

European Commission

Bulletin of the European Union



9 • 1995

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References in the text

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

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

BFR	= Belgische frank / Franc belge
DKR	= Dansk krone
DM	= Deutsche Mark
DR	= Greek drachma
ESC	= Escudo
FF	= Franc français
FMK	= Suomen markka
HFL	= Nederlandse gulden (Hollandse florijn)
IRL	= Irish pound / punt
LFR	= Franc luxembourgeois
LIT	= Lira italiana
OS	= Österreichische Schilling
PTA	= Peseta
SKR	= Svensk Krona
UKL	= Pound sterling
USD	= United States dollar

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PART ONE

ACTIVITIES IN SEPTEMBER 1995

News in brief

Union citizenship

- The Council adopts a Regulation determining the countries whose nationals must be in possession of a visa when crossing the external borders of the Member States (→ point 1.1.1).

The Community economic and social area

Internal market

- Cross-border credit transfers: the Council agrees a common position on the proposal for a Parliament and Council Directive and the Commission approves a notice on the application of the EC competition rules (→ points 1.3.12 and 1.3.13).

Trans-European networks

- The Council adopts a Regulation laying down general rules for the granting of Community financial aid (→ point 1.3.61).

Energy

- The Commission adopts a proposal for a Directive to introduce rational planning techniques in the electricity and gas distribution sectors (→ point 1.3.66).

Agriculture

- The Council adopts a Regulation derogating from Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops as regards the set-aside requirements for the 1996/97 marketing year (→ point 1.3.100).

Employment and social policy

- Part-time working: the social partners are consulted under the Agreement on social policy (→ point 1.3.121).

Equal opportunities

- The fourth World Conference on Women is held in Beijing (→ point 1.3.122).

1. Union citizenship

Freedom of movement and right of residence

Non-Community nationals

1.1.1. Council Regulation (EC) No 2317/95 determining the countries whose nationals must be in possession of a visa when crossing the external borders of the Member States.

Reference: Council Regulation (EC) No 1683/95 laying down a uniform format for visas: OJ L 164, 14.7.1995; Bull. 5-1995, point 1.1.1

Commission proposal: OJ C 11, 15.1.1994; COM(93) 684; Bull. 11-1993, point 1.2.20; Bull. 12-1993, point 1.2.30

Parliament opinion: OJ C 128, 9.5.1994; Bull. 4-1994, point 1.1.6

Adopted on 25 September. This Regulation is based on Article 100c of the EC Treaty, which

requires the Council to determine the third countries whose nationals must be in possession of a visa when crossing the external borders of the Member States. Following on from the Regulation laying down a uniform format for visas, it contributes to the harmonization of the policies of the Member States on visas with a view to the creation of an area without internal frontiers.

The Regulation, the main provisions of which will enter into force six months following publication in the Official Journal, lays down a common list of 101 countries and territorial entities whose nationals must be in possession of a visa when crossing the external borders of the Member States. It does not prevent Member States from maintaining national lists including other countries. Only visas for a stay of not more than three months are covered. The list is reproduced in Part Two (Documentation) (→ point 2.2.1).

OJ L 234, 3.10.1995

2. Human rights

European Union countries

1.2.1. Parliament resolution on support for the network of cities of asylum.

Adopted on 21 September. Parliament expressed support for the initiative of the International Parliament of Writers to set up a 'network of cities of asylum' for threatened or persecuted writers. It welcomed the decision of a number of European cities such as Almeria, Amsterdam, Berlin, Helsinki, Strasbourg, Venice and Sintra to join the network and asked the Commission to take action to fund related programmes.

OJ C 269, 16.10.1995

Human rights outside the European Union

United Arab Emirates

1.2.2. Parliament resolution on the death sentence passed on Sarah Balabagan in the United Arab Emirates.

Adopted on 21 September. Appalled at the death sentence passed on Sarah Balabagan, a 16-year-old Muslim Filipino, for the murder of her employer, overturning an earlier verdict recognizing that the murdered man had raped the young woman, Parliament called on the relevant UAE authorities to re-examine the case. It asked the Council to make its grave concern clear to the government and to stress that relations with the EU would be damaged if the sentence was carried out.

OJ C 269, 16.10.1995

United States

1.2.3. Parliament resolution on the case of Mumia Abu-Jamal in the USA.

Reference: Parliament resolution on the death penalty in the USA and the Abu-Jamal case: OJ C 166, 3.7.1995; Bull. 6-1995, point 1.2.8

Adopted on 21 September. Parliament reiterated its call for Mr Abu-Jamal's case to be reviewed and called on the European authorities and the

Member State governments to make representations to the Pennsylvanian authorities to prevent the execution and secure a review of the case.

OJ C 269, 16.10.1995

Indonesia

1.2.4. Parliament resolution on human rights violations in East Timor and Indonesia.

Reference: Parliament resolution on the Commission communication entitled 'Towards a new strategy for Asia': OJ C 166, 3.7.1995; Bull. 6-1995, point 1.4.103

Adopted on 21 September. Parliament condemned outright Indonesian military oppression in East Timor and urged that basic human rights, including religious freedom, be respected in the region. It called on the international community, particularly EU Member States, to call an immediate halt to weapons sales and any kind of military assistance to Indonesia, and to suspend all economic cooperation while the occupation of Timor continued. It asked the Indonesian Government to quash the death sentences, free all political detainees and grant amnesties to all 24 prisoners still held in connection with events dating back to 1965.

OJ C 269, 16.10.1995

Kenya

1.2.5. Parliament resolution on unfair trials in Kenya.

Adopted on 21 September. Parliament demanded the immediate and unconditional release of the human rights activists, Koigi wa Wamwere, Charles Kuria Wamwere, James Maigwa and G. G. Njuguna Ngengi, and called on the Kenyan authorities to put an end to the harassment and intimidation of political opponents.

OJ C 269, 16.10.1995

Russian Federation

1.2.6. Parliament resolution on the persecution of Vladimir Orekhov.

Adopted on 21 September. Concerned at the three-year sentence passed on Mr Orekhov following his statement to the press that Anatoli

Trofimov, head of the FSB (successor to the KGB), had been particularly zealous in persecuting dissidents during the Soviet era, and in view of the fact that Mr Orekhov had already been sentenced to eight years' hard labour in 1978 for helping dissidents, Parliament expressed the hope that the relevant authorities would reopen his case or quash his conviction. It stressed that any return to the methods and policies of the KGB would have an adverse effect on relations between Russia and the European Union.

OJ C 269, 16.10.1995

Turkey

1.2.7. Parliament resolution on the imprisonment of Medhi Sana.

Reference: Parliament resolution on Turkish intervention in northern Iraq; OJ L 109, 1.5.1995; Bull. 4-1995, point 1.2.11

Adopted on 21 September. Parliament again condemned human rights violations in Turkey, particularly against Turks of Kurdish origin, and demanded the immediate release of Mr Sana, his wife and colleagues and all those Turkish citizens in prison for defending human rights in the country. It reiterated its determination to defend human rights in Turkey by all possible means and called on the Turkish Government to com-

ply with the international human rights conventions to which the country was party.

OJ C 269, 16.10.1995

Financing

1.2.8. Financing of operations promoting human rights and democracy (see Table 1).

Table 1 — *Financing of operations promoting human rights and democracy*

<i>(ECU)</i>	
Purpose	Amount
Work placements in Portugal for Portuguese-speaking African journalists	119 000
Support for presidential elections in Haiti	1 000 625
Support for the Haitian judiciary	489 000
Support for vulnerable groups in Haiti, particularly 'street' children	1 813 708

3. The Community economic and social area

Implementation of the White Paper on growth, competitiveness and employment

Trans-European networks

1.3.1. Proposal for a European Parliament and Council Decision on Community guidelines for the development of the trans-European transport network (→ point 1.3.62).

1.3.2. Council Regulation (EC) No 2236/95 of 18 September 1995 laying down general rules for the granting of Community financial aid in the field of trans-European networks (→ point 1.3.61).

Economic and monetary policy

Economic and monetary union

Coordination of economic policies

1.3.3. Council conclusions on the Swedish convergence programme.

Adopted on 18 September.

‘The Council welcomed the presentation of the Swedish convergence programme. The programme sets out the strategy of the Swedish Government for achieving compliance with the EMU convergence criteria and for restoring stability to the Swedish economy and thus creating the conditions for sustained growth of output and employment. At the centre of the convergence programme is a budgetary adjustment policy designed to reverse the serious imbalances in public finances which emerged in Sweden during the recession in the early 1990s. The Council welcomed the

budgetary objectives of the programme (elimination of the government deficit by 1998 and a downward trend in the gross debt ratio after 1996) and found impressive the scale of the adjustment efforts being undertaken. It noted especially that most of the measures necessary to achieve the adjustments have already been decided by the government and adopted, with wide support, by the Swedish Parliament. The underlying macroeconomic assumptions are realistic. The programme, in its format and content, respects the code of conduct adopted by the Council in February 1994 and in that respect could serve as a model.

The Council also welcomed the clear support by the Swedish Government for the inflation objectives of the Swedish central bank. Determined implementation of the programme should progressively result in lower long-term interest rates in Sweden and a reduced burden on monetary policy. Keeping inflation low will also require moderation in wage developments.

The Council considered that success in achieving the objectives of the programme would depend crucially on maintaining control of public expenditure at all levels, including local government. It therefore attached considerable importance to the strengthening of the expenditure control system which the Swedish Government envisages and to the proposed six-monthly monitoring of the implementation of the programme. It urged the Swedish Government to react quickly to offset any slippages that might become evident in this monitoring process and took the view that additional measures, if necessary, should concentrate on the expenditure side and not raise the tax burden further.’

Internal market

Free movement of goods

Technical aspects

Motor vehicles

1.3.4. Proposal for a Parliament and Council Directive amending Directive 70/220/EEC on the approximation of the laws of the Member

States relating to measures to be taken against air pollution from emissions from motor vehicles.

Commission proposal: OJ C 390, 31.12.1994; COM(94) 558; Bull. 12-1994, point 1.2.12

Economic and Social Committee opinion: OJ C 155, 21.6.1995; Bull. 4-1995, point 1.3.7

Endorsed by Parliament on 20 September, subject to amendments aiming to shorten the transition period and drop the introduction of intermediate standards.

OJ C 269, 16.10.1995

1.3.5. Proposal for a Parliament and Council Directive amending Directive 88/77/EEC on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous and particulate pollutants from diesel engines for use in vehicles.

Commission proposal: OJ C 389, 31.12.1994; COM(94) 559; Bull. 12-1994, point 1.2.13

Economic and Social Committee opinion: OJ C 155, 21.6.1995; Bull. 4-1995, point 1.3.8

Endorsed by Parliament on 20 September, subject to amendments aiming essentially to make the measures proposed by the Commission more binding, especially the limit values, and to give the Member States more flexibility in granting tax incentives.

OJ C 269, 16.10.1995

Dangerous substances

1.3.6. Proposal for a Parliament and Council Directive amending for the 16th time Council Directive 76/769/EEC.

Commission proposal: OJ C 382, 31.12.1994; COM(94) 570; Bull. 12-1994, point 1.2.17

Economic and Social Committee opinion: OJ C 236, 11.9.1995; Bull. 5-1995, point 1.3.14a

Endorsed by Parliament on 20 September, subject to technical amendments.

OJ C 269, 16.10.1995

Foodstuffs

1.3.7. Proposal for a Parliament and Council Decision on the maintenance of national laws prohibiting the use of certain additives in the production of certain foodstuffs.

Commission proposal: OJ C 134, 1.6.1995; COM(95) 126; Bull. 4-1995, point 1.3.11

Economic and Social Committee opinion delivered on 13 September. The Committee, concerned to preserve the free movement of traditional products and promote clear information for the public, supports the proposal on condition that the labelling of these products emphasizes their traditional nature and their country of origin.

Animal and plant health

Animal health

1.3.8. Proposal for a Council Directive amending Council Directive 90/675/EEC laying down the principles governing the organization of veterinary checks on products entering the Community from third countries.

Commission proposal: OJ C 185, 19.7.1995; COM(95) 254; Bull. 6-1995, point 1.3.30

Endorsed by the Economic and Social Committee on 13 September. However, the Committee urges the Commission rapidly to complete the framework for harmonizing health standards for the import of livestock products from third countries.

Endorsed by Parliament on 22 September.

OJ C 269, 16.10.1995

1.3.9. Parliament resolution on the Conference on the Use of Growth Activators in Stock-farming.

References:

Parliament resolution on combating the 'hormone mafia': OJ C 89, 10.4.1995; Bull. 3-1995, point 1.3.11

Draft budget for 1996: Bull. 7/8-1995, point 1.6.3

Adopted on 22 September. Parliament welcomes the organization of this Conference, and calls on the Commission to make it absolutely clear that the ban on hormones and BST will apply to imported farm products and foodstuffs, and that this ban will be guaranteed under World Trade Organization rules. It opposes the deletion by the Council, at the first reading of the 1996 budget, of budget headings B1-213 and B1-214, which play a vital role in combating the illegal use of hormones. It calls on the Commission to set up a Community task force and to strengthen procedures for monitoring the use of hormones

in stock-farming. It also urges it to promote a system guaranteeing quality control of livestock products from the farm to the consumer by introducing a recognized quality control label throughout the European Union.

OJ C 269, 16.10.1995

Animal feed

1.3.10. Proposal for a Council Directive laying down the conditions and arrangements for approving certain establishments operating in the animal feed sector and amending Directives 70/524/EEC, 74/63/EEC, 79/373/EEC and 82/471/EEC.

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

Parliament opinion: OJ C 91, 28.3.1994; Bull. 3-1994, point 1.2.25

Economic and Social Committee opinion: OJ C 148, 30.5.1994; Bull. 3-1994, point 1.2.25

Agreed by the Council on 25 September. The measure updates and supplements the criteria to be met by manufacturers, their staff and their facilities so as to guarantee safe handling and use of the substances and products involved in animal feedingstuffs. The proposal for a Directive makes provision for an approval procedure for establishments using certain substances for which a high level of monitoring is needed, and simple registration for those using only substances considered less hazardous.

Plant health

1.3.11. Proposal for a Council Directive amending Council Directive 77/93/EEC on protective measures against the introduction into the Community of organisms which are harmful to plants or plant products and against their propagation within the Community.

Commission proposal: OJ C 192, 26.7.1995; COM(95) 239; Bull. 6-1995, point 1.3.33

Endorsed by Parliament on 22 September.

OJ C 269, 16.10.1995

Freedom to provide services

Financial services

1.3.12. Proposal for a Parliament and Council Directive on cross-border credit transfers.

Commission proposal: OJ C 360, 17.12.1994; COM(94) 436; Bull. 11-1994, point 1.2.21

Parliament opinion: OJ C 151, 19.6.1995; Bull. 5-1995, point 1.3.17

Economic and Social Committee opinion: OJ C 236, 11.9.1995; Bull. 5-1995, point 1.3.17

Amended Commission proposal: OJ C 199, 3.8.1995; COM(95) 264; Bull. 6-1995, point 1.3.38

Additional opinion delivered by the Economic and Social Committee on 13 September. The Committee repeats its proposals on the banks' obligation to execute transfers within reasonable time-limits and to reimburse the full amount in the event of non-execution of transfers.

Common position agreed by the Council on 18 September. Under the common position, the Directive should apply to cross-border credit transfers in the currencies of the Member States and in ecus of amounts less than ECU 25 000, this ceiling being raised to ECU 30 000 two years after the implementation of the Directive. It would provide for:

- customer information, both in advance, concerning the conditions applying to transfers, and subsequently, concerning the execution and receipt of a transfer;
- the time-limits within which the originator's institution and the beneficiary's institution must execute the transfer (five banking business days and one banking business day respectively), failing which compensation must be paid;
- the obligation to execute the transfer in accordance with the instructions contained in the payment order, in particular with regard to the bearing of costs;
- in the event of non-execution of transfers, the obligation to refund the full amount up to a limit of ECU 10 000, plus interest and the amount of the charges, in principle within 14 banking business days.

1.3.13. Commission notice on the application of the EC competition rules to cross-border credit transfers.

Commission approval of a draft notice: OJ C 322, 19.11.1994; COM(94) 436; Bull. 10-1994, point 1.2.11

Adopted on 13 September. The draft notice was approved by the Commission in October 1994 and published in the Official Journal to enable interested parties to formulate their observations. The notice supplements the proposal for a Parliament and Council Directive on cross-border credit transfers (→ point 1.3.12). It provides a framework allowing banks to set in place cooperation arrangements aimed at making cross-border credit transfers more efficient without unduly restricting competition. In the notice, the Commission addresses two main issues:

□ market entry: the conditions for access to a payment system which constitutes an essential facility, i.e. a system to which access is crucial for banks wishing to handle the credit transfers concerned, should be objectively justified and applied in a non-discriminatory manner. Conversely, smaller systems developed by groups of banks may limit their membership;

□ price competition: the Commission states once more that banks are not allowed to conclude agreements among themselves fixing the level of client fees or the way in which they will charge such fees. However, it also specifies that multilaterally agreed interchange fees, i.e. fees paid by one bank (here typically the originator's bank or its correspondent bank) to another bank (the beneficiary's bank) can in certain circumstances be exempted from the ban on price agreements enshrined in Article 85(1) of the EC Treaty; in particular, in the case of OUR payments, where the costs are fully borne by the originator of the payment, the beneficiary's bank is entitled to a multilaterally agreed interchange fee if that fee covers the costs it actually and necessarily incurs when handling a cross-border credit transfer.

OJ C 251, 27.9.1995

1.3.14. Proposal for a Parliament and Council Directive amending Directive 89/647/EEC with respect to the supervisory recognition of contracts for novation and netting agreements ('contractual netting').

Commission proposal: OJ C 142, 25.5.1994; COM(94) 105; Bull. 4-1994, point 1.2.38

Economic and Social Committee opinion: OJ C 393, 31.12.1994; Bull. 9-1994, point 1.2.28

Parliament opinion (first reading): OJ C 56, 6.3.1995; Bull. 1/2-1995, point 1.3.15

Amended Commission proposal: OJ C 165, 1.7.1995; COM(95) 170; Bull. 5-1995, point 1.3.19

Common position (EC) No 21/95 adopted by the Council on 6 September. The aim of the measure is to enable Member States to ease calculation of the own-funds requirements imposed on credit institutions for the coverage of credit risks inherent in certain types of off-balance-sheet transactions, in order to take account of a reduction of these risks by bilateral netting agreements.

OJ C 288, 30.10.1995

1.3.15. Parliament resolution on financial derivatives: their present role on capital markets, their advantages and risks.

Reference: Parliament resolution on international monetary cooperation within the framework of the easing of restrictions on capital markets: OJ C 20, 14.1.1994, Bull. 12-1993, point 1.2.55

Adopted on 22 September. In view of the development of financial derivatives and the risks inherent in their use, Parliament calls on the Commission to present in its annual work programme for 1996 proposals covering all banks, financial and non-financial companies dealing with financial derivatives. These proposals would aim to codify the proposals made by professional organizations on voluntary rules for managers, traders and users operating on derivative markets, to adjust the accounting and disclosure standards, to raise educational standards among managers and traders dealing with these instruments, to strengthen the validity of netting arrangements covering financial derivative contracts and encourage the use of other credit enhancement techniques such as the creation of multilateral clearing facilities. Parliament also requests the Commission to consider the possibility of creating a mechanism for assessing the degree of risk associated with each type of financial derivative, to investigate the implications of the concentration of financial derivative transactions in the hands of a few suppliers and to submit to it and the Council regular reports on developments in financial derivative markets, as well as a report on the risks presented by derivatives.

OJ C 269, 16.10.1995

1.3.16. Draft Convention on Insolvency Procedures (→ point 1.5.7).

Taxation

Indirect taxation

1.3.17. Commission report to the Council and Parliament on the rates of excise duty laid down in Council Directive 92/79/EEC on the approximation of taxes on cigarettes, Council Directive 92/80/EEC on the approximation of taxes on manufactured tobacco other than cigarettes, Council Directive 92/84/EEC on the approximation of the rates of excise duty on alcohol and alcoholic beverages and Council Directive 92/82/EEC on the approximation of the rates of excise duties on mineral oils.

Basic Directives:

Council Directive 92/12/EEC on the general arrangements for products subject to excise duty and on the holding, movement and monitoring of such products (OJ L 76, 23.3.1992; Bull. 1/2-1992, point 1.3.9), as last amended by Directive 92/108/EEC: OJ L 390, 31.12.1992; Bull. 12-1992, point 1.3.21

Council Directives 92/79/EEC, 92/80/EEC, 92/82/EEC et 92/84/EEC: OJ L 316, 31.10.1992; Bull. 10-1992, points 1.3.11, 1.3.12, 1.3.14 and 1.3.17 respectively

Adopted by the Commission on 13 September. In this report, the Commission describes the evolution of the Community excise system since 1 January 1993 and examines the rates applied by the Member States for each of the groups of products concerned from the standpoint of the proper functioning of the internal market, the real value of the duty rates and the wider objectives of the Treaty. It believes that there are questions relating to a wide range of issues and that it is essential for Community excise policy, which has been implemented to ensure the proper functioning of the internal market, to be sufficiently coherent to secure tax revenues and guarantee sound economic conditions at national level while remaining consistent with the wider policies of the European Union. A longer-term excise policy which takes account of the implications for other Community policies (common agricultural policy, health, energy and the environment, etc.) must be defined on the basis of the results of the Lisbon Conference. This Conference, whose objective is to assess the performance of the Community's current excise system, and more particularly to assist the Commission in its task of formulating an excise policy for the future, will therefore probably be fol-

lowed by proposals for altering the existing rates.

COM(95) 285

Competition

Rules applying to businesses

General rules

1.3.18. Commission Regulation (EC) No 2131/95 amending Regulation (EEC) No 2349/84 on the application of Article 85(3) of the Treaty to certain categories of patent licensing agreements.

Regulation amended: Regulation (EEC) No 2349/84 (OJ L 219, 16.8.1984), as last amended by Regulation (EC) No 70/95: OJ L 12, 18.1.1995; Bull. 1/2-1995, point 1.3.23

Adopted on 7 September. The period of validity of Regulation (EEC) No 2349/84 is extended by six months.

OJ L 214, 8.9.1995

1.3.19. Commission notice on the application of the EC competition rules to cross-border credit transfers (→ point 1.3.13).

Mergers

Commission decisions under the Merger Control Regulation

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

Noranda/Forest/Glunz

1.3.20. *Adopted on 8 September.* The decision authorizes the setting-up of a joint venture by Noranda Forest Inc. and Glunz AG in the wood-products and wood-based panel board sector.

When the proposed transaction has been completed, the wood panel production activities of Noranda Forest in Europe and of Glunz in the

United Kingdom will be combined and sold to Norbord Holdings Ltd, currently a subsidiary of Noranda, which will be renamed CSC Forest Products Ltd.

The Canadian company Noranda Forest Inc. will withdraw from the European panel board market. The only panel board product for which the joint venture's combined market share will be substantial is oriented strand board (OSB), a relatively new product in Europe and one for which Glunz and Norbord Holdings have the only lines currently producing in the European Union.

Total consumption of OSB is very small compared with that of other panel board products, notably chipboard and plywood. The combined market shares of Glunz and Norbord on the OSB and chipboard markets in the one case and on the OSB and plywood markets in the other will not be likely, however, to cause any competition problems. In addition, at least one other producer of panel board is currently installing an OSB production line.

The Commission has accordingly decided not to object to this merger and to declare it compatible with the common market.

Ricoh/Gestetner

1.3.21. Adopted on 12 September. The decision authorizes the acquisition of Gestetner by Ricoh.

The Commission gave the go-ahead to the acquisition, as part of a takeover announced on 27 July, of the UK company Gestetner Holdings plc by the Japanese Ricoh Company Ltd.

The main sector concerned is the distribution of photocopiers. Following the acquisition, the combined market shares of the parties on the relevant markets will not exceed 25%. Important competitors, such as Canon and Rank Xerox, hold larger market shares.

The Commission also examined whether the transaction might possibly strengthen Ricoh's position on the production market; it reached the conclusion that, even if this were the case, any reinforcement would not be significant in terms of dominance.

Kimberly-Clark/Scott Paper

1.3.22. Adopted on 12 September. The decision initiates the second phase of the investigation.

The Commission has decided to make a full investigation into the competition problems raised by the proposed merger between Kimberly-Clark and Scott Paper.

The transaction concerns the merger of the American paper groups Kimberly-Clark and Scott Paper, which are both engaged on a large scale in Europe in the production and sale of tissue products for the private consumer and for industrial use. The merger will create the largest manufacturer of tissue products in the world and will combine brands which are among the most renowned in the sector.

After the preliminary investigation, the Commission took the view that the transaction could lead to the strengthening of a dominant position in the European Union with very high market shares in the United Kingdom, particularly in toilet tissue and facials (75% in branded products) and kitchen towels (50% in branded products). The new company's position would likewise be very strong on the Irish and Italian markets, and possibly in other Member States as well.

Albacom (BT/BNL)

1.3.23. Adopted on 15 September. The decision finds that the agreement between Banca Nazionale del Lavoro (BNL) and British Telecommunications (BT) concerning the creation of a joint venture in the telecommunications sector is not a transaction covered by the Merger Control Regulation.

BNL, an Italian banking group, and BT, a UK telecommunications group, notified a proposal to set up a new company offering commercial telecommunications services. BT will hold 50.5% of the shares and BNL 49.5%.

After assessing the transaction, the Commission found that the minority rights which BNL has will give it a decisive say in the running of the new company during the first three years only. After that period, BT will have definitive sole

control. The Commission took the view that a three-year period of joint control would not be enough to determine permanently the new company's control structure.

The Commission therefore considers that the transaction consists of the acquisition by BT alone of part of BNL. As a result, the threshold for Community turnover specified in the Merger Control Regulation has not been reached and the transaction does not fall within the scope of the Regulation.

RTL/Veronica/Endemol

1.3.24. Adopted on 20 September. The decision prohibits the creation of the joint venture Holland Media Groep in its present form.

As currently structured, Holland Media Groep SA (HMG), the joint venture between RTL, Veronica and Endemol, which has been operational since 1 September, has been refused approval by the Commission. The latter considers that the transaction gives the partners a dominant position at one and the same time on the television broadcasting, advertising and programme production markets in the Netherlands.

In the light of its investigation, the Commission has reached the conclusion that HMG, with the support of its three commercial channels, will become the largest television broadcaster on the Dutch market; with a probable audience share of 40%, it will significantly reduce the audience share of the public sector broadcasters.

Audience share determines to a large extent the position of broadcasters on the television advertising market. HMG will therefore be by far the most important player on the Dutch television advertising market.

In 1994, despite an audience share of 32%, both RTL channels together had about 50% of the television advertising market in the Netherlands. If Veronica is included, HMG will probably have at least 60% of that market.

HMG has a particular advantage over its competitors in that it can cover the target groups regarded as the most important by the advertising companies, since it can coordinate the scheduling for its three channels. The Commission has concluded that HMG will exercise a

dominant position on the Dutch television advertising market.

Lastly, as regards Endemol — by far the largest independent maker of television programmes in the Netherlands — its shareholding in HMG gives it a structural link with the main broadcaster in the Netherlands, to whom it brings privileged access as the principal buyer on the Dutch television production market. On this market, therefore, Endemol's already dominant position will be strengthened still further.

The transaction did not have to be notified to the Commission, because the partners' combined turnover remained below the thresholds laid down in the Merger Control Regulation. However, the Dutch Government had already informed the Commission pursuant to Article 22 of the Regulation and the Commission was therefore competent to examine the transaction. One of the consequences of this procedure is that the transaction has not been suspended and that HMG has the right to pursue its activities temporarily.

As well as adopting a negative decision, the Commission has begun negotiations with the parties concerned on alternative formulas which should result, within no more than three months, in competition being restored to the Dutch media market.

Orkla/Volvo

1.3.25. Adopted on 20 September. The purpose of the decision is to authorize the setting-up of a joint venture between Orkla and Volvo in the beverages sector.

The Commission has approved the creation of a joint venture, BCP-JV, which is designed to combine the activities in the beverages sector of the Swedish group Volvo and Ringnes, a member of the Norwegian group Orkla.

Pursuant to Article 8 of and Protocol 3 to the Agreement on the European Economic Area, the Commission is competent only as far as beer and bottled water are concerned. It has therefore limited its investigations to this sector. The main problem was the possible dominant position of the new company in Norway. Following the detailed investigation which it carried out in

close cooperation with the Norwegian competition authority and the EFTA surveillance authority, the Commission considered that the transaction would lead to the creation of a dominant position with a market share in excess of 75% of the Norwegian market for sales of beer to retailers and to the hotel and catering industry.

Orkla and Volvo have therefore undertaken to sell the Norwegian brewery Hansa so as to reduce their market share; the Commission has given its agreement to the transaction on this condition.

Rhône Poulenc/Fisons

1.3.26. Adopted on 21 September. The decision approves the cash offer from Rhône Poulenc Rorer for Fisons.

The Commission has decided that the cash offer for Fisons plc from Rhône Poulenc Rorer Inc. does not raise competition issues.

Fisons' main interest is in the area of pharmaceuticals, especially for the treatment of allergies. Rhône Poulenc Rorer, which is present in the same sector, belongs to the Rhône Poulenc group, whose business is in the chemicals, fibres and polymers, agrichemicals and health sectors.

The transaction basically concerns medicinal products. Despite large market shares in some categories of pharmaceuticals, the proposed transaction neither creates nor strengthens a dominant position, given the specific characteristics of the markets in question, which are: insignificant accretion, declining sales, competition from generic products, or a combination of these factors.

The two companies also have overlapping activities in pharmaceutical research and development, laboratory supplies and horticultural products. However, the transaction will not create or strengthen a dominant position in these areas.

The Commission has therefore decided not to object to the transaction.

Generale Bank/Crédit Lyonnais Bank Nederland

1.3.27. Adopted on 25 September. The decision authorizes a concentration in the banking sector.

The Commission has approved the acquisition by the Belgian commercial bank Generale Bank NV (G-Bank) of Crédit Lyonnais Bank Nederland NV (CLBN), a Dutch subsidiary of the Crédit Lyonnais group.

CLBN's business is basically located in the Netherlands. G-Bank's activities in the Netherlands are minor: the two banks' combined market shares are not such as to hinder competition, whether on domestic or international markets.

Upjohn/Pharmacia

1.3.28. Adopted on 28 September. The decision authorizes the merger of Upjohn Company (USA) and Pharmacia AB (Sweden).

The global management of the new company, Pharmacia & Upjohn Inc., will be located in London. The new company will rank ninth in the world and will account for about 2.5% of pharmaceutical sales worldwide, and a slightly higher percentage in Europe. The merger will create a significant addition of market shares only in corticosteroids (H2A) in Sweden and an overlap of R&D activity only in tumours and Parkinson's disease.

Since the companies concerned are subject to competition from large international companies on the product market and on the R&D market, the proposed transaction does not raise any serious doubts as to its compatibility with the common market, and the Commission has decided to authorize it.

State aid

General rules

1.3.29. Commission decisions and other measures in respect of State aid in agriculture and transport are dealt with under the relevant subject headings (→ points 1.3.104 and 1.3.80).

Decisions to raise no objection

Shipbuilding

Reference: Seventh Council Directive 90/684/EEC on aid to shipbuilding (OJ L 380, 31.12.1990; Bull. 12-1990, point 1.3.64), as last amended by Council Directive 94/73/EC: OJ L 351, 31.12.1994; Bull. 12-1994, point 1.2.64

Germany

1.3.30. Commission decisions on aid to the shipyards Warnow Werft, Warnemünde and MTW-Schiffswerft GmbH, Wismar (Mecklenburg-Western Pomerania).

Reference: Council Directive 92/68/EEC amending Directive 90/684/EEC on aid to shipbuilding (which amended the seventh Directive so as to allow the additional aid needed to restructure shipyards in the new *Länder*): OJ L 219, 4.8.1992; Bull.7/8-1992, point 1.3.56

Previous decisions: Bull. 12-1992, point 1.3.77; Bull. 1/2-1993, point 1.2.65; Bull. 12-1993, point 1.2.78

Adopted on 20 September. The Commission has decided to approve additional instalments of investment aid amounting to DM 66.9 million (ECU 35.7 million) for Warnow Werft and DM 194 million (ECU 103.4 million) for MTW-Schiffswerft. The Commission took into account the progress made on the restructuring plans for the two yards, which were deemed to be necessary when the yards were privatized in 1992. It found that the aid satisfied the criteria for exemption under the seventh Directive, as amended to allow supplementary aid for restructuring the shipyards in the new *Länder*.

1.3.31. Commission decision on aid to the Elbwerft yard, Boizenburg (Mecklenburg-Western Pomerania).

Previous decisions: Bull. 12-1993, point 1.2.78; Bull. 3-1995, point 1.3.37

Adopted on 20 September. The Commission has authorized payment to Elbwerft of a new instalment (DM 500 000) of closure aid, which had been approved as part of the yard's restructuring. Pursuant to Article 7 of the seventh Directive, the aid relates to the costs associated with the reduction of the workforce.

Greece

1.3.32. Commission decision on a Greek shipbuilding aid scheme.

Adopted on 20 September. Since the seventh Directive has been extended until 31 December 1995, the Commission has decided not to object to the extension until the same date of Ministerial Decree 30512 of 9 August 1991, which governs aid to shipbuilding in Greece. The provisions of the Decree have not been amended and the ceiling set by the Commission on the granting of aid in 1995 will be complied with. After 1995 no more aid will be granted.

Other measures

Germany

1.3.33. Commission decision on aid to ceramics manufacturer Winterling Porzellan AG, Bavaria.

Reference: Community guidelines on State aid for rescuing and restructuring firms in difficulty: OJ C 368, 23.12.1994; Bull. 7/8-1994, point 1.2.42

Adopted on 20 September. Winterling Porzellan produces stoneware and china tableware at several sites and has a workforce of more than 2000. Under its restructuring plan, which provides for a 28% cut in production capacity resulting from the discontinuance of stoneware manufacture, it will receive aid in the form of a soft loan amounting to DM 4.5 million (ECU 2.4 million). The Commission has authorized the aid after checking that it is compatible with the Community guidelines on State aid for rescuing and restructuring firms in difficulty.

France

1.3.34. Commission decision on an aid scheme for the clock manufacturing and jewellery industry.

Adopted on 20 September. The Commission has decided to authorize an aid scheme for the clock manufacturing and jewellery industry, to be

financed by the collection of a parafiscal charge. The yield will serve to finance the activities of technical centres carrying out programmes of interest to the industry as a whole. The Commission took the decision after finding that the scheme was compatible with the common market, in particular since direct aid to firms was ruled out, imported products were exempt from payment of the tax and there was to be no aid of any kind for intra-Community exports.

Sweden

Reference: Community guidelines on State aid for rescuing and restructuring firms in difficulty: OJ C 368, 23.12.1994; Bull. 7/8-1994, point 1.2.42

1.3.35. Commission decision on aid to Härjedalens Mineral AB, Jämtland, a company engaged in the extraction and processing of peat.

Adopted on 20 September. Härjedalens Mineral AB, which employs 125 people, extracts and enriches peat for power stations in Uppsala. Under a restructuring plan, it will receive aid in the form of a grant of SKR 147 million (ECU 15.6 million) instead of State guarantees of an equivalent amount.

Since it generally favours measures to promote the exploitation of local energy resources, the Commission decided to authorize the aid after finding that it complied with the procedures for granting aid laid down in the Community guidelines on State aid for rescuing and restructuring firms in difficulty.

Regional aid

Reference: Commission communication on the principles of coordination of regional aid schemes: OJ C 31, 3.2.1979

Spain

1.3.36. Commission decision on aid for the improvement of environmental quality in Castile-Leon.

Adopted on 20 September. The decision authorizes a scheme of aid for investment associated with improvement of the environment in Cas-

tile-Leon. Eligible measures include the reduction and prevention of pollution, waste recovery and the rehabilitation of derelict industrial areas. The Commission found that the scheme complied with the ceilings it had set for the granting of regional aid in this region.

Research and development

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

France

1.3.37. Commission decision on aid to the companies Sopra and Laserdot.

Adopted on 20 September. Sopra and Laserdot will receive aid for carrying out a Eureka research programme, 'EU 205-Excimer', which requires a total investment of FF 87 million (ECU 13.33 million) over eight years and is designed to develop the use of excimer lasers and study their possible industrial applications. The Commission authorized the granting of the aid after finding that the rates and procedures complied with the Community framework for State aid for research and development.

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

Spain

1.3.38. Commission decision on Spanish aid schemes for the motor industry.

References: Commission decision on the Community framework on State aid to the motor vehicle industry: Bull. 7/8-1995, point 1.3.52

Adopted on 20 September. The Spanish Government has refused to reintroduce the framework as an appropriate measure, and, after examining the reasons, the Commission has found no valid grounds for that refusal; it has therefore decided to initiate proceedings under Article 93(2) of the EC Treaty with regard to the various Spanish schemes authorizing the granting of aid to motor manufacturers from 1 January 1996.

Decision to terminate proceedings

Positive final decision

Germany

1.3.39. Commission decision on aid to Berg-Spezial-Rohr GmbH, Siegen (North Rhine-Westphalia).

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

Initiation of proceedings: Bull. 3-1993, point 1.2.46

Adopted on 20 September. The Commission has decided to authorize the grant of DM 359 000 (5% of the investment costs) in investment aid to Berg-Spezial-Rohr GmbH, a manufacturer of tubes for the construction industry. In the course of the proceedings, the Commission found that the investment qualifying for aid did not enable the company to increase production capacity. It took into consideration the fact that the aid was granted under a regional aid scheme which had already been approved and that the new investment would help to improve and diversify the employment market in Siegen.

Industrial policy

Individual industries

Motor industry

1.3.40. Parliament resolution on the communication from the Commission to the Council and Parliament entitled 'The automobile industry — Current situation, challenges, strategy for the future and proposals for action'.

Commission communication: COM(94) 49; Bull. 1/2-1994, point 1.2.73

Adopted on 21 September. Parliament calls on the Commission to develop a specific strategy for the European automobile industry comparable in scale to the similar efforts already under way in Japan and the United States. It emphasizes, in particular, the importance of boosting

demand and of having a well-trained and skill-intensive labour force. It asks the Commission to take steps to promote technological research and development work aimed at creating the car of tomorrow as well as environmentally friendly models and at developing high safety standards. It also calls for close monitoring of customs and non-customs barriers impeding the access of European cars to third-country markets.

OJ C 269, 16.10.1995

Mechanical engineering

1.3.41. Parliament resolution on the communication from the Commission entitled 'Strengthening the competitiveness of the European machinery construction industry'.

Commission communication: COM(94) 380; Bull. 10-1994, point 1.2.52

Adopted on 21 September. Parliament welcomes the Commission's initiative for strengthening the competitiveness of the European machinery construction sector. It stresses in this connection the need to boost demand and the importance of vocational training. Highlighting the predominance of SMEs in this sector, it calls for measures to be taken in favour of such businesses, particularly those which invest in research and development, for tax incentives and for better access to the venture capital market. It advocates closer coordination between industry and training institutions, industrial research organizations, and national and local authorities, with a view to an ongoing transfer and updating of best-practice methods and technical know-how. It also considers that the presence of the European machinery industry must be promoted in third countries.

OJ C 269, 16.10.1995

Enterprise policy

Small and medium-sized businesses

1.3.42. Report on the coordination of activities in favour of SMEs and the craft sector.

References:

Commission communication on the implementation of an integrated programme in support of small and medium-sized enterprises (SMEs) and the craft sector: COM(94) 207; Bull. 6-1994, point 1.2.79

Council Decision 93/379/EC on a multiannual programme of Community measures to intensify the priority areas and to ensure the continuity and consolidation of policy for enterprise, in particular SMEs, in the Community: OJ L 161, 2.7.1993; Bull. 6-1993, point 1.2.83

Commission notices to the Member States concerning Community initiatives such as the SME initiative and ADAPT: OJ C 180, 1.7.1994; Bull. 6-1994, point 1.2.133

Council Decision 94/819/EC establishing an action programme for the implementation of a European Community vocational training policy 'Leonardo da Vinci': OJ L 340, 29.12.1994; Bull. 12-1994, point 1.2.227

Adopted by the Commission on 8 September. With this report, the Commission aims to provide a complete picture of the initiatives in support of SMEs taken by the European Union under its various policies. It describes the action taken as part of enterprise policy and other EU policies under the two main headings of the integrated programme: improvements to the legal, administrative, fiscal and financial environment of businesses, and SME support measures. The report draws attention to the significant progress made in the area of structural funds, especially via the Community SME initiative, with the ADAPT initiative and the new Leonardo programme, in research and technological development and vocational training. Where international cooperation is concerned, coordination between enterprise policy and the cooperation programmes with non-member countries has enabled such countries to take advantage of the expertise acquired and the existing networks of intermediaries, while providing Community SMEs with better information on the opportunities available in these countries.

COM(95) 362

Tourism

1.3.43. Economic and Social Committee opinion on the role of the European Union in the field of tourism — Commission Green Paper.

Commission Green Paper: COM(95) 97; Bull. 4-1995, point 1.3.62

Adopted by the Economic and Social Committee on 14 September. The Committee welcomes the policies set out in the Green Paper and recommends the insertion into the EC Treaty of a new title on tourism, to give this job-creating sector the means to withstand international competition. It further recommends a Community tourism policy which, without interfering with national and regional policies, would make it possible to lay down common guidelines at European level to ensure that any action taken is in line with the objectives.

Research and technology**General***Research policy coordination*

1.3.44. Council resolution on the Scientific and Technical Research Committee (CREST).

Adopted by the Council on 28 September. This resolution replaces the 1974 Council resolution setting up CREST, in order to adapt its role and tasks. It is an advisory body which assists the Council and the Commission in the research and technological development field by identifying strategic priorities, establishing mutual consistency between national and Community policies, and helping to formulate Community strategy with regard to international cooperation.

OJ C 264, 11.10.1995

International cooperation*Canada*

1.3.45. Draft Agreement on scientific and technical cooperation between the European Community and Canada.

Commission recommendation: Bull. 12-1992, point 1.3.115

Negotiating directives: Bull. 4-1993, point 1.2.69

Commission proposal concerning signature:
COM(94) 551; Bull. 12-1994, point 1.2.103
Signature: Bull. 6-1995, point 1.3.86

Commission proposal for a Council Decision concluding the Agreement adopted on 11 September.

COM(95) 419

Education, vocational training and youth

General

1.3.46. Committee of the Regions opinion on the Commission communication entitled 'Education and training in the face of technological, industrial and social challenges: first thoughts'.

Commission communication: COM(94) 528; Bull. 11-1994, point 1.2.203

Adopted by the Committee of the Regions on 20 September. The Committee welcomed the Commission's approach, but stressed the need for equal access for all citizens to new technologies for education and training. It also advocated the development of European targets for education and training, and said it must be consulted on all decisions and measures provided for in any action plan.

Cooperation in the field of education

1.3.47. Annual report on the Comett programme for 1994.

Reference: Council Decision 89/27/EEC adopting the second phase of the programme on cooperation between universities and industry regarding training in the field of technology (COMETT II, 1990-94); OJ L 13, 17.1.1989; Bull. 12-1988, point 2.1.159

Previous report: COM(94) 368; Bull. 9-1994, point 1.2.187

Adopted by the Commission on 6 September. In its report, covering the final year of the second

phase of Comett II, the Commission takes stock of work under this programme, which aims to reinforce training in technology (particularly advanced technology), the development of highly skilled human resources and the competitiveness of European industry. In 1994, the Comett programme provided funding for more than 7 800 transnational student placements, 250 exchanges of personnel from universities and industry, and 700 joint training courses. The programme has thus enabled 175 513 people in Europe to benefit from technology training courses. In addition, a wide range of training materials have been developed, including videos, CD-ROMs, audio cassettes, books and slides.

COM(95) 409

1.3.48. Annual report on the Erasmus programme for 1994.

References:

Council Decision 89/663/EEC amending Decision 87/327/EEC adopting the European Community action scheme for the mobility of university students (Erasmus); OJ L 395, 30.12.1989; Bull. 12-1989, point 2.1.123

Agreement establishing the European Economic Area (EEA); Bull. 1/2-1994, point 1.3.27

Previous report: COM(94) 281; Bull. 7/8-1994, point 1.2.168

Adopted by the Commission on 8 September. In its report, the Commission describes the implementation during the 1994/95 academic year of the Erasmus programme, a programme which sets out to promote interuniversity cooperation. The total number of interuniversity cooperation programmes (ICPs) funded by the Commission is now 2 280, 414 of which relate to the year under review. There was a 20% increase in the number of participating institutions and students involved in mobility schemes. There was also a 21% increase over 1993-94 in respect of teaching staff spending a period abroad. Relations with Switzerland and Liechtenstein continued on the basis of the bilateral agreements concluded with the Community in 1991; schemes involving Austria, Finland, Iceland, Norway and Sweden are based, with effect from 1994, on the Agreement on the European Economic Area. The level of participation by these countries increased by some 50% over the 1993-94 period.

COM(95) 416

Youth

1.3.49. Parliament resolution on the establishment of European civilian service.

Adopted by Parliament on 22 September. Parliament called on the Commission to initiate thinking on the creation of a European civilian service scheme which would not take the place of national forms of statutory military service or civilian service, but which could consolidate and complement exchanges between young European Union citizens, giving precedence to the most disadvantaged young people.

OJ C 269, 16.10.1995

Cooperation with non-member countries

Central and Eastern Europe

1.3.50. Committee of the Regions opinion on the role of local and regional authorities in education and training supplied by the European Union in the countries of Central and Eastern Europe (→ point 1.4.32).

Economic and social cohesion

Structural action, regional policy

Policy aspects

General

1.3.51. Additional opinion of the Economic and Social Committee on the Commission communication entitled 'Europe 2000+: cooperation for European territorial development'.

References:

Commission communication: COM(94) 354; Bull. 7/8-1994, point 1.2.102

Economic and Social Committee opinion: OJ C 133, 31.5.1995; Bull. 3-1995, point 1.3.77

Parliament resolution: OJ L 183, 17.7.1995; Bull. 6-1995, point 1.3.92

Committee of the Regions opinion: Bull. 7/8-1995, point 1.3.86

Adopted on 13 September. Supplementing its opinion of 25 March 1995 on the communication on cooperation for European territorial development, the Committee urged the Commission, with a view to boosting cooperation, to launch studies and pilot schemes focusing on potential spatial planning areas and called for improved coordination of the various policies involved to promote better spatial cohesion. It took the view that the European spatial development perspective proposed in the communication must be tailored to regional trends and potentialities and must respect the regions' geographical, socioeconomic and cultural differences and that decision-making must be coordinated at all levels.

1.3.52. Committee of the Regions opinion on the annual reports on the cohesion financial instrument and the Cohesion Fund.

References:

Annual Commission report on the cohesion financial instrument: COM(95) 1; Bull. 1/2-1995, point 1.3.80

Supplement to the Commission report on the cohesion financial instrument: COM(95) 222; Bull. 6-1995, point 1.3.105

Adopted on 21 September. The Committee welcomed the Commission's reports but took the view that local and regional authorities should take a more active part in the management of the Cohesion Fund by, among other things, providing opinions on the financing applications submitted by the Member States concerned. The Committee also called for better analysis of the environmental impact of projects.

1.3.53. Own-initiative opinion of the Committee of the Regions on the Structural Fund innovative measures 1995-99 and the second series of actions under Article 10 of the ERDF Regulation.

Reference: Council Regulation (EEC) No 4254/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund (OJ L 374, 31.12.1988; Bull. 12-1988, point 2.1.200), as last amended by Regulation (EEC) No 2083/93: OJ L 193, 31.7.1993; Bull. 7/8-1993, point 1.2.117

Adopted on 21 September. The Committee was disappointed to note that the resources available were below the 1% maximum allowed for financing projects under Article 10 of Council Regulation (EEC) No 4254/88. It also considered that the lower limit of ECU 1 million proposed for many categories of projects was liable to exclude the least-prosperous authorities. The Committee called on the Commission to improve the procedures for selecting projects, allocating funds and disseminating information, with the aim of better utilization of resources in support of cooperation and development projects undertaken by local and regional authorities.

Structural action under Objective 5a (adjustment of agricultural structures)

Legislative aspects

1.3.54. Council Directive 95/412/EC concerning the list of less-favoured farming areas within the meaning of Directive 75/268/EEC (Finland).

Commission proposal: OJ C 193, 27.7.1995; COM(95) 236; Bull. 6-1995, point 1.3.97

Endorsed by Parliament on 22 September.

OJ C 269, 16.10.1995

Adopted by the Council on 25 September.

OJ L 241, 10.10.1995

Structural action under Objective 5a (adjustment of fisheries structures)

Legislative aspects

1.3.55. Proposal for a Council Regulation amending Regulation (EC) No 3699/93 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products.

Commission proposal: OJ C 85, 7.4.1995; COM (95) 55; Bull. 3-1995, point 1.3.82

Economic and Social Committee opinion: OJ C 236, 11.9.1995; Bull. 5-1995, point 1.3.53

Endorsed by Parliament on 22 September, subject to a number of remarks about the wording.

OJ C 269, 16.10.1995

Structural action under Objective 5b (development and structural adjustment of rural areas)

Single programming documents

Finland

1.3.56. Draft Commission Decision approving the single programming document for Community structural measures in Finland (Etela-Karjala, Etela-Pohjanmaa, Häme, Itä-Uusimaa, Keski-Suomi, Kymenlaasko, Österbotten, Pärjät-Häme, Pirkanmaa, Pohlois-Pohjanmaa, Pohjas-Savo, Satakunta, Uusimaa, Varsinais-Suomi) under Objective 5b.

Approved on 27 September. The single programming document, drawn up with the national authorities concerned, sets the following priorities:

- enterprise promotion;
- diversification of primary production;
- raising skill levels;
- development of rural communities.

The Community contribution for the period 1995 to 1999 will amount to ECU 191.4 million.

1.3.57. Draft Commission Decision approving the single programming document for Community structural measures in the Åland Islands, Finland, under Objective 5b.

Approved on 27 September. The single programming document, drawn up with the national authorities concerned, sets the following priorities:

- development of tourism;
- creation of enterprises in sparsely populated areas;
- protection of the environment and promotion of culture.

The Community contribution will amount to ECU 2.6 million.

*Financing***Community initiatives**

1.3.58. Commission decisions. Purpose: see Table 2.

Table 2 — *Financing of Community initiatives*

<i>(million ECU)</i>			
Initiative	Country/region or area	Fund	Total assistance
Interreg II	<i>Germany/France</i>		
	Southern Palatinate, central upper Rhine, Alsace	ERDF/ESF	11.055
	Saarland, western Palatinate, Lorraine	ERDF/ESF	23.265
Konver	<i>Belgium/Netherlands</i>		
	Euregio-Scheldemand	ERDF/ESF	11.091
Konver	<i>Germany</i>		
	Thuringia	ERDF	19.448
Leader II	<i>Belgium</i>		
	Flanders	ERDF	4.480
Leader II	<i>France</i>		
	Aquitaine	ERDF/EAGGF/ESF	17.226
	Lower Normandy	ERDF/EAGGF/ESF	10.133
Rechar II	<i>Italy</i>		
	Apulia	ERDF/EAGGF/ESF	26.60
	Sardinia	ERDF/EAGGF/ESF	32.37
Rechar II	<i>Germany</i>		
	Lower Saxony	ERDF/ESF	1.650
	Saxony	ERDF/ESF	29.800
	Saxony-Anhalt	ERDF/ESF	19.221
	<i>France</i>		
	Rhône-Alpes	ERDF	1.012
Resider II	<i>Italy</i>		
	Sardinia	ERDF	1.770
	<i>France</i>		
URBAN	Provence-Alpes-Côte d'Azur	ERDF	5.182
	Rhône-Alpes	ERDF/ESF	2.177
URBAN	<i>Germany</i>		
	Chemnitz	ERDF/ESF	9.2
	<i>Netherlands</i>		
Amsterdam	ERDF/ESF	4.65	
The Hague	ERDF/ESF	4.65	

Less-developed regions

1.3.59. Commission decisions. Purpose: see Table 3.

Table 3 — *Financing under Objective 1*

<i>(million ECU)</i>		
Country/region	Fund	Total assistance
<i>Spain</i>		
Andalusia	ERDF	223.894
<i>Italy</i>		
Campania	ERDF/ESF/EAGGF	1 327.9
Sicily	ERDF/ESF/EAGGF	1 337.2

Other financing

1.3.60. Commission decisions. Purpose: see Table 4.

Table 4 — *Other financing*

<i>(million ECU)</i>			
Type	Purpose	Fund	Total assistance
Pilot projects	Utilization of research and development results		
	Extremadura (Spain)	ERDF	1
	Apulia (Italy)	ERDF	1
	Corine land cover Austria	ERDF	0.006
Seminar	WOLF (Internet and Worldwide Web) Objective 1 regions	ERDF	0.530
	Structural Fund assistance in Italian regions eligible under Objective 2 and innovatory measures under Article 10 of Regulation (EEC) No 4254/88, Padua (Italy)	ERDF	0.001
	Structural Funds: an instrument for Europe (Italy)	ERDF	0.020
	European conclave on research and technological development of the Atlantic rim	ERDF	0.060

Trans-European networks

General

1.3.61. Council Regulation (EC) No 2236/95 laying down general rules for the granting of Community financial aid in the field of trans-European networks.

Commission proposal: OJ C 89, 26.3.1994; COM(94) 62; Bull. 3-1994, point 1.2.79

Economic and Social Committee opinion: OJ C 195, 18.7.1994; Bull. 4-1994, point 1.2.73

Committee of the Regions opinion: OJ C 217, 6.8.1994; Bull. 5-1994, point 1.2.69

Parliament opinion (first reading): OJ C 363, 19.12.1994; Bull. 11-1994, point 1.2.82

Amended Commission proposal: OJ C 115, 9.5.1995; COM(95) 32; Bull. 3-1995, point 1.3.89

Council agreement on a common position: Bull. 3-1995, point 1.3.89

Council common position: OJ C 130, 29.5.1995; Bull. 3-1995, point 1.3.89

Parliament opinion (second reading): OJ C 249, 25.9.1995; Bull. 7/8-1995, point 1.3.101

Re-examined proposal adopted by the Commission on 8 September.

COM(95) 428

Adopted by the Council on 18 September. Purpose: to provide a legal basis for the disbursement of funds for the period 1995-99, i.e. ECU 2345 million for projects of common interest in the field of trans-European transport, telecommunications and energy infrastructure networks. The Regulation also sets out the conditions and procedures for granting Community aid and specifies in particular that the aid can take the form of co-financing of studies, interest subsidies, contributions towards fees for guarantees for loans from the European Investment Fund or other financial institutions, and, in duly justified cases, direct grants to investments. The Regulation also specifies that the Community aid may not exceed 10% of the total investment cost.

OJ L 228, 23.9.1995

Transport

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

Commission proposal: OJ C 220, 8.8.1994; COM(94) 106; Bull. 4-1994, point 1.2.76

Committee of the Regions opinion: OJ C 210, 14.8.1995; Bull. 9-1994, point 1.2.101

Economic and Social Committee opinion: OJ C 397, 31.12.1994; Bull. 11-1994, point 1.2.84

Amended Commission proposal: OJ C 97, 20.4.1995; COM(95) 48; Bull. 1/2-1995, point 1.3.83

Parliament opinion (first reading): OJ C 151, 19.6.1995; Bull. 5-1995, point 1.3.61

Amended Commission proposal: COM(95) 298; Bull. 6-1995, point 1.3.110

Council agreement on a common position: Bull. 6-1995, point 1.3.110

Common position formally adopted by the Council on 28 September.

Telematics and telecommunications networks

1.3.63. Parliament and Council Decision on a series of guidelines for the development of the integrated services digital network as a trans-European network.

Commission proposal: OJ C 259, 23.9.1993; COM(93) 347; Bull. 9-1993, point 1.2.66

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

Economic and Social Committee opinion: OJ C 52, 19.2.1994; Bull. 12-1993, point 1.2.118

Parliament opinion (first reading): OJ C 128, 9.5.1994; Bull. 4-1994, point 1.2.77

Committee of the Regions opinion: OJ C 217, 6.8.1994; Bull. 5-1994, point 1.2.74

Amended Commission proposal: OJ C 353, 13.12.1994; COM(94) 483; Bull. 11-1994, point 1.2.87

Council agreement on a common position: Bull. 11-1994, point 1.2.87

Council common position: OJ C 384, 31.12.1994; Bull. 12-1994, point 1.2.105

Parliament amendments (second reading): OJ C 166, 3.7.1995; Bull. 6-1995, point 1.3.112

Opinion amending the proposal adopted by the Commission on 14 September. The Commission took over all the European Parliament amendments.

COM(95) 417

1.3.64. Proposal for a Council Decision adopting a multiannual programme to support the implementation of trans-European networks for the interchange of data between administrations.

Commission proposal: OJ C 105, 16.4.1993; COM(93) 69; Bull. 3-1993, point 1.2.61
Economic and Social Committee opinion: OJ C 249, 13.9.1993; Bull. 6-1993, point 1.2.101
Committee of the Regions opinion: OJ C 217, 6.8.1994; Bull. 5-1994, point 1.2.72
Parliament opinion (first reading): OJ C 341, 5.12.1994; Bull. 11-1994, point 1.2.86

Parliament opinion on the legal basis adopted on 21 September. Having been consulted by the Council on the appropriateness of Article 235 of the EC Treaty as the legal basis, Parliament considered that the Commission proposal should be based on the third paragraph of Article 129d of the EC Treaty.

OJ C 269, 16.10.1995

Amended proposal adopted by the Commission on 27 September.

COM(95) 436

1.3.65. Proposal for a Parliament and Council Decision on a series of guidelines for trans-European data communications networks between administrations.

Commission proposal: OJ C 105, 16.4.1993; COM(93) 69; Bull. 3-1993, point 1.2.61
Economic and Social Committee opinion: OJ C 249, 13.9.1993; Bull. 6-1993, point 1.2.101
Proposal subject to the co-decision procedure since 1 November 1993
Committee of the Regions opinion: OJ C 217, 6.8.1994; Bull. 5-1994, point 1.2.72
Parliament opinion (first reading): OJ C 341, 5.12.1994; Bull. 11-1994, point 1.2.85

Amended proposal adopted by the Commission on 27 September.

COM(95) 446

Energy

Community energy strategy

Promotion of energy efficiency

1.3.66. Proposal for a Council Directive to introduce rational planning techniques in the electricity and gas distribution sectors.

References:

Commission communication on a Community strategy to limit carbon dioxide emissions and to improve energy efficiency: COM(91) 249; Bull. 10-1991, point 1.2.194

Council Decision 91/565/EEC concerning the promotion of energy efficiency (SAVE I): OJ L 307, 8.11.1991; Bull. 10-1991, point 1.2.62

Adopted by the Commission on 20 September. This proposal for a Directive is one of the moves to stabilize carbon dioxide emissions at their 1990 level by the year 2000 and is designed to introduce more rational planning techniques providing a means of improving energy efficiency and cutting costs, in line with the objectives of the SAVE I programme. In particular, the objective is to strike a balance between the investments made by energy suppliers and consumers. To this end, it provides for electricity and gas distributors to draw up development plans attaching equal importance to every option economically feasible. This 'integrated resource planning' could bring economic benefits for both distributors and consumers.

COM(95) 369

Individual sectors

Oil and oil products

1.3.67. Proposal for a Council Regulation introducing registration for crude oil imports and deliveries in the Community.

Reference: Council Regulation (EEC) No 1893/79 introducing registration for crude oil and/or petroleum product imports in the Community (OJ L 220, 30.8.1979), as last amended by Regulation (EEC) No 1370/90: OJ L 133, 24.5.1990; Bull. 5-1990, point 1.2.228

Adopted by the Commission on 6 September. Purpose: to replace the registration system introduced for crude oil imports by Regulation (EEC) No 1893/79, which expired on 31 December 1991.

COM(95) 89

International cooperation

European Energy Charter

1.3.68. European Energy Charter Treaty.

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

Agreement of the contracting parties on the draft Treaty: Bull. 6-1994, point 1.2.107

Commission proposal and draft concerning the signing and provisional application of the Treaty: OJ C 344, 6.12.1994; COM(94) 405; Bull. 9-1994, point 1.2.108

Amended Commission proposals: OJ C 372, 28.12.1994; COM(94) 557; Bull. 11-1994, point 1.2.93

Decision concerning signature: Bull. 11-1994, point 1.2.93

Parliament opinion: OJ C 18, 23.1.1995; Bull. 12-1994, point 1.2.110

Decisions on provisional application: OJ L 380, 31.12.1994; Bull. 12-1994, point 1.2.110

Signature: Bull. 12-1994, point 1.2.110

Proposal for a Council and Commission Decision (ECSC, EC, Euratom) on conclusion of the Treaty adopted by the Commission on 20 September.

COM(95) 440

1.3.69. Protocol on energy efficiency and related environmental aspects, associated with the European Energy Charter Treaty.

Commission recommendation: COM(94) 531; Bull. 11-1994, point 1.2.94

Council Decision on the signing of the Protocol: Bull. 11-1994, point 1.2.94

Signature: Bull. 12-1994, point 1.2.111

Proposal for a Council and Commission Decision (ECSC, EC, Euratom) on conclusion of the Protocol adopted by the Commission on 20 September.

COM(95) 440

Transport

Inland transport

Rail transport

1.3.70. Proposal for a Council Directive on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail.

Commission proposal: OJ C 389, 31.12.1994; COM(94) 573; Bull. 12-1994, point 1.2.118

Economic and Social Committee opinion: OJ C 236, 11.9.1995; Bull. 5-1995, point 1.3.69

Parliament opinion (first reading): OJ C 249, 25.9.1995; Bull. 7/8-1995, point 1.3.113

Amended proposal adopted by the Commission on 14 September.

COM(95) 424

Common position agreed by the Council on 28 September. The purpose of the proposal is to harmonize the conditions for the carriage of dangerous goods by rail, based on a sufficiently high level of protection and safety, in accordance with the standards set by the Convention on International Carriage by Rail (COTIF). Moreover, with a view to gradual opening of the market in rail transport, the text establishes a uniform set of national safety rules which will avoid distorting competition between modes for the transport of dangerous goods.

Road transport

1.3.71. Proposal for a Council Directive laying down maximum authorized weights and dimensions for road vehicles over 3.5 tonnes circulating in the Community.

Directives to be consolidated:

Council Directive 85/3/EEC on the weights, dimensions and certain other technical characteristics of certain road vehicles (OJ L 2, 3.1.1985), as amended by Directive 92/7/EEC: OJ L 57, 2.3.1992; Bull. 1/2-1992, point 1.3.114

Council Directive 86/364/EEC relating to proof of compliance of vehicles with Directive 85/3/EEC: OJ L 221, 7.8.1986

Commission proposal: OJ C 38, 8.2.1994; COM (93) 679; Bull. 12-1993, point 1.2.132

Economic and Social Committee opinion: OJ C 295, 22.10.1994; Bull. 6-1994, point 1.2.109

Parliament opinion (first reading): OJ C 341, 5.12.1994; Bull. 11-1994, point 1.2.101

Amended Commission proposal: OJ C 247, 23.9.1995; COM(95) 193

Common position agreed by the Council on 28 September. The proposal provides for removing the barriers created to movement between the Member States by the differences in the standards applicable to the weights and dimensions of road vehicles used for road haulage and passenger transport. On the one hand, it provides for an increase in some of the dimensions laid down in Directive 85/3/EEC, i.e. in the width of non-refrigerated vehicles, the total width of

freight vehicles and the width of passenger vehicles. At the same time it applies the new maximum authorized dimensions for road vehicles solely to national freight services. To take account of the geographical and demographic situation in Sweden and Finland, the proposal lays down detailed conditions to ensure non-discriminatory use of vehicles deviating from the dimensions laid down for domestic transport. The proposal also provides for consolidation of the abovementioned Directive, which has been amended a number of times, and of Directive 86/364/EEC relating to proof of compliance of vehicles.

1.3.72. Proposal for a Council Directive amending Directive 91/439/EEC on driving licences.

Proposal for a Directive: COM(95) 166; Bull. 5-1995, point 1.3.70

Endorsed by the Economic and Social Committee on 13 September.

1.3.73. Proposal for a Council Directive on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers.

Directive to be consolidated: Council Directive 77/143/EEC on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers (OJ L 47, 18.2.1977), as last amended by Directive 94/23/EC: OJ L 147, 14.6.1994

Adopted by the Commission on 8 September. The purpose of the proposal is to clarify the existing legislation by replacing by a single consolidated text Directive 77/143/EEC and all the subsequent amendments thereto. It also contains various provisions on testing speed limitation devices installed on certain categories of heavy goods vehicles and buses and to clarify the situation with regard to vehicles of historical interest.

COM(95) 415

1.3.74. Council resolution on the deployment of telematics in the road transport sector.

Council agreement: Bull. 6-1995, point 1.3.126

Formally adopted on 28 September.

OJ C 264, 11.10.1995

Inland waterway transport

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

Commission proposal: COM(95) 200; Bull. 5-1995, point 1.3.73

Endorsed by the Economic and Social Committee on 13 September. The Committee approved the use of Community funds for structural improvements in the inland waterways sector and reiterated that they are intended for the scrapping of vessels on a waiting list.

1.3.76. Proposal for a Council Regulation on common rules applicable to the transport of goods or passengers by inland waterway between Member States with a view to establishing freedom to provide such transport services.

Commission proposal: OJ C 164, 30.6.1995; COM(95) 167; Bull. 5-1995, point 1.3.74

Endorsed by the Economic and Social Committee on 13 September.

Sea transport

1.3.77. Proposal for a Council Regulation on the safety management of ro-ro passenger vessels.

Commission proposal: COM(95) 28; Bull. 1/2-1995, point 1.3.92

Economic and Social Committee opinion: OJ C 236, 11.9.1995; Bull. 5-1995, point 1.3.76

Parliament opinion (first reading): OJ C 166, 3.7.1995; Bull. 6-1995, point 1.3.130

Amended Commission proposal: COM(95) 286; Bull. 6-1995, point 1.3.130

Council agreement on a common position: Bull. 6-1995, point 1.3.130

Common position formally adopted by the Council on 28 September.

Air transport

1.3.78. Draft Council resolution on congestion and crisis in air traffic in Europe.

References:

Council conclusions on air traffic control in the Community: Bull. 12-1992, point 1.3.125

Commission communication to the Council and Parliament on congestion and crisis in air traffic: COM(95) 318; Bull. 7/8-1995, point 1.3.118

Agreed by the Council on 28 September. The Council called upon the Member States to join

the European Organization for the Safety of Air Navigation (Eurocontrol) and agreed to support the crisis management cell set up by Eurocontrol. It called upon the Member States, Eurocontrol and the Commission to coordinate positions with a view to studying the minimum services in crisis situations, defining guidelines for the most effective minimum services and coordinating national contingency plans. The Council noted the establishment of the Central Flow Management Unit and, finally, invited Eurocontrol to examine ways in which better planning could be achieved and whether amendment of the current rules on priority for the allocation of en route control slots could lead to more efficient flow management in the event of congestion or crises.

1.3.79. Proposal for a Council Directive on access to the groundhandling market at Community airports.

Commission proposal: OJ C 142, 8.6.1995; COM(94) 590; Bull. 12-1994, point 1.2.124

Endorsed by the Economic and Social Committee on 13 September. The Committee supported a reasonable degree of opening-up of the groundhandling market with the introduction of a second or third handler to give users a modicum of choice. However, it regretted that the Commission had not opted for a gradual, progressive approach and that it had not taken sufficient account of the social consequences of application of the Directive.

State aid

Decision to raise no objection

Netherlands

1.3.80. Commission Decision on aid for investment in combined transport equipment.

Adopted on 20 September. The Netherlands Government proposed granting aid totalling ECU 1.2 million towards projects to develop combined road/rail transport and to promote alternatives to road transport. The Commission authorized this aid and found it compatible with Community transport policy, particularly with the priorities of relieving the congestion on the road network and protecting the environment.

Bull. EU 9-1995

Information society, telecommunications

Telecommunications

1.3.81. Economic and Social Committee opinion on the Commission Green Paper on the liberalization of telecommunications infrastructure and cable television networks — 'Part Two: A common approach to the provision of infrastructure for telecommunications in the European Union'.

References:

Commission Green Paper: COM(94) 682; Bull. 1/2-1995, point 1.3.101

Parliament resolution: OJ C 151, 19.6.1995; Bull. 5-1995, point 1.3.80

Adopted by the Economic and Social Committee on 13 September. The Committee, recognizing that the liberalization of telecommunications infrastructure is extremely important if Europe is to continue to modernize economically and socially, stresses the need for a clear regulatory framework in social, economic and technical terms. It also makes a number of specific comments concerning, for example, the need to assess the impact of liberalization on employment.

1.3.82. Council resolution on the implementation of the future regulatory framework for telecommunications.

Council agreement: Bull. 6-1995, point 1.3.138

Formally adopted by the Council on 18 September.

OJ C 258, 3.10.1995

Environment

Financial instruments

1.3.83. Proposal for a Council Regulation amending Council Regulation (EEC) No 1973/92 establishing a financial instrument for the environment (LIFE).

Commission proposal: OJ C 184, 18.7.1995; COM(95) 135; Bull. 4-1995, point 1.3.98

Endorsed by the Committee of the Regions on 21 September, subject to comments calling, in particular, for an increase in the financial package for the programme and greater involvement of the regional and local authorities in decision-making.

1.3.84. Commission Decision granting Community financial support for one technical assistance project in the field of the protection of the environment to third countries in the Mediterranean basin.

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

Adopted on 25 September. Purpose: to grant financial support totalling ECU 616 775 to a technical assistance project concerning non-Union countries in the Mediterranean region.

Industry and environment

Environmental control of products, industrial plants and biotechnology

1.3.85. Proposal for a Council Directive concerning the disposal of polychlorinated biphenyls (PCBs) and polychlorinated terphenyls (PCTs).

Commission proposal: OJ C 319, 12.12.1988; COM(88) 559; Bull. 10-1988, point 2.1.111

Economic and Social Committee opinion: OJ C 139, 5.6.1989; Bull. 3-1989, point 2.1.112

Parliament opinion (first reading): OJ C 19, 28.1.1991; Bull. 12-1990, point 1.3.150

Amended Commission proposal: OJ C 299, 20.11.1991; COM(91) 373; Bull. 10-1991, point 1.2.186

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

Council agreement on a common position: Bull. 12-1994, point 1.2.200

Parliament opinion on the legal basis of the proposal adopted on 20 September. Parliament approved the amendment made in the Council's common position to the legal basis for the proposal (Article 130s(1) of the EC Treaty instead of Articles 100a and 113). The proposal is therefore now subject to the cooperation procedure.

OJ C 269, 16.10.1995

1.3.86. Proposals for Council Decisions on the recognition of British Standard BS 7750:1994, of Irish Standard IS 310: First edition and of Spanish Standard UNE 77-801(2)-94 establishing specifications for environmental management systems, in accordance with Article 12 of Regulation (EEC) No 1836/93.

Basic Regulation: Council Regulation (EEC) No 1836/93 allowing voluntary participation by companies in the industrial sector in a Community eco-management and audit scheme: OJ L 168, 10.7.1993; Bull. 6-1993, point 1.2.157.

Adopted by the Commission on 27 September. The purpose of these proposals, which were submitted to the Council after they failed to obtain the endorsement of the Committee set up by Article 19 of Regulation (EEC) No 1836/93, is to recognize three national standards on environmental management and audit systems.

COM(95) 422

Waste management

1.3.87. Third conference of the parties to the Basle Convention.

References:

Council Decision 93/98/EEC on the conclusion, on behalf of the Community, of the Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basle Convention): OJ L 39, 16.2.1993; Bull. 1/2-1993, point 1.2.151

Negotiating directives for the conference: Bull. 6-1995, point 1.3.149

Meeting held in Geneva from 18 to 22 September. At this conference an amendment to the Basle Convention was adopted, prohibiting exports of hazardous wastes to non-OECD countries immediately, if they are intended for disposal, and by 31 December 1997 in the case of waste intended for recovery.

Civil protection

1.3.88. Proposal for a Council Decision establishing a Community action programme in the field of civil protection.

Commission proposal: OJ C 142, 8.6.1995; COM(95) 155; Bull. 5-1995, point 1.3.89

Endorsed by the Economic and Social Committee on 13 September. The Committee recom-

mended including civil protection among the objectives of the Treaty in the forthcoming revision of the Treaty.

Endorsed by the Committee of the Regions on 20 September, subject to various comments. In particular, the Committee drew attention to application of the subsidiarity principle and considered that in this case the action taken by the Community should be limited to protection from dangerous situations which exceed the capacity of local services and to cross-border operations.

Environmental quality and natural resources

Protection of water, soil conservation and agriculture

1.3.89. Proposal for a Council Directive concerning the quality of water intended for human consumption.

Commission proposal: OJ C 131, 30.5.1995; COM(94) 612; Bull. 1/2-1995, point 1.3.107

Endorsed by the Committee of the Regions on 21 September, subject to various comments. In particular, the Committee advocated replacement of lead pipework in both the private and public sectors and Community funding to encourage this.

Protection of nature, flora and fauna, and coastal zones

1.3.90. Proposal for a Council Regulation on operations to promote tropical forests.

Commission proposal: OJ C 78, 19.3.1993; COM(93) 53; Bull. 1/2-1993, point 1.2.157

Economic and Social Committee opinion: OJ C 249, 13.9.1993; Bull. 6-1993, point 1.2.166

Parliament opinion: OJ C 315, 22.11.1993; Bull. 10-1993, point 1.2.128

Proposal subject to the cooperation procedure since 1 November 1993

Amended Commission proposal: OJ C 201, 23.7.1994; COM(94) 153; Bull. 6-1994, point 1.2.182

Council agreement on a common position: Bull. 11-1994, point 1.2.190

Council common position: OJ C 160, 26.6.1995; Bull. 1/2-1995, point 1.3.111

Parliament opinion (second reading): OJ C 166, 3.7.1995; Bull. 6-1995, point 1.3.151

Re-examined proposal adopted by the Commission on 5 September. The Commission incorporated a number of amendments adopted by Parliament on second reading.

COM(95) 408

1.3.91. Draft Protocol to the Convention on Biological Diversity concerning biosafety.

References:

Council Decision 93/626/EC on the conclusion of the Convention on Biological Diversity: OJ L 309, 13.12.1993; Bull. 10-1993, point 1.2.127

Resolution containing Parliament's recommendations to the Commission and the Council on the implementation of the Convention on Biological Diversity: OJ C 249, 25.9.1995; Bull. 7/8-1995, point 1.3.140

Recommendation for a Decision adopted by the Commission on 13 September. Purpose: to authorize the Commission to participate in the negotiations to establish a biosafety Protocol at the conference of the parties to the Convention on Biological Diversity in Jakarta in November 1995.

1.3.92. European Convention on the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes.

Signature of the Convention: Bull. 2-1987, point 2.1.94

Commission proposal concerning conclusion: OJ C 200, 5.8.1989; COM(89) 302; Bull. 7/8-1989, point 2.1.135

Parliament opinion: OJ C 291, 20.11.1989; Bull. 10-1989, point 2.1.116

Economic and Social Committee opinion: OJ C 329, 30.12.1989; Bull. 10-1989, point 2.1.116

Amended Commission proposal: COM(94) 366; Bull. 9-1994, point 1.2.173

Endorsed by Parliament on 19 September, subject to amendments designed, in particular, to limit the extent of the Community's reservation concerning the communication of statistical data, to develop substitute methods to replace experiments on animals and to set a date by which all Member States must ratify the Convention (1 January 2000).

OJ C 269, 16.10.1995

1.3.93. Draft Agreement on the conservation of African-Eurasian migratory waterbirds.

Reference: Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention): OJ L 210, 19.7.1982

Negotiating directives: Bull. 7/8-1995, point 1.3.141

Proposal for a Decision on initialling of the Agreement adopted by the Commission on 26 September. This draft Agreement was negotiated within the framework of the Bonn Convention, which provides for the conclusion of regional agreements. It covers the entire continents of Africa and Europe plus western Asia.

COM(95) 444

1.3.94. Draft Agreement on the conservation of small cetaceans of the Mediterranean and the Black Seas.

Reference: Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention): OJ L 210, 19.7.1982

Recommendation for a Decision adopted by the Commission on 13 September. This draft Agreement is being negotiated within the framework of the Bonn Convention, which provides for the conclusion of regional agreements.

Urban environment, air quality, transport and noise

1.3.95. Proposal for a European Parliament and Council Directive on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery.

Adopted by the Commission on 6 September. The purpose of this proposal is to reduce pollution caused by non-road mobile machinery (excavators, bulldozers, dumpers, motor graders, etc.). It provides for the introduction of a type-approval procedure for the engines of such machinery, applying approval criteria based on the emissions of atmospheric pollutants. More rigorous emission standards will be phased in in two stages.

COM(95) 350

Nuclear safety

1.3.96. Parliament resolution on the resumption of nuclear tests by France (→ point 1.4.3).

Agriculture

Orientation of the CAP

1.3.97. Proposal for a Council Regulation amending Council Regulation (EC) No 2100/94 on Community plant variety rights.

Commission proposal: OJ C 117, 12.5.1995; COM(95) 144; Bull. 4-1995, point 1.3.104

Economic and Social Committee opinion: OJ C 236, 11.9.1995; Bull. 5-1995, point 1.3.95

Endorsed by Parliament on 22 September.

OJ C 269, 16.10.1995

1.3.98. Proposal for a Council Regulation amending Regulation No 79/65/EEC setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Community.

Reference: Act of Accession of Austria, Finland and Sweden: OJ C 241, 29.8.1994, Bull. 6-1994, point 1.3.15; OJ L 1, 1.1.1995

Regulation to be amended: Council Regulation No 79/65/EEC (OJ 109, 23.6.1965), as last amended by Regulation (EEC) No 3644/85: OJ L 348, 24.12.1985

Adopted by the Commission on 6 September. With a view to clarifying the legislation, the proposed Regulation would delete from Council Regulation No 79/65/EEC the references to the specific size of the sample of agricultural holdings in Spain and Portugal and add to the Annex the geographic divisions of Austria, Finland and Sweden.

COM(95) 407

Agrimonetary system

1.3.99. Parliament resolution on the agrimonetary system.

Reference: Council Regulation (EC) No 1527/95 regulating compensation for reductions in the agricultural conversion rates of certain currencies: OJ L 148, 30.6.1995; Bull. 6-1995, point 1.3.161

Adopted on 19 September. Parliament took the view that the Council Regulation authorizing the

payment of national aid to farmers to compensate for losses of agricultural income caused by monetary movements was liable to undermine the CAP and eventually renationalize it. It called on the Commission to ensure that such national aid did not distort competition and that Member States did not use it to increase their market shares unfairly in other Member States. It also urged the Commission and the Council to ensure that the cost of financing monetary fluctuations is financed in future by means of a separate budget heading from that of the CAP.

OJ C 269, 16.10.1995

Market organization

Arable crops

1.3.100. Council Regulation (EC) No 2336/95 derogating from Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops as regards the set-aside requirements for the 1996/97 marketing year.

Reference: Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops (OJ L 81, 1.7.1992; Bull. 6-1992, point 1.3.141), as last amended by Regulation (EC) No 3116/94: OJ L 330, 21.12.1994; Bull. 12-1994, point 1.2.154

Commission proposal: OJ C 253, 29.9.1995; COM(95) 401; Bull. 7/8-1995, point 1.3.146

Endorsed by Parliament on 22 September, subject to amendments concerning, in particular, aligning the rotational and non-rotational set-aside rates.

OJ C 269, 16.10.1995

Adopted by the Council on 26 September. Fixes the set-aside rate (applicable to cereals, protein plants, oilseeds and non-fibre flax) for the 1996/97 marketing year at 10% for both rotational and non-rotational set-aside on account of the net decline in availabilities currently seen on the internal market and the world market.

OJ L 236, 5.10.1995

Bananas

1.3.101. Proposal for a Council Regulation amending Regulations (EEC) Nos 404/93 and 1035/72 on the markets in bananas and in fruit

and vegetables respectively and Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.

Commission proposal: OJ C 136, 3.6.1995; COM(95) 114; Bull. 4-1995, point 1.3.109

Endorsed by the Economic and Social Committee on 13 September, subject to a number of remarks concerning, in particular, the safeguarding of workers' rights by banana-exporting countries and the risk of distortion of the import arrangements liable to arise from the exclusion of certain varieties from the scope of the market organization.

Hops

1.3.102. Council Regulation (EC) No 2284/95 laying down, in respect of hops, the amount of aid to producers for the 1994 harvest.

Reference: Council Regulation (EEC) No 1696/71 on the common organization of the market in hops (OJ L 175, 4.8.1971), as last amended by Regulation (EEC) No 3124/92: OJ L 313, 30.10.1992; Bull. 10-1992, point 1.3.142

Commission proposal: OJ C 235, 9.9.1995; COM(95) 265; Bull. 6-1995, point 1.3.168

Endorsed by Parliament on 22 September.

OJ C 269, 16.10.1995

Adopted by the Council on 25 September. Fixes the amount of aid per hectare for 1994 at ECU 495 for aromatic varieties, ECU 532 for bitter varieties and ECU 368 for other varieties and experimental strains.

OJ L 233, 30.9.1995

EAGGF Guarantee Section

1.3.103. Commission Regulation (EC) No 2221/95 laying down detailed rules for the application of Council Regulation (EEC) No 386/90 as regards physical checks carried out at the time of export of agricultural products qualifying for refund (→ point 1.6.8).

State aid

Decision to initiate proceedings

Italy

1.3.104. Commission decision on aid for agricultural holdings and cooperatives.

Adopted on 20 September. The Commission

took the view that the aid granted by the region of Lazio for the financial reform of agricultural holdings and cooperatives constituted operating aid incompatible with the common market.

Fisheries

Orientation of the common fisheries policy

1.3.105. Commission report on cooperation and coordination of the use of heavy equipment for fisheries research.

Adopted on 6 September. Looks into the usefulness and availability of research vessels in the Member States and the difficulties connected with operating them, with a view to identifying large-scale equipment and research requirements under the common fisheries policy.

COM(95) 392

Conservation and management of resources

Internal aspects

Control

1.3.106. Proposal for a Council Regulation amending Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy.

Commission proposal: OJ C 188, 22.7.1995; COM(95) 256; Bull. 6-1995, point 1.3.183

Endorsed by Parliament on 22 September, subject to various amendments relating, in particular, to restricting the scope of the Regulation to fishing vessels over 15 metres and providing for satellite tracking of such vessels.

OJ C 269, 16.10.1995

Technical measures

1.3.107. Council Regulation (EC) No 2251/95 amending for the 18th time Regulation (EEC) No 3094/86 laying down certain technical measures for the conservation of fishery resources.

Regulation amended: Council Regulation (EEC) No 3094/86 laying down certain technical measures for the conservation of fishery resources (OJ L 288, 11.10.1986), as last amended by Regulation (EC) No 1909/95: OJ L 184, 3.8.1995; Bull. 7/8-1995, point 1.3.162

Commission proposal: OJ C 180, 14.7.1995; COM(95) 212; Bull. 5-1995, point 1.3.116

Parliament opinion: OJ C 249, 25.9.1995; Bull. 7/8-1995, point 1.3.163

Adopted on 18 September. This Regulation prohibits, from 1 January 1996, the use of:

□ driftnets for catching tuna in waters under the sovereignty or jurisdiction of Spain or Portugal in ICES subareas VIII, IX, X and CECAF;

□ purse seines for catching tropical tuna in waters under the sovereignty or jurisdiction of Portugal in ICES subarea X and CECAF.

This ban, adopted in the context of the system of managing fishing effort, is designed to ensure that there is no increase in fishing effort and that existing balances are preserved.

OJ L 230, 27.9.1995

External aspects

South Africa

1.3.108. Draft fisheries agreement between the Community and South Africa.

Negotiating directives adopted by the Council on the basis of the Commission recommendation on 18 September.

Guinea-Bissau

1.3.109. Draft Protocol establishing the fishing possibilities and the financial compensation provided for in the agreement between the Community and Guinea-Bissau on fishing off the coast of Guinea-Bissau for the period 16 June 1995 to 15 June 1997; draft agreement in the form of an exchange of letters concerning the provisional application of the Protocol.

Reference: EEC-Guinea-Bissau fisheries agreement: OJ L 226, 29.8.1980; Bull. 2-1980, point 2.1.75

Proposal for a Regulation on the conclusion of the Protocol and proposal for a Decision on the conclusion of the agreement on the provisional

application of the Protocol adopted by the Commission on 14 September. Would lay down the financial and technical terms for the activities of Community fishing vessels operating off Guinea-Bissau for the period 16 June 1995 to 15 June 1997.

COM(95) 427

Morocco

1.3.110. Parliament resolution on the fisheries agreement with Morocco.

References:

Draft EEC-Morocco Association Agreement: Bull. 12-1993, point 1.3.33

Draft new fisheries agreement between the Community and Morocco: Bull. 11-1994, point 1.2.171

Adopted on 22 September. Stressing the economic importance of the fisheries agreement with Morocco, Parliament urged the Commission to begin a new round of negotiations with the objective of achieving a satisfactory fisheries agreement as soon as possible. Hoping that the Moroccan negotiators would show greater flexibility, it stressed that the European Union negotiators must stand firm and advocated that, if difficulties arose, the Commission should suspend the parallel negotiations on the Association Agreement with Morocco. It also called for swift action on the proposed aid of ECU 40 million for the Community vessels currently immobilized and urged that the amounts allocated in the budget for financial compensation for Morocco under the heading 'International fisheries agreements' and not yet used be mobilized to finance support measures and programmes for the benefit of the fleets that have had to remain in port.

OJ C 269, 16.10.1995

1.3.111. Commission statement on relations between the European Union and Morocco (→ point 1.4.44).

International Baltic Sea Fishery Commission

1.3.112. Council Regulation (EC) No 2250/95 amending for the fifth time Regulation (EEC) No 1866/86 laying down certain technical measures for the conservation of fishery resources in the waters of the Baltic Sea, the Belts and the Sound.

Commission proposal: OJ C 91, 12.4.1995; COM(95) 70; Bull. 3-1995, point 1.3.137

Amended Commission proposal: COM(95) 211; Bull. 5-1995, point 1.3.120

Economic and Social Committee opinion: OJ C 236, 11.9.1995; Bull. 5-1995, point 1.3.120

Parliament opinion: OJ C 166, 3.7.1995; Bull. 6-1995, point 1.3.190

Adopted on 18 September. This Regulation incorporates into Community legislation certain technical conservation measures adopted by the International Baltic Sea Fishery Commission, in particular as regards the adjustment of mesh sizes, exit windows, the single net rule for cod fishing and seasonal closures of fisheries.

OJ L 230, 27.9.1995

1.3.113. Proposal for a Council Regulation laying down certain monitoring measures applicable to fishing activities carried out in the waters of the Baltic Sea, the Belts and the Sound.

Reference: Council Decision on the accession of the Community to the Convention on the Baltic Sea and the Belts: OJ L 237, 26.8.1983; Bull. 7/8-1983, point 2.1.167

Adopted by the Commission on 6 September. The purpose of this proposal is to introduce into Community legislation certain measures for the control of Community fishing activities in the waters of the Baltic adopted by the International Baltic Sea Fishery Commission.

The measures relate to:

- providing the Commission with the list of all Community vessels fishing for cod;
- monthly reporting to the Commission of all landings by each individual fishing vessel flying the flag of a Member State or of the other contracting parties to the Baltic Convention;
- ban on the transshipment of cod caught in the Baltic in the absence of monitoring by the authorities;
- ban on the landing or transshipment of catches taken by vessels flying the flag of another contracting party after the national quota has been used up.

COM(95) 249

North-West Atlantic Fisheries Organization (NAFO)

1.3.114. Annual meeting.

Reference: Draft agreement between the Community and Canada on fisheries in the context of

the NAFO Convention: Bull. 6-1995, point 1.3.191

Meeting held in Dartmouth from 11 to 15 September. At this annual meeting the participants put the agreement reached following the fisheries dispute between the European Union and Canada last spring on a multilateral footing. The following measures were decided:

- the establishment of two management units for Greenland halibut: northern zone (2 + 3 K) and southern zone (3LMNO);
- the 1996 TAC for Greenland halibut: 27 000 tonnes of which 20 000 tonnes for the southern zone (3LMNO), the European Union quota in this zone being 11 070 tonnes (i.e. 55.37% of the TAC);
- the implementation of monitoring and inspection provisions laid down in the agreement between the European Union and Canada.

Indian Ocean Tuna Commission

1.3.115. Council Decision 95/399/EC on the accession of the Community to the Agreement for the establishment of the Indian Ocean Tuna Commission.

Commission proposal: COM(94) 386; Bull. 9-1994, point 1.2.162

Parliament opinion: OJ C 109, 1.5.1995; Bull. 4-1995, point 1.3.123

Adopted by the Council on 18 September.

OJ L 236, 5.10.1995

Employment and social policy

Implementation of the White Paper on European social policy

1.3.116. Committee of the Regions opinion on the Commission communication on a medium-term social action programme (1995-97).

Reference: Commission communication: COM (95) 134; Bull. 4-1995, point 1.3.126

Adopted by the Committee of the Regions on 20 September. The Committee welcomed the Commission's approach, particularly as regards the role to be played by the social partners in formulating employment policy. It stressed the key role of local and regional authorities in formulating the Community's social policy, including the human resources aspect. The Committee further called for proposals to improve the integration of young people in the employment market.

Employment

1.3.117. Parliament resolution on company relocations in the European Union.

References:

Council Directive 94/45/EC on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees: OJ L 254, 30.9.1994; Bull. 9-1994, point 1.2.179

Parliament resolution on relocation of businesses in the European Union: OJ C 56, 6.3.1995; Bull. 1/2-1995, point 1.3.157

Proposal for a Directive on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of businesses: OJ C 274, 1.10.1994; COM(94) 300; Bull. 9-1994, point 1.2.182; Bull. 4-1995, point 1.3.127

Adopted by Parliament on 21 September. Expressing its solidarity with the workers at the Renault plant in Setúbal (Portugal) directly threatened by the closure of the plant, Parliament called on Renault to comply with Directive 94/45/EC, and on the Commission to review, in the light of this case, any subsidies already granted or about to be granted anywhere for projects to which Renault may be a party, and to take account of the latest developments regarding this matter in its deliberations on the Directive on transfers of undertakings.

Parliament reiterated its request for a survey of all relocations of firms within and outside the EU since January 1993, and called for EU subsidies to be unavailable for companies which, having benefited from them in one Member State, go on to relocate soon afterwards to another State. It also called on the Commission to

ensure that employment guarantees were combined with the allocation of Structural Fund resources.

OJ C 269, 16.10.1995

Social dialogue

1.3.118. Commission communication on the establishment of a European Centre for Industrial Relations (ECIR).

Reference: Commission communication on a medium-term social action programme (1995-97): COM(95) 134; Bull. 4-1995, point 1.3.126

Adopted by the Commission on 25 September. Purpose: as announced in the medium-term social action programme, to provide financial support for the operation of the European Centre for Industrial Relations (ECIR). The Centre is the outcome of an initiative taken by the three European-level social partner organizations: ETUC (European Trade Union Confederation), UNICE (European employers' association) and CEEP (public sector enterprises); its aim is to provide training in the interests of European-level social dialogue.

COM(95) 445

Health and safety at work

1.3.119. Proposal for a Council Directive amending Directive 90/394/EEC on the protection of workers from the risks related to exposure to carcinogens at work.

Directive to be amended: Council Directive 90/394/EEC on the protection of workers from the risks related to exposure to carcinogens at work: OJ L 196, 26.7.1990; Bull. 6-1990, point 1.3.77

Adopted by the Commission on 13 September. Purpose: to set limit values for occupational exposure to carcinogens, starting with benzene, and to widen the scope of Directive 90/394/EEC to include cosmetics, pesticides and medicinal preparations.

COM(95) 425

1.3.120. Proposal for a Council Directive on minimum requirements for improving the safety and health protection of workers potentially at risk from explosive atmospheres.

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

References:

Council Directive 92/91/EEC on 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): OJ L 348, 28.11.1992; Bull. 11-1992, point 1.3.128

Council Directive 92/104/EEC on the minimum requirements for improving the safety and health protection of workers in surface and underground mineral-extracting industries (12th individual Directive within the meaning of Article 16(1) of framework Directive 89/391/EEC): OJ L 404, 31.12.1992; Bull. 12-1992, point 1.3.159

Parliament and Council Directive 94/9/EC on the approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres: OJ L 100, 19.4.1994; Bull. 3-1994, point 1.2.12

Adopted by the Commission on 18 September. In this proposal for an individual Directive within the framework of Directive 89/391/EEC, the Commission sets out, as provided for in Directive 94/9/EC, to establish minimum requirements for the safety and health protection of workers potentially at risk from explosive atmospheres with a view to creating, for industry in general, a protective framework such as already exists for the mineral-extracting industries.

COM(95) 310

Implementation of the Protocol on social policy

1.3.121. Consultation of the social partners on flexible working time and worker safety.

References:

Proposal for a Council Directive on the approximation of the laws of the Member States relating to certain employment relationships with regard to distortions of competition: OJ C 224, 8.9.1990; COM(90) 228; Bull. 6-1990, point 1.3.72; Bull. 10-1990, point 1.3.48

Proposal for a Council Directive on the approximation of the laws of the Member States relating to certain employment relationships with regard to working conditions: OJ C 224, 8.9.1990; COM(90) 228; Bull. 6-1990, point 1.3.71; Bull. 11-1990, point 1.3.53

Council Directive 91/383/EEC supplementing the introduction of measures to encourage improvements in the safety and health at work of workers with a fixed-duration employment relationship or a temporary employment relationship: OJ L 206, 29.7.1991; Bull. 6-1991, point 1.2.102

Commission White Paper on European social policy: a way forward for the Union: COM(94) 333; Bull. 7/8-1994, point 1.2.163

Commission communication on a medium-term social action programme (1995-97): COM (95) 134; Bull. 4-1995, point 1.3.126

Decision to initiate the consultation procedure, provided for in Article 3(2) of the Agreement on social policy, adopted by the Commission on 27 September. With only one of the three proposals on 'atypical work' presented by the Commission in 1990 having been adopted by the Council, namely the proposal on improving the safety and health of workers with a fixed-duration or temporary employment relationship, the Commission had already indicated, in its medium-term social action programme for 1995-97, its intention of consulting the social partners, under the procedure laid down in the Agreement on social policy annexed to the Treaty on European Union, to decide on possible future courses of action. The Commission recognizes that such employment relationships meet real needs on the part of employers and employees alike. It takes the view that a set of basic rules is needed to reduce insecurity and segregation on the labour market and to improve the living and working conditions of atypical workers by establishing the principle of equal treatment, to combat the indirect discrimination suffered by women on the labour market, and to ensure fair competition between the Member States by eliminating the risk of distortions of competition. In this context, the Commission has asked the social partners to reply to the following questions:

- Does the European Union need to take action in this field?
- What form should such action take: legislation, recommendations, collective agreements or some other form of regulation?
- Should such action seek to guarantee part-time workers, fixed-duration workers and temporary workers the same treatment as is enjoyed by permanent full-time workers?
- Should such action be common to part-time workers, fixed-duration workers and temporary

workers or should there be different treatment for each of these categories?

The social partners are invited to reply within six weeks. If, after this consultation procedure, the Commission feels that Community action is desirable, it will initiate a new round of consultation concerning the content of whatever proposal is deemed necessary.

Equal opportunities

Fourth World Conference on Women

References:

United Nations World Conference on Human Rights (Vienna Conference): Bull. 6-1993, point 1.3.79

International Conference on Population and Development (Cairo Conference): Bull. 9-1994, point 1.3.56

World Summit for Social Development (Copenhagen): Bull. 3-1995, point 1.4.42

Commission communication to the Council, Parliament and the Economic and Social Committee on a new partnership between men and women: equal sharing and participation — the European Community's priorities for the fourth UN World Conference on Women (Beijing, September 1995): COM(95) 221; Bull. 5-1995, point 1.3.126

Parliament resolution on the organization of the Chinese Government of the fourth World Conference on Women in Beijing: OJ C 166, 19.6.1995; Bull. 5-1995, point 1.2.7

Parliament resolution on the fourth World Conference on Women in Beijing: 'Equality, development and peace': OJ C 166, 3.7.1995; Bull. 6-1995, point 1.3.209

Economic and Social Committee opinion on the fourth World Conference on Women: Bull. 7/8-1995, point 1.3.189

Proposal for a Council Decision on the medium-term Community action programme on equal opportunities for women and men (1995-2000): COM(95) 381; Bull. 7/8-1995, point 1.3.187

1.3.122. World Conference on Women in Beijing.

Conference held in Beijing from 4 to 15 September. The European Union, represented by Mr Flynn, Member of the Commission, played a very active role throughout the Conference, which was one of a series of United Nations conferences, following on from the Vienna Conference on Human Rights, the Cairo Conference on Population and Development and the Copenhagen Conference on Social Development. Mr Flynn addressed the plenary session and the NGO Forum, which took place parallel to the UN Conference proper. He said that European Community action was guided by the principle that women's and girls' rights were inalienable, indivisible and formed an integral part of universal human rights. He also stressed the need to take account of equal opportunities issues in formulating and implementing all manner of policies and programmes. Finally, he emphasized the need for partnership between women and men, between the authorities and the non-governmental organizations, and between North and South.

The main themes defended by the European Union and its Western partners were the universality of human rights, the integration of equal opportunities into all policies and programmes, the economic independence of women and recognition of their contribution to the economy, sexual rights and the participation of women in decision-making processes in public and business life. The southern delegations frequently endorsed these themes, while tending to lay equal stress on such issues as women's access to education, health, resources and political responsibility, protection against all forms of violence, and the contribution of 'new and additional' resources by the industrialized countries.

The Conference concluded with the adoption of a declaration and a platform for action by consensus, albeit with reservations based mainly on religious values. In order to achieve recognition of women as fully-fledged players in the development of societies, the platform for action sets precise measures in 12 fields, concerned particularly with poverty, access for women to education and health services, the participation of women in the economy and their role in the decision-making process, and women's rights as human rights.

1.3.123. Parliament resolution on the fourth World Conference on Women in Beijing: 'Equality, development and peace'.

Adopted by Parliament on 21 September. Parliament expressed its satisfaction with the platform for action adopted at the end of the Conference, and welcomed the fact that the European Union had spoken with one voice on behalf of the Member States and had adopted a strong position in the negotiations on women's sexual autonomy. However, it regretted that the EU had accepted a final declaration with no reference to sexual rights, and also regretted the withdrawal from the platform of action of protection against discrimination on the grounds of sexual orientation, as well as the lack of a timetable for implementation of the proposed measures. It called on the Commission and the Member States to implement the decisions taken on the platform for action and to assume the role of catalyst with regard to efforts to achieve equality for women in political and economic life, the family in all its forms and society in general, urging them to allocate the necessary resources to implement these demands, in particular in the fourth action programme. It further urged the Commission to ensure that, in future conferences of this nature, there is greater cooperation with the countries of Central and Eastern Europe and with the Mediterranean countries, and underlined the need to strengthen the role of elected representatives and NGOs in similar conferences. Parliament called on the Commission to urge the United Nations to reinforce existing criteria to be fulfilled before taking any decisions on a site for future conferences and to place emphasis on compliance with such criteria by the host government.

OJ C 269, 16.10.1995

Women in the development process

1.3.124. Commission communication to Parliament and the Council on the integration of gender issues in development cooperation (→ point 1.4.23).

Solidarity

Measures to help disaster victims

Spain

1.3.125. Commission decision to grant emergency aid following the torrential rain in Guadajajara in August.

Adopted on 6 September. The Commission decided to grant ECU 250 000 in emergency aid to the victims of the torrential rain in the province of Guadalajara in August.

1.3.126. Parliament resolution on the mining disaster in Asturias.

Adopted on 21 September. In the wake of the firedamp explosion which cost the lives of 14 miners at the San Nicolás pit in Mieres, Spain, Parliament called on the Commission to help the families of the victims, to increase the budget allocation under the heading for assistance for victims of accidents in the coal and steel sector and orphans' allowances and to extend the allowances to the miners' orphanage in Asturias. It also called on the Commission to step up its research and development activity on safety in soft coal mining and to carry out a study on present safety conditions in European mines. Finally, it asked for information on the extent to which the Member States have incorporated the Directives concerning the health and safety of workers into national law.

OJ C 269, 16.10.1995

France

1.3.127. Commission decision to grant emergency aid following the cyclone which devastated the island of Martinique.

Adopted on 6 September. The Commission decided to grant ECU 500 000 in emergency aid to the victims of cyclone Iris.

1.3.128. Commission decision to grant emergency aid following cyclone Luis in the Antilles.

Adopted on 27 September. The Commission decided to grant ECU 700 000 in emergency aid to the people of Guadeloupe hit by cyclone Luis.

1.3.129. Parliament resolution on the damage caused in the Antilles by the hurricanes Luis and Marylin.

Adopted on 21 September. Following the violent hurricanes which caused considerable damage in the Antilles, Parliament called on the Commission to release a substantial sum in direct aid for the islands concerned and asked to be informed on how it was allocated. It also called on the aid-providers to provide their aid in such a way as to

devote special attention to the situation of illegal workers to ensure they were treated humanely.

OJ C 269, 16.10.1995

Italy

1.3.130. Parliament resolution on the floods which have affected numerous regions of Italy.

Adopted on 21 September. Following the floods caused by non-stop rain and downpours which caused considerable damage in the regions of Lombardy, Piedmont, Liguria, Tuscany and Lazio, Parliament called on the Commission to implement an emergency programme and to involve the competent national authorities in the execution of an effective strategy to prevent and combat floods.

OJ C 269, 16.10.1995

Mediterranean regions

1.3.131. Parliament resolutions on the forest fires in Greece, Italy and Portugal, in Minorca, the Canary Islands and Tarragona, and in Greece and Portugal during the summer of 1995.

Reference: Council Regulation (EEC) No 2158/92 on the protection of the Community's forests against fire: OJ L 217, 31.7.1992; Bull. 7/8-1992, point 1.3.169

Adopted on 21 September. Parliament called on the Commission to grant emergency aid to the regions and peoples worst affected by the forest fires in the summer of 1995. It emphasized the need to implement all the necessary measures under Regulation (EEC) No 2158/92 to assist regeneration and reforestation in the areas damaged by the fires and advocated the introduction of a common forestry policy and the setting-up of a European centre for forestry policy to include an institute for forest protection and fire-fighting. It also called for the setting-up of special brigades in the context of civil protection to provide more effective support for fire-fighting in the Community's islands.

OJ C 269, 16.10.1995

United Kingdom

1.3.132. Parliament resolution on storm damage in the north-east and the Highlands and Islands of Scotland.

Adopted on 21 September. In the wake of the extraordinary rainfall in the north-east and the Highlands of Scotland, Parliament called on the Commission to investigate and establish the extent of the damage.

OJ C 269, 16.10.1995

Public health

Drugs

1.3.133. Proposal for a Parliament and Council Decision adopting a programme of Community action on the prevention of drug dependence.

Commission proposal: OJ C 257, 14.9.1994; COM(94) 223; Bull. 6-1994, point 1.2.206

Committee of the Regions opinion: OJ C 210, 14.8.1995; Bull. 11-1994, point 1.2.216

Economic and Social Committee opinion: OJ C 110, 2.5.1995; Bull. 1/2-1995, point 1.3.166

Endorsed by Parliament (first reading) on 20 September, subject to various amendments concerned principally with targeted prevention in respect of risk groups, the development of medical and psychosocial assistance to drug addicts, including therapies involving the supply of substitutes such as methadone, the organization of a European conference by the end of 1996 on the prevention of drug dependence, the creation of telephone helpline initiatives and support for pilot projects to improve the effectiveness of information campaigns. In the light of the 1996 Intergovernmental Conference, Parliament also felt that the struggle against drugs should be brought within the remit of Union policy.

OJ C 269, 16.10.1995

Consumer policy

Consumer information and education

1.3.134. Proposal for a Parliament and Council Directive amending Council Directive 79/581/EEC on consumer protection in the indication of

the prices of foodstuffs as amended by Council Directive 88/315/EEC and Council Directive 88/314/EEC on consumer protection in the indication of the prices of non-food products.

Commission proposal: OJ C 377, 31.12.1994; COM(94) 431; Bull. 11-1994, point 1.2.222; Bull. 12-1994, point 1.2.239

Economic and Social Committee opinion: OJ C 155, 21.6.1995; Bull. 4-1995, point 1.3.131

Parliament opinion (first reading): OJ C 151, 19.6.1995; Bull. 5-1995, point 1.3.134

Amended Commission proposal: OJ C 184, 18.7.1995; COM(95) 259; Bull. 6-1995, point 1.3.220

Council common position: OJ C 182, 15.7.1995; Bull. 6-1995, point 1.3.220

Approved by Parliament (second reading) on 20 September.

OJ C 269, 16.10.1995

Culture

Raphael programme

1.3.135. Proposal for a Parliament and Council Decision establishing a Community action programme in the field of cultural heritage (Raphael).

Commission proposal: COM(95) 110; Bull. 3-1995, point 1.3.156

Economic and Social Committee opinion: Bull. 7/8-1995, point 1.3.202

Endorsed by the Committee of the Regions on 21 September, with the proviso that it would like the local and regional authorities to be involved in the selection of the projects to be funded.

Literary translation

1.3.136. Support for translations of contemporary literature.

Reference: Resolution of the Council and of the ministers responsible for cultural affairs meeting within the Council on the promotion of books and reading: Bull. 5-1989, point 2.1.130

Previous selection: Bull. 11-1994, point 1.2.224

Translations selected by the Commission. In all, 85 literary translations have been selected to receive Community financial support totalling ECU 299 252 as part of a pilot project stemming from the resolution adopted in 1989 by the Council and the ministers responsible for cultural affairs and introduced in 1990 for a period of five years. The aim of the project, which has been extended until 1995, is to promote the dissemination of contemporary literature representative of European culture.

Information, communication and audiovisual media

Information and communication

1.3.137. Natali prize for journalism.

Awarded in Brussels on 14 September. This prize, which is worth ECU 5 000 and is awarded in memory of Lorenzo Natali, one-time Vice-President of the Commission, rewards the work of journalists who highlight human rights and

democracy as vital aspects of economic and social development. It went this year to Palagummi Sainath for his series of articles in *The Times of India* on subjects relating to poverty and development and the living and working conditions of the people of India.

Audiovisual policy

Television without frontiers

1.3.138. Proposal for a Parliament and Council Directive amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in the Member States concerning the pursuit of television broadcasting activities.

Commission approval: Bull. 3-1995, point 1.3.158

Commission adoption: OJ C 185, 19.7.1995; COM(95) 86; Bull. 5-1995, point 1.3.139

Endorsed by the Economic and Social Committee on 13 September. The Committee recommended a progressive, more flexible quota system and emphasized the need to draw up a framework of clear, consistent rules for television advertising, sponsorship and teleshopping and to set up a European regulatory body to operate in this field.

4. Role of the Union in the world

Common foreign and security policy

Common foreign policy

Federal Republic of Yugoslavia (Serbia and Montenegro)

1.4.1. Common position 95/378/CFSP defined by Council on the basis of Article J.2 of the Treaty on European Union with regard to the extension of the suspension of certain restrictions on trade with the Federal Republic of Yugoslavia (Serbia and Montenegro) (→ point 1.4.43).

Common security policy

Blinding weapons

1.4.2. Common position 95/379/CFSP defined by the Council on the basis of Article J.2 of the Treaty on European Union, concerning blinding lasers.

Reference: Council Decision 95/170/CFSP concerning the joint action adopted by the Council on the basis of Article J.3 of the Treaty on European Union on anti-personnel mines: OJ L 115, 22.5.1995; Bull. 5-1995, point 1.4.2

Adopted on 18 September. The aim is to work towards the adoption, by the conference set up to review the 1980 Convention on the prohibition or restriction of the use of certain traditional weapons regarded as 'inhuman', of an additional protocol on blinding lasers in order to meet the humanitarian concern prompted by the use of such lasers, on the understanding that the provisions of the protocol would not concern the legitimate military use of lasers.

OJ L 227, 22.9.1995

Nuclear testing

1.4.3. Parliament resolution on the resumption of nuclear testing.

References:

Parliament resolution on the Conference in New York on the Extension of the Non-Proliferation Treaty (NPT) (17 April to 12 May): OJ C 109, 1.5.1995; Bull. 4-1995, point 1.4.6

Conference on the Treaty on the Non-Proliferation of Nuclear Weapons: Bull. 5-1995, point 1.4.4

Parliament resolution on nuclear testing: OJ C 166, 3.7.1995; Bull. 6-1995, point 1.4.4

Adopted on 20 September. Parliament recalled its strong opposition to all nuclear tests and its total support for the conclusion by the end of 1996 of a comprehensive test-ban treaty. It took the view that the French action risked reopening the arms race and condemned the decision of the French President to authorize the first nuclear test, urging him to cancel the other tests planned. It reaffirmed that a proactive policy of cooperation and controlled disarmament was the best guarantee of peace and appealed to the European Union to play the role of driving force in the implementation of such a policy by adopting a joint action to that end. Expressing surprise that the decision had been taken without France's partners in the European Union being previously consulted or even informed, Parliament deplored the fact that the French authorities did not forward, before the first test, all the necessary documents to the Commission to enable it to examine the matter; it called for an extraordinary meeting of the European Council to be convened to consider the common security policy and called on all the Member States of the European Union to undertake definitive ratification of the Non-Proliferation Treaty. Parliament further expressed the view that nuclear weapons' tests should be regarded as 'particularly dangerous experiments' within the meaning of Article 34 of the Euratom Treaty and called on the Commission to define clearly what constituted such experiments. It called for the Commission to implement fully and immediately Articles 34 and 35 of the Euratom Treaty and also to draw up, on the basis of Article 141 of the Treaty, a reasoned opinion on the non-observance of the Treaty by the French Government and to take action in the Court of Justice should

the French Government not comply with that opinion.

OJ C 269, 16.10.1995

Presidency statements on behalf of the European Union

Bosnia-Herzegovina

1.4.4. The following presidency statement on behalf of the European Union concerning the cessation of hostilities in Sarajevo was published in Brussels and Madrid on 22 September:

'The European Union urges the parties to the conflict to take all necessary measures to finalize as soon as possible a cessation of hostilities agreement for the Sarajevo area followed by a cessation of hostilities agreement for the whole of Bosnia-Herzegovina.

The European Union expresses its full support for the ongoing efforts being carried out in this area by the UN and calls on the parties to collaborate fully with them in reaching an agreement.

In the meanwhile, the European Union reiterates its appeal to all the parties for an immediate cessation of military activity throughout the whole territory of Bosnia-Herzegovina.'

Comoros

1.4.5. The following presidency statement on behalf of the European Union concerning the coup which took place in the Islamic Republic of the Comoros on 28 September was published in Brussels and Madrid on 29 September:

'The EU strongly condemns the *coup d'état* which took place in Moroni on 28 September and expresses its concern about the consequences of the attempt and its repercussion on the functioning of the democratic institutions.

The EU urges the democratic institutions to fully resume functions and calls for constitutional guarantees to be re-established, whilst reiterating its support for human rights and the rule of law, which are the pillars of democratic order.

The Central and East European countries associated with the Union align themselves with this declaration.'

Ethiopia

1.4.6. The following presidency statement on behalf of the European Union concerning the democratic process in Ethiopia was published in Brussels and Madrid on 26 September:

'The election of the President and Prime Minister of the Federal Democratic Republic of Ethiopia and the formation of a new government marks the end of the transitional period in Ethiopia which began in 1991.

Recognizing this important step in the country's history, the European Union conveys its best wishes to the new authorities and assures them of its commitment to continue and further develop relations of cooperation and political dialogue.

The European Union has taken note with satisfaction of the renewed commitment of the Ethiopian authorities to govern the country in conformity with the democratic principles and the respect for human rights enshrined in the constitution.

In this regard, as the Prime Minister himself has recognized, further progress needs to be made, and the European Union appeals:

- to the government, which now has all the necessary powers at its disposal, to do its utmost to achieve these goals;
- to all political forces, including the opposition and all elements of civil society, to participate peacefully in this process.

The European Union takes this opportunity to reaffirm its desire to see Ethiopia fully and definitively embarked on this path and will follow its development closely.

The European Union is furthermore of the view that the pursuit of liberal economic policies open to private sector investment, both domestic and foreign, is vital for the rapid socioeconomic development of the country.

The Central and East European countries associated with the Union align themselves with this declaration.'

Guatemala

1.4.7. The following presidency statement on behalf of the European Union concerning the Contadora Declaration was published in Brussels and Madrid on 12 September:

'The European Union welcomes the undertaking entered into by Guatemala's political parties in the Contadora Declaration to respect the agreements already signed and those under negotiation between the government and the URNG. The European Union appreciates the positive role played by the Central American Parliament which took the initiative of organizing the Contadora meeting.

Similarly, the European Union welcomes the unilateral ceasefire announced by the URNG for the elections and hopes that the electoral process in Guate-

mala will take place peacefully and normally and that citizens will be able freely to exercise their right to vote. The European Union regrets, therefore, the threats and attacks recently suffered by certain candidates or their families.

The European Union urges the parties to continue on the path of negotiation and reiterates its desire to continue to contribute to the economic and social development of the country, for which the signing of a firm and lasting peace agreement will be of fundamental importance.

The Central and East European countries associated with the Union align themselves with this statement.'

Liberia

1.4.8. The following presidency statement on behalf of the European Union concerning the peace agreement between the main factions in Liberia was published in Brussels and Madrid on 14 September:

'The European Union welcomes the agreement signed in Abuja, Nigeria, on 19 August by the various factions in the conflict, which opens the way to hopes of peace and stability in Liberia.

The European Union asks the parties involved to make a major effort to ensure that the agreement is applied, and stresses the need for the international community to provide political and financial support for the peace process in Liberia.

The European Union confirms that it intends to give political and financial support to the peace process, and to continue its humanitarian assistance for the people of Liberia, as it has done since 1990, having paid out nearly ECU 150 million in assistance for victims of the war. However, in future all political and financial aid will be made dependent on sustained progress in application of the agreement reached in Abuja by the principal factions of the conflict in Liberia.

The European Union congratulates the ECOWAS, and particularly its President, President Rawlings of Ghana, on their efforts at and commitment to bringing peace to Liberia.

The Central and East European countries associated with the Union align themselves with this statement.'

Libya

1.4.9. The following presidency statement on behalf of the European Union concerning the expulsion of Palestinian citizens residing in Libya was published in Brussels and Madrid on 12 September:

'The European Union expresses its grave concern at the announcement made on 1 September by the leader of the Libyan revolution, Colonel Gaddafi, of the expulsion of Palestinian citizens.

On humanitarian grounds, the European Union appeals to the Libyan authorities to reconsider the implementation of this measure, which would seriously affect a large number of people.'

Sudan

1.4.10. The following presidency statement on behalf of the European Union concerning the release of political detainees in Sudan was published in Brussels and Madrid on 8 September:

'The European Union welcomes the decision of President Bashir to release 32 political detainees and people already sentenced for political crimes as important steps towards respect for human rights and democracy in Sudan.

The European Union hopes that these initiatives will soon be followed by steps towards peace, tolerance and reconciliation which could permit an improvement of relations between the European Union and Sudan.

Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Romania and Slovakia associate themselves with this declaration.'

Middle East peace process

1.4.11. The following presidency statement on behalf of the European Union was published in Brussels and Madrid on 25 September:

Reference: Agreement between Israel and the PLO: Bull. 9-1993, point 1.3.19

'The European Union expresses its deepest satisfaction at the achievement of the Interim Agreement, initialled in the Egyptian city of Taba on 24 September by Israel and the PLO. This agreement will pave the way for the second phase of Palestinian autonomy as envisaged in the Declaration of Principles.

The European Union applauds the clear-sightedness and political courage shown by both parties, which highlight their sincere will to achieve full and long-lasting peace in the Middle East. It likewise urges Israelis and Palestinians to continue working with the same determination to attain the ultimate goals of the peace process.

The European Union wishes to take advantage of this important opportunity to reiterate its political and economic commitment to the Middle East peace process and its unreserved support for peace and prosperity among the peoples of the region and their political, economic and social development.'

International organizations and conferences

United Nations and specialized agencies

1.4.12. General Assembly.

References:

World Summit for Social Development (Copenhagen): Bull. 3-1995, point 1.4.42

World Conference on Women in Beijing: point 1.3.122 of this Bulletin

Previous session: Bull. 9-1994, point 1.3.33

The 50th session opened in New York on 19 September. At the opening, the UN General Assembly elected as its President, Mr Diogo Freitas do Amaral, former Deputy Prime Minister of Portugal.

The European Union was represented during the second (ministerial) week of the session by Council President, Javier Solana Madariaga, Mr Marín and Mr Van den Broek.

Concurrently with the session, Mr Van den Broek and Mr Marín had a series of meetings with the Foreign Ministers of China, Japan, the USA, Russia, the Rio Group, Mercosur, the Central American States, the Non-Aligned Movement, New Zealand, Israel, Iran and the Gulf Cooperation Council. They also had bilateral talks.

In a speech given on behalf of the EU on 26 September (→ point 2.3.1), Mr Solana Madariaga expressed the Union's attachment to, and support for, the UN in this its 50th year. After recalling the organization's great achievements, he said the UN had to adapt to meet the challenges of the late 20th century if it was to remain effective and credible. He went on to outline what the EU saw as some of the most pressing political issues such as the situation in the former Yugoslavia, developments in Africa and the Middle East peace process. He congratulated the UN on its efforts in Latin America.

Turning to economic and social matters, Mr Solana Madariaga highlighted work done on the Agenda for Development and the main UN conferences this year (the World Summit for Social Development and the Conference on Women), which now had to be built on. He said that the coordinating role of the Economic and Social Council within the UN had to be strengthened and that the Council's work should mesh better with that of the General Assembly. He pointed out that the promotion and protection of human rights, as factors in securing peace, stability and development, had always been a priority for the Union and that the UN needed sufficient funding to carry out activities in this field. He also stressed the need to strengthen the UN's ability to provide humanitarian aid.

Speaking on behalf of the Union, the President also covered issues such as the environment, disarmament and nuclear non-proliferation, and the maintaining of peace and international security. The essential role of the Security Council was raised as was reform of its membership and Mr Solana Madariaga stressed the importance of the Union's commitment to peacekeeping operations and the value of increased cooperation between the UN and regional organizations.

European Bank for Reconstruction and Development

Financing

1.4.13. In September, the Bank approved the financing operations listed in Table 5.

Table 5 — EBRD financing

<i>(million ECU)</i>				
Country	Recipient	Sector	Loan	Equity
Estonia	Eurovision	Telecommunications	0.664	—
Russian Federation	Russian small business fund:			
	— Orbitabank	Banking	0.192	—
	— Stolichny Bank	Banking	1.724	—
	St Petersburg Investment Finance	Banking	2.011	—
Hungary	Investel syndicated loan facility	Telecommunications	38.302	—
Lithuania	Kaunas environment	Environment	11.451	—
Slovenia	Slovenska Polnohospodarska Banka	Banking	1.923	—
Ukraine/Armenia	Ulrichflot	Water distribution network	6.320	—

Common commercial policy

General matters

Operation of the customs union

1.4.14. Proposal for a Parliament and Council decision adopting an action programme for Community customs (Customs 2000)

Commission proposal: COM(95) 119; Bull. 4-1995, point 1.4.30

Endorsed by the Economic and Social Committee on 13 September. The Committee favoured the establishment of a coordinated computer network linking the Member States' customs offices and, in due course, a Community service to control fraud ('Eurozoll') similar to Europol.

Commercial policy instruments

Council anti-dumping measures

1.4.15. Proposal for a Council Regulation imposing a definitive anti-dumping duty on imports of disodium carbonate originating in the

United States of America and collecting definitively the provisional duty imposed.

Reference: Extension of provisional duty: OJ L 191, 12.8.1995; Bull. 7/8-1995, point 1.4.25

Adopted by the Commission on 14 September.

COM(95) 441

1.4.16. Proposal for a Council Regulation amending Regulation (EC) No 1015/94 imposing a definitive anti-dumping duty on imports of television camera systems originating in Japan.

Reference: Definitive duty: OJ L 111, 30.4.1994; Bull. 4-1994, point 1.3.77

Adopted by the Commission on 15 September.

COM(95) 420

Commission anti-dumping measures

1.4.17. Commission Regulation (EC) No 2318/95 imposing a provisional anti-dumping duty on imports of certain tube or pipe fittings, of iron or steel, originating in the People's Republic of China, Croatia and Thailand and terminating the anti-dumping proceeding in respect of imports of these fittings originating in the Slovak Republic and Taiwan.

Reference: Initiation of proceeding: OJ C 35, 3.2.1994; Bull. 1/2-1994, point 1.3.123

Adopted by the Commission on 27 September.

OJ L 234, 3.10.1995

1.4.18. Notice of impending expiry of anti-dumping measures in respect of imports of barium chloride originating in the People's Republic of China.

Reference: Definitive duty: OJ L 60, 7.3.1991; Bull. 3-1991, point 1.3.52

Published on 9 September.

OJ C 235, 9.9.1995

1.4.19. Notice of impending expiry of anti-dumping measures in respect of certain types of electronic microcircuits known as EPROMs originating in Japan.

References:

Definitive duty: OJ L 65, 12.3.1991; Bull. 3-1991, point 1.3.53, as amended by OJ L 262, 21.10.1993; Bull. 10-1993, point 1.3.73, and suspended by OJ L 165, 15.7.1995; Bull. 7/8-1995, point 1.4.39

Undertakings: OJ L 65, 12.3.1991; Bull. 3-1991, point 1.3.60

Published on 14 September.

OJ C 239, 14.9.1995

1.4.20. Notices of initiation of a review of anti-dumping measures concerning imports of tungsten ores and concentrates, tungstic oxide and tungstic acid, tungsten carbide and fused tungsten carbide originating in the People's Republic of China.

Reference: Definitive duties: OJ L 264, 27.9.1990; Bull. 9-1990, points 1.3.48 to 1.3.50, as amended by OJ L 64, 22.3.1995; Bull. 3-1995, point 1.4.28

Published on 21 September.

OJ C 244, 21.9.1995

Individual sectors

Textiles

1.4.21. Arrangement between the Community and Turkey on trade in clothing products.

References:

Previous arrangement: Bull. 11-1993, point 1.3.71

EC-Turkey Association Council: Bull. 3-1995, point 1.4.65

Recommendation for a Decision: Bull. 11-1994, point 1.3.97

Negotiating directives: Bull. 11-1994, point 1.3.97

On a proposal from the Commission, the Council adopted a Decision concerning the conclusion of the Arrangement on 18 September. The Arrangement covers 1995, but will be renewed automatically if the proposed customs union agreement between the Community and Turkey does not enter into force by 1 January 1996.

Development policy

General

Population

1.4.22. Proposal for a Council Regulation on aid for population policies and programmes in the developing countries.

Reference: International Conference on Population and Development (Cairo Conference): Bull. 9-1994, point 1.3.56

Adopted by the Commission on 8 September. The Regulation lays down administrative rules and procedures for operations financed under budget heading B7-5050 on aid for population policies and programmes in the developing countries. This is in response to the recommendations adopted at the International Conference on Population and Development, which was held in Cairo in September 1994. The idea is to help the developing countries to design, implement and evaluate population programmes and projects. The programmes financed from this budget heading will complement operations carried out under the European Development Fund (EDF) or agreements concluded between the European Union and third countries, and schemes funded by other budget headings covering issues such as defence of human rights, the role of women in the development process or support for non-governmental organizations.

COM(95) 295

Women in the development process

1.4.23. Communication from the Commission to the Council and Parliament on integrating gender issues in development cooperation.

Reference: Council conclusions on women in development: Bull. 5-1993, point 1.3.40

Adopted by the Commission on 18 September. In this communication, the Commission examines the effect of disparities between men and women on sustainable development and how neglect of these disparities can undermine the effectiveness of development actions. It therefore focuses on the need to take account of the different roles and situations of women and men throughout the range of development interventions and it sets out principles, objectives and means for development cooperation to take account of these issues. It also lays down general principles and practical arrangements for strengthening consultation and coordination between the Community and the Member States.

COM(95) 423

1.4.24. Beijing World Conference on Women (→ point 1.3.122).

Commodities and world agreements

Coffee

1.4.25. International Coffee Council.

Reference: International Coffee Agreement 1994: OJ L 222, 26.8.1994; Bull. 7/8-1994, point 1.3.113

Previous meeting: Bull. 5-1995, point 1.4.46

Third meeting held in London from 25 to 29 May. The meeting was a great success because of the increased membership of the Organization (33 exporter and 16 importer countries) which boosts the credibility of the 1994 Agreement. The participants discussed the Organization's work programme, the projects presented and the question of sustainable management of coffee resources. The Organization's budget for 1995/96 was also adopted.

Cooperation via non-governmental organizations

1.4.26. Projects in developing countries.

Commission co-financing: commitment of ECU 21 506 079 for 94 operations.

1.4.27. Campaigns to raise public awareness.

Commission contribution: ECU 4 969 859 for 35 operations.

Rehabilitation aid

1.4.28. Financing decisions: see Table 6.

Table 6 — *Rehabilitation and reconstruction measures*

<i>(ECU)</i>		
Country	Purpose	Amount
Angola	Assistance programme for the rehabilitation of the primary health care system in Caconda municipality	670 000
	Pro-Vita project: rehabilitation and construction of health stations	350 000
Bahamas	Rehabilitation programme for road infrastructure on Rodrigues Island	350 000
El Salvador	Technical assistance for the national civil police	950 000
Eritrea	Rehabilitation of workshops for vocational training of war-disabled displaced persons in Eritrea	819 000
	Reintegration programme for ex-combatants	282 695
	Database on ex-combatants	130 000
	Agricultural settlement for ex-combatants	500 000

Country	Purpose	Amount
Ethiopia	Promotion of comprehensive and maternity health services	468 667
	Agricultural rehabilitation in the war-affected zones of North Wollo and Wag Hamra	642 000
	Assistance for the reintegration of war veterans through the upgrading of the Malaké orthopaedic workshop and manufacturing unit	274 900
	Extension of the health-care rehabilitation programme in Afder	300 000
Haiti	Local development in the disadvantaged neighbourhoods of Port-au-Prince	160 000
	Integrated agricultural programme in the Colombier valley and Ravine à Coulevres	463 949
	Assistance programme for the disadvantaged urban population in Gonaïves and Saint Louis du Nord	250 030
Mozambique	Supervision, medical assistance, rehabilitation and expansion of the medical infrastructure of Mutarara Rural Hospital	1 979 000
	Increase of rural water supply and implementation of a technical network for rural wells in Zambezia province	752 000
	Rehabilitation of the Bela Vista water supply system	179 690
	Rehabilitation of the Moamba water supply system	643 000
Papua New Guinea	East New Britain Community Schools building programme	963 000
Saint-Lucia	Post hurricane 'Debbie' rural housing resettlement project	700 000
Tanzania	Rehabilitation of infrastructure facilities in areas sheltering Rwandan refugees	1 830 000
Zaire	Technical assistance for the rehabilitation of basic infrastructure	6 000 000

Humanitarian aid

1.4.29. Parliament resolution on the severe storms in southern Chile.

Adopted on 21 September. Following the recent severe storms in southern Chile from 11 to 16 August, Parliament called for reconstruction aid of at least ECU 1 million.

OJ C 269, 16.10.1995

1.4.30. Mr Ivica Kostovic, Deputy Prime Minister of Croatia, visited the Commission on 6 September.

Mr Kostovic had talks with Ms Bonino. He outlined Croatia's humanitarian assistance needs which had recently increased because of the influx of refugees from Bosnia-Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro). Talks also centred on the protection of the most-vulnerable sections of the population. Ms Bonino assured Mr Kostovic that the Commission would continue to supply Croatia with the emergency aid it needed, particularly in order to pave the way for its rehabilitation.

1.4.31. Commission decisions: see Table 7.

Table 7 — *Humanitarian aid*

		<i>(million ECU)</i>
Country/region	Purpose	Amount
<i>Financing: EDF (ACP countries)</i>		
Guinea	Cholera epidemic	0.42
Liberia	Medical aid for Liberia	0.28
Sierra Leone	Cholera epidemic	0.73
	Displaced persons	0.25
<i>Financing: 1995 ECHO budget</i>		
Afghanistan	Fighting	0.305
ACP Caribbean States (Antigua and Barbuda, Saint Kitts and Nevis)	Cyclone 'Luis'	0.9
South Caucasus	Fighting	0.54
Colombia	Aid for vulnerable sections of society	1
Central and Eastern Europe and independent States of the former Soviet Union	Prevention of nuclear disasters	0.258
Guatemala	Displaced persons	0.569
Iraq	Aid for vulnerable sections of society	12.1
Liberia	Cholera epidemic	0.2
	Nutritional assistance	0.5
Nicaragua	Malaria and cholera	1
Somalia	Fighting	1
Yemen	Medical assistance	0.2
Former Yugoslavia	Displaced persons and refugees	4.6

Central and Eastern Europe, Baltic States

General

1.4.32. Own-initiative opinion of the Committee of the Regions on the role of local and regional authorities in education and training provided by the European Union in the countries of Central and Eastern Europe.

Adopted by the Committee of the Regions on 20 September. The Committee underlined the importance of education and training in backing up the ongoing process of reform in the countries of Central and Eastern Europe. It also expressed its support for a decentralized approach involving local authorities to ensure that the education and training supplied took account of the diversity of regional and local development. The Committee further advocated greater representation for regional and local authorities in the implementation of education and

training programmes and called for a bottom-up approach to their management.

Pre-accession strategy

Structured relations

1.4.33. Joint ministerial meeting between the European Union, the associated Central and East European countries and the Baltic States (justice and home affairs).

Previous meeting: Bull. 6-1995, point 1.4.61

Meeting held in Brussels on 25 September. This was the second meeting of the justice and home affairs ministers of the 15 Member States and their counterparts in the associated Central and East European countries and the Baltic States. It was chaired by Mr Juan Alberto Belloch Julbe, Spain's Minister for Justice and Home Affairs and President of the Council, with Mrs Gradin representing the Commission.

Talks focused mainly on the adaptation of the legal system, organized crime (drug trafficking, money laundering, traffic in vehicles), police training and illegal immigration. Ministers also agreed on a joint action programme in matters of judicial cooperation in the fight against organized international crime.

1.4.34. Joint ministerial meeting between the European Union, the associated Central and East European countries and the Baltic States (agriculture).

Meeting held in Brussels on 26 September. This was the first meeting of the agriculture ministers of the 15 Member States and their counterparts in the associated Central and East European countries and the Baltic States. It was chaired by Mr Luis María Atienza Serna, the Spanish Minister for Agriculture, Fisheries and Food and President of the Council, with Mr Fischler representing the Commission.

The meeting was devoted mainly to a general exchange of views on the agriculture policies of the Union and the associated countries and on the prospects for the agriculture sector in those countries. During the discussion the representatives of the associated countries reported on the extent to which their agricultural reforms were

geared to future integration in the CAP and outlined the obstacles still to be overcome.

1.4.35. Joint ministerial meeting between the European Union and the associated Central and East European countries (transport).

Meeting held in Brussels on 28 September. The meeting was the first between transport ministers of the 15 Member States and their counterparts in the associated Central and East European countries and the Baltic States and was chaired by Mr José Borrell Fontelles, Spain's Minister for Public Works, Transport and the Environment and President of the Council. Mr Kinnock represented the Commission.

Three main questions were examined in detail:

□ market integration in the transport sector: the Association Council noted that such integration must be achieved gradually and be based on a twofold strategy as the opening-up of the market went hand in hand with legislative approximation. In this respect, the substantial progress already made in adopting Community standards in international transport services must be extended to include domestic services also;

□ transport infrastructure: in view of the inability of transport infrastructure to cope with current and projected traffic flows, the Association Council agreed to undertake a joint assessment of requirements in order to decide on priority projects;

□ integrated transport system: the Association Council considered the development of such a system an appropriate means of remedying the present imbalances and agreed henceforth to involve the associated countries in Community programmes and activities in the transport sector with a view to arriving at a common approach to promote development of this system.

Europe (association) Agreements and other agreements

Slovenia

1.4.36. Draft interim Agreement on trade and trade-related measures between the Community and the Republic of Slovenia.

Reference: Draft Europe (association) Agreement between the European Communities and their Member States and Slovenia: Bull. 7/8-1995, point 1.4.64

The Commission adopted a recommendation for a decision on 6 September on the early implementation of the trade and trade-related measures included in the draft Europe (association) Agreement initialled in June.

Bilateral relations

Poland

1.4.37. Mr Santer visited Poland on 25 and 26 September.

Reference: Council Regulation (EEC) No 3906/89 on economic aid to certain countries of Central and Eastern Europe (PHARE programme) (OJ L 375, 23.12.1989; Bull. 12-1989, point 2.2.25), as last amended by Regulation (EC) No 1366/95: OJ L 133, 17.6.1995; Bull. 6-1995, point 1.4.77

During his visit Mr Santer met Mr Lech Walesa, President of Poland, Mr Jozef Oleksy, the Prime Minister, and other members of the government. He also saw various Members of Parliament and Cardinal Jozef Glemp, Primate of Poland. Their talks revolved mainly around Poland's adjustment effort with a view to future accession. Mr Santer spoke of the EU's political commitment to Polish accession and existing initiatives for preparing Poland for that goal, e.g. the pre-accession strategy and the PHARE programme, under which Poland had already received ECU 1 billion since 1990.

Mr Santer also spoke at the opening session of the European conference of the International Labour Office which was taking place in Warsaw at that time and delivered the opening address of the academic year at the College of Europe in Natolin.

Mediterranean and Middle East

General

1.4.38. Opinion of the Economic and Social Committee on the Euro-Mediterranean partnership.

References:

Conclusions of the Corfu European Council: Bull. 6-1994, point I.10

Commission communication to the Council and Parliament on strengthening the Mediterranean

policy of the European Union: establishing a Euro-Mediterranean partnership: COM(94) 427; Bull. 10-1994, 1.3.34

Conclusions of the Essen European Council: Bull. 12-1994, points I.14 et I.55

Commission communication to the Council and Parliament on strengthening the Mediterranean policy of the European Union: proposals for implementing a Euro-Mediterranean partnership: COM(95) 72; Bull. 3-1995, point 1.4.57

Conclusions of the Cannes European Council: Bull. 6-1995, points I.12, I.13 et I.49

Adopted by the Economic and Social Committee on 14 September. The Committee approved the general approach of the Commission's proposals on strengthening the Mediterranean policy of the Union and particularly appreciated the linkage of economic, political and development/security aspects and the generalized use of multilateral instruments, emphasizing global cooperation in preference to a policy based on exclusively bilateral relations. It approved the principles of partnership, political dialogue and balanced economic and social development and favoured a comprehensive framework agreement to boost the potential for regional cooperation among the countries in the individual Mediterranean sub-regions. It stressed the need to preserve the cultural identity of the societies concerned and reiterated its concern that EU-Mediterranean cooperation must guarantee effective protection of human rights. In this context it looked forward to the introduction of regular monitoring procedures which would ensure that the conditionality principle contained in the partnership agreements could be properly applied. The Committee stated its conviction that closer involvement of civil society in the associated countries in partnership operations was one of the most constructive contributions that the European Union could make to safeguarding human rights and strengthening institutions and democratic traditions. It deplored, however, the fact that successive Commission communications had not tackled the question of the indebtedness of the Mediterranean countries.

Northern Mediterranean

Structured dialogue with Cyprus and Malta

1.4.39. Joint ministerial meeting between the European Union and Cyprus and Malta (justice and home affairs).

References:

Council Decision on detailed procedures for the structured dialogue between the European Union and Cyprus: Bull. 7/8-1995, point 1.4.72

Council Decision on detailed procedures for the structured dialogue between the European Union and Malta: Bull. 7/8-1995, point 1.4.75

First meeting held in Brussels on 25 September. This meeting, the first in the structured dialogue with Cyprus and Malta, was chaired by Mr Juan Alberto Belloch Julbe, Spanish Minister for Justice and Home Affairs and President of the Council; Cyprus was represented by Mr Dinos Michaelides, Minister for the Interior, and Mr Alecos Evangelou, Minister for Justice and Public Order, Malta by Mr Michael Refalo, Minister for Justice, and Mr Tonio Borg, Minister for the Interior, and the Commission by Mrs Gradin. The talks centred on measures to combat international organized crime, the participation of Cyprus and Malta in the Europol Drugs Unit and in Europol, police training, the accession of Cyprus and Malta to international conventions, and cooperation in training for the judicial authorities.

Former Yugoslavia

General

1.4.40. Commission communication to the Council on reconstruction of the former Yugoslavia.

Adopted by the Commission on 27 September. Outlines the major components of aid which the European Union could provide for reconstruction of the former Yugoslavia, with emphasis on the need to coordinate the international reconstruction effort.

1.4.41. Parliament resolution on the situation in the former Yugoslavia.

Adopted by Parliament on 21 September. Parliament expressed support for the action required to enforce the UN Security Council resolutions and insisted on the need for the earliest possible mutual and explicit recognition of the internationally recognized frontiers of Croatia, Bosnia-Herzegovina and Serbia. It called on the Bosnian and Croatian Governments to refrain from any action that might cause an increase in the number of refugees, urged the Croatian and Serb

Governments to refrain from the use of force to settle the question of the control of Eastern Slavonia and insisted that the Serb Government should not send Serbian refugees to Kosovo and Vojvodina in an attempt to reshape the ethnic composition of those two provinces. Parliament noted with interest that negotiations among all the parties concerned had led to a preliminary agreement that might bring peace to Bosnia-Herzegovina and called on the European Union to follow closely developments in this regard. It insisted that special attention be given to the restoration of a multiethnic, multireligious and multicultural society in Bosnia-Herzegovina and to the establishment of a system of democratic government and respect for human rights; it therefore insisted that all refugees be given the right and the possibility to return to their places of origin.

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Bosnia-Herzegovina

1.4.42. Visit to the Commission by Mr Muhammed Sacirbey, Foreign Minister, on 12 September.

Mr Sacirbey saw Mr Hans van den Broek, with whom he discussed the situation in Bosnia-Herzegovina. He observed that there were hopeful signs, but warned that it was necessary to remain cautious in view of the continuing uncertainties. He shared Mr Van den Broek's view that the various reconstruction aid measures should relate to the whole of the region, including the Serb territories, but stressed that this aid should only be made available subject to the fulfilment of certain criteria concerning respect for democracy, the repatriation of refugees and the effective functioning of the International Tribunal. Mr Van den Broek, for his part, was adamant that the provision of reconstruction aid by the international community should be managed in such a way as to encourage cooperation between the various States in the region and thereby help to create the conditions for greater regional stability.

Federal Republic of Yugoslavia (Serbia and Montenegro)

1.4.43. Council Regulation (EC) No 2229/95 amending Regulation (EC) No 2472/94 suspending certain elements of the embargo on the

Federal Republic of Yugoslavia (Serbia and Montenegro); Decision 95/378/CFSP on the common position defined by the Council on the basis of Article J.2 of the Treaty on European Union with regard to the extension of the suspension of certain restrictions on trade with the Federal Republic of Yugoslavia (Serbia and Montenegro).

Regulation amended: Council Regulation (EC) No 2472/94 suspending certain elements of the embargo on the Federal Republic of Yugoslavia (Serbia and Montenegro) (OJ L 266, 15.10.1994; Bull. 10-1994, point 1.3.36), as amended by Regulation (EC) No 1673/95: OJ L 160, 11.7.1995; Bull. 7/8-1995, point 1.4.82

Proposals adopted by the Commission on 13 September.

COM(95) 432

Adopted by the Council on 19 September. Provides for the suspension of certain restrictions on trade with the Federal Republic of Yugoslavia (Serbia and Montenegro) to be extended until 18 March 1996.

OJ L 227, 22.9.1995

Maghreb countries

Morocco

1.4.44. Commission statement on EU relations with Morocco.

References:

Draft Euro-Mediterranean Association Agreement with Morocco: Bull. 12-1993, point 1.3.33

New draft fisheries agreement between the Community and Morocco: Bull. 11-1994, point 1.2.171

Cannes European Council: Bull. 6-1995, points I.13 and I.49

Visit to the Commission by Mr Abdelattif Filali, Prime Minister and Minister for Foreign Affairs and Cooperation: Bull. 7/8-1995, point 1.4.83

Adopted by the Commission on 5 September.

'1. At its meeting on 5 September, the Commission examined the whole spectrum of ties between the EU and Morocco on the basis of reports tabled by Mr Marín and Ms Bonino on the negotiations in progress.

2. The Commission was convinced that Morocco should remain one of the EU's very close partners,

particularly in the light of the new Mediterranean policy. It was in this spirit of partnership that it had been conducting the negotiations.

3. The Commission was therefore determined to make further headway with the negotiations, be it on the fisheries agreement or the Association Agreement. It had always shown a readiness over recent months to negotiate openly with Morocco and has eschewed any hostile behaviour or action that was out of step with the practice of international relations. It had shown good faith and a willingness to engage in dialogue, even heeding a request by the Moroccan Government in taking concrete measures in the expectation that Morocco would recognize their real value.

4. The fisheries agreement, which had already expired, had to be renegotiated in a climate of confidence and mutual respect as was fitting for any accord of this type. Each side, while defending its legitimate interests, had to show a genuine willingness to negotiate and bear in mind the other side's difficulties in order to secure a balanced outcome. The Commission reaffirmed that it was willing to round off the talks as swiftly as possible. It would conduct them in a constructive manner, hoping that Morocco for its part would display readiness to conclude an agreement. This entailed a measure of flexibility on both sides.

5. The Commission was worried about the serious socioeconomic difficulties being experienced in those regions of the EC worst hit by the suspension of fisheries activities over the last five months. It expected its Moroccan partners to bear this mind and refrain from putting forward demands that could not be reasonably met.

The Commission said it would provide appropriate funds to help deal with the difficulties currently besetting Community fishermen whose activities had been paralysed by the current crisis.'

Mashreq countries

Israel

1.4.45. Draft Association Agreement with Israel.

References:

Agreement between the European Economic Community and the State of Israel: OJ L 136, 28.5.1975

Conclusions of the Corfu European Council: Bull. 6-1994, point I.10

Commission communication to the Council and Parliament on strengthening the Mediterranean policy of the European Union: establishing a Euro-Mediterranean partnership: COM(94) 427; Bull. 10-1994, 1.3.34

Conclusions of the Essen European Council: Bull. 12-1994, points I.14 and I.55

Commission communication to the Council and Parliament on strengthening the EU's Mediterranean policy: proposals for implementing a Euro-Mediterranean partnership: COM(95) 72; Bull. 3-1995, point 1.4.57

Conclusions of the Cannes European Council: Bull. 6-1995, points I.12, I.13 and I.49

Recommendation for a Council Decision: Bull. 9-1993, point 1.3.24

Council agreement: Bull. 10-1993, point 1.3.27

Negotiating directives: Bull. 12-1993, point 1.3.31

Agreement initialled in Brussels on 28 September. This Agreement, which fits in with the establishment of a Euro-Mediterranean partnership, will replace the 1975 Cooperation Agreement and is aimed at forging closer ties between the Community and Israel, particularly as regards political dialogue. It will embrace new areas such as the opening-up of public procurement and the gradual liberalization of trade.

Support for the peace process

1.4.46. Agreement on the extension of autonomy to the whole of the West Bank.

Signed in Washington on 28 September. This agreement, which sets out arrangements for autonomy in the West Bank, was signed by Mr Yasser Arafat, President of the Palestinian Authority, Mr Yitzhak Rabin, Israeli Prime Minister, Mr Bill Clinton, US President, and Felipe González, President of the Council and Spanish Prime Minister, as a witness. The signing ceremony was also attended by Mr Boris Yeltsin, President of the Russian Federation, Mr Hosni Mubarak, President of Egypt, King Hussein of Jordan and Mr Santer, Commission President.

1.4.47. Decision 95/403/CFSP supplementing Decision 94/276/CFSP on a common action adopted by the Council on the basis of Article J.3 of the Treaty on European Union to support the Middle East peace process concerning the

observation of elections to the Palestinian Council and the coordination of the international operation for observing the elections.

References:

Agreement between Israel and the PLO: Bull. 9-1993, point 1.3.19

Agreement on the extension of autonomy to the whole of the West Bank, point 1.4.46 of this Bulletin

Decision supplemented: Decision 94/276/CFSP concerning a common action in support of the peace process in the Middle East: OJ L 119, 7.5.1994; Bull. 4-1994, point 1.3.2, as last supplemented by Decision 95/205/CFSP: OJ L 130, 14.6.1995; Bull. 6-1995, point 1.4.85

Adopted by the Council on 25 September. The aim, in line with Decision 95/205/CFSP and the September 1993 declaration of principles, is to cooperate on the preparation and observation of elections to the Palestinian Council by sending a team of 300 observers, of whom 30 would be appointed by Parliament.

OJ L 238, 6.10.1995

1.4.48. Own-initiative opinion of the Economic and Social Committee on relations between the European Union and the Middle East.

References:

Own-initiative opinion of the Economic and Social Committee on the European Community and economic cooperation with the Middle East: OJ C 73, 15.3.1993; Bull. 1/2-1993, point 1.3.29

Commission communication on future relations and cooperation between the Community and the Middle East: COM(93) 375; Bull. 9-1993, point 1.3.18

Adopted by the Economic and Social Committee on 14 September. The Committee examined the economic and social implications of the Middle East peace process and the new scope it offered for regional cooperation. It felt that priority should be given to employment and to schemes aimed at improving living conditions for the local Palestinian population and that efforts should focus on furthering economic reform, with the aim of reducing the excessive dependence of the Palestinian economy and creating a new legal framework. The Committee also considered that NGOs were the appropriate vehicles for getting cooperation between the EU and the Palestinian territories off the ground.

Independent States of the former Soviet Union; Mongolia

Assistance for the independent States of the former Soviet Union

Financial assistance

Ukraine

1.4.49. Proposal for a Council Decision providing further macrofinancial assistance to Ukraine.

Commission proposal: OJ C 164, 30.6.1995; COM(95) 195; Bull. 5-1995, point 1.4.88

Council conclusions: Bull. 5-1995, point 1.4.88

Council agreement: Bull. 6-1995, point 1.4.95

Endorsed by Parliament on 22 September, subject to an amendment relating to the increase in the resources provided by the Member States to finance the Guarantee Fund.

OJ C 269, 16.10.1995

Technical assistance

Basic Regulation: Council Regulation (EEC, Euratom) No 2053/93 concerning the provision of technical assistance to economic reform and recovery in the independent States of the former Soviet Union and Mongolia (TACIS programme): OJ L 187, 29.7.1993; Bull. 7/8-1993, point 1.3.15

1.4.50. Commission decision concerning the TACIS 1995 inter-State action programmes for the CIS countries and Mongolia.

Reference: Commission communication regarding food aid for Armenia, Georgia, Azerbaijan, Kyrgyzstan and Tadjikistan: COM(95) 313; Bull. 7/8-1995, point 1.4.93

Adopted on 5 September. The decision grants ECU 66 million in Community financing to identical technical assistance projects to be implemented in the newly independent States and Mongolia. The total includes ECU 11 million to finance the provision of technical assistance to back up the supply of food aid to Armenia, Georgia, Azerbaijan, Kyrgyzstan and Tadjikistan.

1.4.51. Commission decision approving the 1995 action programmes for Belarus, Kazakhstan and Moldova.

Adopted on 5 September. The decision grants ECU 12 million in Community financing to Belarus, ECU 15 million to Kazakhstan and ECU 9 million to Moldova.

1.4.52. Commission decision approving the TACIS action programmes for the Russian Federation, north-west Russia and the Lake Baikal region.

Adopted on 19 September. The decision grants ECU 161.19 million for 1995, including ECU 120 million to Russia, ECU 27.5 million to north-west Russia and ECU 13.69 million to the Lake Baikal region.

United States, Japan and other industrialized countries

United States

1.4.53. Economic and Social Committee information report on relations between the European Union and the United States.

Adopted by the Economic and Social Committee on 14 September. After stating that the end of the cold war marked a shift of emphasis in the transatlantic dialogue from security issues to economic cooperation, trade relations and environmental and social questions, the Committee in this report examines the various aspects of relations between the United States and the European Union: political cooperation, economic relations, specific bilateral questions (in particular, the audiovisual sector, agriculture, aircraft, telecommunications and standardization), the respective roles of the two parties in the multilateral system, and trade policy. The Committee advocates the establishment of a broader dialogue on all of these issues, with the involvement both of the political community and of economic and social interest groups.

Asia

Bilateral relations

Vietnam

1.4.54. Visit by Mr Marín from 19 to 22 September.

Reference: Signing of the framework Cooperation Agreement between the European Community and Vietnam: Bull. 7/8-1995, point 1.4.100

Mr Marín met Prime Minister Vo Van Kiet, Mr Pham Van Kai, Deputy Prime Minister, the Foreign Minister, Nguyen Manh Cam, and Mr Do Quoc Sam, Chairman of the State Planning Commission. Discussions focused on the framework Agreement's implementation on the basis of the following priorities: support for Vietnam's economic transition, promotion of investment and technology transfer and Vietnam's inclusion in European Union-ASEAN cooperation. Interest was also expressed in greater political dialogue between the two sides.

Latin America

Relations with regional bodies

Relations with Mercosur

1.4.55. Draft interregional Agreement on trade and economic cooperation agreement between the European Community and Mercosur.

Commission recommendation: Bull. 4-1995, point 1.4.88

Negotiating directives: Bull. 6-1995, point 1.4.108

Initialled on 29 September. The framework Agreement's aim is to strengthen existing ties between the Community and Mercosur and to establish as close a relationship as possible on economic, trade, industrial, scientific, institutional and cultural matters which will pave the way for liberalization of trade.

Bilateral relations

Brazil

1.4.56. Visit to the Commission by the Brazilian President, Mr Fernando Henrique Cardoso, on 14 September.

Mr Cardoso met Mr Santer. During their talks he stressed the importance of the current transformation process in Brazil which was founded on stabilization, reform and openness. He also expressed Brazil's desire to forge closer relations with the European Union. This was the first visit to the Commission by a Brazilian President since the restoration of democracy in Brazil.

Mexico

1.4.57. Visit to the Commission by Mr Hermínio Blanco, Minister for Trade and Industry, on 13 September.

Reference: Joint solemn declaration by the Council and the Commission, of the one part, and Mexico, of the other: Bull. 5-1995, point 1.4.104

Mr Blanco met Sir Leon Brittan, Mr Marín, Mr Bangemann, Mr Van den Broek and Mr Fischler. In the course of his visit, Mr Blanco expressed Mexico's determination to embark upon negotiations with the European Union for a new agreement on the basis of the joint declaration signed on 2 May.

Aid to refugees and displaced persons

1.4.58. Commission decisions: see Table 8.

Table 8 — *Aid to refugees and displaced persons*

<i>(million ECU)</i>		
Country	Number of programmes	Total
El Salvador	1	0.2
Guatemala	2	1.33

ACP countries, South Africa and OCTs

Relations with ACP countries

Institutions

ACP-EC Joint Assembly

1.4.59. Twenty-first session.

References:

Fourth Lomé Convention: OJ L 229, 17.8.1991; Bull. 9-1991, point 1.3.38

ACP-EC ministerial conference: Bull. 6-1995, point 1.4.115

Conclusions of the European Council meeting in Cannes: Bull. 6-1995, point 1.58

Mid-term review of the Fourth Lomé Convention: Bull. 7/8-1995, point 1.4.107

Previous session: Bull. 1/2-1995, point 1.4.110

Session held in Brussels from 25 to 29 September. The Co-Presidents were Lord Plumb (United Kingdom) and Mr Marcel Elois Rahandi Chambrier (Gabon). Mr Pinheiro represented the Commission.

In his address, Mr Pinheiro presented the results of the mid-term review of the Lomé Convention and indicated that the Commission would have liked a higher financial allocation for the eighth EDF. He noted that a number of innovations regarding the use of aid had been introduced. These included the need to make programming more effective and greater use of risk capital to help develop the private sector. He also stressed the effort that had been made to meet the ACP States' expectations regarding the resources made available for developing trade and the European Union's undertaking to make a positive contribution towards reducing their debt.

Mr Chambrier touched on the mid-term review, which dominated the discussions, welcomed the outcome and also regretted that more had not been allocated to the eighth EDF. Lord Plumb said that the Convention was not a response to the development problem but an instrument for integrating the ACP economies more fully into the world economy.

Other questions raised at the session were infrastructure and the industrial development of ACP countries, their urbanization, refugees, nuclear tests in the Pacific and the situation in certain countries, particularly Angola, Rwanda, Burundi, Somalia, Haiti and Liberia.

Protocols

Sugar

1.4.60. Draft agreement on the guaranteed prices applicable for the 1995/96 delivery period to cane sugar originating in the ACP countries listed in Protocol 8 to the fourth Lomé Convention.

Reference: Fourth Lomé Convention: OJ L 229, 17.8.1991; Bull. 9-1991, point 1.3.38

The Commission adopted a recommendation for a Council Decision on 22 September.

Bilateral relations

Angola

1.4.61. Donors' round table on rebuilding Angola.

Meeting held in Brussels on 25 and 26 September. Held at the initiative of the Commission and the United Nations, the gathering was attended by Mr Pinheiro, Member of the Commission, Mr José Eduardo dos Santos, President of the Republic of Angola, and Mr Jonas Savimbi, Head of UNITA. The donors agreed to contribute USD 993 million towards rehabilitating Angola, with USD 154 million coming from the Commission. Together with the amount contributed by the Member States, the European Union as a whole is providing 43% of the total pledged by the international community.

Burundi and Rwanda

1.4.62. Parliament resolution on the situation in the Great Lakes region of Africa, and particularly in Burundi and Rwanda.

References:

Council Decision 94/697/CFSP concerning the common position on the objectives and priorities of the European Union *vis-à-vis* Rwanda: OJ L 283, 29.10.1994; Bull. 10-1994, point 1.3.4

Council guidelines on a programme of immediate action to restore social and production structures in Rwanda: Bull. 11-1994, point 1.3.70

Commission Decision on economic cooperation with Rwanda: Bull. 7/8-1995, point 1.4.113

Council Decision 95/91/CFSP on the common position on Burundi defined by the Council on the basis of Article J.2 of the Treaty on European Union: OJ L 72, 1.4.1995; Bull. 3-1995, point 1.4.94

Adopted on 21 September. Parliament condemned the acts of violence perpetrated by all extremists in Burundi and Rwanda, called on the Council to provide the basis and necessary financial support for a global policy for the Great Lakes region and requested the creation of a budget heading specifically for measures to prevent conflict in the area.

With regard to Burundi, Parliament called for the armed militias to be disbanded and all aid to Burundi extremists to end, reaffirmed its full support for the country's legitimate democratic institutions and the efforts of its Head of State and Head of Government, and emphasized the importance of the 'national debate' envisaged in the 'Government Convention' for reactivating the process of national reconciliation and democratic dialogue. The resolution called on the Council to cooperate fully with the Burundi authorities, within the framework set out in United Nations Resolution 1012/95, in their efforts to bring to justice those responsible for the assassination of President Ndadaye and the perpetrators of the ensuing violence and to promote national reconciliation in Burundi. It also urged the Council to implement the various measures envisaged in the common position on Burundi and called on the Commission to respond as swiftly as possible to any requests by the Burundi Government for humanitarian aid and to create the necessary instruments for technical and financial cooperation.

Concerning Rwanda, Parliament condemned those countries which were still supplying arms to the different factions. It called on the Government of Rwanda, the governments of other countries in the region, the Member States and the Council to cooperate fully with the United Nations Commission and to assist in identifying the parties helping the former Rwandan Government forces to acquire arms illegally. It repeated its request for the international tribunal to com-

plete its task as this was an essential prerequisite for a return to civil peace. The resolution also called on the Rwandan Government to take whatever steps were necessary to launch a democratic process of national reconciliation, speed up measures to enable refugees to return and improve jail conditions. It urged the international community, particularly the European Union, to increase financial and technical assistance to the country especially in the field of justice and security.

OJ C 269, 16.10.1995

São Tomé and Príncipe

1.4.63. Visit to the Commission by the President, Mr Miguel Trovoada, on 27 September.

Reference: Presidency statements on behalf of the European Union regarding the coup in São Tomé and Príncipe: Bull. 7/8-1995, points 1.4.13 and 1.4.14

Mr Trovoada saw Mr Santer and Mr Pinheiro in whose presence he reaffirmed his determination to continue along the path to democracy. He also appealed to Europe to show solidarity with São Tomé and Príncipe. Mr Santer reminded the President that the European Union had condemned the August coup very firmly and welcomed the return to legality.

Relations with the OCTs

1.4.64. Proposal for a Council Decision reducing the transfers to be paid to the OCTs under the system for stabilizing export earnings set up by the Council Decision of 25 July 1991 on the association of the OCTs with the European Economic Community.

References:

Council Decision 91/482/EEC on the association of the overseas countries and territories with the European Economic Community: OJ L 263, 19.9.1991; Bull. 7/8-1991, point 1.3.46

Council Decision reducing the transfers to be paid to the OCTs under the system for stabilizing

export earnings set up by the Council Decision of 25 July 1991 on the association of the OCTs with the European Economic Community: Bull. 1/2-1995, point 1.4.115

Adopted by the Commission on 22 September.
Purpose: to reduce transfer rights for Falklands Islands wool by 23.7621% to bring the total transferred to ECU 900 000, which is equal to the resources available for the 1994 application year.

COM(95) 439

Financial and technical cooperation

1.4.65. Project financing.

Commission decisions allocating a total of ECU 35 650 000 from the seventh EDF for projects and programmes which it is running (see Table 9).

Table 9 — *Financing of operations under the seventh EDF*

<i>(million ECU)</i>		
Country	Project	Amount
<i>Rural production</i>		
Dominica	Agricultural diversification	2.25
Uganda/ Rwanda/ Kenya Namibia	Forests Stock rearing	4.85 3.75
<i>Exceptional aid</i>		
Mozambique Angola	AIDS Rural rehabilitation	5 3
<i>Miscellaneous</i>		
Zambia	Support for structural adjustment	16.8
Total		35.65

5. Justice and home affairs cooperation

General

1.5.1. Council Joint Action 95/401/JHA on measures implementing Article K.1 of the Treaty on European Union adopted on the basis of Article K.3 of the Treaty; Council Decision 95/402/JHA concerning the implementation of the Joint Action on measures implementing Article K.1 of the Treaty on European Union.

Reference: 1995 budget (OJ L 369, 31.12.1994; Bull. 12-1994, point 1.5.3), as amended by supplementary and amending budget No 1: Bull. 4-1995, point 1.6.2

Adopted on 25 September. The instruments adopted by the Council allocate the budget earmarked in 1995 for implementation of Article K.1 of the Treaty on European Union to measures relating to training, the gathering and exchange of information and experience, seminars, studies and publications, and other operational measures in support of the Union's cooperation activities. The ECU 5.2 million allocation is to be distributed as follows: asylum, immigration and judicial cooperation, ECU 2.5 million; police and customs cooperation, ECU 2.2 million (including ECU 400 000 for customs cooperation); transparency of activities, ECU 500 000. Requests for financing will be processed by the Commission and decisions on the projects and associated financing will be taken by a group of representatives of the Member States.

OJ L 238, 6.10.1995

Asylum, external borders and immigration

1.5.2. Parliament resolution on the communication from the Commission to the Council and Parliament on immigration and asylum policies.

Reference: Commission communication: COM (94) 23; Bull. 1/2-1994, point 1.4.3

Adopted on 21 September. Parliament endorsed the Commission's general approach and asked it

to present a detailed work programme without delay. Arguing that a clear distinction must be made between asylum, the right to which is enshrined in the Universal Declaration of Human Rights, and immigration, Parliament drew attention:

□ with regard to asylum, to the need to base policy on the international conventions currently in force (the 1951 Geneva Convention and the European Convention on Human Rights) and to devote special attention to the victims of violence, children, women and those who have refused to participate in civil war;

□ with regard to immigration, to the importance of a policy of integration and to the priority to be given to strengthening the legal position of citizens of non-member countries legally resident in a Member State; Parliament also called for a coherent policy for the repatriation of illegal immigrants and for the stepping-up of action against the organizers of illegal immigration rackets and against illegal employment.

Parliament is of the opinion that decisions on asylum and immigration should gradually be brought within Community jurisdiction, and called on the Commission to present a proposal for the implementation of Article K.9 of the Union Treaty. It also demanded that the Council consult it automatically on draft decisions in this area in accordance with Article K.6 of the Treaty.

OJ C 269, 16.10.1995

1.5.3. Parliament resolution on the draft Council resolution on the admission of third-country nationals to the territory of the Member States of the European Union for study purposes.

Reference: Council resolution: Bull. 11-1994, point 1.4.6

Adopted on 22 September. Parliament called on the Council to consult it formally on its resolution on the admission of third-country nationals to the territory of the Member States for study purposes in accordance with Article K.6 of the

Union Treaty and to publish its resolution in a version incorporating Parliament's proposed amendments, which are geared primarily to easing the students' study period, with particular emphasis being placed on the importance of establishing academic and cultural contacts with non-member countries. Parliament also called on the Commission to make use of its right of initiative.

OJ C 269, 16.10.1995

1.5.4. Parliament resolution on the draft Council resolution on the admission of third-country nationals to the territory of the Member States for the purposes of pursuing activities as self-employed persons.

Reference: Council resolution: Bull. 11-1994, point 1.4.7

Adopted on 22 September. Parliament is of the opinion that a resolution can be no more than a provisional measure pending the adoption of a binding measure on a proposal from the Commission. It called on the Commission to make such a proposal and on the Council to adopt its resolution in the light of Parliament's proposed amendments, which are geared primarily to deleting the provisions preventing immigrants from becoming self-employed once they have started work with an employer.

OJ C 269, 16.10.1995

1.5.5. Parliament resolution on the draft Council conclusions on the organization and development of the Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration (Cirefi).

Reference: Council conclusions: Bull. 11-1994, point 1.4.9

Adopted on 22 September. On the grounds that the Council conclusions on Cirefi are not one of the instruments of cooperation referred to in Article K.3 of Title VI of the Union Treaty and that it should have been consulted on the text, Parliament argued that it did not have sufficient information on Cirefi but that the information it did have showed that the Centre will be engaged primarily in combating illegal immigration, an activity with legislative implications, and that its work could well duplicate that of existing bodies. It consequently rejected the Council's draft conclusions and called on the Commission to make its position known and to use its right of initiative.

OJ C 269, 16.10.1995

1.5.6. Council resolution on burden-sharing with regard to the admission and residence of displaced persons on a temporary basis.

Council agreement: Bull. 6-1995, point 1.5.3

Adopted on 25 September.

OJ C 262, 7.10.1995

Judicial, customs and police cooperation

Judicial cooperation

1.5.7. Draft Convention on Insolvency Proceedings.

Initialed by the representatives of the Governments of the Member States meeting within the Council (justice and home affairs) on 25 September. The purpose of this Convention, which is based on Article 220 of the EC Treaty, is to ensure that insolvency proceedings commenced against a debtor in one Member State can produce their effects in other Member States, thereby guaranteeing effective distribution of the debtor's assets and ensuring equal treatment for all creditors. The Convention consequently provides for the commencement of 'main proceedings' in the State in which the debtor's main centre of interests is situated, these proceedings to be recognized and the liquidator to be in a position to act, for instance to remove a debtor's assets, in the other Contracting States. The draft also provides for the commencement of 'secondary proceedings' in a State other than that of the main proceedings if the debtor has an establishment there but such secondary proceedings would have effect in that State only. The Convention will not apply to proceedings involving insurance undertakings, credit institutions, collective investment organizations or investment undertakings.

Drugs

1.5.8. Meeting between the Troika of Justice and Home Affairs Ministers of the European Union and the Commission, and the Ministers from the Andean Pact countries (Bolivia, Colombia, Ecuador, Peru and Venezuela) responsible for combating drug-trafficking.

Held in Brussels on 26 September. At the end of this meeting, which was the first of its kind, a joint statement was adopted advocating a coordinated, global approach in the fight against drugs aimed at reducing demand and combating trafficking and based on a bi-regional dialogue with regular meetings, continued bi-regional cooperation in specific areas (judicial administration, training and strengthening of specialized bodies to combat and monitor drug-trafficking, prevention of drug addiction) as well as on the negotiation of an agreement on the control of drug precursors (→ point 1.5.9) and the strengthening of contractual relations in areas including the exchange of evidence, judicial cooperation and money-laundering. Ministers also stressed the need to increase alternative development programmes to complement the eradication of illicit crops.

1.5.9. Draft agreements between the European Community and the member countries of the Organization of American States on the control of drug precursors.

Negotiating directives adopted by the Council on 26 September on a recommendation from the Commission.

Terrorism

1.5.10. Parliament resolution on terrorism in France.

Adopted on 21 September. Parliament expressed

its deepest sympathy for the families of the victims of the terrorist attacks, condemned the mindless violence of the criminal acts and called on the French Government to make every effort to identify and dismantle the terrorist networks. On the grounds that it is dangerous to cultivate in public opinion the idea of a link between the abolition of internal borders and risks to internal security, it called on the signatories to the Schengen Agreement to be especially vigilant at the Union's external borders and on the Member States to step up cooperation between their security services, police forces and judiciary and with their counterparts in other democratic States exposed to similar threats. It also called on the Governments of the Member States and the authorities of the European Union to take effective steps against countries which support and finance terrorism.

OJ C 269, 16.10.1995

External relations

1.5.11. Joint ministerial meeting between the European Union, the associated countries of Central and Eastern Europe and the Baltic States (→ point 1.4.33).

1.5.12. Joint ministerial meeting between the European Union, Cyprus and Malta (→ point 1.4.39).

6. Financing Community activities

Budgets

Financial Regulation

Regulation amended: Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities (OJ L 356, 31.12.1977), as last amended by Regulation (EC, ECSC, Euratom) No 2730/94: OJ L 293, 12.11.1994; Bull. 10-1994, point 1.5.10

1.6.1. The Council adopted three Regulations amending the 1977 Financial Regulation with regard to: adjustments following the entry into force of the Treaty on European Union and the Agreement on the European Economic Area and borrowing and lending operations (→ point 1.6.2); the treatment of fines, role of the Financial Controller, recovery of debts and late adjustments (→ point 1.6.3); the new activities of the Joint Research Centre (→ point 1.6.4).

1.6.2. Council Regulation (EC, Euratom, ECSC) No 2333/95 amending the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities.

Commission proposal: OJ C 254, 1.10.1992; COM(92) 358; Bull. 9-1992, point 1.5.3

Court of Auditors opinion: OJ C 342, 23.12.1992

Parliament opinion: OJ C 329, 6.12.1993; Bull. 11-1993, point 1.6.8

Amended Commission proposal: OJ C 56, 24.2.1994; COM(94) 14; Bull. 1/2-1994, point 1.5.5

Council common position: Bull. 6-1995, point 1.6.4

Adopted on 18 September following implementation of the conciliation procedure.

OJ L 240, 7.10.1995

1.6.3. Council Regulation (EC, Euratom, ECSC) No 2334/95 amending the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities, with regard to the treatment of fines, role of

the Financial Controller, recovery of debts and late adjustment.

Commission proposal: OJ C 221, 17.8.1993; COM(93) 328; Bull. 7/8-1993, point 1.5.2

Court of Auditors opinion: OJ C 348, 28.12.1993; Bull. 11-1993, point 1.7.30

Parliament opinion: OJ C 205, 25.7.1994; Bull. 5-1994, point 1.4.2

Amended Commission proposal: OJ C 225, 13.8.1994; COM(94) 288; Bull. 7/8-1994, point 1.4.8

Council common position: Bull. 6-1995, point 1.6.5

Adopted on 18 September following implementation of the conciliation procedure.

OJ L 240, 7.10.1995

1.6.4. Council Regulation (EC, Euratom, ECSC) No 2335/95 amending the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities, with regard to the special provisions applicable to research and technological development appropriations.

Commission proposal: OJ C 237, 25.8.1994; COM(94) 338; Bull. 7/8-1994, point 1.4.6

Court of Auditors opinion: OJ C 383, 31.12.1994; Bull. 12-1994, point 1.7.25

Parliament opinion: OJ C 89, 10.4.1995; Bull. 3-1995, point 1.6.6

Amended Commission proposal: OJ C 185, 19.7.1995; COM(95) 208; Bull. 6-1995, point 1.6.6

Council common position: Bull. 6-1995, point 1.6.6

Adopted on 18 September following implementation of the conciliation procedure.

OJ L 240, 7.10.1995

Financial operations

ECSC

General matters

1.6.5. ECSC financial report (1994 financial year).

Previous report: Bull. 7/8-1994, point 1.4.11

References:

Financial statements of the ECSC at 31 December 1994: OJ C 244, 21.9.1995; Bull. 6-1995, point 1.6.3

Annual report of the Court of Auditors on the financial statements of the ECSC at 31 December 1994: OJ C 244, 21.9.1995; Bull. 6-1995, point 1.10.25

Adopted by the Commission on 6 September. This report records the Commission's financial activities covered by the ECSC Treaty in 1994. It contains an account of coal and steel production and investment expenditure, a description of lending and guarantee operations and borrowing operations in 1994, and various statistics. The report also includes the financial statements of the ECSC at 31 December 1994 and the Court of Auditors report on them.

OJ C 244, 21.9.1995

Loans raised

1.6.6. In September the Commission, on behalf of the ECSC, opened a credit line in pounds sterling for the equivalent of ECU 1.7 million.

Loans granted

1.6.7. In September the Commission, acting under the ECSC Treaty, granted loans totalling ECU 32.75 million:

□ conversion loans (Article 56 of the ECSC Treaty): ECU 32 million in the United Kingdom;

□ workers' housing (loans for steelworkers and mineworkers): ECU 0.75 million in Belgium, Germany, France and the United Kingdom.

Measures to combat fraud

1.6.8. Commission Regulation (EC) No 2221/95 laying down detailed rules for the application of Council Regulation (EEC) No 386/90 as regards physical checks carried out at the time of export of agricultural products qualifying for refunds.

Basic Regulation: Council Regulation (EEC) No 386/90 on the monitoring carried out at the time of export of agricultural products receiving refunds or other amounts (OJ L 42, 16.2.1990; Bull. 1/2-1990, point 1.4.18), as amended by Regulation (EC) No 163/94: OJ L 24, 29.1.1994; Bull. 1/2-1994, point 1.2.138

Regulation repealed: Commission Regulation (EEC) No 2030/90 laying down detailed rules for the application of Regulation (EEC) No 386/90: OJ L 186, 18.7.1990

Adopted on 20 September. Purpose: to tighten up the system for monitoring exports of agricultural products qualifying for refunds by improving the quality of physical checks.

OJ L 224, 21.9.1995

7. Statistical system

Policy aspects

1.7.1. Proposal for a Council Decision amending Council Decision 91/115/EEC establishing a committee on monetary, financial and balance-of-payments statistics.

Commission draft: OJ C 359, 16.12.1994; COM (94) 452; Bull. 11-1994, point 1.6.1

Economic and Social Committee opinion: OJ C 397, 31.12.1994; Bull. 12-1994, point 1.6.5

Parliament opinion delivered on 22 September. Favourable.

OJ C 269, 16.10.1995

1.7.2. Commission recommendation 95/377/EC on the use of the statistical classification of economic activities in the European Communities for breaking down net turnover by type of activity.

References:

Fourth Council Directive 78/660/EEC, based on Article 54(3)(g) of the Treaty, on the annual accounts of certain types of companies: OJ L 222, 14.8.1978

Council Regulation (EEC) No 3037/90 on the statistical classification of economic activities in the European Community (NACE) (OJ L 293, 24.10.1990; Bull. 10-1990, point 1.7.1), as last amended by Regulation (EC) No 761/93: OJ L 83, 3.4.1993

Adopted by the Commission on 13 September. Purpose: to recommend that Member States encourage companies breaking down their net turnover by category of activity, pursuant to Article 43 of Directive 78/660/EEC, to use the categories of the Community statistical classification.

OJ L 225, 22.9.1995

1.7.3. Draft Council Regulation on statistical returns in respect of carriage of passengers, freight and mail by air.

Adopted by the Commission on 14 September. The draft Regulation, submitted under Article 213 of the EC Treaty, provides for Member

States to collect harmonized statistics on the carriage of passengers, freight and mail by air and on total aircraft movements within and to and from the Community.

COM(95) 353

1.7.4. Proposal for a Council Directive on statistical surveys of milk and milk products.

Directive to be repealed: Council Directive 72/280/EEC on the statistical surveys to be made by the Member States on milk and milk products (OJ L 179, 7.8.1972), last amended by the Act of Accession of Austria, Finland and Sweden: OJ C 241, 29.8.1994, and OJ L 1, 1.1.1995; Bull. 6-1994, point 1.3.15, and 1/2-1995, point 1.8.1

Adopted by the Commission on 15 September. Purpose: to replace Directive 72/280/EEC with a new text taking into account the changes which have taken place in the milk and milk products sector. The main changes proposed are the abolition of weekly surveys, the breakdown according to the Member State in which the products are collected, the inclusion of milk protein in questionnaires, and revised definitions of dairies and producers.

COM(95) 430

1.7.5. Proposal for a Council Regulation on the submission by Member States of statistics on aquaculture production.

Adopted by the Commission on 20 September. Purpose: to provide for the Member States to submit to the Commission annual statistics on their aquaculture production.

COM(95) 394

Results

Taxes and social contributions in the European Union

1.7.6. Tables 10 and 11 show the 1991-94 trends in the share of taxes and social contribu-

tions in the gross domestic product (GDP) of the 15 Member States of the European Union. They reveal, for example, that the relative weight of taxes and social contributions varies widely from one Member State to another: social contributions account for over 40% of all deductions in France, Germany and the Netherlands, but are

virtually non-existent in Denmark, where the social-security system is financed almost entirely from taxes. In the European Union as a whole, the weight of social contributions paid by employees and non-employed persons is on the increase, while that of employers' contributions and taxes on income and property is declining.

Table 10 — *Taxes in the Member States of the European Union as percentage of GDP*

Member State	Taxes on income and property				VAT				Taxes linked to production and imports, excluding VAT				Total			
	1991	1992	1993	1994	1991	1992	1993	1994	1991	1992	1993	1994	1991	1992	1993	1994
Belgium	17.0	16.9	17.0	18.3	7.1	7.0	6.9	7.2	5.1	5.2	5.5	5.8	29.2	29.1	29.4	31.4
Denmark	29.9	30.3	30.6	31.4	8.9	9.9	9.8	10.0	8.5	7.5	7.7	8.1	47.4	47.7	48.1	49.5
Germany	11.7	12.0	11.6	11.2	6.4	6.5	6.9	7.1	6.1	6.2	6.0	6.2	24.2	24.6	24.5	24.5
Greece	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Spain	12.2	12.7	12.2	11.7	5.6	6.1	5.4	5.7	5.2	5.2	5.1	5.3	23.0	24.0	22.7	22.7
France	10.0	9.7	9.7	10.1	7.6	7.4	7.3	7.4	7.1	7.1	7.4	7.6	24.7	24.2	24.3	25.0
Ireland	14.8	15.1	15.9	16.1	7.1	7.3	7.0	7.4	8.9	8.7	8.2	8.5	30.8	31.0	31.0	31.9
Italy	14.8	16.8	16.9	15.2	6.1	5.8	5.7	5.6	5.8	6.1	7.0	6.8	26.7	28.7	29.6	27.6
Luxembourg	14.2	13.1	15.0	14.8	6.1	6.4	6.7	6.6	9.9	10.3	10.6	10.5	30.2	29.8	32.2	31.8
Netherlands	17.2	16.2	17.2	14.6	7.2	7.2	7.0	7.0	5.2	5.6	6.1	6.2	29.6	29.0	30.3	27.7
Austria	12.5	13.0	13.1	11.5	8.7	8.4	8.6	8.7	7.2	7.6	7.4	7.7	28.4	29.0	29.2	27.9
Portugal	9.4	10.2	9.2	—	6.3	—	—	—	8.2	—	—	—	23.9	—	—	—
Finland	18.7	18.0	16.3	17.8	8.7	8.4	8.2	8.0	6.5	6.6	6.8	6.5	33.9	33.0	31.2	32.4
Sweden	20.0	20.6	21.2	21.6	8.8	8.0	8.5	—	9.0	8.4	7.2	—	37.8	36.9	36.8	36.6
United Kingdom	14.2	13.1	12.3	12.8	6.8	7.0	7.0	7.1	8.4	7.5	7.6	7.3	29.4	27.6	26.9	27.2
EUR 15	13.5	13.7	13.4	13.0	6.9	6.8	6.9	7.0	6.7	6.6	6.7	6.7	27.0	27.1	26.9	26.8

Table 11 — *Social contributions in the Member States of the European Union as percentage of GDP*

Member State	Employers				Employees				Others				Total			
	1991	1992	1993	1994	1991	1992	1993	1994	1991	1992	1993	1994	1991	1992	1993	1994
Belgium	9.9	9.8	9.8	9.4	4.9	5.0	5.3	5.2	1.1	1.2	1.2	1.2	15.9	16.0	16.3	15.9
Denmark	0.3	0.3	0.3	0.4	1.2	1.2	1.3	1.3	0.0	0.0	0.0	0.0	1.5	1.6	1.7	1.7
Germany	7.8	7.9	8.0	8.1	6.7	6.9	7.0	7.1	2.4	2.5	2.9	3.0	17.0	17.3	17.9	18.2
Greece	4.3	4.4	—	—	3.9	4.3	—	—	—	—	—	—	—	—	—	—
Spain	8.8	9.3	9.2	9.0	2.0	2.0	2.2	2.2	1.6	1.7	1.9	1.9	12.4	13.1	13.3	13.0
France	11.9	12.0	12.0	11.8	5.7	5.9	6.0	5.9	1.6	1.6	1.6	1.5	19.3	19.4	19.5	19.3
Ireland	3.3	3.3	3.3	3.2	2.2	2.3	2.4	2.2	0.2	0.2	0.2	0.3	5.7	5.9	5.9	5.7
Italy	9.2	9.2	9.1	8.8	2.6	2.7	2.8	2.8	1.3	1.4	1.7	1.6	13.1	13.3	13.6	13.2
Luxembourg	5.8	6.0	6.2	6.1	4.5	4.6	4.8	5.1	1.5	1.5	1.6	1.7	11.7	12.2	12.6	12.8
Netherlands	3.8	3.7	3.7	3.2	10.9	11.4	11.5	12.8	3.3	3.5	3.5	3.8	18.0	18.6	18.7	19.8
Austria	6.8	7.0	7.3	7.3	5.9	6.2	6.4	6.7	1.1	1.2	1.2	1.2	13.8	14.4	14.9	15.2
Portugal	6.4	—	—	—	3.5	—	—	—	0.3	—	—	—	10.2	10.3	10.4	—
Finland	10.7	10.3	10.3	10.0	2.2	3.5	4.3	4.7	0.0	0.0	0.0	0.0	13.0	13.8	14.7	14.7
Sweden	14.6	13.8	13.0	12.6	0.0	0.0	0.4	—	0.5	0.5	0.4	—	15.1	14.3	13.8	13.8
United Kingdom	3.7	3.6	3.6	3.5	2.8	2.8	2.7	2.9	0.2	0.2	0.2	0.2	6.7	6.6	6.6	6.6
EUR 15	8.1	8.2	8.2	8.0	4.5	4.7	5.0	5.3	1.5	1.6	1.8	1.8	14.2	14.5	14.9	15.0

Publications

1.7.7. *Eurostat Yearbook 1995 — A statistical eye on Europe 1983-93.*

This first Eurostat Yearbook gives a complete statistical picture of the Member States of the European Community from 1983 to 1993. It has

five chapters: 'The people' (demographic trends, education, the labour market, consumption, culture and leisure, crime), 'The land and the environment', 'National income and expenditure', 'Trade and industry' and 'The European Union' (the budget, the monetary system, internal and external trade). The Yearbook is available from sales offices for European Communities' publications.

8. Community law

Monitoring the application of Community law

Infringement proceedings

Reasoned opinions

Failure to notify measures incorporating directives into national law

1.8.1. In September the Commission delivered reasoned opinions in the following cases:

Industry

Directive 93/45/EEC (OJ L 159, 1.7.1993)
Manufacture of nectar without the addition of sugar or honey
Italy

Agriculture

Directive 93/106/EEC (OJ L 298, 3.12.1993)
Protected zones exposed to particular plant health risks
Belgium

Directive 93/110/EEC (OJ L 303, 10.12.1993)
Protective measures against the introduction of harmful organisms of plants
Belgium

Directive 93/62/EEC (OJ L 250, 7.10.1993)
Marketing of vegetable propagating and planting material other than seed
Belgium, Germany

Directive 93/63/EEC (OJ L 250, 7.10.1993)
Marketing of ornamental plant propagating material
Belgium, Germany

Directive 93/64/EEC (OJ L 250, 7.10.1993)
Marketing of fruit plant propagating material and fruit plants
Belgium, Germany

Directive 93/78/EEC (OJ L 256, 14.10.1993)
Ornamental plant propagating material and ornamental plants
Belgium, Germany

Directive 93/79/EEC (OJ L 256, 14.10.1993)
Fruit plant propagating material and fruit plants
Belgium, Germany

Directive 94/3/EC (OJ L 32, 5.2.1994)
Harmful organisms from third countries presenting an imminent phytosanitary danger
Belgium, Germany

Environment, nuclear safety and civil protection

Directive 92/43/EEC (OJ L 206, 22.7.1992)
Conservation of natural habitats and of wild fauna and flora
France

Directive 92/72/EEC (OJ L 297, 13.10.1992)
Air pollution by ozone
France

Energy

Directive 92/42/EEC (OJ L 167, 22.6.1992)
Efficiency requirements for new hot-water boilers
Italy, Portugal

Non-conformity of measures incorporating directives into national law

1.8.2. In September the Commission delivered a reasoned opinion in the following case:

Transport

Directive 87/540/EEC (OJ L 322, 12.11.1987)
Access to the occupation of carrier of goods by waterway
Germany

Infringements of the Treaties or regulations; incorrect application of directives

1.8.3. In September the Commission delivered reasoned opinions in the following cases:

Industry

Directives 83/189/EEC (OJ L 109, 26.4.1983) and 88/182/EEC (OJ L 81, 26.3.1988)
Road traffic — dimension of road signs
Germany

Directive 87/404/EEC (OJ L 220, 8.8.1987)
Simple pressure vessels — monitoring of EC-
approved inspection bodies
Italy

Internal market and financial services

Article 30 of the EC Treaty
Television advertising
Belgium

Directive 89/440/EEC (OJ L 210, 21.7.1989)
Public works contracts — Lycée de Wingles
France

Customs and indirect taxation

Directive 77/388/EEC (OJ L 145, 13.6.1977)
Scope of common flat-rate scheme for farmers
Greece

Decisions by the Court of Justice and the Court of First Instance

1.8.4. Decisions given by the Community law-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.

Court of Justice

Main decisions

State aid

Article 173 of the EC Treaty

1.8.5. 29.6.1995: Case C-135/93 *Spain v Commission*.

1. The application is dismissed.
(Application for (1) a declaration that the Commission's decision of 23 December 1992 not to modify the Community framework for State aid to the motor

vehicle industry and to extend its validity until the Commission organized a review of it is non-existent or, if appropriate, the annulment of that decision, and (2) the annulment of the extension of the said framework by Decision 91/C 81/05, in so far as that decision is the basis for the decision of 23 December 1992.

2. The parties are ordered to bear their own costs.

OJ C 229, 2.9.1995

Free movement of workers and social policy

Article 177 of the EC Treaty

1.8.6. 6.6.1995: Case C-434/93 *Bozkurt v Staatssecretaris van Justitie*.

1. In order to ascertain whether a Turkish worker employed as an international lorry-driver belongs to the legitimate labour force of a Member State, for the purposes of Article 6(1) of Decision No 1/80 of 19 September 1980 of the Association Council established by the agreement establishing an Association between the European Economic Community and Turkey, signed on 12 September 1963 in Ankara and approved on behalf of the Community by Council Decision 64/732/EEC of 23 December 1963, it is for the national court to determine whether the applicant's employment relationship retained a sufficiently close link with the territory of the Member State, and, in so doing, to take account, in particular, of the place where he was hired, the territory on which the paid employment is based and the applicable national legislation in the field of employment and social security law.

2. The existence of legal employment in a Member State within the meaning of Article 6(1) of Decision No 1/80, cited above, can be established in the case of a Turkish worker who was not required by the national legislation concerned to hold a work permit or a residence permit issued by the authorities in the host State in order to carry out his work. The fact that such employment exists necessarily implies the recognition of a right of residence for the person concerned.

3. Article 6(2) of Decision No 1/80 does not confer on a Turkish national who has belonged to the legitimate labour force of a Member State the right to remain in the territory of that State following an accident at work rendering him permanently incapacitated for work.

OJ C 229, 2.9.1995

Infringements

Article 169 of the EC Treaty

1.8.7. 29.6.1995: Case C-391/92 *Commission v Greece*.

1. The application is dismissed.
(Application for a declaration that, by requiring that processed milk for infants should be sold exclusively by pharmacies under Article 10 of Ministerial Decision No A2/oik.361 of 29 January 1988, Greece has failed to fulfil its obligations under Article 30 of the EC Treaty.)

2. The Commission is ordered to pay the costs.
OJ C 229, 2.9.1995

Other decisions

Free movement of goods

Article 177 of the EC Treaty

1.8.8. 10.5.1995: Case C-442/93 *Calvo Martinicorena*.
OJ C 229, 2.9.1995

1.8.9. 6.7.1995: Case C-470/93 *Verein gegen Unwesen in Handel und Gewerbe Köln v Mars*.
OJ C 229, 2.9.1995

Customs union

Article 177 of the EC Treaty

1.8.10. 29.6.1995: Case C-437/93 *HZA Heilbronn v Temic Telefunken Microelectronic*.
OJ C 229, 2.9.1995

Agriculture

Article 173 of the EC Treaty

1.8.11. 11.7.1995: Case C-53/94 *Spain v Commission*.
OJ C 248, 23.9.1995

1.8.12. 14.7.1995: Joined Cases C-471/93 and C-47/94 *United Kingdom v Commission*.
OJ C 248, 23.9.1995

Article 177 of the EC Treaty

1.8.13. 29.6.1995: Case C-456/93 *Zentrale zur Bekämpfung unlauteren Wettbewerbs v Privatkellerei Franz Wilhelm Langguth Erben*.
OJ C 229, 2.9.1995

1.8.14. 29.6.1995: Case C-56/94 *SCAC v ASIPO*.
OJ C 229, 2.9.1995

1.8.15. 5.7.1995: Case C-46/94 *Voisine*.
OJ C 229, 2.9.1995

1.8.16. 11.8.1995: Case C-12/94 *Uelzena Milchwerke v Willi Antpöhler*.
OJ C 248, 23.9.1995

Free movement of workers and social policy

Article 177 of the EC Treaty

1.8.17. 17.5.1995: Case C-6/95 *Hanßen v Bundesanstalt für Arbeit*.
OJ C 229, 2.9.1995

1.8.18. 15.6.1995: Joined Cases C-422/93, C-423/93 and C-424/93 *Zabala Erasun and Others v Instituto Nacional de Empleo*.
OJ C 229, 2.9.1995

1.8.19. 29.6.1995: Case C-454/93 *Rijksdienst voor Arbeidsvoorziening v van Gestel*.
OJ C 229, 2.9.1995

1.8.20. 13.7.1995: Case C-391/93 *Perrotta v Allgemeine Ortskrankenkasse München*.
OJ C 248, 23.9.1995

1.8.21. 14.7.1995: Case C-154/94 *Kockaya v Bundesanstalt für Arbeit*.
OJ C 248, 23.9.1995

Transport

Article 173 of the EC Treaty

1.8.22. 5.7.1995: Case C-21/94 *Parliament v Council*.
OJ C 229, 2.9.1995

Article 177 of the EC Treaty

1.8.23. 1.6.1995: Case C-414/93 *Teirlinck v Minister van Verkeer en Waterstaat*.
OJ C 229, 2.9.1995

Competition*Article 177 of the EC Treaty*

1.8.24. 30.6.1995: Case C-67/92 *Société l'Hexagone v SACEM*.

OJ C 248, 23.9.1995

State aid*Article 173 of the EC Treaty*

1.8.25. 30.6.1995: Case C-367/92 *France v Commission*.

OJ C 229, 2.9.1995

Taxation*Article 177 of the EC Treaty*

1.8.26. 6.7.1995: Case C-62/93 *BP Supergaz v Greece*.

OJ C 229, 2.9.1995

1.8.27. 11.8.1995: Case C-453/93 *Bulthuis-Griffioen v Inspecteur der Omzetbelasting*.

OJ C 248, 23.9.1995

External relations*Article 173 of the EC Treaty*

1.8.28. 29.6.1995: Joined Cases C-74/93 and C-75/93 *Commission v Council*.

OJ C 229, 2.9.1995

Infringements*Article 169 of the EC Treaty*

1.8.29. 18.5.1995: Case C-270/94 *Commission v Italy*.

OJ C 229, 2.9.1995

1.8.30. 19.5.1995: Case C-208/94 *Commission v Greece*.

OJ C 229, 2.9.1995

1.8.31. 1.6.1995: Case C-123/94 *Commission v Greece*.

OJ C 229, 2.9.1995

1.8.32. 12.6.1995: Case C-180/94 *Commission v Greece*.

OJ C 248, 23.9.1995

1.8.33. 15.6.1995: Case C-220/94 *Commission v Luxembourg*.

OJ C 229, 2.9.1995

1.8.34. 29.6.1995: Joined Cases C-109/94, C-207/94 and C-225/94 *Commission v Greece*.

OJ C 229, 2.9.1995

1.8.35. 29.6.1995: Case C-135/94 *Commission v Italy*.

OJ C 229, 2.9.1995

1.8.36. 29.6.1995: Case C-170/94 *Commission v Greece*.

OJ C 229, 2.9.1995

1.8.37. 11.7.1995: Case C-95/94 *Commission v Spain*.

OJ C 248, 23.9.1995

1.8.38. 11.7.1995: Case C-266/94 *Commission v Spain*.

OJ C 229, 2.9.1995

1.8.39. 11.8.1995: Case C-431/92 *Commission v Germany*.

OJ C 248, 23.9.1995

Court of First Instance*Other decisions***Agriculture***Article 173 of the EC Treaty*

1.8.40. 29.6.1995: Case T-183/94 *Cantina Cooperativa fra Produttori Vitivinicoli di Torre di Mosto and Others v Commission*.

OJ C 229, 2.9.1995

Articles 178 and 215 of the EC Treaty

1.8.41. 29.6.1995: Case T-221/93 *Wobker v Commission*.

OJ C 229, 2.9.1995

Institutional matters

Article 173 of the EC Treaty

1.8.42. 19.6.1995: Case T-107/94 *Kik v Council and Commission*.

OJ C 229, 2.9.1995

Analysis of judgments delivered between 1 July and 30 September 1995

Free movement of goods

1.8.43. Judgment of 14 September 1995, Cases C-485/93 *Simitzi* and C-486/93 *Kos* — Free movement of goods — Levy equivalent to a customs duty — Taxation arrangements in the Dodecanese — Effects in time of a preliminary ruling.

The tax authorities in the Dodecanese apply a levy to goods crossing the regional boundary of the Dodecanese islands. It is charged not only on imports of products from other countries and other regions of Greece but also on exports of local products.

The Court followed its rulings in Case C-163/90 *Legros* (ECR [1992] I-4625) and Case C-363/93 *Lancry* (ECR [1994] I-3951), applying them by analogy to levies on exports. It held that a levy on national goods because they were exported from the Member State concerned constituted a charge having equivalent effect to a customs duty on exports within the meaning of Article 16 of the EC Treaty. In this specific case it found that a levy charged at a regional boundary on products being sent to other regions of the same State constituted an obstacle to the free movement of goods which was at least as serious as a tax levied at a national frontier on goods being exported from the territory of the Member State as a whole. The Court limited the effects in time of this judgment to 16 July 1992 (the date of the *Legros* judgment), on the ground that until that date Greece could have reasonably considered that the levy in question was compatible with the Community rules.

Customs union

1.8.44. Judgment of 11 August 1995, Case C-16/94 *Edouard Dubois et fils and Others v Garonor Exploitation* — Customs union —

Transit charge payable under a private contract — Charge having equivalent effect.

This case gave the Court the opportunity to rule for the first time on whether a pecuniary charge not levied by a Member State but arising from a contract between individuals was compatible with Articles 9 and 12 of the EC Treaty.

The charge at issue was intended to cover the expenses borne by a private firm, under a contract concluded with its customers, in respect of the tasks performed by the customs and veterinary authorities as providers of public services. The Court first of all upheld the established principle that it would constitute a charge having equivalent effect if businesses engaged in intra-Community trade were obliged to cover the costs of inspections and administrative formalities carried out by customs offices. It held that the nature of the measure requiring traders to pay part of the operating costs of customs services was immaterial. Whether the pecuniary charge was borne by the trader by virtue of a unilateral measure adopted by the authorities or, as in the present case, as a result of a series of private contracts, it still arose directly or indirectly from the failure of the Member State concerned to fulfil its financial obligations under Articles 9 and 12.

Intellectual property

1.8.45. Judgment of 13 July 1995, Case C-350/92 *Spain v Council* — Patent law — Introduction of a supplementary protection certificate for medicinal products — Powers of the Community — Legal basis — Competence to harmonize national legislation.

References:

Council Regulation (EEC) No 1768/92: OJ L 182, 2.7.1992; Bull. 6-1992, point 1.3.28

Opinion No 1/94 of the Court of Justice on the powers of the European Community to conclude the agreements resulting from the Uruguay Round: Bull. 12-1994, point 1.7.23

By this judgment the Court settled two questions relating respectively to the Community's jurisdiction in the area of patent law and to the legal basis for such jurisdiction. Spain had asked for the annulment of Council Regulation No 1768/92 concerning the creation of a supplementary protection certificate for medicinal products, which was based on Article 100a of

the EC Treaty. The Court reiterated the view set forth in Opinion 1/94 concerning GATT (ECR [1994] I-5267) that Articles 100 and 100a empowered the Community to harmonize the laws on intellectual property. These powers were not restricted by Article 222 or by Article 36 (as Spain contended).

As regards the legal basis for the Regulation in question, the Court pointed out that Article 100a empowered the Community to adopt measures for the approximation of legislative provisions in so far as disparities between the laws of the Member States were likely to create or maintain distorted conditions of competition and to hinder the free movement of goods within the Community. Since the Regulation in question was intended to prevent the heterogeneous development of national laws leading to further disparities likely to impede the free movement of medicinal products and thus directly affect the establishment and operation of the single market, the Court considered that it had been validly adopted on the basis of Article 100a.

Competition

1.8.46. Judgment of 15 July 1995, Case T-275/94 *Groupement des Cartes Bancaires CB v Commission* — Competition — Fine — Default interest.

Reference: Commission Decision 92/212/EEC: OJ L 95, 9.4.1992; Bull. 3-1992, point 1.2.40

The Commission, acting on the basis of Article 85 of the EC Treaty, adopted Decision 92/212/EEC, which declared that the agreement on the acceptance of eurocheques was contrary to Article 85(1) of the EC Treaty and did not qualify for exemption. Following an action for annulment brought by the applicants, the fine imposed by the said Decision was reduced to ECU 2 000 000 by the Court of First Instance.

In 1994 the applicants, who until then had provided only a bank guarantee (as is customary in the event of an appeal), paid to the Commission the fine of ECU 2 000 000 set by the Court. The Commission regarded this sum as partial payment of the total amount owed, since it did not cover the interest which had accrued to date. The applicants contended that there was no legal basis for the imposition of default interest, but this argument was rejected by the Court, which

held that, if undertakings which paid their fines on time were not to be placed at a disadvantage vis-à-vis those which did not, the Commission must have the power to charge default interest. The date from which the interest should be calculated was that of the Commission's original decision.

State aid

1.8.47. Judgment of 6 July 1995, Joined Cases T-447/93, T-448/93 and T-449/93 *Associazione Italiana Tecnico Economica del Cemento and Others v Commission* — State aid — Admissibility under Article 173 of the Treaty — Examination of the Community context in relation to individual cases. The Court annulled a Commission decision of 1 August 1991 on the granting of aid to the Heracles General Cement Company in Greece.

In 1987 the Commission approved the implementation of Act No 1386/83 setting up a body responsible for the restructuring of undertakings, the aim of which was to assist with Greece's economic development by the financial reorganization of companies. To achieve this aim the body in question was empowered to administer and manage companies on its own account, to acquire shares and to grant loans.

In 1986 the Greek Government applied the provisions of this Act to the Heracles General Cement Company. The aid thus granted was approved by the Commission decision in question under Article 92(3)(b) of the EC Treaty on the grounds that it was intended to remedy a serious disturbance in the economy of a Member State. Three associations of cement producers contested this decision on the ground that the Commission had failed to comply with its obligation to examine the impact of the aid on intra-Community trade and competition.

The Court held that the action for annulment was admissible, although the applicants were associations of undertakings and not individual undertakings.

As regards the substance of the case, the Court held that the Commission, when adopting the contested decision, had merely examined the consequences of the aid on Greek territory, without considering whether the aid in question was distorting competition and affecting intra-

Community trade, although it was already foreseeable in 1986, when the aid was granted, that Greek cement exports would be directed towards certain other Member States. The decision was consequently annulled.

1.8.48. Judgment of 13 September 1995, Cases T-244/93 and T-486/93 *Textilwerke Degendorf v Commission* — State aid — Commission Decision suspending the payment of certain aids pending repayment of aid granted illegally at an earlier date.

References:

Commission Decisions 91/391/EEC and 92/330/EEC on aid granted by the German Government to Degendorf GmbH: OJ L 215, 2.8.1991; OJ L 183, 3.7.1992

Commission Decision 86/509/EEC on aid granted by Germany and Bavaria to a manufacturer of polyamide and polyester yarns in Degendorf: OJ L 300, 24.10.1986

An application had been made for annulment of two Commission Decisions (Decision 91/391/EEC, TWD II, and Decision 92/330/EEC, TWD III) concerning German aid for Textilwerke Degendorf. In each of these Decisions Article 1 found the aids in question compatible with the common market, whereas Article 2 required the German authorities to suspend payment until they had recovered the aid which an earlier Commission Decision (Decision 86/509/EEC, TWD I) had found to be contrary to Article 93(3) of the EC Treaty on the grounds that it had not been notified to the Commission and was incompatible with the common market.

The Court held that the Commission, when assessing whether a State aid was compatible with the common market, must take into consideration all the relevant facts, including where appropriate the context of an earlier Decision and the obligations which that Decision might have imposed on a Member State. The Commission was consequently justified in examining, for the purposes of Decisions TWD II and III, the effects of Decision TWD I which were still pertinent. As regards the argument that the apportionment of jurisdiction between the Community and the Member States was not respected (national proceedings were in progress), the Court took the view that the legality of the Decisions in question was not a matter for the German courts. It also held that the fact of national proceedings could not affect the Com-

mission's powers to adopt any measures required to ensure that there was no distortion of competition within the Community. Lastly, the Court made the point that recipients could not have legitimate expectations as to the legality of aid unless it had been granted in accordance with the procedure laid down in the relevant Article. Only in exceptional circumstances could the recipient of illegal aid plead legitimate expectations. The Court made the point that, for the purposes of the procedure of Articles 92 and 93 of the EC Treaty, the Commission must also take into account the advantages conferred by the reduced rates of interest payable on the aids granted. It reaffirmed earlier rulings by the Court of Justice, stressing that the exception provided for in Article 184 of the EC Treaty could not be invoked by a natural or legal person who could have instituted proceedings under the second paragraph of Article 173(2) but failed to do so within the stipulated time limit. The Court therefore rejected the application.

Agricultural policy

1.8.49. Judgment of 13 July 1995, Cases T-466/93, T-469/93, T-473/93, T-474/93 and T-477/93 *O'Dwyer and Others v Council* — Common organization of the market in milk and milk products — Milk quotas — Reduction of reference quantities without compensation — Temporary suspension of reference quantities.

References:

Council Regulation (EEC) No 775/87: OJ L 78, 20.3.1987; Bull. 3-1987, point 2.1.150

Council Regulation (EEC) No 816/92: OJ L 86, 1.4.1992; Bull. 3-1992, point 1.2.143

Council Regulation (EEC) No 748/93: OJ L 77, 31.3.1993; Bull. 3-1993, point 1.2.122

The applicants, who based their case on Article 178 and the second paragraph of Article 215 of the EC Treaty, claimed compensation for the losses which they had sustained as a result of the implementation of Council Regulation (EEC) No 816/92 amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products, and of Council Regulation (EEC) No 748/93 amending Regulation (EEC) No 3950/92 establishing an additional levy in the milk and milk products sector.

The substance of the five applications was as follows: in 1987, in view of the situation on the market for milk and milk products, the Council

adopted Regulation (EEC) No 775/87, which temporarily withdrew, for 1987/88 and 1988/89, a proportion of the reference quantities defined in the rules governing the additional levy. This suspension was accompanied by degressive compensation arrangements which remained in force until 1991/92. As a result of the continuing surplus, these quantities were not included in those set for 1992/93 or 1993/94. The applicants also put forward a number of pleas relating to alleged breaches of the principles of legitimate expectations, proportionality and non-discrimination and the alleged inadequacy of the statement of reasons required by Article 190 of the EC Treaty.

The Court, however, followed the reasoning of the Commission and the Council and, having examined the circumstances of the case in great detail, rejected all the applicants' pleas. As regards the principle of legitimate expectations, the Court held that a prudent and sensible operator could have foreseen that the reference quantities in question might be reduced without compensation. Moreover, that legal principle could, by its very nature, be invoked only in respect of acts or omissions which occurred before the alleged breach. The Court also pointed out that an inadequate statement of the reasons for legislation was unlikely to expose the Community to non-contractual liability. Lastly, it held that the principle of proportionality had not been breached, since the applicants had not established that the measures in question were manifestly inappropriate.

Overseas countries and territories

1.8.50. Judgment of 14 September 1995, Cases T-480/93 *Antillean Rice Mills and Others v Commission* and T-483/93 *European Rice Brokers and Others v Commission* — Overseas countries and territories — Agriculture.

Reference: Council Decision 91/482/EEC on the association of the overseas countries and territo-

ries with the European Economic Community: OJ L 263, 19.9.1991; Bull. 7/8-1991, point 1.3.46

This judgment was concerned with the Commission's first application of the safeguard clause contained in Council Decision 91/482/EEC of 25 July 1991, which lays down the arrangements for the association of the overseas countries and territories pursuant to Part Four of the EC Treaty. It provided the Court of First Instance with the opportunity to rule, for the first time, on the nature of the general arrangements for the overseas countries and territories. Applications had been lodged for the annulment of Commission Decision 93/127/EEC introducing safeguard measures in respect of rice originating in the Netherlands Antilles and Commission Decision 93/211/EEC amending it, and for a Court order that the Commission should pay compensation for the losses which the applicants claimed to have suffered and might still suffer as a result of the adoption of the said Decisions.

The Court found that, even if the contested Decisions had subsequently been repealed, it was still in the applicants' interest to seek the annulment of those Decisions, in order that another identical act should not be adopted. On the important question of the legal status of the OCTs under Part Four of the EC Treaty (Association of the overseas countries and territories), the Court held that, although the OCTs enjoyed a more favourable status than other countries associated with the Community, they were not members and were not actively involved in the common agricultural policy. Lastly, it held that the purpose of the arrangements for the free movement of goods between the OCTs and the Community, as provided for in Part Four of the Treaty, was not the establishment of a single market similar to that established by the Treaty between the Member States. The OCTs must consequently be regarded as non-member countries, unlike the overseas departments, which were an integral part of the Community.

9. Institutional affairs

Preparations for the 1996 Intergovernmental Conference

1.9.1. Interim report by the chairman of the Reflection Group on the Intergovernmental Conference.

Reference: Inaugural meeting of the Reflection Group: Bull. 6-1995, point 1.9.3

Presented on 5 September. This report summarizes the discussions held to date by the Reflection Group. It focuses on the following themes:

- the challenges, principles and objectives of the Union;
- institutional balance;
- the institutions;
- Union citizenship;
- a free and secure area for citizens;
- external action;
- security and defence;
- the instruments at the service of the Union.

10. Community institutions

Parliament

Rules of Procedure

1.10.1. Parliament decision amending Rule 136 of its Rules of Procedure concerning temporary committees of inquiry.

Adopted on 19 September. The purpose of the amendments is to clarify the *modus operandi* and procedures of the temporary committees of inquiry.

OJ C 269, 16.10.1995

Strasbourg, 18 to 22 September

1.10.2. The key events of the September part-session included debates on the French nuclear tests, Title VI of the Treaty on European Union, the situation in Bosnia, Burundi and Rwanda, and presentation of the draft budget for 1996. Parliament also adopted its calendar for 1996: it will hold 11 part-sessions in Strasbourg and eight in Brussels.

In the course of a very long debate on the resumption of French nuclear testing, at the end of which Parliament adopted a resolution (→ point 1.4.3), Mr Santer, President of the Commission, explained in detail the scope and limitations of the powers conferred on the Commission in this area by the Euratom Treaty. He first gave a rundown of the action taken by the Commission since June, then placed the problem in the broader context of a European security policy.

An animated debate was also held on cooperation in the fields of justice and home affairs, during which many speakers called for the relevant procedures to be brought within Community jurisdiction. Parliament then adopted a number of resolutions (→ points 1.5.2 to 1.5.5).

Parliament also debated the situation in Bosnia on the basis of statements from Mr Westendorp, Spanish Secretary of State for European Affairs and President of the Council, and Mr Van den Broek, Member of the Commission. Cautious optimism was expressed from the floor at the prospect of a political settlement of the Bosnian conflict and emphasis placed on the vital importance of a European reconstruction plan to assist the former Yugoslavia. Parliament adopted a resolution at the end of the debates (→ point 1.4.41).

The debate on the situation in Burundi and Rwanda culminated in the adoption of a resolution calling in particular for the speeding up of financial and technical assistance (→ point 1.4.62).

Turning to its own internal organization, Parliament adopted a decision on its temporary committees of inquiry (→ point 1.10.1).

On the question of human rights, Parliament adopted seven resolutions dealing respectively with the death sentence on Sarah Balabagan, the situation in East Timor and Indonesia, the trials in Kenya, the persecution of Vladimir Orekhov, the imprisonment of Medhi Zana, the case of Mumia Abu-Jamal and support for the network of cities of asylum (→ points 1.2.1 to 1.2.7).

On the legislative front, under the consultation procedure Parliament delivered opinions on proposals for Regulations concerning the Translation Centre for bodies of the European Union, plant variety rights (→ point 1.3.97), aid to hop producers (→ point 1.3.102), a support system for producers of certain arable crops (→ point 1.3.100), structural assistance in the fisheries and aquaculture sector (→ point 1.3.55) and a control system applicable to fisheries (→ point 1.3.106), on the amended proposal for a Decision on the conclusion of the European Convention for the protection of vertebrate animals used

for experimental purposes (→ point 1.3.92), on proposals for Decisions concerning the agreements with Hungary and Poland on ECSC products, macro-financial assistance to Ukraine (→ point 1.4.49), the Committee on Monetary, Financial and Balance-of-Payments Statistics (→ point 1.7.1) and excise duty on 'traditional' rum, and on proposals for Directives concerning the list of less-favoured farming areas (→ point 1.3.54), organisms harmful to plants (→ point 1.3.11) and veterinary checks (→ point 1.3.8).

Under the codecision procedure Parliament delivered opinions at first reading on a proposal for a Directive relating to restrictions on the marketing of certain dangerous substances (→ point 1.3.6), two proposals for Directives on emissions from motor vehicles (→ points 1.3.4 and 1.3.5) and a proposal for a Decision adopting a programme of Community action on the prevention of drug dependence (→ point 1.3.133). It also approved, at second reading, the Council common position on the proposal for a Directive on the indication of product prices (→ point 1.3.134).

Resolutions were passed on the World Conference on Women in Beijing (→ point 1.3.123), the fisheries agreement with Morocco (→ point 1.3.110), terrorism in France (→ point 1.5.10), the establishment of European civilian service (→ point 1.3.49), the use of hormones in stock-farming (→ point 1.3.9), the motor industry (→ point 1.3.40), the machinery construction industry (→ point 1.3.41), relocation of companies (point 1.3.117), financial derivatives (→ point 1.3.15) and the agrimonetary system (→ point 1.3.99), and on a series of natural disasters, including fires in Greece, the Canaries, Portugal and Italy (→ point 1.3.131), storms in Chile (→ point 1.4.29), Italy (→ point 1.3.130) and Scotland (→ point 1.3.132), the damage caused by hurricanes Luis and Marilyn (→ point 1.3.129) and the mining disaster in Spain (→ point 1.3.126). Parliament also gave its opinion, following a second consultation by the Council, on the change of legal basis for a proposal for a Decision (→ point 1.3.64) and a proposal for a Directive (→ point 1.3.85).

Record of proceedings:

OJ Annex No 4-460

Full text of opinions and resolutions:

OJ C 269, 16.10.1995

Council

1867th meeting

1.10.3. Economic and financial affairs (Brussels, 18 September).

Previous meeting: Bull. 7/8-1995, point 1.10.5

President: Mr Solbes Mira, Spanish Minister for the Economy and Finance.

Commission: Mr de Silguy and Mr Monti.

Main items

- Swedish convergence programme: conclusions adopted (→ point 1.3.3).
- Cross-border credit transfers: common position on the proposal for a Directive agreed; Swedish and United Kingdom delegations abstained (→ point 1.3.12).
- General rules for the granting of Community financial aid in the field of trans-European networks: Regulation adopted (→ point 1.3.61).

Other business

- Employment: progress report with a view to the Madrid European Council.
- Structured dialogue with the countries of Central and Eastern Europe: preparations.
- Guarantee Fund: general discussion.

1868th meeting

1.10.4. Justice and home affairs (Brussels, 25 and 26 September).

Previous meeting: Bull. 6-1995, point 1.10.14

President: Mr Belloch Julbe, Spanish Minister for Justice and the Interior.

Commission: Mrs Gradin and Mr Monti.

Main items

- Convention on Insolvency Proceedings: initialled (→ point 1.5.7).
- Structured dialogue with the countries of Central and Eastern Europe and the Baltic States: meetings and adoption of a joint action

programme in matters of judicial cooperation in the fight against international organized crime (→ point 1.4.33).

□ Structured dialogue with Cyprus and Malta: first meeting (→ point 1.4.39).

Other business

□ Draft Convention on Jurisdiction and the Enforcement of Judgments in Matrimonial Matters: public debate.

□ Racism and xenophobia: general discussion.

□ Europol — implementing Regulations: exchange of views.

□ Burden-sharing — UNHCR requests concerning refugees from the former Yugoslavia: examined.

□ Terrorism: Presidency conclusions adopted.

□ Action programme with the countries of Central and Eastern Europe: approved.

□ Directives on free movement: discussed.

□ Relations with Switzerland: meeting.

□ Relations with Norway: meeting.

□ Relations with Morocco: meeting.

□ Drug-trafficking — meeting between the Troika and the Andean Pact Ministers: joint statement adopted.

1869th meeting

1.10.5. Agriculture (Brussels, 25 and 26 September).

Previous meeting: Bull. 7/8-1995, point 1.10.7

President: Mr Atienza Serna, Spanish Minister for Agriculture, Fisheries and Food.

Commission: Mr Fischler.

Main items

□ Set-aside: Regulation adopted by qualified majority; Portuguese delegation voted against (→ point 1.3.100).

□ Animal feed: proposal for a Directive agreed by qualified majority; United Kingdom delegation voted against (→ point 1.3.10).

Other business

□ Rice: exchange of views.

□ Joint meeting with the Agriculture Ministers

of the associated countries of Central and Eastern Europe and the Baltic States: exchange of views.

1870th meeting

1.10.6. Transport (Brussels, 28 September).

Previous meeting: Bull. 6-1995, point 1.10.12

President: Mr Borrell Fontelles, Spanish Minister for Public Works, Transport and the Environment.

Commission: Mr Kinnock.

Main items

□ Ro-ro ferry safety: common position on the proposal for a Regulation adopted (→ point 1.3.77).

□ Weights and dimensions for road vehicles over 3.5 tonnes: common position on the proposal for a Directive agreed by qualified majority; Austrian delegation voted against (→ point 1.3.71).

□ Transport of dangerous goods by rail: common position on the proposal for a Directive agreed (→ point 1.3.70).

□ Congestion and crisis in air traffic in Europe: resolution adopted (→ point 1.3.79).

Other business

□ Joint ministerial meeting with the countries of Central and Eastern Europe: examined.

□ Negotiations with the countries of Central and Eastern Europe on the carriage of goods and passengers by road: general discussion.

□ Inland waterway transport — freedom to provide services: general discussion.

□ Structural improvements in inland waterway transport: general discussion.

□ Access to the groundhandling market: general discussion.

Commission

Proposals adopted

1.10.7. The Commission adopted a proposal for a Directive to introduce rational planning techniques in the electricity and gas distribution sectors (→ point 1.3.66).

Communications, green papers and reports

1.10.8. The Commission approved a notice on the application of the EC competition rules to cross-border credit transfers (→ point 1.3.13).

Community lawcourts

Court of Justice

1.10.9. Decision 95/387/EC, Euratom, ECSC of the Representatives of the Governments of the Member States appointing a judge to the Court of Justice of the European Communities.

Adopted on 13 September. Mr Melchior Wathelet was appointed judge to the Court of Justice from 18 September 1995 up to and including 6 October 1997 to replace Mr René Joliet, who died in July 1995.

OJ L 233, 30.9.1995

Court of Auditors

Specific annual report

1.10.10. Report on the financial statements of the JET for 1994.

Adopted on 14 September at the Court's 510th meeting. The report is available in all the official Community languages. Requests should be made in writing to the public relations department of the Court of Auditors.

Special report

1.10.11. Special report No 3/95 on the implementation of the intervention measures provided for by the common organization of the market in the sheepmeat and goatmeat sector.

Adopted on 14 September at the Court's 510th meeting. The report has been sent to the other institutions and the national audit boards and will be published in the Official Journal.

Opinion

1.10.11a. Opinion No 6/95 on the decision to grant clearance to the Commission concerning the financial year 1991.

Adopted on 21 September at the Court's 511th meeting. This opinion, produced at the request of Parliament's Budget Control Committee, has been transmitted to the Commission and Parliament and will be published in the Official Journal following application of Article 90(3) of the Financial Regulation.

European Investment Bank

General

1.10.12. Commission report on Community budget guarantees in respect of EIB loans in third countries.

Adopted on 6 September. This report, produced in response to a request from the Council, first reviews operations funded from the EIB's own resources outside the European Union and then considers the present system of Community budget guarantees for these operations. Its conclusions are that the blanket guarantee system should be kept but the rate of coverage reduced from 100% to 75% and that one blanket guarantee should cover certain groups of countries (Mediterranean countries, Central and Eastern Europe, and Latin America and Asia).

Financing

1.10.13. In September the European Investment Bank granted loans totalling ECU 1 145 million, of which ECU 103 million went outside the European Union.

European Union

Links with Union policies

Loans were made for the following measures:

- ECU 281 million for the economic development of disadvantaged regions;
- ECU 425 million for the improvement of transport and telecommunications infrastructures of benefit to the Community;
- ECU 354 million for environmental protection and improvement of the quality of life;
- ECU 223 million for the pursuit of Community objectives in the field of energy.

The Bank also continued its operations to support small businesses: a total of ECU 2 052 million has been granted in global loans since the beginning of the year.

In many cases, individual loans come under several Union policies; some are therefore counted more than once in the above amounts.

Geographical breakdown

Denmark

- ECU 128.1 million for the electrification and modernization of several stretches of the Odense-Padborg railway line and for the purchase of electrified rolling stock for regional and commuter services.

Germany

- ECU 10.8 million for the new system for the treatment of domestic waste water and industrial effluent at Lutherstadt-Wittenberg (Saxony-Anhalt);
- ECU 21.5 million in the form of global loans for the financing of small and medium-scale environmental protection and energy-saving projects and regional or Community infrastructure projects;
- ECU 107.5 million, also in the form of global loans, for the financing of small and medium-scale environmental protection, energy-saving, advanced technology and infrastructure projects;
- ECU 26.9 million, also in the form of global loans, for the financing of small and medium-

scale projects by small businesses, energy and environmental protection projects and regional or Community infrastructure projects, mainly in the new *Länder*.

Spain

- ECU 30.7 million to improve road infrastructure in Catalonia.

France

- ECU 30.7 million (including ECU 12.3 million under the Edinburgh financial mechanism) to build a waste processing and recycling plant for the Nantes urban area;
- ECU 46 million for the partial renewal of an aircraft fleet and the installation of related ground facilities.

Italy

- ECU 45.4 million in the form of global loans for the financing of small and medium-scale projects by small businesses, environmental and energy-saving projects and regional or Community infrastructure projects;
- ECU 4.9 million for the modernization of a washing-machine factory in Naples;
- ECU 45.4 million in the form of global loans for the financing of small and medium-scale projects in industry, tourism and services and for environmental protection projects, projects to enhance industrial competitiveness and regional or Community infrastructure projects;
- ECU 18.7 million, also in the form of global loans, for the financing of small and medium-scale projects by small businesses, projects to enhance international competitiveness and regional or Community infrastructure projects.

Portugal

- ECU 101.7 million for the construction of eleven sections of the national road network;
- ECU 55.9 million for alterations to the Cais do Sodré railway station in Lisbon and the extension of the Sul/Suesto-Santa Apolonia section of the Lisbon underground.

Finland

- ECU 15.7 million in the form of global loans for the financing of small and medium-scale

projects by small businesses, projects to enhance the international competitiveness of industry and environmental and energy-saving projects;

□ ECU 118.3 million for the improvement of three sections of the Turku-Vainikkala railway line in the south of the country.

Sweden

□ ECU 10.2 million for the modernization of a waste-water treatment plant in Stockholm.

United Kingdom

□ ECU 223.4 million for tapping the Captain oilfield in the North Sea.

Outside the European Union

ACP countries

Mozambique

□ ECU 3 million for the construction of a new industrial plant for the processing of cashew nuts.

Mediterranean countries

Algeria

□ ECU 100 million for the extension of the Rhourde Nouss gas complex 1 000 km south of Algiers.

Economic and Social Committee

328th plenary session

1.10.14. The Economic and Social Committee held its 328th plenary session on 13 and 14 September, chaired in turn by Mr Ferrer, Mr Nielsen and Mr Laur and attended by Mr Westendorp,

Spanish Secretary of State for European Affairs and Chairman of the Reflection Group on the Intergovernmental Conference, and Mr Griñan, Spanish Minister for Labour and Social Security.

Mr Westendorp discussed the challenges facing the European Union: formulating a coherent foreign policy capable of providing a response to political instability in Europe, and bringing the Union closer to the people. Arguing that transparency and democracy must be increased and the legitimacy of the European Union strengthened in the eyes of the public, he drew attention to a number of institutional changes which he felt could be of benefit, such as greater use of qualified majority voting in the Council and a reduction in the number of different procedures within Parliament. Having discussed the topic of citizen participation, particularly the inclusion of the Charter of Fundamental Social Rights in the EC Treaty, and the problems surrounding a common foreign and security policy, Mr Westendorp concluded by stressing the need for careful planning in preparation for the next enlargement.

Mr Griñan, for his part, analysed the Spanish Presidency's principal objective, namely preparation, in the wake of the decision adopted in Essen, of an annual report on employment for submission to the Madrid European Council. He described employment policy as a Europe-wide policy taking account of the characteristics specific to the individual Member States, which would be coordinated with economic policy and would cover training, flexibility of employment and working conditions. On the question of preparations for the Intergovernmental Conference, he discussed the possibility of including fundamental social rights and the social protocol in the EC Treaty in order to institutionalize the European social model. On the question of a social Europe, Mr Griñan analysed the new forms of work and working conditions resulting from economic liberalization, the effects of the free movement of workers and capital on national legislation and the European social model.

1.10.15. The Economic and Social Committee debated and adopted:

□ opinions on the following:

— groundhandling at Community airports (→ point 1.3.79);

- television without frontiers (→ point 1.3.138);
- the Green Paper on the liberalization of telecommunications infrastructure (→ point 1.3.81);
- the role of the Union in the field of tourism (→ point 1.3.43);
- bananas and the Common Customs Tariff (→ point 1.3.101);
- food additives (→ point 1.3.7);
- the 'Customs 2000' Community action programme (→ point 1.4.14);
- own-initiative opinions on the following:
 - the Euro-Mediterranean partnership (→ point 1.4.38);
 - relations between the European Union and the Middle East (→ point 1.4.48);
- an information report on relations between the European Union and the United States (→ point 1.4.53).

1.10.16. The Economic and Social Committee adopted without debate:

- an additional opinion on 'Europe 2000+' — cooperation for European territorial development (→ point 1.3.51);
- opinions on:
 - veterinary checks (→ point 1.3.8);
 - EU credit transfers (→ point 1.3.12);
 - inland waterway transport (→ point 1.3.76);
 - structural improvements in inland waterway transport (→ point 1.3.75);
 - the driving licence (→ point 1.3.72);
 - the Community action programme in the field of civil protection (→ point 1.3.88).

Committee of the Regions

Ninth plenary session

1.10.17. The Committee of the Regions held its ninth plenary session on 20 and 21 September, chaired by Mr Blanc and attended by

Mr Santer, President, and Mrs Wulf-Mathies, Member of the Commission.

Mr Santer welcomed the Committee's activities, which play an important function in restoring the citizen to his rightful place at the heart of the Union. He noted that the Committee's basic role is to enrich the Community debate by voicing regional and local concerns, and to promote a better knowledge of Community policies at grassroots level. The President then expanded on the three main thrusts of Community action — employment, preparations for the 1996 Intergovernmental Conference and enlargement. He stressed that the fight against unemployment requires a sound macro-economic policy and competitive companies and that efforts to bring about economic convergence must be stepped up if economic and monetary union is to be achieved. The Intergovernmental Conference must lead to greater democracy, transparency and efficiency of institutions and policies, without jeopardizing the institutional balance or the single institutional framework. The Committee should extend its consultative role to Parliament and its members should be elected. The revision of the Treaties must also pave the way for future enlargement, which is essential to the political stability of the continent, and regional and agricultural policies must continue to form the mainstay of European integration. Finally, he described a balanced land-use management policy and economic and social cohesion as objectives on which there must be no compromise.

Mrs Wulf-Mathies stressed the importance for the regions in general, and those on the periphery in particular, of fair and profitable access to the information society. She also mentioned the role that the Member States and local authorities must play, over and above Community action, to ensure there are no regional differences in the impact of the information society and emphasized the need for training in the use of the new technologies.

1.10.18. The Committee of the Regions adopted:

- opinions on:
 - the communication 'Education and training in the face of technological, industrial and social challenges: first thoughts' (→ point 1.3.46);
 - the proposal for a Directive on the quality of drinking water (→ point 1.3.89);

- the annual reports on the cohesion financial instrument and the Cohesion Fund (→ point 1.3.52);
 - the Raphael programme (→ point 1.3.135);
 - the medium-term social action programme 1995-97 (→ point 1.3.116);
 - the proposal to amend the LIFE Regulation (→ point 1.3.83);
 - the Community action programme in the field of civil protection (→ point 1.3.88);
- own-initiative opinions on:
 - Structural Funds innovatory measures 1995-99 — guidelines for the second series of actions under Article 10 of the ERDF Regulation (→ point 1.3.53);
 - the role of local and regional authorities in education and training for Central and Eastern Europe provided through the European Union (→ point 1.4.32).

PART TWO

DOCUMENTATION

1. The ecu

Values in national currencies of ECU 1

September 1995 ¹		
BFR/ LFR	Belgian franc and Luxembourg franc	38.7613
DKR	Danish krone	7.30623
DM	German mark	1.88423
DR	Greek drachma	303.989
ESC	Portuguese escudo	196.348
FF	French franc	6.49821
FMK	Finnish markka	5.63422
HFL	Dutch guilder	2.11072
IRL	Irish pound	0.810529
LIT	Italian lira	2 081.52
OS	Austrian schilling	13.2540
PTA	Spanish peseta	161.759
SKR	Swedish krona	9.20062
UKL	Pound sterling	0.827505
AUD	Australian dollar	1.70876
CAD	Canadian dollar	1.74000
ISK	Icelandic króna	84.6669
NKR	Norwegian krone	8.25104
NZD	New Zealand dollar	1.96436
SFR	Swiss franc	1.53324
USD	United States dollar	1.28880
YEN	Japanese yen	129.421
ZAR	South African rand	4.71971

¹ Average for the month: OJ C 258, 3.10.1995.

NB: Explanatory notes on the ecu and 'green' rates can be found in Bull. 7/8-1982, points 3.1.1 to 3.1.3, and Bull. 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

September 1995					
National currency/sector		Value in national currency of ECU 1	National currency/sector		Value in national currency of ECU 1
BFR/ LFR	Belgian franc and Luxembourg franc All products	39.5239	HFL	Dutch guilder All products	2.14021
DKR	Danish krone All products	7.49997	IRL	Irish pound All products	0.829498
DM	German mark All products	1.90616	LIT	Italian lira All products	2 164.34
DR	Greek drachma All products	302.927 303.725 on 16.9.1995 304.136 on 26.9.1995	OS	Austrian schilling All products	13.4084
ESC	Portuguese escudo All products	198.202	PTA	Spanish peseta All products	165.198
FF	French franc All products	6.61023	SKR	Swedish krona All products	9.63352 on 1.9.1995
FMK	Finnish markka All products	5.88000	UKL	Pound sterling All products	0.843954

2. Crossing external borders

2.2.1. List of third countries whose nationals must be in possession of a visa when crossing the Member States' external borders.

States

Afghanistan	Georgia	Pakistan
Albania	Ghana	Papua New Guinea
Algeria	Guinea	Peru
Angola	Guinea-Bissau	Philippines
Armenia	Guyana	Qatar
Azerbaijan	Haiti	Romania
Bahrain	India	Russia
Bangladesh	Indonesia	Rwanda
Belarus	Iran	São Tomé and Príncipe
Benin	Iraq	Saudi Arabia
Bhutan	Jordan	Senegal
Bulgaria	Kazakhstan	Sierra Leone
Burkina-Faso	Kuwait	Somalia
Burundi	Kyrgyzstan	Sri Lanka
Cambodia	Laos	Sudan
Cameroon	Lebanon	Suriname
Cape Verde	Liberia	Syria
Central African Republic	Libya	Tadjikistan
Chad	Madagascar	Tanzania
China	Maldives	Thailand
Comoros	Mali	Togo
Congo	Mauritania	Tunisia
Côte d'Ivoire	Mauritius	Turkey
Cuba	Moldova	Turkmenistan
Djibouti	Mongolia	Uganda
Dominican Republic	Morocco	Ukraine
Egypt	Mozambique	United Arab Emirates
Equatorial Guinea	Myanmar	Uzbekistan
Eritrea	Nepal	Vietnam
Ethiopia	Niger	Yemen
Fiji	Nigeria	Zaire
Gabon	North Korea	Zambia
Gambia	Oman	

Territorial entities and authorities not recognized as States by all the Member States

Taiwan
Former Yugoslav Republic of Macedonia
Federal Republic of Yugoslavia (Serbia and Montenegro)

3. European Union at UN

2.3.1. Address by Javier Solana Madariaga, Spanish Foreign Minister and President of the Council of the European Union, to the UN General Assembly on 26 September.

'Mr President,

First of all I should like to convey to you my most cordial and sincere congratulations on your election as President of this Assembly. Both Spain, Portugal's sister country, and the European Union, on behalf of which I have the honour to address this Assembly today, are confident that your work will meet with the greatest success throughout the session that is now starting. I am firmly convinced that your experience as an eminent Professor of International Law and your thorough knowledge of international relations will contribute decisively to achieve the ambitious objectives that lie ahead of us.

I would also like to thank Minister Amara Essy of the Côte d'Ivoire for the excellent manner in which he conducted our deliberations during the previous session.

Likewise, I wish to express my appreciation to the Secretary-General, Dr Boutros-Ghali, together with my congratulations on his work and his tireless efforts.

I am addressing this Assembly on behalf of the European Union, which has been enlarged to 15 Member States since the beginning of this year, thereby reinforcing its capacity to fulfil its commitment to the purposes and principles of the Charter of the United Nations. In the year of the 50th Anniversary of the United Nations, the European Union, which is fully aware of the complexity of the challenges faced by the international community, wishes to reiterate its full support for our Organization as a universal forum to realize mankind's aspirations for peace and security and economic and social progress.

From this perspective, the European Council, at its meeting held in Cannes on 26 and 27 June, paid tribute to the work of our Organization in its solemn declaration commemorating the 50th Anniversary of the signing of the United Nations Charter in San Francisco. Undoubtedly, the outcome of half a century of United Nations activities is impressive.

The United Nations has contributed to the progressive codification and consolidation of international law, to the maintenance of international peace and security in cooperation with the regional organizations, to dis-

armament, to arms control, to the non-proliferation of weapons of mass destruction, to decolonization, to development and humanitarian assistance, to the protection and promotion of human rights and, above all, to cooperation between the nations of the world in the most diverse spheres.

As the Secretary-General rightly points out in his report on the work of the Organization, setbacks must not be allowed to overshadow the successes achieved by the United Nations. Through steady and diligent work, our Organization must make obvious to world opinion the solid foundations on which its credibility is based. The Member States of the European Union are willing to cooperate in the enhancing of the United Nations image.

Within a few weeks, the Heads of State and Government of the whole world will solemnly commemorate the Anniversary of the founding of our Organization, born 50 years ago for the purpose of preserving coming generations from the scourge of war.

Although this occasion will give us an opportunity to appraise the work done by the Organization over the course of its already long history, we must above all reflect on the best way to prepare the United Nations to meet effectively the challenges facing us at the end of this century. Let me recall, with regard to the present moment of the United Nations, a thought expressed by Jean Monnet in respect of the European Community, when the latter was taking its first steps: "This is only a stage towards the forms of organization of the world of tomorrow".

Indeed, the disappearance of old rivalries has not meant the end of conflicts. Today we witness ethnic and nationalistic conflicts and humanitarian crises of frightening proportions, the worsening of economic inequalities, contempt for human rights and the systematic violation of the rules of international humanitarian law, genocide, the risk of proliferation of weapons of mass destruction and the alarming deterioration of the environment. These are some of the most serious problems that we face today. They affect us all, and we all must undertake to solve them.

Although, as usual, issues that are a cause of concern to the European Union are reflected in detail in the memorandum distributed as part of this speech, I would like to highlight some questions that are especially important to us: the situation in former Yugoslavia, developments in Africa, and the peace process in the Middle East.

The European Union continues to attach priority importance to reaching a just, lasting and comprehensive peace settlement for the conflict that ravages the territory of the former Yugoslavia. In this regard, we state our full support for the diplomatic process under way and our satisfaction for the first results of this process reached at the meeting that took place in Geneva last 8 September.

We consider that the United Nations Forces in the territories of former Yugoslavia have played and continue to play a fundamental role in containing the conflicts, contributing in many cases to stabilizing the situation on the ground and facilitating the negotiation efforts towards peace. Member States of the European Union are among the main troop contributors to these Forces. I want to pay tribute to the United Nations Forces and pay homage to the soldiers that have fallen for peace, many of them citizens of the Union. We firmly believe that the United Nations must continue to play a relevant role in the efforts to achieve peace and to implement the agreements reached.

The European Union has substantially contributed to alleviate the great suffering that the war in the former Yugoslavia, and particularly in Bosnia-Herzegovina, has inflicted upon the population. I wish to express our firm commitment to continue providing humanitarian assistance, both bilaterally and through the relevant United Nations organisms and agencies.

After more than three years of bloody conflict, the latest developments towards the initiation of a peace process allow us to look forward with greater hope. Within the framework of that peace process, which we hope is near at hand, the European Union, commensurate to its engagement, intends to play an active role in all aspects of the implementation of the peace process, in particular with regard to its reconstruction. Violence has destroyed human lives, property and the peaceful coexistence among different peoples. Our main task will be, thus, to restore hope and offer decent living conditions to those who still suffer the consequences of this catastrophe.

The European Union is aware of the great challenges facing Africa. Proof of our concern is that we are working to find peaceful solutions to the conflict in Rwanda and the conflict in Burundi, starting with the more urgent problem of the return of refugees.

We fully support the urgent convening of a conference under the auspices of the United Nations, aimed at peace and stability in the Great Lakes region.

Likewise, we support the initiatives for social and political reconstruction in countries such as Angola and Mozambique, and welcome the work accomplished by our Organization in Angola which, following the Lusaka Peace Agreement, has allowed for the establishment of UNAVEM III.

We also favour a more active role of the Organization for African Unity in the prevention and solution of

conflicts in Africa, and we are considering ways of supporting the establishment of effective mechanisms for preventive diplomacy and peacekeeping.

The European Union follows with keen interest the spread of and respect for human rights throughout the continent, and we are very much aware of the situation of dire need of some nations. After the revision of the Lomé IV Convention, the European Union has given particular relevance to humanitarian and food assistance, and we have made an effort to update our development cooperation programmes.

The European Union has always strongly upheld the peace process in the Middle East, initiated at the 1991 Conference held in Madrid. We warmly welcome the Interim Agreement reached recently by Israel and the Palestinian National Authority, which represents a new and very important milestone in this process, and look forward to the signing of such an Agreement this coming Thursday. Likewise, we are confident that, in the coming months, we will see significant progress in the Syrian and Lebanese negotiation tracks, and that the whole region, which has already suffered enormously, will finally enter in the dynamics of a comprehensive, just and long-lasting peace.

The European Union attaches paramount importance to the work carried out by our Organization in general, and in particular by this Assembly, in favour of peace in the Middle East. One of our objectives in the sessions about to begin is to ensure that the various resolutions adopted by this Assembly on the situation in the Middle East contribute directly to the peace process. Following the guidelines established in previous years, the European Union is determined to continue to work with the interested parties in order to ensure that the text of the resolutions reflect the new realities in the area.

I should also like to remind this Assembly that, in two months' time, Europe will be meeting its Western and Eastern Mediterranean neighbours. The aim of the Barcelona Euro-Mediterranean Conference is no other than to cooperate in the definition of the future relations between participating States and to guarantee the stability and prosperity of the Mediterranean through political dialogue, balanced and lasting economic and social development, the fight against poverty and a more thorough mutual understanding of the different cultures through the enhancement of the human dimension.

Let me conclude this part of my statement with a reference to the work of the Organization in Latin America. Its presence in Nicaragua through ONUCA, ONUVEM and the International Commission for Support and Verification allowed for national reconciliation and the holding of elections.

The mediation between the parties and the work of ONUSAL led to the historic achievement of ending the long and terrible civil conflict in El Salvador,

enshrined in the Chapultepec Agreements of January 1992. Today, the presence of Minusal, which has the support of the European Union, contributes effectively to overcoming the obstacles that still persist.

In Haiti, the Multinational Force and UNMIH played a fundamental role in the restoration of democracy and in the reconstruction of the country.

In Guatemala, the United Nations' role as moderator and the work of Minugua have brought about substantive agreements on issues as important as human rights, displaced persons and indigenous populations, which we are confident will lead to a speedy solution to the conflict. The participation of international observers in the coming elections in November, that is supported by the European Union, seems to us an effective formula.

All these achievements have been fulfilled with the invaluable help of the various groups of friends and the support of the international community.

Conscious of the universality of the challenges that lie ahead for our Organization, the European Union attaches great importance to the adoption of measures allowing for the success and proper functioning of the United Nations in implementing the mandates entrusted to it by the Member States.

In this sense, the Organization's serious financial crisis, unprecedented in its history, seriously endangers the United Nations' capacity for action and is a reason of great concern for the European Union. Our Organization will become powerless if it does not receive the necessary political support from its Member States and the resources provided by them through the full, punctual and unconditional payment of the financial contributions in accordance with the obligations established by the Charter.

Therefore, the solution of the Organization's financial crisis is a priority objective for the European Union, which overall is the main contributor, both to the Organization's regular budget and to the peacekeeping operations' budgets.

The European Union considers that the main cause of the United Nations' serious financial crisis is the lack of political will to discharge the financial obligations undertaken by the Member States on signing the United Nations Charter. Aware of their political commitment to the Organization's objectives, the Member States of the European Union had paid, at 30 June, over 50% of the total contributions collected for financing, both the regular budget and those for peacekeeping operations.

Additionally, two Member States of the Union — my country, Spain, together with Portugal — were the first to transfer voluntarily from the 'C' group to the 'B' group of contributors to the budgets of peacekeeping operations.

This constructive attitude has prevailed in the active participation of the European Union in the high-level working group on the financial situation of the United Nations. Our objective is to reach a consensus, as soon as possible, and preferably during this session, on the adoption of specific measures designed to bring about an improvement in the Organization's financial situation.

The European Union wishes to underline the increasingly urgent need to adopt a global package of measures to solve the United Nations' financial crisis. These measures should contemplate, *inter alia*, a possible review of the scale of assessments so that it reflects as accurately as possible the principle of the capacity to pay, as well as the establishment of incentives and disincentives to encourage all Member States to comply with their financial obligations in accordance with the Charter.

The European Union considers that the existence of a solid and viable financial base is an essential factor with a view to approaching the revitalization, strengthening and reform of the United Nations. Using this criterion as a guideline, the European Union will participate constructively in the work of the high-level working group established by Resolution 49/252, and in the debate on the future of the Organization which the commemoration of the 50th anniversary of the United Nations will encourage.

The agenda for development, submitted last year by the Secretary-General, identified the five dimensions of development: peace as the foundation, the economy as the engine of progress, the environment as a basis for sustainability, justice as the pillar of society and democracy as good governance.

The European Union attaches the greatest importance to the completion, before the end of the Assembly now beginning, of a substantial and innovative agenda for development, in which it is made clear that peace cannot be built without at the same time promoting the social and economic progress of the poorest people. Through the decisions taken by the European Council held in Cannes, the European Union has made clear its determination to contribute yet greater financial resources for development aid, within the framework of both the Lomé Convention (in the case of the African, Caribbean and Pacific countries) and the financial cooperation with our Mediterranean partners.

Throughout this Assembly we shall pay special attention to the results of the important cycle of major conferences held over the course of recent years under the aegis of the United Nations for discussion of various subjects linked to development and human progress. These conferences have enabled us to advance towards a new global consensus on development and must contribute to strengthening the role of the Organization in the economic and social fields.

We need the Economic and Social Council to play a more vigorous and more central role within the system; we must ensure that the work of this Assembly and that of the ECOSOC are complementary, avoiding duplications; we must review the priorities and the working methods of the Second and Third Committees; and we must, finally, develop better coordination between the specialized agencies and more constructive relations between the Organization and the Bretton Woods institutions.

The results of the Summit for Social Development held in Copenhagen will be submitted to this Assembly during the course of the session now beginning. The European Union firmly intends to actively consider these results, with a view to identify appropriate measures that ensure the follow-up and implementation of the commitments undertaken at Copenhagen.

We must not allow the platforms of action adopted at the United Nations' conferences to remain unimplemented. The European Union will lend all its support to ensure that the follow-up and implementation of the platforms for action agreed upon are carried out in a coherent and integrated way. Both this Assembly and the Economic and Social Council must be responsible for monitoring the commitments undertaken, so that these programmes are not reduced — as has been the case sometimes in the past — to a mere expression of rules of conduct which do not entail any obligation for the states and international organizations competent in each case.

The IV World Conference on Women concluded in Beijing only a few days ago. The Declaration and platform for action adopted at the Conference are a step forward, backed by the results of the previous United Nations conferences, on the road towards the achievement of equality, development and peace. These objectives were set out in the strategies for the advancement of women adopted in Nairobi 10 years ago.

The European Union has worked actively to achieve a consolidation of the results of the Vienna Conference on Human Rights in the field of human rights and fundamental liberties of women and on the Cairo Conference on Population and Development, in matters pertaining to sexual and reproductive health. The platform for action, adopted as a result of such concern in Beijing, includes important progress in human rights, notably the right of women to control and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, without coercion, discrimination or violence.

The European Union has likewise paid special attention to the provisions contained in the Platform for Action on equal rights in inheritance, definition of responsibilities, parental rights and obligations to provide guidance and support to children in exercising

their rights and the relation between cultural and religious influences, and the responsibility of States in promoting and protecting human rights and fundamental freedoms.

Only three years ahead of the 50th anniversary of the Universal Declaration on Human Rights, the international community cannot yet be entirely satisfied with the progress achieved. This session of the General Assembly will provide us, once again, with an opportunity to take stock of the situation regarding human rights and basic liberties in the world, two years after the important headway made at the Vienna World Conference, the outcome of which reflected the existing consensus on this issue at the turn of the century. The European Union will spare no effort to contribute to the implementation of the Vienna Declaration and its programme for action.

In view of the persistence of serious and systematic violations of human rights, the development of machinery for the prevention and response to these situations becomes a priority task. In addition to the monitoring carried out by the special rapporteurs and the technical assistance provided in this area by our Organization, we should explore the need to consolidate and, if necessary, establish appropriate institutions. The best preventive action is based on education. The United Nations' decade for education in the sphere of human rights provides us with a special opportunity to make education programmes designed to encourage respect and tolerance available to all, especially children.

In the same context, it is increasingly evident that respect for human rights and fundamental freedoms plays a critical role in avoiding potential conflicts. Therefore, we must acknowledge the value of human rights in preventive diplomacy. Some of the serious conflicts which have recently darkened the international scene, particularly in Rwanda, Burundi and in the territory of the former Yugoslavia, are inflicting great suffering on the civilian population, as illustrated by the alarming number of displaced persons and refugees. In this regard, the European Union wishes to reiterate its support for the outstanding work being performed by the UNHCR in this field. At the same time, we are conscious of the harmful effects of ethnic and religious discrimination on the emergence and development of such conflicts and thus reaffirm our conviction of the need to go further in the adoption of measures to fight racism, racial discrimination and xenophobia.

The level of resources assigned by the Organization to the promotion and protection of human rights — today, merely 1.7% of the Organization's regular budget — continues to be totally inadequate. Increasing these resources significantly would have a positive impact on the activities designed to boost development. Experience has shown that actions performed in the interest of human rights contribute to the greater

success of development activities. It is increasingly clear that development, human rights and democracy are interlinked, as stated in the 1986 Declaration on the right to development.

Furthermore, the European Union attaches great importance to the role and activities of the High Commissioner for Human Rights and wishes, once again, to draw this Assembly's attention to the pressing need to provide his office with the human and financial resources required for the proper accomplishment of its tasks. We likewise support the Organization's efforts to enhance the role and functions of the Centre for Human Rights in Geneva, under the supervision of the High Commissioner.

The International Tribunal for the Prosecution of Those Responsible for Serious Violations of International Humanitarian Law committed in the former Yugoslavia, as well as the International Tribunal for Rwanda, are essential factors in the struggle against the impunity of those who violate human rights. The experience of these *ad hoc* tribunals will help the work of the future International Criminal Court, whose draft statute has been drawn up by the International Law Commission and submitted to this Assembly's sixth Committee during its last session.

The EU has followed closely the work of the *Ad Hoc* Committee for the Establishment of an International Criminal Court, whose recommendations will be taken into consideration by the Assembly now beginning. The European Union is determined to make a constructive contribution to the debate on this matter, which, for some time now, has been a priority issue.

Mankind is facing a growing number of humanitarian emergencies that require an effective response from the international community to enable the tragedy being suffered daily by tens of thousands of human beings to be alleviated. The setting-up of the Department of Humanitarian Affairs makes an outstanding contribution to the international efforts of humanitarian assistance, a field in which the often hazardous work of the non-governmental organizations is also of paramount importance. We consider that it is essential to implement the decisions taken this year by ECO-SOC on the need to review and reinforce the capacity of the United Nations System in the area of humanitarian assistance.

It is necessary to enhance cooperation between all organizations and people, in such a way that their respective contributions may be mutually complemented and strengthened, duplication of work avoided, and a humanitarian *continuum* ensured.

We have witnessed important events this year in the field of the environment and in the implementation of the Rio agreements of 1992. Special mention should be made of the positive outcome of the conferences of the parties to the Convention on Biological Diversity and the framework Convention on Climate Change,

the opening for signature of the Convention to Combat Desertification and the establishment of the Intergovernmental Panel on Forests, under the aegis of the Commission for Sustainable Development.

We welcome these developments and reiterate our will to continue working, within the Organization, towards greater cooperation in the field of the environment.

The United Nations Charter confers upon the Organization the task of keeping international peace and security as its chief purpose, and entrusts this major responsibility to the Security Council.

The Security Council must continue to be the decision-making centre for issues which affect world security and must adapt to currently existing situations in order to strengthen the mechanisms stipulated in the Charter.

The Open-ended Working Group on the question of equitable representation on and increase in the membership of the Security Council has continued its work during the previous sessions of this Assembly, and the members of the European Union participated actively in this work.

The European Union holds the view that peacekeeping operations and preventive diplomacy missions are, and should continue to be, the focal point of the Security Council's action in favour of world peace and security. We welcome the updating of the 'Agenda for Peace' presented by the Secretary-General at the beginning of this year.

I wish to remind this Assembly of the European Union's commitment to the United Nations' peacekeeping operations, illustrated by the fact that the Union as a whole is not only the main financial contributor to these operations, providing 37% of the total budget, but also the main provider of personnel. The European Union stands firmly behind this substantial commitment to the peacekeeping endeavours of the Organization. Heavy casualties have been suffered, and it is of utmost importance that every possible step is taken to ensure the safety of the UN personnel in peacekeeping missions.

The European Union considers that it is of paramount importance for the Organization to establish its own doctrine on peacekeeping operations. The long and fruitful experience gained by the Organization in the field, and the many theoretical contributions, should provide these operations with a doctrinal base that will facilitate their establishment, implementation and monitoring. Such a doctrine should provide the regional organizations, some of which already perform their duties in this area with great success, with a frame of reference on which to base their peacekeeping initiatives.

Cooperation between the United Nations and regional organizations in peacekeeping endeavours should still

be explored in order to optimize the use of material and human resources and to put the mandates entrusted to the missions into practice in the quickest, most efficient and successful way. As an example of the activity of the regional organizations in this field, let me mention that in our continent the Organization for Security and Cooperation in Europe has already developed a mechanism, still at an embryonic stage, for preventive diplomacy, the establishment of confidence-building measures and the resolution of conflicts. Acting on an EU initiative, the CSCE decided at the Budapest Summit last year to reinforce cooperation with the United Nations and with the Transatlantic Organizations. The States participating in the Summit agreed that, in accordance with Chapter VIII of the Charter, they would make every effort to achieve the peaceful settlement of disputes arising in their territorial areas before referring them to the United Nations Security Council.

The European Union furthermore is studying with interest the proposals for standby arrangements. To this end, the Union supports the proposals for headquarters of a permanent nature and the UN standby forces system, and is studying with interest other proposals which also aim at improving the rapid reaction capability of the UN, with a view to shortening the period for establishing a peace operation and facilitating its subsequent deployment.

The European Union welcomes the great step forward taken recently within our Organization on deciding to extend the Non-Proliferation Treaty indefinitely. This amounts to fundamental progress in the whole disarmament process and the pursuit of nuclear non-proliferation. The decision adopted, together with the strengthening of the inspection procedure and the principles and objectives of disarmament and nuclear non-proliferation, constitute an enormous step in the right direction. We also welcome the steady pace of the negotiations for a comprehensive test ban treaty, that the European Union wishes to be concluded in 1996.

We should now concentrate our efforts on the universalization of the Non-Proliferation Treaty. The European Union invites all states that have not yet

done so to become signatories of the NPT. Another European Union priority in the field of nuclear disarmament is the finalization of a treaty banning the production of fissile material for the manufacture of nuclear weapons and explosives ('Cut-off Treaty'). The European Union regrets that the Conference on Disarmament has not yet been able to set up an *ad hoc* committee to begin negotiations on this issue.

Once again, we appeal to all states that signed the Convention on the Banning of the Development, Production, Storage and Use of Chemical Weapons and their Destruction to proceed to ratify it so that it may come into force as soon as possible.

Furthermore, the control and limitation of the use of certain conventional weapons is also cause for concern for the European Union. Through its common action, the Union aims to continue to encourage the activities of the United Nations in its fight against the devastating effects of anti-personnel mines in many territories around the world. Also in the field of conventional disarmament, we will pay special attention to the results of the review conference of the 1980 Convention on Inhuman Weapons, in order to render it more effective and to widen its scope.

We believe in the United Nations. We believe in the universality, binding character and supremacy of international law, which is the result of the development of relations between nations and consensus between peoples.

As expressed in the Declaration of the European Council of Cannes on the Organization's 50th anniversary, the European Union gives its unconditional support to the Organization ideals and actions.

We are sure that these first 50 years are but the first stage in an unprecedented task that presents no other alternative, given that its chief goal — that of assuring that we all live together in peace, as well as the comprehensive development of human beings — can only be attained through disinterested cooperation between peoples.'

(Only the Spanish text is authentic)

4. Additional references in the Official Journal

2.4.1. This section lists the titles of legal instruments, communications and notices that have appeared recently in the Official Journal but relate to items appearing in earlier issues of the Bulletin; the references were not available when those issues went to press.

The number of the Bulletin and the point to which this additional information refers are followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

Bull. 1/2-1995

Point 1.4.110

Twentieth Joint Assembly of the Convention concluded between the African, Caribbean and Pacific States and the European Union (ACP-EU)
OJ C 245, 21.9.1995

Bull. 4-1995

Point 1.3.132

Council draft resolution of 4 April 1995 on culture and the multimedia
OJ C 247, 23.9.1995

Point 1.4.61

Council resolution of 4 April 1995 concerning cooperation with the associated countries of Central and Eastern Europe in the cultural domain
OJ C 247, 23.9.1995

Bull. 6-1995

Point 1.3.24

Council Directive 95/23/EC of 22 June 1995 amending Directive 64/433/EEC on conditions for the production and marketing of fresh meat
OJ L 243, 11.10.1995

Point 1.3.25

Council Decision 95/411/EC of 22 June 1995 laying down the rules for the microbiological testing for

salmonella by sampling of fresh poultrymeat intended for Finland and Sweden
OJ L 243, 11.10.1995

Point 1.3.26

Council Decision 95/409/EC of 22 June 1995 laying down the rules for the microbiological testing by sampling of fresh beef and veal and pigmeat intended for Finland and Sweden
OJ L 243, 11.10.1995

Point 1.3.27

Council Decision 95/410/EC of 22 June 1995 laying down the rules for the microbiological testing by sampling in the establishment of origin of poultry for slaughter intended for Finland and Sweden
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OJ C 256, 2.10.1995

5. Corrigenda

2.5.1. This section lists the corrigenda to earlier issues of the Bulletin. The corrections are shown in bold.

Bull. 6-1995

Point 1.3.222

The title to read: 'Proposal for a **Parliament and Council Directive**'

Bull. 7/8-1995

Point 1.3.146

The reference to the Official Journal to read: '**OJ C 253, 29.9.1995**'.

Point 1.3.147

The figure at the end of the last sentence of the comment to read: '**5 000** ha'.

The reference to the Official Journal to read: '**OJ C 260, 5.10.1995**'.

Point 1.3.153

The second reference to read: '**OJ L 89, 23.3.1994**'.

Point 1.4.11

The following paragraph to be inserted between the second and third paragraphs: '**The European Union and its Member States condemn all acts of violence which, apart from causing the loss of human lives, endanger the current negotiations between the Palestinians and Israelis, aimed at the signing of a global agreement which would give way to the second phase of self-government.**'

Point 1.10.13

The list of judges to read as follows: '**... Dr Antonio Saggio**'.

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