community and other bilateral or multilateral OECD donors. Lastly, it stressed the need to take account of the impact of other Community policies on developing countries.

Population issues, family planning and cooperation with the developing countries

References:

Council resolution on population and development: Bull. EC 11-1986, point 2.2.25

Commission communication on development cooperation policy in the run-up to 2000: SEC(90) 915; Bull. EC 5-1992, point 1.2.41

1.4.48. Commission communication to the Council and Parliament on demography, family planning and cooperation with developing countries.

Adopted by the Commission on 4 November. This communication sets out to address family planning as a specific sector of development cooperation. In the Commission's opinion, family planning has two main objectives: a demographic and macroeconomic objective — improving the ratio of population to resources — and a social objective increasing the well-being of individuals and families. It stressed that family planning is closely linked to any policy promoting mother-and-child health, that it should enable people to exercise freedom of choice and personal responsibility and that, used in conjunction with other instruments of cooperation policy, it is a partial response to the challenge posed by the 'development' of the countries concerned.

Accordingly, the Commission proposed that a common plan of action be drawn up with five priorities:

- establishing a political, legal and institutional environment conducive to the development of family planning, together with provision of technical assistance to help the countries concerned to devise viable family planning policies and to upgrade the relevant institutions and local administration in this sector;
- strengthening family planning research and training both in Europe and in the developing countries;
- accelerating the expansion of family planning services by facilitating their integration into existing health services;
- offering more appropriate and better targeted financial and technical assistance, in the form of grants or loans on favourable terms;
- focusing resources and efforts in certain geographical areas and on certain types of family planning, priority being given to countries with high population growth rates which clearly demonstrate their willingness to implement population policies.

Lastly, the Commission asked the Council to adopt a resolution confirming the principles contained in its 1986 resolution with the aim of strengthening and coordinating action by the Community and the Member States on the basis of the plan of action outlined above.

SEC(92) 2002

1.4.49. Resolution of the Council and of the representatives of the Member States meeting in the Council on family planning in population policies in developing countries.

Adopted by the Council and the representatives of the Member States meeting in the Council on 18 November. The Council recalled its resolution on population and development and reaffirmed its basic principles. It emphasized in particular that assistance should only be given to programmes which were not coercive, discriminatory or prejudicial to fundamental human rights.

Having noted that population change is an essential determinant of global prospects for

economic and social development, the Council expressed the view that it was necessary to assist the developing countries to respond to the challenge of population growth, in the context of policies to promote the health of women and children, improve the status of women in their societies, promote literacy and improve the quality of social services available, in particular the provision of family planning services.

The Council reaffirmed its conviction that all population policies must be based on the fundamental right of individuals to choose voluntarily the number and spacing of their children. To attain these objectives, the Council proposed the following priority activities in the field of family planning:

- to initiate a dialogue with the developing countries on the formulation of family planning strategies;
- to assist these countries in the formulation and implementation of such strategies within the wider context of primary health care and, in particular, the promotion of the health of women and children;
- to provide technical assistance to improve the effectiveness of the programmes concerned;
- to provide comprehensive and accurate information on reproduction, birth spacing and contraception;
- to provide financial assistance to meet both capital and recurrent costs generated by these programmes;
- to ensure that programmes take full advantage of the potential contributions of the non-governmental and private sectors, and improve the effectiveness of the public sector;
- to make full use of and support existing structures.

The Council agreed that it would be necessary to make more effective use of existing resources and increase budget allocations and human resources in this sector. It stressed that the Commission, the Member States and all donor agencies should coordinate their policies and their 'in-country' activities with a view to avoiding duplication of effort.

Human rights, democracy and development

1.4.50. Resolution of the Council and the representatives of the Member States meeting in the Council on the implementation of the resolution of the Council and the representatives of the Member States on human rights, democracy and development.

□ References:

Resolution of the Council and the representatives of the Member States meeting in the Council on human rights, democracy and development: Bull. EC 11-1991, points 1.3.67 and 2.3.1

Report from the Commission to the Council on the implementation of the resolution of the Council and of the representatives of the Member States meeting in the Council on human rights, democracy and development: Bull. EC 10-1992, point 1.4.45

Adopted by the Council and the representatives of the Member States meeting in the Council on 18 November. Reaffirming the principles set out in its resolution on human rights, democracy and development, which forms the cornerstone of its policy in this area, and welcoming the Commission's report on its implementation, the Council noted that the Member States and the Commission must adopt both positive and restrictive measures.

The Council declared that the Member States and the Commission would inform each other through European political cooperation of any significant adjustment to their cooperation programmes with the objective of encouraging or supporting increased efforts towards democracy and respect for human rights. It suggested that the areas for positive action identified in the 1991 resolution might be supplemented by activities aimed at promoting media freedom, minorities, the return of political exiles and the peaceful settlement of internal and regional conflicts. It stressed the importance it attached to the respect of international law and international conventions.

The Council recalled that its previous resolution provided for the exchange of information concerning restrictive measures and for the consideration of joint reactions to human

rights' violations. With this in mind, it proposed to examine the outcome of any relevant discussion that had taken place in European political cooperation concerning such violations.

Lastly, the Council called on the Member States and the Commission to cooperate closely on the spot in exchanging views on the human rights situation and the progress of democratization in recipient countries.

1.4.51. Statement by the Council and the representatives of the Member States meeting in the Council on the World Conference on Human Rights.

Adopted by the Council and the representatives of the Member States meeting in the Council on 18 November.

'The Council and the representatives of the Member States see the World Conference on Human Rights scheduled next June as an important opportunity for the world community to pursue a constructive dialogue on ways and means of improving human rights standards and furthering democratic processes as part of the development process. They remain committed to a successful outcome of the Conference with a focus on practical measures in support of efforts by individual countries. They will, in the course of the further preparatory process, seek to identify such practical measures and to define strategies for their implementation as an integral part of development cooperation programmes.'

Cooperation with non-governmental development organizations

1.4.52. Council conclusions on implementation of the Council resolution of 27 May 1991 on cooperation with NGOs.

□ Reference: Council resolution on Community cooperation with non-governmental development organizations: Bull. EC 5-1991, point 1.3.76

Adopted by the Council on 18 November. Recalling its resolution of 27 May 1991, the Council reaffirmed its commitment to support NGO involvement in the development process.

It endorsed the cofinancing arrangements and wished to encourage the full participation of all developing countries' NGOs in all aspects of the development process in partnership with European NGOs. It welcomed the efforts undertaken by the Commission to promote cooperation with other agents in civil society in developing countries and stressed the importance of close contact between the governmental and non-governmental sectors. The Council further welcomed the importance attached by the Commission to quality in selecting projects for cofinancing and fully supported the Commission in its efforts to process applications for funding quickly and efficiently.

Lastly, while welcoming the rapid increase in the size of the cofinancing budget in recent years, it underlined the need to ensure that all the resources available to NGOs were put to the most effective use.

Follow-up to the Rio Earth Summit

1.4.53. Council conclusions on clean and efficient energy for development (→ point 1.3.150).

II

Generalized preferences

1.4.54. Proposal for a Council Regulation extending into 1993 the application of Council Regulations (EEC) Nos 3831/90, 3832/90, 3833/90, 3834/90 and 3835/90 applying generalized tariff preferences for 1991 in respect of certain products originating in developing countries, and adding to the list of beneficiaries of such preferences; draft decision of the representatives of the governments of the Member States of the ECSC, meeting within the Council, extending into 1993 the application of Decisions 90/672/ECSC and 90/673/ECSC applying generalized tariff preferences for 1991

in respect of certain steel products originating in developing countries.

- Reference:** Economic and Social Committee opinion on the guidelines for the Community's generalized preferences scheme for the 1990s: OJ C 69, 18.3.1991; Bull. EC 1/2-1991, point 1.3.62
- Commission proposals:** COM(92) 417; Bull. EC 10-1992, point 1.4.46

Endorsed by the Economic and Social Committee on 24 November. The Committee, however, reaffirmed its conviction that the effectiveness of the scheme could be improved by reducing the number of beneficiary countries on the basis of the criteria set out in the opinion it delivered on 30 January 1991 on the guidelines for the Community's generalized preferences scheme for the 1990s.

Commodities and world agreements

Tropical timber

1.4.55. Meeting of the International Tropical Timber Council.

- Previous meeting:** Bull. EC 5-1992, point 1.2.45

Thirteenth meeting, held in Yokohama from 11 to 24 November. The meeting saw the objective of achieving sustainable forest management in the run-up to 2000 confirmed as an established part of consumer countries' policy; producer countries, for their part, tied the pursuit of this objective to actual availability of financing. The establishment of a 'green' label for tropical timber and the negotiation of a new agreement were also discussed.

Jute

1.4.56. International Jute Council.

- Reference:** New international Agreement on jute and jute products: Bull. EC 12-1990, point 1.4.60

Eighteenth meeting, held in Beijing from 4 to 9 November. The meeting saw the term of office

of the Council's Executive Director, Mr S. Chishty, renewed for a year. Mr Tian Jiyung, Vice-Premier, and Mr Li Lanqing and Mr Tong Zhigyang, Minister and Deputy Minister for Foreign Trade of the People's Republic of China respectively, were present at the opening ceremony.

Sugar

1.4.57. Council Decision on the signing and conclusion of the International Sugar Agreement, 1992.

- **Reference:** United Nations Conference on the renegotiation of the International Sugar Agreement: Bull. EC 3-1992, point 1.3.48
- **Commission recommendation:** Bull. EC 11-1991, point 1.3.72
- **Negotiating directives:** Bull. EC 12-1991, point 1.3.46
- **Proposal for a Council Decision on the signing and conclusion of the Agreement:** COM(92) 418; Bull. EC 10-1992, point 1.3.126

Adopted by the Council on 13 November. The new Sugar Agreement was negotiated in Geneva in March under the auspices of the United Nations and will be open for signing until 31 December 1992.

OJ L 379, 23.12.1992

Humanitarian aid

Food aid

Storage and early warning operations

1.4.58. Commission decisions to grant, via the World Food Programme, ECU 291 000 to various countries in southern Africa, ECU 400 000 to Angola and ECU 179 000 to Lesotho.

Emergency aid

1.4.59. Commission decisions: see Table 9.

Table 9 — *Emergency aid*

<i>(million ECU)</i>		
Country	Purpose	Amount
Angola	Unrest	1
Liberia	Unrest	1
Montenegro	Floods, Mojcovar dam	0.11
Rwanda	Displaced persons in northern Rwanda	0.7
Zimbabwe	Mozambican refugees and displaced persons	0.3

Cooperation via non-governmental organizations

1.4.60. Commission report on cooperation with European non-governmental development organizations (NGDOs) in spheres concerning developing countries (1991 financial year).

Adopted by the Commission on 11 November. The report, which focuses on the utilization of funds set aside for cofinancing with the NGDOs during the 1991 financial year, looks at other important sectors of cooperation with the NGDOs, in particular food aid, emergency aid, the special programmes and coordination with the NGDOs.

1.4.61. Projects in developing countries.

Commission cofinancing: commitment of ECU 591 101 for six operations submitted by four NGOs.

1.4.62. Campaigns to raise public awareness of development issues.

Commission contribution: ECU 495 293 towards five operations.

Aid to increase the self-sufficiency of refugees

1.4.63. Commission decisions:

- Bangladesh: ECU 1.15 million for refugees from Myanmar;

- Indonesia: ECU 0.4 million for Vietnamese refugees;
- Malaysia: ECU 1.24 million for Vietnamese refugees;
- Pakistan: ECU 3.109 million for Afghan refugees;
- Philippines: ECU 0.69 million for Vietnamese refugees.

1.4.64. Mrs S. Ogata, United Nations High Commissioner for Refugees, visited the Commission on 26 November.

Mrs Ogata saw Mr Marin and Mr Matutes. Cooperation between the Commission and the Office of the UN High Commissioner for Refugees was reviewed. In particular, Mrs Ogata congratulated the Community on having become, for the first time, the UNHCR's largest donor with USD 205 million, amounting to 22% of total contributions in 1992.

Commercial policy

General matters

Commercial policy instruments

Trade protection

Council anti-dumping measures

1.4.65. Council Regulation (EEC) No 3263/92 extending the provisional anti-dumping duty on imports into the Community of outer rings of tapered roller bearings originating in Japan.

- Commission proposal:** COM(92) 433; Bull. EC 10-1992, point 1.4.58

Adopted by the Council on 9 November.

OJ L 326, 12.11.1992

1.4.66. Council Regulation (EEC) No 3264/92 extending the provisional anti-dumping duty on imports of synthetic fibres of polyesters originating in India and the Republic of Korea.

- Commission proposal:** COM(92) 427; Bull. EC 10-1992, point 1.4.57

Adopted by the Council on 9 November.

OJ L 326, 12.11.1992

1.4.67. Council Regulation (EEC) No 3482/92 imposing a definitive anti-dumping duty on imports of certain large electrolytic aluminium capacitors originating in Japan and collecting definitively the provisional anti-dumping duty.

- References:**
 - Provisional duty: OJ L 152, 4.6.1992; Bull. EC 6-1992, point 1.4.56
 - Extension of provisional duty: OJ L 286, 1.10.1992; Bull. EC 9-1992, point 1.3.52

Proposal adopted by the Commission on 3 November.

COM(92) 454

Adopted by the Council on 30 November.

OJ L 353, 3.12.1992

1.4.68. Proposal for a Council Regulation imposing a definitive anti-dumping duty on imports of ferro-silicon originating in Poland and Egypt and authorizing the definitive collection of amounts secured by way of the provisional duty.

- References:**
 - Provisional duty: OJ L 183, 3.7.1992; Bull. EC 6-1992, point 1.4.57
 - Extension of provisional duty: OJ L 281, 25.9.1992; Bull. EC 9-1992, point 1.3.51

Adopted by the Commission on 16 November.

COM(92) 476

Commission anti-dumping measures

1.4.69. Anti-dumping proceeding concerning imports of ammonium nitrate originating in Belarus, Georgia, Lithuania, Russia, Turkmenistan, Ukraine and Uzbekistan.

Notice of initiation: 18 November.

OJ C 306, 24.11.1992

1.4.70. Anti-dumping proceeding concerning imports of colour television receivers exported from or originating in Malaysia, the People's Republic of China, the Republic of Korea, Singapore, Thailand and Turkey.

Notice of initiation: 23 November.

OJ C 307, 25.11.1992

1.4.71. Notice concerning the anti-dumping proceeding relating to imports of calcium metal originating in China and Russia.

□ **References:**

Court of Justice judgment C-358/89: Bull. EC 6-1992, point 1.7.30

Notice issued by the Commission following the judgment: OJ C 213, 19.8.1992; Bull. EC 7/8-1992, point 1.4.87

Adopted by the Commission on 12 November. As a result of the Court of Justice ruling that the Regulation establishing definitive duties on imports of calcium metal originating in China and the Soviet Union was void, new data have to be gathered on these imports. The proceeding is confined to Russia, since that is where all the producers previously based in the former Soviet Union are established.

OJ C 298, 14.11.1992

1.4.72. Council Regulation (EEC) No 3498/92 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) 452; Bull. EC 10-1992, point 1.4.63

Adopted by the Council on 30 November.

OJ L 354, 4.12.1992

1.4.73. Commission Regulation (EEC) No 3296/92 imposing a provisional anti-dumping duty on imports of certain seamless pipes and tubes, of iron or non-alloy steel, originating in Czechoslovakia, Hungary, Poland and the Republic of Croatia and terminating the anti-dumping proceeding with regard to the Republics of Serbia and of Montenegro, the former Yugoslav Republic of Macedonia, the Republic of Bosnia-Herzegovina and the Republic of Slovenia.

□ **Reference:** Notice of initiation: OJ C 321, 12.12.1991; Bull. EC 12-1991, point 1.3.65

Adopted by the Commission on 12 November.

OJ L 328, 14.11.1992

1.4.74. Impending expiry of certain anti-dumping measures concerning inner tubes and new tyre cases for bicycles originating in Korea or Taiwan.

□ **Reference:** Undertakings: OJ L 134, 31.5.1988; Bull. EC 5-1988, point 2.2.5

Notice of impending expiry: 24 November.

OJ C 314, 1.12.1992

1.4.75. Impending expiry of anti-dumping measures concerning imports of potassium permanganate originating in the People's Republic of China.

□ **Reference:** Definitive duty: OJ L 138, 3.6.1988; Bull. EC 5-1988, point 2.2.5

Notice of impending expiry: 24 November.

OJ C 319, 5.12.1992

1.4.76. Expiry of anti-dumping measures concerning mercury originating in the former Soviet Union.

□ **Reference:** Definitive duty: OJ L 346, 10.12.1987; Bull. EC 12-1987, point 2.2.4

Notice of expiry: 26 November.

OJ C 328, 12.12.1992

1.4.77. Impending expiry of anti-dumping measures concerning oxalic acid originating in Taiwan.

□ **Reference:** Undertaking: OJ L 160, 28.6.1988; Bull. EC 6-1988, point 2.2.7

Notice of impending expiry: 30 November.

OJ C 344, 29.12.1992

Import arrangements

1.4.78. Proposal for a Council Regulation on common rules for imports from certain third countries and repealing Council Regulations (EEC) Nos 1765/82, 1766/82 and 3420/83.

□ **Regulations to be repealed:**
Council Regulation (EEC) No 1765/82: OJ L 195, 15.7.1982
Council Regulation (EEC) No 1766/82: OJ L 195, 15.7.1982

Council Regulation (EEC) No 3420/83: OJ L 346, 8.12.1983

□ **Reference:** Proposal for a Council Regulation amending Regulation (EEC) No 288/82 on common rules for imports: COM(92) 374; Bull. EC 9-1992, point 1.3.65

Adopted by the Commission on 10 November. Common, uniform and simplified arrangements are to be introduced for imports originating in the People's Republic of China and State-trading countries (Albania, Bulgaria, Romania, Baltic States, independent successor States of the former Soviet Union, North Korea, Viet Nam and Mongolia). The proposed arrangements incorporate the entire set of provisions (simplification of procedures and formalities, abolition of national quantitative restrictions) which it is suggested in proposal COM(92) 374 be applied to GATT member countries and countries with like status. In order, however, to take account of the special features of the economic system in the State-trading countries and China, the proposal also includes the introduction, for a very limited number of countries and products, of quantitative quotas or Community surveillance measures.

COM(92) 455

Individual sectors

Textiles

1.4.79. Council Decision authorizing the Commission to negotiate the renewal of the arrangement on trade in clothing products with Turkey.

□ **Recommendation for a Decision:** Bull. EC 10-1992, point 1.4.75

Adopted by the Council on 3 November.

1.4.80. Recommendation for a Council Decision authorizing the Commission to open negotiations with a view to concluding additional protocols on textiles with Bulgaria and Romania.

□ **References:**

Council Decision authorizing the Commission to open negotiations with Bulgaria with

a view to concluding a Europe (association) agreement: Bull. EC 5-1992, point 1.2.12

Europe (association) Agreement with Romania: point 1.4.12 of this Bulletin.

Adopted by the Commission on 30 November. The Decision would enable new protocols on trade in textiles to be negotiated in the context of the Europe (association) agreements.

International organizations and conferences

General Agreement on Tariffs and Trade

1.4.81. Council conclusions on the Uruguay Round.

□ **Reference:** Conclusions of Birmingham extraordinary European Council: Bull. EC 10-1992, point 1.6

Adopted by the Council on 9 November. Reaffirming the Community's commitment to the conclusion of a comprehensive and balanced agreement not only in agriculture but in other areas too, and particularly market access and services, the Council urged the Commission to continue discussions aimed at resolving the difficulties associated with the Uruguay Round and also the specific problem of oilseeds.

1.4.82. Parliament resolution on the state of multilateral trade negotiations in the GATT Uruguay Round.

Adopted by Parliament on 19 November. Condemning the United States' threatened unilateral withdrawal of trade concessions bound in GATT, Parliament made an urgent appeal to the negotiators, drawing attention to the advantages expected of the agreement, particularly for the developing countries. It pointed out the comprehensive nature of the negotiations and urged that agriculture should not be allowed to jeopardize the broad agreement

reached by the 108 participants in the other areas covered by the negotiations.

OJ C 337, 21.12.1992

1.4.83. Meeting at ministerial level.

A meeting took place in Washington on 19 November. Negotiations between Mr Andriessen and Mr Mac Sharry, representing the Commission, and Mrs Hills and Mr Madigan, respectively the United States' Trade Representative and Agriculture Secretary, resulted in a draft agreement on the oilseeds dispute and bilateral aspects of the Uruguay Round. This political breakthrough, which permitted the resumption of multilateral negotiations in Geneva, concerned the agricultural sector.

1.4.84. Report from the Commission to the Council on the compatibility of the results of the agricultural negotiations with the United States with the reform of the common agricultural policy.

Adopted by the Commission on 23 November. In its report, the Commission took the view that the compromise negotiated with the United States was compatible with the reform of the CAP and did not impose on farmers any more constraints than were already planned under this reform. It analysed the consequences of the undertakings to be given in the areas of tariffication, internal support and exports.

Organization for Economic Cooperation and Development (OECD)

1.4.85. Proposal for a Council Decision on participation by the Community in the third revised OECD decision concerning national treatment.

- Commission recommendation:** Bull. EC 3-1990, point 1.2.88
- Negotiating directives:** Bull. EC 5-1990, point 1.3.74
- Commission proposal:** COM(91) 442; Bull. EC 11-1991, point 1.3.98

Endorsed by Parliament on 18 November.

OJ C 337, 21.12.1992

European Bank for Reconstruction and Development (EBRD)

General

1.4.86. In November the Bank adopted a strategy paper on operations in Kazakhstan and Uzbekistan, which became members of the Bank in 1992.

Financing

1.4.87. Projects approved by the Board of Directors do not take effect until the loan or shareholding agreement is signed with the recipient.

Consequently, since the month of October, EBRD loans have no longer been mentioned in the Bulletin on the basis of the date of approval but of that of signature.

References to the signing of agreements for loans will temporarily be accompanied by a reference to the Bulletin mentioning the approval of the loan by the Board of Directors.

Central and Eastern Europe

1.4.88. Loan for Eurovision's programme to expand the network of satellite receiving stations.

- Approval by the Board:** Bull. EC 7/8-1992, point 1.4.110

The Bank granted a loan equivalent to ECU 10.8 million to broadcasting companies in several Central and Eastern European countries to finance the expansion of Eurovision's network of satellite receiving stations.

Russia

1.4.89. Shareholding in the Bank for Financing Projects in Russia.

- **Approval by the Board:** Bull. EC 9-1992, point 1.3.75

The Bank invested ECU 2.2 million, enabling the Bank for Financing Projects in Russia to get off the ground.

Poland

1.4.90. Investment in shares in the Polish Private Equity Fund.

- **Approval by the Board:** Bull. EC 5-1992, point 1.2.76

The Bank signed an agreement to purchase shares equivalent to ECU 40 million in the Polish Private Equity Fund set up to help SMEs.

Human rights in the world

Angola

1.4.91. Parliament resolution on the situation in Angola.

Adopted on 19 November. Parliament condemned the violation of the peace agreements signed in Bicesse in May 1991 and the skirmishes, killings and destruction, and called for an international inquiry into the incidents that followed the elections. It called for the international community to attach greater importance to the conclusion of the electoral process and asked the UN and all the relevant international organizations and, more particularly, the Community to back the peace process in Angola by supporting the organization of the second ballot for the presidential elections and by sending a sufficient number of observers to monitor such a ballot.

OJ C 337, 21.12.1992

Brazil

1.4.92. Parliament resolution on street children in Brazil.

Adopted on 19 November. Parliament appealed to the Brazilian authorities to do all in their power to improve the safety and prospects of street children and called on the Community and its Member States to help achieve this objective by increasing their assistance to children and children's organizations under development programmes. It called on the Community and its Member States to cooperate with the authorities to combat international trade in children and to ensure that cooperation with Brazil includes a priority component on the provision of education, food and health care for children, and in particular the homeless in the big cities.

OJ C 337, 21.12.1992

China

1.4.93. Parliament resolution on the human rights situation in Tibet.

Adopted on 19 November. Parliament called for the immediate release of all political prisoners and asked the Chinese Government to allow the International Red Cross to visit prisons and talk with prisoners.

OJ C 337, 21.12.1992.

Iraq

1.4.94. Parliament resolution on the situation of the Shiites in Iraq.

Adopted on 19 November. Parliament condemned the slaughter, torture and imprisonment of Shiites in Iraq and called on the United Nations and the Community to ensure that food, water and medical supplies were sent to the people in the southern marshlands currently besieged by the Iraqi army.

OJ C 337, 21.12.1992

1.4.95. Parliament resolution on the situation in Iraqi Kurdistan.

Adopted on 19 November. Parliament called on the Turkish authorities to cease military operations in Iraqi Kurdistan, withdraw their forces and settle the Kurdish problem by peaceful means.

OJ C 337, 21.12.1992

Sudan

1.4.96. Parliament resolution on the human rights situation in Sudan.

Adopted on 19 November. Parliament called on the Sudanese Government to put an end to the persecution and repression of non-Muslims and to stop the pressure on citizens to convert to Islam. It called for a United Nations' investigation into human rights violations by the Sudanese authorities.

OJ C 337, 21.12.1992

Islamic justice

1.4.97. Parliament resolution on Islamic justice.

Adopted on 19 November. Parliament deplored the sentencing to death by the Iranian authorities of Salman Rushdie for the publication of a book and the doubling of the bounty for his murder. It also deplored the death sentence imposed by due legal process in Pakistan on Gul Masih for blasphemy against Mohammed. It asked the United Nations to open a register of death sentences passed or carried out on religious grounds.

OJ C 337, 21.12.1992

Diplomatic relations

1.4.98. The following ambassadors, whose appointments took effect on 30 November, presented their letters of credence to the President of the Council and the President of the Commission:

□ HE Mr Ding Yuanhong, Head of Mission of the People's Republic of China to the European Communities;

□ HE Mr Jagvaralyn Hanibal, Head of Mission of Mongolia to the European Communities;

□ HE Mr Artur Kuko, Head of Mission of the Republic of Albania to the European Communities;

□ HE Mr Neil Peter Van Heerden, Head of Mission of the Republic of South Africa to the European Communities;

□ HE Mr Sultan Chouzour, Head of Mission of the Islamic Federal Republic of the Comoros to the European Communities;

□ HE Mr Lingston Lloyd Cumberbatch, Head of Mission of the Republic of Trinidad and Tobago to the European Communities;

□ HE Mr Alfonso Guardia Mora, Head of Mission of the Republic of Costa Rica to the European Communities.

5. Intergovernmental cooperation

European political cooperation

1.5.1. The joint statements adopted and published in November are reproduced below in chronological order.

Bosnia-Hercegovina

1.5.2. The following joint statement was published in London and Brussels on 2 November:

'The Community and its Member States condemn the recent attack on Jajce by Serb militia and the barbarous shelling of civilians leaving the town. They condemn such violations of international humanitarian law and re-emphasize the personal responsibility of those who commit or order them. These attacks must cease without delay.'

Togo

1.5.3. The following joint statement was published in London and Brussels on 3 November:

'The Community and its Member States have been monitoring recent events in Togo closely. After a period of heightened political violence, they welcomed the extension of the transition period and the reduction in tension that this brought, in the hope that this would lead to more rapid progress towards democracy. They are concerned by the further postponement of elections and therefore urge all those involved to work together to overcome the remaining problems.

The Community and its Member States are deeply concerned by the recent siege of Parliament by the Togolese armed forces. Such action by the military constitutes a serious threat to Togo's return to constitutional rule. While they are aware of President Eyadema's condemnation of the soldiers' actions and of the setting-up of an investigation commission, they are concerned that the President, in his capacity as Commander-in-Chief of the armed forces, has not been able to ensure the political neutrality of his soldiers. The Community and its

Member States hope the investigation commission will act swiftly and that President Eyadema and the government will take appropriate disciplinary measures against those soldiers identified as responsible. Any repetition of such action by the armed forces would be deplorable.

The Community and its Member States again stress the need for all parties involved to facilitate the successful conclusion of Togo's return to constitutional rule. This must involve full respect for human rights and the rule of law which are necessary conditions for the continuation of their economic and development cooperation with Togo.'

Angola

1.5.4. The following joint statement was published in London and Brussels on 4 November:

Reference: Joint statement of 22 October. Bull. EC 10-1992, point 1.5.11

'The Community and its Member States, recalling their statement of 22 October, express their grave concern about recent events in Angola and deplore the violence over the weekend of 31 October and 1 November which claimed so many lives. The Community and its Member States support the continued involvement of the United Nations in the peace process in Angola, and call on all parties to abide by Resolution 785 adopted by the UN Security Council on 30 October and to respect the ceasefire negotiated through the good offices of the UN Secretary-General on the night of 1 November. The only hope for peace in Angola is for both sides to refrain from violence and to continue to implement the peace agreements embodied in the Bicesse accords, in particular as regards the demobilization and confinement of their troops and collection of their weapons, the formation of the unified national armed force, and the creation of conditions allowing the holding of a second ballot in the presidential election.

The Community and its Member States will hold responsible any party which obstructs the peace process, to which all parties have committed themselves and which has been democratically endorsed by the Angolan people.'

Cameroon

1.5.5. The following joint statement was published in London and Brussels on 4 November:

'The Community and its Member States welcome the holding of multiparty elections in Cameroon on 11 October as an important step in the process of democratization. They have however noted with concern reports of irregularities in the election procedures in all regions. The Community and its Member States appeal to all the parties involved to seek to resolve differences through dialogue, avoiding any violence and safeguarding social peace. They call on all parties to refrain from action which could further increase tension, and on the authorities to ensure full support for fundamental human rights and political freedoms. The Community and its Member States will continue to follow developments in Cameroon with close attention.'

Guatemala and Belize

1.5.6. The following joint statement was published in London and Brussels on 12 November:

'The Community and its Member States warmly welcomed President Serrano's statement of 5 September 1991 recognizing Belize as a sovereign independent State, and the subsequent establishment of diplomatic relations between Guatemala and Belize. This defused a source of regional tension, opened the way for Belize to play her full part in the region's political and economic life, and represented a major step towards a settlement of the long-standing dispute between the two countries.'

The Community and its Member States now welcome the Guatemalan Constitutional Court's ruling on the constitutionality of the constructive action taken last year by President Serrano. They look forward to a full and final settlement of the territorial issue with Belize before long.'

Ghana

1.5.7. The following joint statement was published in London and Brussels on 17 November:

'The European Community and its Member States welcome the declaration of the international electoral observer teams that the presidential election was broadly free and fair. The election represents a major step towards the restoration of democratic

government in Ghana. They also welcome the fact that election campaigning and the elections themselves were generally free from political violence. They urge all political parties to work together to ensure completion of a peaceful transition to constitutional democratic government.'

Nigeria

1.5.8. The following joint statement was published in London and Brussels on 24 November:

'The Community and its Member States have noted with regret that the timetable for the transition to civilian rule, repeatedly announced by the Nigerian Government, has not been adhered to. The Community and its Member States, stressing the need for an early return to civilian rule, trust that the new timing will be respected.'

Venezuela

1.5.9. The following joint statement on the attempted *coup* in Venezuela was published in London and Brussels on 27 November:

'The European Community and its Member States condemned the *coup* attempt launched against the democratically elected Government of Venezuela on 27 November 1992. They expressed concern at reports of continued fighting. The European Community and its Member States firmly support the maintenance of democratic institutions in Venezuela.'

South Africa

1.5.10. The following joint statement was published in London and Brussels on 30 November:

'The Community and its Member States are encouraged by the intensified efforts of the parties in South Africa to give renewed momentum to negotiations designed to secure South Africa's peaceful transition. They hope that all parties will continue to play a full part in the endeavours to resume multi-party constitutional talks at the earliest opportunity.'

The Community and its Member States also hope that the National Peace Committee will be given every support in its efforts to promote dialogue amongst the parties on the urgent need for effective action to curb violence in South Africa.'

Other intergovernmental cooperation

1.5.11. Parliament resolution on the entry into force of the Schengen agreements.

Adopted by Parliament on 19 November. Considering that the Convention applying the Schengen Agreement, signed by nine Community Member States, must be regarded as a testing ground for Community settlement of the matters dealt with in the Agreement, Parliament called on the Commission to present appropriate proposals. It also called for the

harmonization of visa and asylum policy within the Community. Deploring the excessively intergovernmental nature of the Schengen Agreement and the gaps it contained with regard to police cooperation, crime prevention, mutual judicial assistance, extradition and the transfer of execution of sentences, Parliament called for provision to be made for monitoring by the Court of Justice of the implementation of the Convention applying the Agreement. It further called on the national parliaments to consider its observations and to demand that their governments provide the necessary guarantees for democratic control of implementation of the Convention.

OJ C 337, 21.12.1992

6. Financing Community activities

Budgets

General budget

Budgetary procedures

1992 financial year

1.6.1. Preliminary draft supplementary and amending budget No 4/1992.

□ **References:**

General budget of the European Communities for the financial year 1992: OJ L 26, 3.2.1992; Bull. EC 12-1991, point 1.5.1

Council Decision providing medium-term financial assistance for Estonia, Latvia and Lithuania: point 1.4.8 of this Bulletin

Adopted by the Commission on 4 November. The main purpose of this draft supplementary and amending budget is to insert three budget headings in the statement of expenditure for guarantees for loans raised by the Community to provide medium-term financial assistance to Estonia, Latvia and Lithuania.

This preliminary draft also contains a new chapter with an allocation of ECU 8 million for the repayment of fines which the Community should not have imposed. It also contains the appropriations needed for refunds and compensation to the Member States, which now come to ECU 78.9 million, ECU 4.4 million less than in the current budget.

1993 financial year

1.6.2. Draft budget.

□ **Preliminary draft budget:** Bull. EC 5-1992, point 1.4.3

□ **First reading by the Council:** Bull. EC 7/8-1992, point 1.6.3

□ **First reading by Parliament:** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.6.2

Second reading by the Council (budgets) on 16 November. After the second reading of the draft budget for 1993, expenditure comes to a provisional ECU 65.863 billion for commitments and ECU 63.363 billion for payments. The rate of increase for non-compulsory expenditure compared with the 1992 budget is 3.91% for commitment appropriations and 5.47% for payment appropriations. To arrive at the rate of 3.91% for non-compulsory expenditure, the Council had to reduce expenditure on internal policies by 11.3% and expenditure on external policies by 2.6% compared with the 1992 budget.

The Council broadly confirmed the outcome of its first reading by refusing to take account of the expenditure proposed in the Delors II package and hoped that a complete budget, taking account of the need for real budgetary discipline, would be adopted in December in the light of the conclusions of the Edinburgh European Council and the appropriate specialized Council meetings.

Discharge procedure

Financial year 1990

Discharge in respect of the budget

1.6.3. Parliament decision giving discharge to the Commission in respect of the implementation of the general budget of the European Communities for the 1990 financial year as regards Sections I — Parliament, II — Council, III — Commission, IV — Court of Justice and V — Court of Auditors; Parliament resolution containing the comments which form part of the decision giving discharge to the Commission in respect of the implementation

of the general budget of the European Communities for the 1990 financial year.

- **Council recommendation:** Bull. EC 3-1992, point 1.5.4

Adopted on 18 November. After referring to the question of the Court of Auditors' powers of control and making a number of general comments on shared implementation and management, Parliament expressed a number of criticisms and suggestions as regards own resources, financial control, budgetary discipline in the agricultural sector (particularly in the beef/veal sector), the structural Funds, aid to non-member countries, administrative expenditure and the fight against fraud.

OJ C 337, 21.12.1992

ECSC operating budget

1991 financial year

1.6.4. ECSC financial report.

- **References:**
ECSC operating budget for 1991: OJ L 357, 20.12.1990; Bull. EC 12-1990, point 1.6.6
Commission decision approving implementation of the ECSC operating budget for 1991 and communication on the ECSC financial statements: Bull. EC 6-1992, point 1.6.3

Adopted by the Commission on 12 November. This report gives an account of the Commission's financial activities in areas covered by the ECSC Treaty in 1991, a year marked in particular by the conflict in the Gulf and the upheavals in Central and Eastern Europe. At ECU 1 382.2 million, the total amount of loans disbursed by the ECSC in 1991 was 39.09% higher than in 1990. This increase in loan volume stems from the large amount of financing of productive investment in ECSC redevelopment areas (ECU 859.5 million), industrial investments (ECU 505 million) and infrastructure projects of Community-wide importance that use Community steel (ECU 66.3 million).

As regards borrowing operations, there was a distinct recovery on the bonds market in 1991 and the total volume of issues reached

a record level of USD 301 billion. The ECSC borrowed the equivalent in all currencies of ECU 1 446 million, a rise of 24% on the previous year's figures.

In addition to its activities based on borrowing and lending operations, the ECSC finances a number of schemes from its operating budget. These involve redeployment of workers, interest subsidies for industrial conversion loans, and the financing of research programmes.

The outturn of the operating budget shows an overall amount of ECU 519.2 million, compared with the ECU 528 million provided for initially. The difference is explained by factors linked with both resources and requirements.

SEC(92) 1635

1992 financial year

1.6.5. Amending ECSC operating budget.

- **References:**
Draft amending ECSC operating budget for 1992: OJ C 241, 21.9.1992; Bull. EC 7/8-1992, point 1.6.4
Parliament resolution on the draft amending ECSC operating budget for 1992: OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.6.3

Adopted by the Commission on 17 November. The Commission adopted the amending ECSC operating budget as approved on first reading. Resources are increased by ECU 52 million, partly offset by an increase in requirements of ECU 48 million. This leaves a surplus of ECU 4 million, which will help relieve the burden on the 1993 budget.

The ECU 48 million increase in appropriations is linked solely to the requirements of the five new *Länder* under the social measures for steel.

OJ C 307, 25.11.1992

Financial operations

General

Community borrowing and lending activities

Future of the ECSC Treaty

1.6.6. Commission communication on the future of the ECSC Treaty — financial activities.

□ **References:**

Commission communication on the future of the ECSC Treaty: Bull. EC 3-1991, point 1.2.49

Council conclusions on the future of the ECSC Treaty: Bull. EC 4-1991, point 1.2.41

Adopted on 18 November. In its first communication on the future of the ECSC Treaty, the Commission decided to adopt, as its political position, the option which provides for the sectors covered by the ECSC Treaty to be gradually incorporated into the EEC Treaty.

This second communication is in response to the Council's request for a detailed analysis of the ECSC's financial activities up to 2002, the year in which the ECSC Treaty expires, with particular reference to the treatment of levy rates and reserves during the transitional period.

The Commission examines the possibilities of phasing out ECSC budgetary expenditure in line with the coal and steel industries' desire to eliminate the levy and liquidate the reserves, using the proceeds for the benefit of the industries. The pace of this phasing-out process must also depend on the phasing-in of the financial provisions of the EEC Treaty, the advisability of a gradual transition and whether the ECSC reserves are available.

The Commission proposes the following options:

□ expenditure on redeployment aid could gradually be taken over by the Social Fund from 1994;

□ expenditure on research could gradually be integrated into the fourth and fifth research framework programmes, beginning in 1994 and 1999 respectively;

□ interest subsidies could be taken over by the ERDF from the beginning of the period to be covered by a new financial perspective (1998-2002);

□ expenditure on social measures would be maintained given the restructuring planned by the steel industry (→ point 1.3.76).

These options must, however, be considered in the light of the economic situation in the industries concerned. Forecasts for the coal industry suggest a reduction in investment

activities and in the basis of assessment of the levy, together with an increase in spending on social measures. The restructuring needed in the steel industry will require substantial financial assistance from the Community, particularly for conversion and the readaptation of workers. The Commission is therefore proposing a number of approaches by reducing the levy more slowly, using the reserves or adapting the rate at which budgetary expenditure is phased out.

The Commission also considers the fate of reserves remaining available in 2002 and proposes that they be used to create a 'Guarantee Fund' for the coal and steel industries.

SEC(92) 1889

1.6.7. ECSC Treaty and financing activities — Council conclusions.

Adopted on 24 November. The Council (industry) recognized the need to work towards phasing out the regime established by the ECSC Treaty, so that coal and steel industries can be treated in the same way as other industries in the area of competition policy. It called on the Commission to phase out the levy rate and to incorporate borrowing and lending activity into the EEC Treaty where necessary, with due account being taken of the ongoing restructuring of the steel industry.

New Community Instrument

1.6.8. Commission report on the rate of utilization of the New Community Instrument (NCI).

□ **Reference:** Council Decision 83/200/EEC empowering the Commission to contract loans under the new Community Instrument: OJ L 112, 28.4.1983

Adopted on 6 November. This report describes the lending operations carried out between 1 January and 30 June 1992. NCI III recorded a positive balance of ECU 133 million against a ceiling of ECU 3 000 million and NCI IV a positive balance of ECU 57 million against a ceiling of ECU 750 million. The productive sector accounted for 52.80% of NCI III loans, infrastructure for 26.46% and energy for

20.74%. All NCI IV loans were allocated to the productive sector.

Loans raised

1.6.9. In November the Commission made on behalf of the ECSC:

- a number of private placings in marks, lire and Belgian francs for the equivalent of ECU 41.5 million;
- a DM 217 million five-year public issue at 7.125% with an issue price of 101.5%; the proceeds of the loan were used for a currency swap.

Loans granted

1.6.10. Acting under Articles 54 and 56 of the ECSC Treaty, the Commission granted loans totalling ECU 4.2 million.

Industrial loans

1.6.11. No industrial loans (Article 54) were granted in November.

Conversion loans

1.6.12. Conversion loans (Article 56) totalling ECU 2.4 million were made to Spain.

Workers' housing

1.6.13. Loans totalling ECU 1.8 million were granted for steelworkers and mineworkers in Germany, France, Denmark, the United Kingdom and Spain.

Measures to combat fraud

1.6.14. Council conclusions on the fight against fraud.

Adopted on 23 November. The Council (economic and financial affairs) reiterated the importance it attached to the continuing fight against fraud relating to all parts of the Community budget, revenue and expenditure alike. It stressed the need for action in respect of multinational transactions and the importance here of simplifying the export refund nomenclature and associated codes.

It also agreed to the holding of informal meetings between representatives of the three institutions to establish priorities in the fight against fraud.

European Investment Bank

Financing

1.6.15. In November the European Investment Bank, the European Community's financial institution, granted loans totalling ECU 1 054.37 million, of which ECU 96 million went outside the Community.

Community

Links with Community policies

1.6.16. Loans were made for the following measures:

- ECU 393.5 million for the economic development of disadvantaged regions;
- ECU 30.1 million for the improvement of transport and telecommunications infrastructures of benefit to the Community;
- ECU 263.8 million for the protection of the environment and the improvement of the quality of life;
- ECU 169.8 million for the pursuit of Community objectives in the field of energy;
- ECU 45.1 million for the enhancement of the international competitiveness of industry and its integration within the Community.

The Bank also continued its operations to support small and medium-sized businesses (since the beginning of the year, around ECU 2.5 billion has been granted from current global loans).

Individual loans often come under several Community policies; some are therefore counted more than once in the above amounts.

Geographical breakdown

Belgium

1.6.17. ECU 49.2 million was granted in the form of global loans to finance small and medium-scale projects and ECU 22.9 million for the construction of a new air traffic control centre at Brussels Airport.

Denmark

1.6.18. ECU 26.2 million was provided for the extension of the waste-water collection and treatment network in Aarhus. ECU 4.8 million was granted in the form of global loans to finance small and medium-scale projects.

Spain

1.6.19. ECU 79.5 million was provided for the extension of the underground railway in Valencia and the construction of a freight-handling centre for different modes of transport in Barcelona. ECU 72.2 million was provided for various improvements for the collection and treatment of waste water and for the expansion of the electricity grid in Catalonia.

France

1.6.20. ECU 225.2 million was granted in the form of global loans to finance small and medium-scale projects. ECU 9 million went towards the construction of a production unit for aspartame (artificial sweetener) in the North.

Italy

1.6.21. ECU 168.7 million was granted for the exploitation of natural gas in the Adriatic, the expansion of electricity generation in the Centre-North, the distribution of electricity and natural gas in the Mezzogiorno and investment in environmental protection at a combined fuel power station in the north of the country. ECU 80.9 million was provided for the construction of a pharmaceuticals research and development centre at Nerviano, a propylene plant in the south and the modernization of three chemical plants in the Centre-North and the Mezzogiorno. ECU 41.9 million was granted in the form of global loans to finance small and medium-scale projects. ECU 24.3 million was provided for the treatment of waste water and solid waste in Liguria and the Mezzogiorno and ECU 4.1 million for the restoration and fitting-out of buildings in Umbria and Liguria for activities in the field of culture and tourism.

Portugal

1.6.22. ECU 31.3 million was granted for various transport infrastructure projects in the Azores.

United Kingdom

1.6.23. ECU 118.1 million was granted for various water purification and supply infrastructure projects and for road improvements.

Community development cooperation policy

Mediterranean

Algeria

1.6.24. ECU 53 million was granted for the construction of the Taksebt dam 120 km east of Algiers.

Tunisia

1.6.25. ECU 17 million was granted for protection of the marine environment and water management. This loan is the first EIB loan under EEC-Mediterranean horizontal cooperation.

ACP countries

Netherlands Antilles

1.6.26. ECU 4 million was granted for the expansion of the power station on the island of Bonaire.

Namibia

1.6.27. ECU 2.5 million was granted from risk capital for a tannery.

Sierra Leone

1.6.28. ECU 15.5 million was granted from risk capital to repair electricity generation plant at a power station in Freetown.

Uganda

1.6.29. ECU 600 000 was granted from risk capital for a feasibility study on the development of a pilot farm for raising eels.

Zambia

1.6.30. ECU 3 million was granted from risk capital to finance a pharmaceuticals plant.

Zimbabwe

1.6.31. ECU 450 000 was granted from risk capital for a feasibility study on the exploitation of a copper and zinc mine at Sanyati.

7. Community institutions

Parliament

Strasbourg, 16 to 20 November

1.7.1. External relations and legislative business featured prominently on the agenda of this part-session, which also included debates on ratification of the Treaty on European Union, the principle of subsidiarity, the GATT negotiations, the discharge for the 1990 budget, immigration, the right of asylum and freedom of movement.

In the debate on the ratification of the Treaty on European Union by Denmark almost all the speakers firmly ruled out the possibility of renegotiation. Endorsing this view, Mr Delors, President of the Commission, also pointed out that this was primarily a matter for the Member States but made it clear that the Commission would do everything in its power to help find a solution. The debate ended with Parliament adopting a resolution reiterating its willingness to help work out a compromise which would not entail renegotiating the Treaty but would still be acceptable to the Danish people (→ point 1.1.6).

In the debate on the principle of subsidiarity most of the speakers expressed support for an interinstitutional agreement to regulate the details of the principle's application and reaffirmed that implementation of the subsidiarity principle should not affect the institutional balance and that it should be monitored under the existing decision-making procedures. Mr Delors pointed out that the principle of subsidiarity seeks to ensure that decisions are taken at the level closest to the citizen and is thus an attempt to redress the democratic deficit without undermining the *acquis communautaire* or the institutional balance. He argued that the principle should be applied within the framework of an interinstitutional agreement

and rejected the idea of lists rigidly codifying national powers and of the *a priori* monitoring of subsidiarity. The President of the Council, Mr Garel-Jones, UK Minister of State for Foreign and Commonwealth Affairs, stressed that the subsidiarity principle ought to strengthen the competence of the Commission in those areas where it has competence and would not lead to Community policies being handed back to national governments. In a resolution adopted at the end of the debate, Parliament insisted on an appropriate mechanism being introduced as part of an interinstitutional agreement to ensure the implementation and monitoring of the subsidiarity principle (→ point 1.1.3).

On the external relations front, Mr Delors made a statement on the GATT negotiations to coincide with the resumption of talks with the United States on oilseeds. He reaffirmed the Commission's commitment to achieving a global and balanced agreement which was compatible with the reform of the common agricultural policy. During the brief debate that followed, Mr Garel-Jones expressed the Council's confidence in the ability of the Commission to reach a fair agreement. Parliament adopted a resolution at the end of the debate stressing the global nature of the negotiations and the need to protect Europe's agricultural traditions (→ point 1.4.82).

Parliament also delivered opinions on proposals to extend the interim Agreements between the ECSC and the Community on the one hand and Poland, Hungary and Czechoslovakia on the other (→ point 1.4.11), and on transit agreements with Hungary and Czechoslovakia (→ point 1.3.102). It delivered opinions on the provision of further financial assistance for Romania (→ point 1.4.13) and on the agreement establishing an International Science and Technology Centre (→ point 1.4.14). Parliament also declared its support for closer ties between the Community and Turkey. Mr

Matutes, Member of the Commission, interpreted the resolution as a signal to the Council to establish new relations with Turkey based on dialogue and cooperation. Parliament also approved the conclusion of a framework agreement between the Community and Brazil (→ point 1.4.39).

Parliament delivered opinions on the proposal for a trade and cooperation agreement between the Community and Macao (→ point 1.4.38), on the proposal for a Council Regulation prohibiting the honouring of Iraqi claims with regard to contracts and transactions affected by UN Security Council Resolution 661 (→ point 1.4.34) and on a system of distributing rights of transit for vehicles transiting through Austria (→ point 1.3.105).

In the debates on topical issues Parliament discussed the dangers of the conflict in former Yugoslavia spreading to Kosovo and the former Yugoslav republic of Macedonia. In a resolution adopted at the end of the debate, the House questioned the effectiveness of political cooperation between the Member States and called for stricter compliance with the sanctions against Serbia and Montenegro (→ point 1.4.33). It also expressed concern about the situation in Angola and condemned the violation of the peace agreements there (→ point 1.4.91).

During a debate on the discharge in respect of the implementation of the general budget for 1990, Mr Schmidhuber, Member of the Commission, recalled the undertakings made by the Commission with regard to financial control, own resources and agricultural expenditure. Parliament approved the discharge but expressed criticism, notably in relation to the structural Funds and aid to third countries (→ point 1.6.3).

At Parliament's request, Mr Schmidhuber outlined the Commission's latest proposals on the Delors II package, justifying spreading the financial resources over seven years instead of five on the grounds of the deteriorating economic situation in the Community but making it quite clear that the structure of the package would remain unchanged. Parliament adopted a resolution insisting on the urgency

of establishing a new financial perspective and reaffirming that adoption of the Delors II package was a precondition for embarking on negotiations on the enlargement of the Community (→ point 1.2.1).

In debates on home affairs and justice Parliament discussed the consequences of the abolition of internal border controls and called for a Community immigration policy to be based on a clear definition of terms such as refugee, asylum-seeker and clandestine worker and on the principle of reuniting family members (→ point 1.3.25). Parliament recommended the harmonization within the Community of the obligations stemming from the Geneva Convention and took the view that the provisions in the Treaty on European Union would make it possible to implement and guarantee this (→ point 1.3.26). On the subject of the free movement of persons, Parliament expressed concern about the difficulties still to be solved, particularly in the area of internal security and the technical aspects of controls at the Community's internal and external frontiers (→ point 1.3.24). Mr Bangemann, Vice-President of the Commission, reiterated the Commission's belief that Article 8a of the Treaty requires Member States to achieve the objective of free movement of persons and stated that the Commission would use its powers to ensure that Member States fulfilled their obligations. The Convention applying the Schengen Agreement formed the subject of a resolution in which Parliament acknowledged its usefulness as a testing ground for free movement but criticized its excessive reliance on intergovernmental agreements (→ point 1.5.11).

The legislative agenda contained 22 proposals for approval under the cooperation procedure. Favourable opinions were delivered at first reading on seven proposals for Directives on two- or three-wheeled motor vehicles (→ point 1.3.29), on a proposal for a Regulation on transit and storage statistics (→ point 1.3.7) and on a proposal for a Regulation on the statistical units for the observation and analysis of the production system in the Community (→ point 1.3.9). Parliament also delivered opinions on proposals for Directives on the

management and investment of funds held by institutions for retirement provision (→ point 1.3.37), comparative advertising (→ point 1.3.39), authorizations for the prospection, exploration and extraction of hydrocarbons (→ point 1.3.113), recreational craft (→ point 1.3.30) and the official control of foodstuffs (→ point 1.3.33). A favourable opinion was also delivered on the participation by the Community in the third revised OECD decision concerning national treatment (→ point 1.4.85).

At second reading, Parliament approved six proposals for Directives on the manufacture and the placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances (→ point 1.3.31), extraction solvents (→ point 1.3.34), the capital adequacy of investment firms and credit institutions (→ point 1.3.35), the monitoring and control of large exposures of credit institutions (→ point 1.3.36), the sulphur content of certain liquid fuels (→ point 1.3.158), and the evaluation and control of the environmental risks of existing substances (→ point 1.3.156).

Under the consultation procedure, Parliament adopted opinions on proposals on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy (→ point 1.3.181), the identification and registration (→ point 1.3.168) and protection of animals kept for farming purposes (→ point 1.3.169), marketing standards for certain fats (→ point 1.3.185), consumption aid for butter (→ point 1.3.204), the common organization of the markets in the sugar sector (→ point 1.3.183) and in beef and veal (→ point 1.3.208), the transport of certain fresh fruit and vegetables from Greece (→ point 1.3.189) and the restructuring of the system of agricultural surveys in Greece (→ point 1.3.12). Parliament also approved a proposal relating to the common organization of the market in fishery products (→ point 1.3.223).

Parliament delivered opinions on the establishment of trans-European networks in the fields of telecommunications, electricity and natural gas, and transport (→ point 1.3.45). It

approved proposals relating to an action programme in the field of transport infrastructure (→ point 1.3.94), the combined carriage of goods (→ point 1.3.96) and maritime cabotage (→ point 1.3.100).

Favourable opinions were delivered on proposals on the establishing of an integrated administration and control system for certain Community aid schemes (→ point 1.3.163), the introduction of advanced television services in Europe (→ point 1.3.246), supplementary financing of the third framework programme in the field of research and technological development (→ point 1.3.84) and measures to adapt the profession of customs agent to the internal market (→ point 1.3.23). In the area of fiscal policy, Parliament approved proposals relating to products subject to excise duty (→ point 1.3.44) and measures to simplify VAT (→ point 1.3.18). Parliament delivered a favourable opinion on a Community programme of policy and action in relation to the environment and sustainable development (→ point 1.3.151) and adopted a resolution on the environment and industrial competitiveness (→ point 1.3.74).

In the debates on topical and urgent issues, the House adopted a resolution on the Community coal industry, in which it called on the Commission to make full use of the possibilities provided for by the ECSC Treaty and the Rechar programme (→ point 1.3.115). It also adopted a resolution on the dissolution of the Athens City Transport Authority (→ point 1.3.123). Following a debate on a series of oral questions, members adopted a resolution on the international transport of plutonium calling for an appropriate legal framework for controlling the trade and transport of strategic materials (→ point 1.3.160).

In the field of human rights, Parliament adopted resolutions on the situation of the Shias in Iraq (→ point 1.4.94), the situation in Iraqi Kurdistan (→ point 1.4.95) and Tibet (→ point 1.4.93), Islamic justice (→ point 1.4.97), the situation in the Sudan (→ point 1.4.96) and street children in Rio de Janeiro (→ point 1.4.92).

Report of proceedings: OJ Annex 3-424
Full text of opinions and resolutions:
OJ C 337, 21.12.1992

Council

1612th meeting

1.7.2. Consumer protection and information (Brussels, 3 November).

- Previous meeting:** Bull. EC 6-1992, point 1.7.14

President: Baroness Denton of Wakefield, UK Parliamentary Under-Secretary of State at the Department of Trade and Industry, with responsibility for consumer affairs.

Commission: Mr Van Miert.

Main item

- Approximation of the laws of the Member States relating to cosmetic products: common position on a Directive agreed (→ point 1.3.231).

Other business

- Time-sharing: general discussion.
- Distance selling: exchange of views.
- Sutherland report: presented by the Commission.
- Enforcement of consumer protection legislation: discussed.
- Community system of information on accidents involving consumer products: exchange of views.
- Community system for the rapid exchange of information: progress examined.

1613th meeting

1.7.3. General affairs (Brussels, 9 November).

- Previous meeting:** Bull. EC 10-1992, point 1.7.3

President: Mr Hurd, UK Secretary of State for Foreign and Commonwealth Affairs.

Commission: Mr Delors, Mr Andriessen, Mr Matutes and Mr Schmidhuber.

Main items

- Follow-up to the Birmingham European Council: discussed in detail.
- Commission opinion on Finland's application for accession: preliminary exchange of views.
- Uruguay Round: Commission report and discussion.
- 33rd meeting of the EEC-Turkey Association Council: ground prepared.
- Delors II package: wide-ranging general discussion.
- Former Yugoslavia: exchange of views.

1614th meeting

1.7.4. Internal market (Brussels, 10 November).

- Previous meeting:** Bull. EC 9-1992, point 1.6.4

President: Mr Needham, UK Minister of State at the Department of Trade and Industry.

Commission: Mr Bangemann, Mr Dondelinger and Mrs Scrivener.

Main items

- After 1992 — making the single market work: resolution agreed (→ point 1.3.15).
- Export of cultural goods: proposal for a Regulation agreed (→ point 1.3.21).
- Return of cultural objects: common position on a proposal for a Directive agreed (→ point 1.3.20).

Other business

- System for the free movement of medicinal products: broad agreement.
- Community trade mark: discussed in detail.
- Duration of protection of copyright and of certain neighbouring rights: general discussion.
- Intellectual property rights and standardization: Commission communication presented.

- European Company Statute: discussed.
- Abolition of border controls: Commission statement.

1615th meeting

1.7.5. Cultural affairs (Brussels, 12 November).

- Previous meeting:** Bull. EC 5-1992, point 1.5.7

President: Mr Key, UK Parliamentary Under-Secretary of State for National Heritage.

Commission: Mr Dondelinger.

Main items

- Community cultural action: conclusions adopted (→ point 1.3.245).
- Procedure for the designation of European Cities of Culture: conclusions adopted (→ point 1.3.250).

Other business

- Campaign for raising public awareness of books and reading: report from the Committee on Cultural Affairs presented.
- Action plan for the introduction of advanced television services: Commission statement.
- International cultural cooperation: Commission statement.

1616th meeting

1.7.6. Health (Brussels, 13 November).

- Previous meeting:** Bull. EC 5-1992, point 1.5.6

President: Mrs Bottomley, UK Secretary of State for Health.

Commission: Ms Papandreou.

Main items

- Monitoring and surveillance of communicable diseases: conclusions adopted (→ point 1.3.237).
- Health education: conclusions adopted (→ point 1.3.238).
- Second report on drug demand reduction: conclusions adopted (→ point 1.3.240).
- Drugs: European Drug Prevention Week launched (→ point 1.3.241).

Other business

- Future action in the field of public health: general discussion and conclusions of the Presidency.
- Advertising of tobacco products: progress report and exchange of views.
- Reducing smoking: discussion and conclusions of the Presidency.
- 'Europe against Cancer' programme: oral report by the Commission.
- Blood products: discussion.
- Price of medicines: oral report by the Commission.
- Future cooperation between the Community and the WHO regional office: note presented.
- Organ transplants: report presented.
- Ministerial conference on malaria (27 October): communication presented.

1617th meeting

1.7.7. Agriculture (Brussels, 16 and 17 November).

- Previous meeting:** Bull. EC 10-1992, point 1.7.8

President: Mr Gummer, UK Secretary of State for Agriculture, Fisheries and Food.

Commission: Mr Mac Sharry.

Main item

- Integrated administration and control system: proposal for a Regulation approved (→ point 1.3.163).

Other business

- Adjustment of the agri-monetary system following the abolition of border controls: discussed in detail.
- GATT — agricultural aspects: Commission statement and discussion.
- Common organization of the market in bananas: general discussion.
- Consolidation and simplification of the milk quota scheme: examined in depth.
- Application of the milk quota system in Italy: statement presented.
- Adjustment of the common organization of the market in beef and veal: exchange of views.
- Transport of certain fresh fruit and vegetables from Greece: favourable position reached on a proposal for a Regulation.
- Identification and registration of animals: discussed.

1618th meeting

1.7.8. Budget (Brussels, 16 November).

- Previous meeting:** Bull. EC 7/8-1992, point 1.7.5

President: Sir John Cope, UK Paymaster-General.

Commission: Mr Schmidhuber.

Main item

- 1993 budget procedure: second reading of draft general budget (→ point 1.6.2).

1619th meeting

1.7.9. Development (Brussels, 18 November).

- Previous meeting:** Bull. EC 5-1992, point 1.5.2

President: Baroness Chalker, UK Minister for Overseas Development.

Commission: Mr Marín.

Main items

- Follow-up to Unced — clean and efficient energy for development: conclusions adopted (→ point 1.3.150).
- Development cooperation policy in the run-up to 2000: declaration adopted (→ point 1.4.47).
- Family planning in population policies in developing countries: resolution adopted (→ point 1.4.49).
- Implementation of the 1991 resolution on human rights, democracy and development: conclusions adopted (→ point 1.4.50).
- Implementation of the resolution of 27 May 1991 on cooperation with NGOs: conclusions adopted (→ point 1.4.52).
- World Conference on Human Rights: statement adopted (→ point 1.4.51).

Other business

- Follow-up to Unced — financial aspects: discussed.
- Emergency aid for Mozambique, Angola and Somalia: discussed in detail.
- Mechanisms for emergency aid: discussed.
- Untying of aid: *tour de table*.
- Women in development: exchange of views.
- Negotiations on cocoa: Commission statement.

1620th meeting

1.7.10. Telecommunications (Brussels, 19 November).

- Previous meeting:** Bull. EC 6-1992, point 1.7.5

President: Mr Leigh, UK Parliamentary Under-Secretary of State at the Department of Trade and Industry, with responsibility for technology.

Commission: Sir Leon Brittan, Mr Pandolfi and Mr Dondelinger.

Main item

- Assessment of the situation in the telecommunications sector: resolution adopted (→ point 1.3.86).

Other business

- Action plan for the introduction of advanced television services in Europe: in-depth exchange of views.
- Application of open network provision to voice telephony: discussed in detail.
- Trans-European networks: Commission statement.
- Green Paper on the development of the single market for postal services: Commission statement and discussion.
- European telecommunications equipment industry: Commission communication presented.

1621st meeting

1.7.11. Economic and financial affairs (Brussels, 23 November).

- Previous meeting:** Bull. EC 9-1992, point 1.6.5

President: Mr Lamont, UK Chancellor of the Exchequer.

Commission: Mr Delors, Sir Leon Brittan, Mr Christophersen, Mr Schmidhuber and Mrs Scrivener.

Main items

- Belgian economic convergence programme: conclusions adopted (→ point 1.3.1).
- Fight against fraud: conclusions adopted (→ point 1.6.14).
- Guidelines on company taxation linked to the further development of the internal market: conclusions adopted (→ point 1.3.16).

Other business

- Delors II package: in-depth exchange of views.
- Issues raised by the BCCI case: Commission statement and discussion.
- Investment services in the securities field: proposal for a Directive agreed.
- Simplification of VAT and excise duty arrangements: discussed in detail.
- Special VAT arrangements for second-hand goods, works of art, collectors' items and antiques: in-depth examination.
- Travel allowances: discussed.
- Taxation of road transport: discussed in detail.

1622nd meeting

1.7.12. Fisheries (Brussels, 23 November).

- Previous meeting:** Bull. EC 10-1992, point 1.7.6

President: Mr Curry, UK Minister of State for Agriculture, Fisheries and Food.

Commission: Mr Marin.

Main items

- Opening of tariff quotas: Regulations adopted.
- Suspension of autonomous duties of the Common Customs Tariff: Regulations adopted.
- Future Community system for fisheries and aquaculture: discussed.

- Structural policy for the fishing fleet: discussed.
- Industrial fisheries: presentation of Commission report and exchange of views.

1623rd meeting

1.7.13. Industry (Brussels, 24 November).

- Previous meeting:** Bull. EC 6-1992, point 1.7.10

President: Mr Heseltine, UK Secretary of State for Trade and Industry.

Commission: Mr Bangemann, Sir Leon Brittan, Mr Pandolfi, Mr Cardoso e Cunha and Mr Schmidhuber.

Main items

- Administrative simplification for enterprises, especially SMEs: resolution adopted (→ point 1.3.83).
- Industrial competitiveness and environmental protection: resolution adopted (→ point 1.3.75).
- ECSC Treaty and financing activities: conclusions adopted (→ point 1.6.7).

Other business

- Restructuring of the steel industry: Commission statement and general discussion.
- Twenty-first Report on Competition Policy: exchange of views.
- Policy towards small and medium-sized enterprises: discussion.
- Mining industry: Commission communication and discussion.

1624th meeting

1.7.14. Education (Brussels, 27 November).

- Previous meeting:** Bull. EC 6-1992, point 1.7.2

President: Mr Patten, UK Minister for Education.

Commission: Ms Papandreou.

Main items

- Education information network in the European Community (Eurydice): conclusions adopted (→ point 1.3.134).
- Health education in schools: conclusions adopted (→ point 1.3.239).
- European dimension in higher education: conclusions adopted (→ point 1.3.138).
- Open and distance learning: conclusions adopted (→ point 1.3.140).
- Cooperation between the Community and the United States in the field of education and training: conclusions adopted (→ point 1.3.141).

Other business

- Tempus II: general discussion.
- Convention defining the Statute of the European Schools: broad agreement reached.

1625th meeting

1.7.15. Energy (Brussels, 30 November).

- Previous meeting:** Bull. EC 5-1992, point 1.5.11

President: Mr Eggar, UK Minister for Energy.

Commission: Mr Cardoso e Cunha.

Main items

- Internal market in electricity and natural gas: conclusions adopted (→ point 1.3.111).
- Oil market and the refining industry: conclusions adopted (→ point 1.3.114).
- Technical harmonization and standardization in the energy sector: conclusions adopted (→ point 1.3.112).
- Altener programme: proposal for a Decision agreed (→ point 1.3.119).
- European Energy Charter: conclusions adopted (→ point 1.3.120).

Other business

- Supply of oil and Community accession to the International Energy Agency: discussed.
- Community strategy to limit carbon dioxide emissions and to improve energy efficiency: discussed.
- SAVE programme: exchange of views.
- Internal market in hydrocarbons: general discussion.
- Rules for aid to the coal industry: presentation by the Commission.

Commission

Proposals adopted

1.7.16. With a view to the completion of the internal market the Commission adopted a proposal for a Directive on measures to simplify VAT (→ point 1.3.18) and a proposal for a Regulation on checks for conformity with the rules on product safety in the case of products imported from third countries (→ point 1.3.22). On the agricultural front it adopted proposals for Regulations on transitional measures for Spain and Portugal (→ point 1.3.161) and a proposal for a Regulation on the common organization of the market in potatoes (→ point 1.3.162). It also adopted a proposal for a recommendation on continuing vocational training (→ point 1.3.139) and approved a draft Decision establishing Community rules for State aid to the coal industry (→ point 1.3.106).

In the area of development policy the Commission adopted two proposals for Regulations, one setting up a diversification and development fund for Latin American banana-producing countries (→ point 1.4.35) and the other establishing a special system of assistance to traditional ACP suppliers of bananas (→ point 1.4.44).

Communications, Green Papers and reports

1.7.17. The Commission adopted three communications on industrial policy, one on industrial competitiveness and protection of the environment (→ point 1.3.73), a second on the non-energy mining industry (→ point 1.3.80) and the third on the European maritime industries (→ point 1.3.81).

It also adopted a communication on greater competitiveness in the steel industry and the need for further restructuring (→ point 1.3.76) and a communication on the future of the financial activities covered by the ECSC Treaty (→ point 1.6.6).

With reference to the GATT negotiations the Commission adopted a report on the compatibility of the results of the agricultural negotiations with the United States with the reform of the common agricultural policy (→ point 1.4.84).

A communication was also adopted on demography, family planning and cooperation with developing countries (→ point 1.4.48).

Other activities

1.7.18. The Commission delivered a favourable opinion on Finland's application for membership of the Community (→ point 1.4.1).

Community lawcourts

Court of Justice

1.7.19. 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

Article 173 of the EEC Treaty

- 27.10.1992: Case C-240/90 *Germany v Commission*

The application is dismissed.

(Application for annulment of Article 6(6) of Commission Regulation No 3007/84 laying down detailed rules for the application of the premium for producers of sheepmeat, as amended by Regulation No 1260/90, and Article 13(3)(b) and (c) of Commission Regulation No 3813/89 laying down detailed rules for the application of the system of transitional aids to agricultural income, as amended by Regulation No 1279/90.)

OJ C 306, 24.11.1992

Fisheries

Article 173 of the EEC Treaty

- 13.10.1992: Joined Cases C-63/90 and C-67/90 *Portugal and Spain v Council*

The applications are dismissed.

(Application for annulment of Council Regulation No 4054/89 allocating, for 1990, Community catch quotas in Greenland waters.)

OJ C 295, 11.11.1992

Other decisions

Free movement of goods

Article 177 of the EEC Treaty

- 16.10.1992: Case C-286/92 *Doman v Administración del Estado*

OJ C 306, 24.11.1992

- 27.10.1992: Case C-191/90 *Generics and Harris Pharmaceuticals v Smith Kline and French Laboratories*

OJ C 302, 19.11.1992

Customs union

Article 177 of the EEC Treaty

- 1.10.1992: Case C-120/91 *Darbo v Oberfinanzdirektion München*

OJ C 306, 24.11.1992

- 1.10.1992: Case C-89/92 *THK v Oberfinanzdirektion München*

OJ C 300, 17.11.1992

Agriculture

Article 177 of the EEC Treaty

- 8.10.1992: Case C-143/91 *Criminal proceedings against Van der Tas*

OJ C 288, 5.11.1992

- 15.10.1992: Case C-162/91 *Il Bosco v Ministero delle Finanze dello Stato*

OJ C 295, 11.11.1992

- 22.10.1992: Case C-85/90 *Dowling v Ireland, the Attorney-General and the Minister for Agriculture and Food*

OJ C 300, 17.11.1992

- 27.10.1992: Case C-284/91 *Belgian State v Suiker Export*

OJ C 303, 20.11.1992

Fisheries

Article 173 of the EEC Treaty

- 13.10.1992: Case C-70/90 *Spain v Council*

OJ C 295, 11.11.1992

- 13.10.1992: Case C-71/90 *Spain v Council*

OJ C 295, 11.11.1992

- 13.10.1992: Case C-73/90 *Spain v Council*

OJ C 295, 11.11.1992

Social policy*Article 177 of the EEC Treaty*

- 30.9.1992: Case C-286/91 *Buxbaum v Abbott*
OJ C 300, 17.11.1992
- 1.10.1992: Case C-201/91 *Grisvard and Kreitz v Assedic (Moselle)*
OJ C 288, 5.11.1992

State aids*Article 173 of the EEC Treaty*

- 30.9.1992: Case C-295/92 *Landbouwschap v Commission*
OJ C 295, 11.11.1992

Articles 185 and 186 of the EEC Treaty

- 12.10.1992: Case C-295/92R *Landbouwschap v Commission*
OJ C 295, 11.11.1992

Competition*Article 49 of the Statute of the Court of Justice*

- 21.10.1992: Case C-98/92P *European Broadcasting Union v La Cinq*
OJ C 310, 27.11.1992

Taxation*Article 177 of the EEC Treaty*

- 30.9.1992: Case C-76/92 *Middendorf v Finanzamt Reinickendorf*
OJ C 302, 19.11.1992
- 13.10.1992: Case C-49/91 *Haus v Finanzamt Freiburg-Land*
OJ C 294, 10.11.1992

- 13.10.1992: Case C-50/91 *Commerz-Credit Bank — Europartner v Finanzamt Saarbrücken*
OJ C 294, 10.11.1992

Industrial policy*Article 177 of the EEC Treaty*

- 28.10.1992: Case C-219/91 *Criminal proceedings against Ter Voort*
OJ C 310, 27.11.1992

Infringements*Article 169 of the EEC Treaty*

- 28.9.1992: Case C-204/91 *Commission v Netherlands*
OJ C 300, 17.11.1992
- 28.9.1992: Case C-205/91 *Commission v Netherlands*
OJ C 306, 24.11.1992
- 1.10.1992: Case C-269/91 *Commission v Italy*
OJ C 306, 24.11.1992
- 2.10.1992: Case C-359/91 *Commission v Ireland*
OJ C 297, 13.11.1992
- 2.10.1992: Case C-70/92 *Commission v Ireland*
OJ C 297, 13.11.1992
- 14.10.1992: Case C-65/91 *Commission v Greece*
OJ C 297, 13.11.1992
- 14.10.1992: Case C-262/91 *Commission v Italy*
OJ C 300, 17.11.1992
- 22.10.1992: Case C-224/92 *Commission v Luxembourg*
OJ C 310, 27.11.1992
- 27.10.1992: Case C-74/91 *Commission v Germany*
OJ C 303, 20.11.1992

Court of First Instance

Competition

Articles 173, 185 and 186 of the EEC Treaty

□ 1.10.1992: Cases T-49/92 and T-49/92R
Sealink Stena Line v Commission

OJ C 290, 6.11.1992

□ 20.10.1992: Case T-27/91 *Sofacar v Commission*

OJ C 300, 17.11.1992

Court of Auditors

Activities

1.7.20. Annual report concerning the financial year 1991.

Adopted by the Court of Auditors on 5 November. This report, together with the institutions' replies, was transmitted to the authorities responsible for giving discharge and to the other institutions by 30 November.

1.7.21. Specific annual reports.

Adopted by the Court of Auditors on 5 November:

□ report (annex to the 1991 ECSC report) on the accounting and financial management of the ECSC;

□ report on the 1991 accounts of the European Centre for the Development of Vocational Training (Berlin);

□ report on the 1991 accounts of the European Foundation for the Improvement of Living and Working Conditions (Dublin).

1.7.22. Report on the accounts of the European Schools for the financial year 1991.

Adopted by the Court of Auditors on 19 November.

1.7.23. Opinion No 3/92 on a proposal for a Council Regulation (EEC, ECSC, Euratom) amending the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities.

□ **Reference:** Proposal for a Council Regulation (EEC, ECSC, Euratom) amending the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities: OJ C 254, 1.10.1992; COM(92) 358; Bull. EC 9-1992, point 1.5.3

Adopted by the Court of Auditors on 19 November.

Appointment of the Members of the Court of Auditors

1.7.24. Parliament resolution on the procedure for consulting the European Parliament on the appointment of Members of the Court of Auditors.

Adopted on 17 November. Parliament adopted the procedures, principles and criteria for delivering its opinion on the candidates for membership of the Court of Auditors.

OJ C 337, 21.12.1992

Economic and Social Committee

301st plenary session

1.7.25. The Economic and Social Committee held its 301st plenary session on 24 and 25 November, chaired in turn by Mrs Tiemann, Mr Stecher Navarra and Mr Liverani.

1.7.26. The Committee debated and adopted opinions on the following:

□ measures to adapt the profession of customs agent to the internal market (→ point 1.3.23);

- company taxation (→ point 1.3.17);
- VAT arrangements applicable to passenger transport from 1 January 1993 (→ point 1.3.43);
- general arrangements for products subject to excise duty and the holding, movement and monitoring of such products (→ point 1.3.44);
- simplification and clarification of treatment of certain transactions and taxation principles to apply from 1 January 1993 (→ point 1.3.18);
- Twenty-first Report on Competition Policy* (→ point 1.3.46);
- supplementary financing of the third framework programme of Community activities in the field of research and technological development (→ point 1.3.84);
- application of open network provision to voice telephony (→ point 1.3.92);
- charging of infrastructure costs to heavy goods vehicles (→ point 1.3.99);
- limitation of carbon dioxide emissions by improving energy efficiency (→ point 1.3.109);
- conditions for granting and using authorizations for prospection, exploration and extraction of hydrocarbons (→ point 1.3.113);
- common organization of the market in bananas (→ point 1.3.190);
- common organization of the sugar markets (→ point 1.3.183);
- Community system for fisheries and aquaculture (→ point 1.3.223);
- protection of consumers in respect of contracts negotiated at a distance (→ point 1.3.234);
- economic and social organizations in the countries of Central and Eastern Europe — consultative mechanisms (→ point 1.4.7).

1.7.27. The Committee debated and adopted three own-initiative opinions on the following:

- application of Article 85(3) of the Treaty to certain categories of agreements, decisions and concerted practices in the insurance sector (additional opinion) (→ point 1.3.47);
- Community structural policies (additional opinion) (→ point 1.2.2);

- relations with the countries of Central and Eastern Europe (second additional opinion) (→ point 1.4.10).

1.7.28. The Committee adopted opinions on the following without debate:

- statistical classification of products by activity in the Community (→ point 1.3.6);
- framework programme for priority actions in the field of statistical information (→ point 1.3.5);
- statistical units for the observation and analysis of the production system in the Community (→ point 1.3.9);
- legal protection of databases (→ point 1.3.40);
- block exemption — scheduled air service tariffs and slot allocation (→ point 1.3.48);
- common frequency bands to be designated for the introduction of the terrestrial flight telecommunications system in the Community;
- trans-European road network and creation of a European inland waterway network (→ point 1.3.93);
- creation of a combined transport network in the Community (→ point 1.3.95);
- definition and use of compatible technical and operating specifications for the procurement of air traffic management equipment and systems (→ point 1.3.101);
- system of distribution of rights of transit for vehicles having a laden weight greater than 7.5 tonnes registered in a Member State transiting through the Republic of Austria (→ point 1.3.105);
- promotion of renewable energy sources in the Community — Altener programme (→ point 1.3.119);
- protection of workers from risks related to exposure to biological agents at work (→ point 1.3.130);
- shipments of radioactive substances within the Community (→ point 1.3.159);
- Community measures for the control of certain fish diseases (→ point 1.3.174);
- the consumer and the internal market (additional own-initiative opinion) (→ point 1.3.233).

1.7.29. The Committee adopted two resolutions on the following:

- the forthcoming Edinburgh Summit (→ point 1.1.1);
- racism, xenophobia and religious intolerance (→ point 1.3.242).

ECSC Consultative Committee

302nd meeting (ordinary)

1.7.30. Luxembourg, 19 and 20 November.

Chairman: Mr Cimenti.

Items discussed

- Restructuring of the Community steel industry: resolution (→ point 1.3.77).
- Restructuring of the Spanish State-owned steel industry: consultation.
- Examination of problems relating to the formulation and implementation of a common coal policy: resolution (→ point 1.3.116).
- Granting of financial aid for a 1992 technical coal research project on environmental protection: formal endorsement of the draft Commission Decision (→ point 1.3.117).
- Proposals for Council Decisions on the conclusion of the Agreements in the form of exchanges of letters for the extension of the duration of the temporary agreements between the ECSC and Hungary, Poland and Czechoslovakia: consultation.
- Examination of the draft Committee memorandum on the future of the ECSC Treaty: adopted.

PART TWO

DOCUMENTATION

1. The ecu

Values in national currencies of ECU 1

November 1992 ¹		
BFR/ LFR	Belgian franc and Luxembourg franc	40.4462
DKR	Danish krone	7.75169
DM	German mark	1.96632
DR	Greek drachma	255.488
ESC	Portuguese escudo	175.312
FF	French franc	6.65078
HFL	Dutch guilder	2.21196
IRL	Irish pound	0.745124
LIT	Italian lira	1 690.12
PTA	Spanish peseta	140.998
UKL	Pound sterling	0.811319
AUD	Australian dollar	1.79581
CAD	Canadian dollar	1.57014
FMK	Finnish markka	6.25251
ISK	Icelandic króna	74.4720
NKR	Norwegian krone	8.01663
NZD	New Zealand dollar	2.37982
OS	Austrian schilling	13.8345
SFR	Swiss franc	1.77110
SKR	Swedish krona	7.70646
USD	United States dollar	1.23887
YEN	Japanese yen	153.467

¹ Average for the month; OJ C 314, 1.12.1992.

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*

November 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	48.5563	LIT	Italian lira	1 985.69 1 950.89 on 9.11.1992 1 947.55 on 16.11.1992 2 032.19 on 26.11.1992 1 900.00 1 908.93 on 26.11.1992
	All products			Pigmeat	
DKR	Danish krone	8.97989	PTA	Spanish peseta	154.482 155.374 on 26.11.1992 161.745 161.621 on 9.11.1992 162.804 on 16.11.1992 163.065 on 23.11.1992 165.993 on 26.11.1992 153.263 154.146 on 26.11.1992 157.643 158.551 on 26.11.1992
	All products			Cereals, sugar	
DM	German mark	2.35418	UKL	Pound sterling	0.874575 0.949170 on 19.11.1992 0.960016 on 26.11.1992 0.818896 0.880533 on 19.11.1992 0.897525 on 26.11.1992
	All products			Pigmeat	
DR	Greek drachma	266.487 267.855 on 26.11.1992 294.860 305.478 on 26.11.1992 290.644 292.133 on 26.11.1992	UKL	Pound sterling	0.874575 0.949170 on 19.11.1992 0.960016 on 26.11.1992 0.818896 0.880533 on 19.11.1992 0.897525 on 26.11.1992
	Sheepmeat and goatmeat			Pigmeat	
	Pigmeat			Other products	
	Other products			Other products	
ESC	Portuguese escudo	208.676 209.523 on 26.11.1992 202.964 209.523 on 26.11.1992 206.307 207.327 on 26.11.1992	UKL	Pound sterling	0.874575 0.949170 on 19.11.1992 0.960016 on 26.11.1992 0.818896 0.880533 on 19.11.1992 0.897525 on 26.11.1992
	Sheepmeat and goatmeat			Pigmeat	
	Pigmeat			Other products	
	Other products			Other products	
FF	French franc	7.89563	UKL	Pound sterling	0.874575 0.949170 on 19.11.1992 0.960016 on 26.11.1992 0.818896 0.880533 on 19.11.1992 0.897525 on 26.11.1992
	All products			Pigmeat	
HFL	Dutch guilder	2.65256	UKL	Pound sterling	0.874575 0.949170 on 19.11.1992 0.960016 on 26.11.1992 0.818896 0.880533 on 19.11.1992 0.897525 on 26.11.1992
	All products			Pigmeat	
IRL	Irish pound	0.878776	UKL	Pound sterling	0.874575 0.949170 on 19.11.1992 0.960016 on 26.11.1992 0.818896 0.880533 on 19.11.1992 0.897525 on 26.11.1992
	All products			Pigmeat	

2. Infringement proceedings

Reasoned opinions

Failure to communicate any measures incorporating Directives into national law

2.2.1. In November the Commission delivered a reasoned opinion in the following case:

Internal market and industrial affairs

Directive 89/48/EEC (OJ L 19, 24.1.1989)
Recognition of higher-education diplomas
Belgium

Infringements of the Treaties or of Regulations; failure properly to apply Directives in practice

2.2.2. In November the Commission delivered reasoned opinions in the following cases:

Internal market and industrial affairs

Directive 83/189/EEC (OJ L 109, 26.4.1983) and
Directive 88/182/EEC (OJ L 81, 26.3.1988)
Marketing of disinfectants
Greece

Competition

Articles 30 and 37 of the EEC Treaty
Exclusive rights relating to electricity
Netherlands

Articles 30, 34 and 37 of the EEC Treaty
Exclusive rights relating to electricity
Ireland and Italy

Articles 30, 34 and 37 of the EEC Treaty
Exclusive rights relating to gas
Denmark

Articles 30, 34, 37 and 48 of the EEC Treaty
Exclusive rights relating to electricity
Spain

Articles 30, 34 and 37 of the EEC Treaty
Exclusive rights relating to gas and electricity
France

Employment, industrial relations and social affairs

Regulation (EEC) No 1612/68 (OJ L 257,
19.10.1968) and Article 48 of the EEC Treaty
Access to employment — sea transport and inland
waterways
Italy

Regulation (EEC) No 1612/68 (OJ L 257,
19.10.1968) and Article 48 of the EEC Treaty
Nationality requirement for access to employment
in various public institutes
Italy

Cases referred to the Court of Justice

Infringements of the Treaties or of Regulations; failure properly to apply Directives in practice

2.2.3. In November the Commission referred the following case to the Court of Justice:

Internal market and industrial affairs

Articles 30 and 36 of the EEC Treaty
Sale of infant formula exclusively through pharma-
cists
Greece

3. Additional references in the Official Journal

2.3.1. This section lists the titles of legal instruments, communications and notices of Community institutions which have appeared in the Official Journal since the last Bulletin was published but relate to items appearing in earlier issues; 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 are followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

Bull. EC 7/8-1992

Point 1.3.47

Commission Decision 92/553/EEC of 22 July 1992 relating to a proceeding under Council Regulation (EEC) No 4064/89
OJ L 356, 5.12.1992

Points 1.7.13 to 1.7.15

Opinions adopted by the Economic and Social Committee at its 298th plenary session on 1 and 2 July 1992
OJ C 287, 4.11.1992

Bull. EC 9-1992

Point 1.2.16

Proposal for a Council Directive on the masses and dimensions of two- or three-wheeled motor vehicles

Proposal for a Council Directive on the identification of controls, tell-tales and indicators of two- or three-wheeled motor vehicles

Proposal for a Council Directive on the audible warning devices of two- or three-wheeled motor vehicles

Proposal for a Council Directive on the stands of two-wheeled motor vehicles

Proposal for a Council Directive on the protective devices intended to prevent the unauthorized use of two- or three-wheeled motor vehicles

Proposal for a Council Directive on the mounting of the rear registration plate of two- or three-wheeled vehicles

Proposal for a Council Directive on the statutory markings of two- or three-wheeled motor vehicles

Proposal for a Council Directive on the passenger hand-holds of two-wheeled motor vehicles
OJ C 293, 9.11.1992

Point 1.2.62

Amendment to the proposal for a Council Directive on the charging of transport infrastructure costs to heavy goods vehicles
OJ C 311, 27.11.1992

Points 1.6.18 to 1.6.21

Opinions adopted by the Economic and Social Committee at its 299th plenary session on 23 and 24 September 1992
OJ C 313, 30.11.1992

Bull. EC 10-1992

Point 1.3.83

Consolidated version of Council Regulation (EEC) No 574/72 of 21 March 1972 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community

Consolidated version of Regulation (EEC) No 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community
OJ C 325, 10.12.1992

Points 1.7.15 to 1.7.18

Opinions adopted by the Economic and Social Committee at its 300th plenary session on 21 and 22 October 1992
OJ C 332, 16.12.1992

4. Index

- A**
- Accession: 1.4.28
 - ACP States: 1.4.44 to 1.4.46
 - Agri-monetary measures: 1.3.181
 - Agricultural prices and related measures: 1.3.179 to 1.3.181
 - Agricultural products: 1.3.11
 - Agricultural structures: 1.3.146
 - Air pollution: 1.3.158
 - Air transport: 1.3.48; 1.3.101
 - ALA (Asia and Latin America): 1.4.35 to 1.4.43
 - Algeria: 1.6.24
 - Altener programme (promotion of renewable energy sources): 1.3.119
 - Andean Pact: 1.4.42
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Eastern Europe and the USSR

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GILES MERRITT



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EUROPEAN ECONOMY

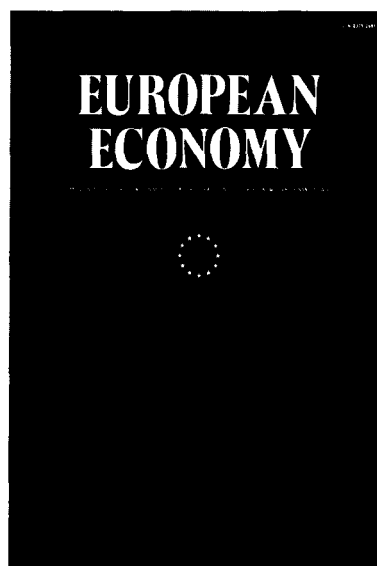
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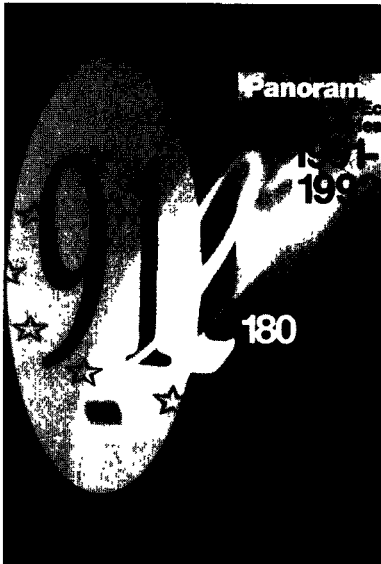
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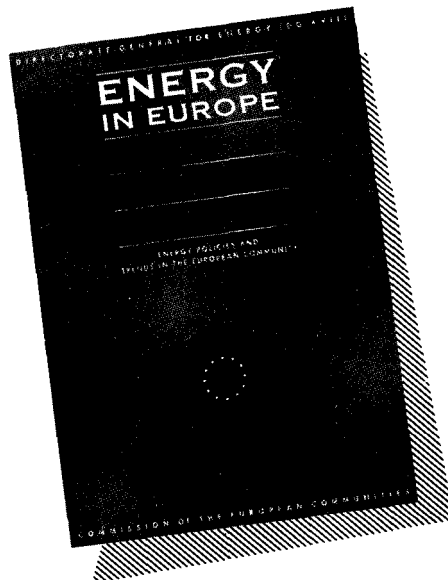
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